



Academic Board Agenda

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Enclosure for the agenda

for the meeting of the Academic Board on 13 June 2001

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Report of the Working Party on Elections

Background

1. Establishment of Working Party

The former Chair of the Board, Professor L E Cram, established the following Working Party to review legislation relating to elections to the Academic Board and Academic Forum and to student membership of faculties, college boards and boards of studies:

Professor L E Cram, Chair, Academic Board (replaced by Professor J Sachs)(Chair)
Ms O Cornelius, Director, Secretariat & Corporate Information Unit
Ms B Chmielewski, Faculty Manager, Faculty of Science
Associate Professor R Armstrong, then Fellow of Senate
Professor G Sherington, Dean, Faculty of Education
Ms H Fleming, University Solicitor
President, SUPRA (Ms K Stenner, replaced by Mr J A Taylor)
President, SRC (Mr L Whittington, replaced by Ms N Verco and then Ms M Watts)

(1) Academic Board and Academic Forum elections

Noting that the 1995 Review of the Academic Board foresaw a possible need to examine the implementation of the new Academic Governance Rules, the Working Party considered a report and draft recommendations relating to Rules governing the conduct of elections to the Academic Board and the Academic Forum.

Proposals received sought to resolve some ambiguities and to clarify certain elements of the Rules in order to facilitate participation by elected staff and students.

The Academic Governance Rules relating to the Academic Forum and Academic Board are set out in the *Calendar 2000* (AB - pp 95-104; AF – pp 105-110).

(2) Election of student members of faculties

These elections are conducted annually by faculties and colleges. Students so elected become members of the Academic Forum by virtue of their membership of a faculty, and comprise the electorate for the election of one undergraduate and one postgraduate student member of the Board.

The conduct of these elections is prescribed in the Resolutions of the Senate detailed in the *Calendar 2000*, pp 141-5.

The Working Party noted that these Resolutions appeared not to have been reviewed for some time: while other elections were now conducted in accordance with a common set of principles as defined in a new By-law and comparatively recently-developed Rules, the principles underpinning these elections had not been updated; certain provisions relating to student members to be elected and to electorates were inconsistent, and, in some cases, those provisions were also inconsistent with faculty/college constitutions detailed elsewhere in the *Calendar*; the issue of representation for the AGSM needed also to be addressed.

2. Report of the Working Party

The initial report of the Working Party on Elections was presented to the Academic Board at its meeting on 14 February 2001. The Board noted the report and invited members to submit comments on the report to the Chair by no later than 1 March, for consideration by the March meeting of the Board.

In the light of comments received from members of the Board and the Academic Forum, the Working Party re-convened on 14 March 2001 to consider the following comments/submissions:

- comments from Associate Professor R Drynan, Professor S R Leeder, the SRC and the Cumberland Student Guild;
- recommendations from the University Solicitor; and
- an extract from the report of the Academic Forum meeting of 26 February 2001 to the Academic Board relating to the Forum Focus: Student involvement.

The Working Party reviewed and revised a number of recommendations in its original report in the light of the above submissions and presented a revised report and recommendations to the May 2001 Board. Subsequent to the distribution of the agenda, and prior to the Board meeting, additional comments were received from Associate Professors J Mack and R Drynan. In the light of the significant nature of the comments, the Working Party's report was withdrawn from the May Board agenda and the Working Party was reconvened to consider the comments.

The Working Party has amended its report and recommendations in the light of the comments.

Revised report and recommendations of the Working Party

1. Amendment of the Academic Governance Rules relating to the Academic Forum and Academic Board

Recommendation

That Senate amend the Academic Governance Rules relating to the Academic Forum and Academic Board, with effect from the date of approval, as set out in the attachments (Academic Forum – pages 13-24; Academic Board – pages 25-44). (Text to be deleted is indicated by strike-through, and text to be added is indicated by underlining.)

The purposes of these amendments are detailed below. As many of the amendments proposed are common to both the Academic Forum and Academic Board Academic Governance Rules, they are grouped together by subject. The references to “AF” and “AB” indicate those sections of the Academic Governance Rules relating to the Academic Forum and Academic Board to which amendments are recommended.

(1) **Definitions**

(AF 3 (1); AB 3 (1))

“Academic staff”

The Working Party:

- agreed that the current definitions of “academic staff” in the Academic Governance Rules relating to both the Forum and the Board need to be amended in the light of the HECE Award and the MOA;
- noted the definition of academic staff for Senate elections in the University of Sydney By-law 1999 (namely, “the full-time and part-time members of the academic staff of the University”) ¹, but not the casual staff ²;

¹ Chapter 4, Division 2, Section 17.(1)(a), p 64, *Calendar 2000*

- wished to ensure that any definition of academic staff, for the purpose of elections to the Forum and the Board, enfranchised research-only staff (such as ARC and NHMRC Fellows) and academic staff of the Australian Graduate School of Management (AGSM); and
- initially recommended that the definition of “academic staff” be amended to read as follows:
 - (a) in relation to the Australian Graduate School of Management, any person employed by:
 - (i) the Australian Graduate School of Management as a full-time or part-time (but not casual) member of its academic staff; or
 - (ii) the University of Sydney or the University of New South Wales and seconded to the Australian Graduate School of Management on a full-time or part-time (but not casual) basis; and
 - (b) in relation to all other faculties, any person employed by the University as a full-time or part-time (but not casual) member of its academic staff.

However, the Working Party was subsequently advised that the Act prohibits the designation of “academic staff” in a Rule, and provides instead that, if such a designation were required, it must be in the form of a By-law.

The Working Party considered advice from the University Solicitor and noted descriptors of “academic staff” in By-laws for the purpose of elections to Senate. In their light, the Working Party agreed to delete its proposed designation of “academic staff” from the Rules, agreeing that the existing provisions of By-laws were sufficient for the purpose of elections to the Academic Board and the Academic Forum, and noting that the definition of “faculty member” in the Rules provided for staff of the AGSM to be eligible to participate in those elections.

“Dean” and “Faculty”

The Working Party noted that under the AGSM Merger Agreement, the AGSM has the status of a faculty and recommends that the definitions of “Dean” and “Faculty” be amended in the Academic Governance Rules relating to both the Forum and the Board by deleting the specific provisions defining the Graduate School of Business as a faculty.

“Professor”

The Working Party noted the current definition of “Professor” in the Academic Governance Rules relating to both the Forum and the Board (namely “a member of academic staff who has been appointed or promoted to the position of professor by Senate”). The Working Party recommends that this definition be amended by deleting the words “by Senate” and by bolding the words “member of academic staff”. The test for eligibility would therefore be whether or not the professor is employed by the University.

It is to be noted that, in accordance with the Personnel Policy on the “Conferring of All Academic Titles”, the conferring of adjunct, clinical academic and conjoint academic titles does not establish any employment relationship with the University, and that the holders of these titles are therefore not included in the definition of “professor” for the purposes of elections to the Academic Forum and Academic Board (unless they are also employed by the University on a full- or part-time but not casual basis).

² Chapter 4, Division 2, Section 17.(2), *ibid*

Conjoint appointments

The Working Party considered Professor Leeder's concern that conjoint academic appointees are ineligible to be elected to the Forum and the Board. The Working Party recognised that conjoint appointees make a valuable contribution to the University's teaching and research but noted that there are analogous persons in other faculties who likewise are ineligible for Forum and Board membership, noting also that such persons have been ineligible for membership since the inauguration of the new Board and Forum in 1996. The Working Party believes that their contributions can be recognised in other ways, especially at the local faculty level, as provided in the University policy on the "Conferring of All Academic Titles". The Working Party therefore reiterates its previous recommendation, as set out above.

(2) Membership

Student membership of the Academic Forum (AF 5 (1))

The Working Party noted that all student members of faculties (those elected and those *ex officio* rather than elected) become members of the Academic Forum but that, given the definition of a faculty, student members of boards of studies are not members of the Forum.

The Working Party recommends that provision be made in the Academic Governance Rules relating to the Forum for the student members of the Boards of Studies in Music, Social Work and Indigenous Studies to be members of the Forum.

Academic staff membership of the Academic Forum (AF 5 (2))

The number of positions in the Forum membership for non-professorial members of the academic staff in the relevant faculty is determined by the Registrar as at 31 March immediately preceding an election. Noting difficulties associated with determining that number after the DETYA census date, but in time for the commencement of the election process, the Working Party recommends that the Academic Governance Rules relating to the Forum be amended so that this determination is made as at 31 March in the year preceding the election.

Non-professorial academic staff membership of the Academic Board (AB 5 (1) (g))

The Working Party originally recommended that the Academic Governance Rules relating to the Board be clarified to state that members of the Board elected in the category of "five persons who are non-professorial members of the academic staff" must be members of the Forum in the category of elected non-professorial members (rather than non-professorial members of the Forum in any category).

The Working Party reiterates its original recommendation and endorses a suggestion from Associate Professor Drynan for a further amendment to be made to the wording of the Rules to make it explicit that the electorate for the "five persons who are non-professorial members of the academic staff" is those members of the Academic Forum who have been elected as non-professorial members of the Forum.

Gender composition

(AB 5 (2))

In response to a suggestion received from Associate Professor Drynan, the Working Party recommends an amendment to Rule 5 (2) to:

- (a) clarify the gender composition requirement relating to four categories of Academic Board membership; and
- (b) link Rule 5 (2) to Rule 41, which prescribes how Rule 5 (2) is to be implemented in elections to those categories of membership.

Allocation of members (AF 5 (4); AB 5 (3))

The Academic Governance Rules relating to both the Forum and the Board provide, for the purpose of the election of staff members (non-professorial members on the Forum and academic staff members on the Board), for Senate to allocate staff to a particular faculty in cases where they are not a member of a department or school under the supervision of a faculty.

Senate Resolutions which made such provision have been repealed, however, since the Academic Governance Rules were implemented.

The Working Party recommends that the relevant Rules be amended to provide for the Vice-Chancellor to make the necessary determinations, with appropriate entries to be included in the University *Calendar* and updated from time to time, as appropriate.

Cessation of membership (AF 5 (6); AB 5 (5))

The Academic Governance Rules relating to both the Forum and the Board provide that an elected or appointed member of the Forum/Board ceases to be a member if that person is absent from three consecutive ordinary meetings and is not, within six weeks of the last of those meetings, excused for his or her absence.

The Working Party had originally agreed that in bodies the size of the Forum and the Board the provision is difficult to administer and appears to be unacceptable to/ignored by many members, noting that it also applies only to a small proportion of members. The Working Party had recommended that the relevant Rules be amended to delete this provision.

Following consideration of comments from Associate Professor Drynan, the Working Party has revised its original recommendation and recommends that the provisions for cessation of membership be retained.

(3) Assistant Vice-Chancellor

(AF 5 (1), 7 (4); AB 6 (1) and 8 (3))

The Working Party recommends that the Academic Governance Rules relating to both the Forum and the Board be amended to delete reference to the position of Assistant Vice-Chancellor.

(4) Number of terms of office for members

(AF 7 (3); AB 7 (4), 8 (2) and 9 (2))

The Academic Governance Rules relating to both the Forum and the Board prescribe a maximum term of office of two consecutive terms for the Chairs of the Forum and the Board and for the Deputy Chairs and elected members of the Board.

The Working Party agreed that part-terms served by members who fill casual vacancies should not be counted as terms and therefore recommends that the relevant Rules be amended to specify that these maximum terms of office be two full, consecutive terms.

(5) Alternative Chair

(AF 7 (6); AB 8 (5))

The Academic Governance Rules relating to both the Forum and the Board provide that the Chair must, at the first meeting following election, nominate an Alternative Chair for approval by the Forum/Board.

The Working Party noted that the various Chairs have not always been able to comply with this constrained time-frame, and recommends that the relevant Rules be amended by adding the words “normally” and “or as soon as possible thereafter”.

The Working Party also recommends that a clause be added to the Academic Governance Rules relating to the Forum to provide for the appointment of an Alternative Chair by the Chair of the Forum if both the Chair and Alternative Chair are unavailable (as was recently done for the Academic Governance Rules relating to the Board).

(6) Notice of ballot: publication

(AF 15 (2); AB 25 (2))

The Academic Governance Rules relating to both the Forum and the Board provide that the returning officer must give a notice of an election by any one of these methods:

- (a) displaying the notice on all official University notice boards;
- (b) sending a notice to each person entitled to vote in that election; or
- (c) placing a notice in the *University News*

The Working Party noted that methods (a) and (c) are not really appropriate for the election of non-professorial members of the Forum and for the election of academic staff members of the Board, as these elections are conducted by individual faculties within faculties, and that the University should be moving towards greater use of electronic dissemination of information.

The Working Party originally recommended that the relevant Rules be amended by:

- re-ordering the methods (a) to (c) by listing method (c) first; and
- adding an additional option in a new sub-section (d) to read as follows:
 - (d) broadcasting an electronic dissemination, available to each person entitled to vote in that election

On the advice of the University Solicitor, the Working Party has revised its original recommendation and recommends that:

- sub-section (b) (re-ordered as sub-section (c)) be amended to read as follows: “sending a hard copy or an electronic notice to each person entitled to vote in that election ...”; and
- the proposed new sub-section (d) be deleted.

(7) Nominating candidates: statement of information

(AF 16 (3))

The Academic Governance Rules relating to the Forum provide that at the time of nomination each candidate may provide a statement containing information in a number of categories, including, “(c) if a student, current course and year of enrolment”.

The Working Party noted that student members of the Forum are not elected to the Forum; they are elected to membership of faculties, and, by virtue of that, are members of the Forum. The provision in Rule 16 (3) (c) is irrelevant to elections to the Forum, and the Working Party recommends that it be deleted.

(8) Postal ballots: placing a vote

(AF 20 (3))

The Working Party recommends the correction of a typographical error in section 20 (3) (b) of the Academic Governance Rules relating to the Academic Forum – the reference should be to Rule 20 (2) (c) (not 20 (2) (d)).

(9) Filling casual vacancies

(a) Academic Forum

Elected members (AF 30 (2))

The Working Party noted that section 30 of the Academic Governance Rules relating to the Forum provides an alternative mechanism for filling casual vacancies among elected Forum members by appointment by the Forum. The Working Party is of the view that it is desirable to clarify the appointment process by specifying that the Forum may appoint on the recommendation of the Chair following consultation with the relevant Dean.

(b) Academic Board

Elected members (AB 42)

Rule 42 (1) of the Academic Governance Rules relating to the Board (1996 version) provides as follows:

“If a casual vacancy occurs in the office of any elected member of the Academic Board, then that vacancy must be filled by the candidate at the immediately preceding election who was the last candidate to be excluded, and who remains eligible to be elected.”

The Working Party noted that this provision could be interpreted as meaning the gender balance requirement specified in Rule 5 (2) does not apply to filling casual vacancies. The Working Party was of the view that the principle inherent in Rule 5 (2) does, indeed, apply. However, in the light of advice from the University Solicitor, the Working Party originally agreed that no amendment to Rule 42 was required and that the Rule should be interpreted in accordance with past practice, *viz*, that the gender balance requirement (Rule 5(2)) applies to the filling of casual vacancies.

Following consideration of comments from Associate Professor Drynan and the University Solicitor, the Working Party has re-considered its original recommendation and recommends amendments to the Rules to provide that:

- (a) Rule 42 (1) applies generally to filling casual vacancies in categories of elected members, but does not apply to filling casual vacancies in the offices of Chair or Deputy Chairs, where Rules 42 (5) and 42 (6) apply; and
- (b) casual vacancies in the four prescribed categories are to be filled in accordance with the gender balance Rule 5 (2) and if a position cannot be filled by someone of the appropriate gender then the office is to remain vacant for that term of office.

Student members (AB 42 ~~(3)~~ (4))

The Working Party recommends that Rule 43 (3) (1) of the Academic Governance Rules relating to the Board be amended by the addition of a step in the process for filling casual vacancies for student members, whereby the Board would first consult with the relevant student association before filling the vacancy.

Faculty members (AB 42 ~~(4)~~ (5))

The Working Party noted that, unlike most other categories of elected members of the Board (who are elected by and from the Academic Forum), the Faculty members are elected directly to the Board by faculties. Casual vacancies in this category are filled in accordance with Rule 42 (4) (re-numbered as Rule 42 (5)) of the Academic Governance Rules relating to the Board, which reads (in part) as follows

“...the Academic Board may fill that vacancy by appointing a person from the relevant faculty who is eligible to be elected to that category of members by the **Academic Forum**, after first consulting the relevant Dean.”

The Working Party recommends that the above reference (in bold) to the Academic Forum be replaced with a reference to the faculty, as there is no such category of members on the Academic Forum.

(10) Editorial amendments

The Working Party has made a number of editorial amendments to provide, *inter alia*:

- (a) for consistency in all references to the Rules being written with a capital “R” and all cross-references to sections and sub-sections in the Rules being written as “Rule (...) (...) in the Academic Governance Rules relating to the Academic Board;
- (b) that references to membership of the Undergraduate Studies, Graduate Studies and Library Committees by the “Deputy Vice-Chancellor (Academic and Staffing) until 31 January 1999; the Pro-Vice-Chancellor (Teaching) from 1 February 1999” are replaced by “the Pro-Vice-Chancellor (Teaching and Learning)” in the Academic Governance Rules relating to the Academic Board;
- (c) that reference to membership of the Academic Staffing Committee by the “Deputy Vice-Chancellor (Academic and Staffing)” is replaced by “the Pro-Vice-Chancellor (Employee Relations)” in the Academic Governance Rules relating to the Academic Board; and
- (d) for consistency of use of the terms “vote” and “ballot” in the Academic Governance Rules relating to the Academic Forum and Academic Board.

2. Related recommendations

(1) Allocation of members to faculties by the Vice-Chancellor

The Working Party has recommended (see 1.(2) above) that the Vice-Chancellor allocate members of academic staff to faculties for the purpose of elections of non-professorial staff members of the Academic Forum (AF 5 (4) (a)) and for elections of academic staff members of the Academic Board (AB 5 (3) (a)).

In the years since the establishment of the Forum and the Board, several centres and other units have been allocated to faculties for statistics-gathering and reporting purposes; others have ceased to exist or have been renamed. A comparatively small number of units remain to be formally allocated to faculties for the purpose of these elections. It is proposed that allocations be made in accordance with general precedents set with regard to the allocation of academic staff to faculties for elections to the previous Academic Board.

Recommendation

That, for the purposes of elections of non-professorial members of the academic staff to the Academic Forum and of academic staff members to the Academic Board, the Vice-Chancellor allocate academic staff to faculties as detailed below:

Faculty of Arts
Institute for Teaching and Learning
Centre for the Mind

Faculty of Education
Centre for Teaching English
Koori Centre

Faculty of Science
Electron Microscope Unit
OFTC/Australian Photonics CRC
Australian Genomic Information Centre
Australian Key Centre for Microscopy and Microanalysis

(2) Faculty membership by members of the research-only staff

The Working Party noted that the By-laws definition of “academic staff” (Item 1.(1) refers) provides for the enfranchisement of research-only staff (such as ARC and NHMRC Fellows) for the purpose of elections to the Forum and the Board, as is the case for Senate elections.

The Working Party notes, however, that while some faculty constitutions provide for faculty membership by research-only staff, others do not.

Recommendation

The Working Party recommends that faculties give consideration to their constitutions with a view to recommending that provision be made for membership by research-only staff if they are not already members of faculty.

(3) Insufficient nominations

Recommendation

The Working Party recommends that, with regard to the conduct of elections to the Academic Forum and the Academic Board, the Academic Board note the Working Party’s confirmation of existing practice as follows:

That all vacancies in elected positions that arise in the Academic Board and Academic Forum when insufficient nominations have been received or where, for some other reason, positions available to be filled by election are not filled, then procedures for filling casual vacancies in elected positions shall apply.

(4) Student and staff participation

(a) Student participation

- (i) The Working Party had noted advice from deans to the Chair of the Working Party on issues to do with the election of student members of faculties. Deans had confirmed: that faculties universally supported the existing provisions for student membership of faculties in so far as numbers and categories of student members were concerned, as defined in faculty constitutions; and that, with only minor concerns, they were satisfied with the current arrangements for selecting student members of faculties.

As previously noted by the Working Party, and emphasised by the President of SUPRA at the Academic Board, there remained two problems, however, with the current system:

- many student places remain unfilled, since nominations and elections do not fill all available places, and deans choose not to exercise their option for filling vacancies; and

- election rules are inevitably so time-consuming that students suffer a long delay between nomination and actually participating in academic deliberations.

The Working Party was of the view that, taken together, these problems suggested that any new system of solution should:

- ensure that all positions are filled; and
- shorten the period for any election process that may be required, or replace elections with a faster, but still democratic process.

The Chair invited suggestions on alternative processes, but, following discussion, the Working Party agreed that no change be made to the present system. The Working Party agreed to confirm existing practice, whereby faculties are reminded early in March that deans need to nominate students to fill casual vacancies, in consultation with the relevant student associations.

- (ii) At its meeting in March 2001, the Working Party considered the submissions from the SRC and the Cumberland Student Guild and the report of the Academic Forum meeting of 26 February 2001, noting that these addressed broader issues outside the Working Party's brief, such as: participation in the Academic Forum and its relationship with the Board; and student participation in academic governance.

In respect of student participation in academic governance, the Working Party noted that lack of student participation was a nationwide problem based on factors such as the time commitment required versus other priorities and apathy versus a sense of disempowerment. It was agreed that student awareness of forthcoming elections could be enhanced by expanding advertising beyond the requirements specified in the Academic Governance Rules by the following strategies:

- notices announcing forthcoming student elections could be sent to faculties for dissemination via faculty and departmental notice-boards (this arrangement already being in place);
- greater use could be made of student associations in disseminating information;
- electronic dissemination should be used wherever possible, but in the awareness that not all students used their "MyUni" accounts; and
- consideration could be given to asking academic staff to encourage student participation, for example via announcements in lectures.

The Working Party noted a range of suggestions to enhance participation, including the following:

- some form of relief from studies (such as suspension of candidature at some levels) could be offered and training could be offered;
- students could be made aware of the benefits of participation in terms of the development of skills, networking and enhanced CVs; and
- some form of mentoring could be undertaken at the faculty/departmental level.

It was suggested that the President of SUPRA write to the Chair of the Board and the Chair of the Committee of Deans so that this issue, together with that of consultation with the student associations, could be taken up by the Committee of Deans.

(b) Staff participation

During discussion of the broader issues of staff and student participation in academic governance, the Working Party noted that the Chair of the Forum was addressing the issue of participation in the Forum and the Forum's relationship with the Board.

Recommendation

The Working Party recommends that the Academic Board give further consideration to the means by which participation on the Board by students and staff may be facilitated.

(5) Reduction in the number of heads of department/school

The constitutions of the Academic Forum and Academic Board provide for

- Forum membership by the heads of all departments and schools (AF 5 (1) (l)), and
- Board membership by five persons who are heads of departments or schools elected by the heads of departments and schools (AB 5 (1) (f)).

The Working Party noted that faculty restructuring over the past few years has either removed heads of department/school entirely, or reduced their number from almost 120 some five years ago to less than 60.

Recommendation

That the Board note the information.

(6) Electronic dissemination of election notices

The Working Party agreed that electronic means should be used wherever possible in the conduct of elections; global e-mail messages could be used to announce forthcoming elections; and Senate could be asked to designate a website as an official notice-board.

Recommendation

That the Board give consideration to the Working Party's views on electronic dissemination of election notices.

Academic Governance Rules of the Senate relating to the Academic Forum

*Consolidated to incorporate all changes approved by the Senate
up to and including 27 November 1996*

1. Citation and commencement

(1) Citation

These Rules are made by the Senate pursuant to section 37 (1) of the Act, and pursuant to ~~Chapter 8~~ Chapter 6 of the *University of Sydney Amendment (Academic Governance) By-law 1996*⁺ 1999.

(2) Commencement

These Rules commence on the day after they are ~~published~~ made in accordance with Chapter 2 of the *University of Sydney Amendment (Academic Governance) By-law 1996*⁺ 1999.

⁺ — Note that the *University of Sydney Amendment (Academic Governance) By-law 1996* was repealed on 6 August 1999 and replaced with Chapter 6 of the *University of Sydney By-law 1999*.

2. Purpose

(1) Defined

The purpose of these Rules is to prescribe the membership, functions and procedures of the Academic Forum.

3. Dictionary

(1) Definitions

In these Rules:

absolute majority of votes means an amount greater than fifty per cent (50%) of valid votes;

Academic Board means the Academic Board established by section 15 (1) of the Act;

academic staff member means any person employed by the University:

(a) — for no less than 0.6 of the hours required of a full-time position in any of the academic classifications prescribed by the Senate; and

(b) — on a continuing basis or pursuant to an agreement for a fixed term of no less than three years;

and **member of academic staff** has a corresponding meaning;

Act means the *University of Sydney Act 1989* (NSW);

Chair means a person elected as chair of the Academic Forum;

Dean means (as the case may be):

(a) a dean of a faculty; or

(b) a director or a principal of an academic college; ~~or~~

(c) — ~~the Director of the Graduate School of Business;~~

election means an election conducted pursuant to these Rules;

Faculty means (as the case may be):

(a) a faculty as established by its constitution; or

(b) a college board as established by its constitution; ~~or~~

(c) — ~~the Graduate School of Business as established by its constitution;~~

Faculty member means a person who is a member of a (as the case may be) faculty pursuant to a Rule or Resolution made by the Senate and **member of faculty** has a corresponding meaning;

majority means an amount greater than 50%;

non-professorial member of academic staff means a member of the academic staff who is not a professor, and includes the University Librarian;

primary votes means preferences marked on a ballot paper equal to the number of vacancies to be filled and which have equal value;

professor means a **member of academic staff** who has been appointed or promoted to the position of professor ~~by the Senate~~;

secondary votes means preferences marked on a ballot paper beyond the primary votes to be allocated in rank order according to their numerical values;

special resolution means a resolution passed by at least two-thirds of all members at a meeting of the Academic Forum who are eligible to vote.

4. Functions

(1) Functions

The functions of the Academic Forum are to:

- (a) act as an electoral college for the Academic Board;
- (b) provide a forum representative of the University's academic community to debate academic policy;
- (c) advise the Academic Board of matters of academic policy, including teaching and learning, research, student matters and academic staffing; and
- (d) serve the University's academic community as a body where concerns and grievances affecting the academic community can be aired and brought to the attention of the Vice-Chancellor.

5. Constitution of the Academic Forum

(1) Membership

The Forum is to consist of:

- (a) the Vice-Chancellor;
- (b) the deputy vice-chancellors;
- (c) the pro-vice-chancellors;
- ~~(d) the Assistant Vice-Chancellor;~~
- ~~(e)~~ (d) the deputy principals;
- ~~(f)~~ (e) the University Librarian;
- ~~(g)~~ (f) the professors;
- ~~(h)~~ (g) the deans;
- ~~(i)~~ (h) the Chairs of the Boards of Studies in Music, Social Work and Indigenous Studies;
- ~~(j)~~ (i) the Directors of:
 - (i) the Koori Centre; and
 - (ii) the Centre for Teaching and Learning;
- ~~(k)~~ (j) the chair of a faculty where the dean does not chair that faculty;
- ~~(l)~~ (k) the heads of departments and schools;
- ~~(m)~~ (l) the non-professorial members of academic staff, who are not already members of the Academic Forum in another category, and the number of which is calculated according to Rules 5(2) and 5(3), elected by non-professorial members of academic staff in the relevant faculty;
- ~~(n)~~ (m) the Student members of faculties and the Boards of Studies in Music, Social Work and Indigenous Studies;
- ~~(o)~~ (n) the President of the Students' Representative Council;

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- ~~(p)~~ (o) the President of the Sydney University Postgraduate Representative Association;
 - ~~(q)~~ (p) any member of the Academic Board who is not already a member of the Academic Forum; and
 - ~~(r)~~ (q) if Senate so decides, any other ~~person~~ persons appointed by the Senate on the recommendation of the Academic Board.

(2) Academic staff membership

The number of members elected pursuant to Rule 5 (1) ~~(m)~~ (l) is equal to 3.3% of the full-time equivalent academic staff at the University, determined by the Registrar as at 31 March in the year preceding an election, subject to any adjustment required by Rule 5 (3).

(3) Faculty representation

The number of members to be elected pursuant to Rule 5 (1) ~~(m)~~ (l) from each faculty is the greater of:

- (a) two persons; or
- (b) as determined on a pro-rata basis, according to the proportion of full-time equivalent academic staff located in each faculty as at 31 March in the year immediately preceding the relevant election.

(4) Allocation of members

For the purposes of an election:

- (a) under Rule 5 (1)~~(m)~~ (l) the ~~Senate~~ Vice-Chancellor may allocate to any one faculty any member of the academic staff who is not a member of a department or a school placed under the supervision of a faculty; and
- (b) under these Rules, a member of academic staff who is a member of more than one faculty is entitled to one vote only, through the faculty which supervises that person's department or school.

(5) Student members

A student member appointed under ~~Rule 5 (1) (n), (o), (p) or (q)~~ Rule 5 (1) (m), (n) or (o) must not be a member of the academic staff or the full-time non-academic staff of the University.

(6) Cessation of membership

A person ceases to be a member of the Academic Forum if that person:

- (a) dies;
- (b) resigns from the Academic Forum;
- (c) except for student members, ceases to be employed by the University;
- (d) if appointed under ~~Rule 5 (1) (n), (o) or (p)~~ Rule 5 (1) (m), (n) or (o) ceases to hold that position;
- (e) where appointed under Rule 5 (1) ~~(n)~~ (m) ceases to be enrolled as a student at the University;
- (f) where appointed under Rule 5 (1) ~~(q)~~ (p) is removed by the Senate on the recommendation of the Academic Board; or
- (g) where elected or appointed, is absent from three consecutive ordinary meetings of the Academic Forum and is not, within six weeks of the last of those meetings, excused for his or her absence.

6. Terms of Office of members

(1) Elected members

Elected Forum members hold office for two years, from 1 October following election.

7. Chair of the Forum

(1) Election of the Chair

The Chair is elected by and from the Academic Forum.

(2) Term of office

The Chair of the Academic Forum holds office for two years commencing on the date of election to office.

(3) Re-election

A person elected as Chair is eligible for re-election, on the conditions that that person:

- (a) at the time of their nomination is a member of the Academic Forum; and
- (b) does not serve more than two full, consecutive terms as Chair.

(4) Disqualification

A person may not hold office as Chair while that person is:

- (a) a deputy vice-chancellor;
- (b) a pro-vice-chancellor;
- ~~(c) an assistant vice-chancellor;~~
- ~~(d) (c)~~ Chair of the Academic Board; or
- ~~(e) (d)~~ a dean.

(5) Casual vacancy

The office of Chair becomes vacant if the person holding that office:

- (a) ~~is no longer~~ at any time ceases to be a member of the Academic Forum;
- (b) resigns in writing; or
- (c) becomes disqualified under Rule 7 (4).

(6) Alternative Chair

(a) The Chair must normally, at the first meeting following election, or as soon as possible thereafter, nominate for approval by the Academic Forum a member of the Academic Forum to act in the Chair's position where:

- ~~(a) (i)~~ the Chair is unavailable to perform his or her duties; or
- ~~(a) (ii)~~ a casual vacancy occurs and is to be filled pursuant to Rule 30 (3) (a).
- (b) In the event that the Alternative Chair is not available during a period when the Chair is unable to perform his or her duties, the Chair may appoint another member of the Academic Forum as Alternative Chair during that period and shall notify the Forum accordingly.

8. Meetings

(1) Meetings

The Forum must meet at least three times in any one semester.

(2) Convening

The Chair must convene all meetings.

(3) Additional meetings

The Chair must convene a meeting if requested to do so by:

- (a) the Vice-Chancellor;
- (b) the Chair of the Academic Board; or
- (c) at least 25% of the Academic Forum members.

(4) Secretary

The Registrar, or the Registrar's nominee, is to act as secretary of the Academic Forum.

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- (5) **Quorum**
The quorum of the Academic Forum is 50 members.
- (6) **Meeting procedures**
The meeting procedures of the Academic Forum shall be the same as prescribed for the Academic Board.
- 9. Reports**
- (1) **To Academic Forum**
The Vice-Chancellor and the Chair of the Academic Board must present a report to the Academic Forum on any matters of academic significance since the previous meeting of the Academic Forum.
- (2) **To Academic Board**
The Chair must present a report to the next meeting of the Academic Board after each meeting of the Academic Forum.
- 10. Election of Forum members**
- (1) **Election procedures**
Any election for the Academic Forum must be carried out in accordance with these Rules.
- 11. Returning Officer**
- (1) **Returning officer**
The Registrar, or the Registrar's nominee, is the returning officer for any election.
- (2) **Decision of returning officer is final**
If there is any dispute about an election, the decision of the returning officer is final.
- (3) **Agency**
The returning officer may authorise another person to exercise any function of the returning officer under these Rules. Any function exercised by that authorised person is taken to have been exercised by the returning officer.
- (4) **Electoral roll**
The Registrar must prepare a list of all persons entitled to vote in each category of election for the Academic Forum, completed to 14 days prior to the last day for receiving nominations for the election to each category. A copy of that list must be available for inspection at the Registrar's office (or another place nominated by the Registrar) during the University's usual business hours up to the time of the election.
- 12. Eligibility for election**
- (1) **Defined**
A person is eligible for election to the Academic Forum if that person is a member of the relevant category specified in these Rules.
- 13. Eligibility to vote in an election**
- (1) **Defined**
A person is eligible to vote in an election for the Academic Forum if that person is a member of the relevant category specified in these Rules.
- 14. Time intervals for different stages of the election process**
- (1) **Time intervals**
When conducting an election, the returning officer must ensure that:
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- (a) there are not less than 14 days nor more than 28 days between the publication of the notice that an election is to be held and the time for nominations to close;
- (b) there are not more than 28 days between the time nominations close and issue of ballot papers; and
- (c) where a postal ballot is held, there are not less than 14 days nor more than 28 days between the issue of ballot papers and polling day.

15. Notice of ballot

(1) Content of notice

When an election becomes necessary, the returning officer must publish a notice of election containing the following information:

- (a) that an election is necessary to a particular office;
- (b) the category or categories for election;
- (c) the number of vacancies to be filled in each category;
- (d) the term of office of each category;
- (e) inviting nominations for election;
- (f) the form in which a nomination must be made;
- (g) the date and time when nominations close;
- (h) the polling day for the election;
- (i) the method of election;
- (j) where appropriate, the time(s) and place(s) where polling is to take place; and
- (k) that the election procedures can be found in this Rule.

(2) Publication of notice

The returning officer must give a notice of an election by any one of these methods:

- ~~(a) displaying the notice on all official University notice boards;~~
- ~~(b) sending a notice to each person entitled to vote in that election; or~~
- ~~(c) placing a notice in the *University News*.~~
- (a) placing a notice in the *University News*;
- (b) displaying the notice on all official University notice boards; or
- (c) sending a hard copy or an electronic notice to each person entitled to vote in that election.

16. Nominating candidates

(1) Requirements

Each nomination must be proposed and seconded by persons, other than the person nominated, who are eligible to vote in the category for which the nominee has been nominated. A separate nomination form must be completed for each nominee, in each category for which that person has been nominated, and must be signed by:

- (a) the person who is nominated for election to the relevant category;
- (b) the person proposing that nomination; and
- (c) the person seconding that nomination.

(2) Eligibility for nomination

A nominee must be eligible for inclusion in the category for which that person is nominated.

(3) Statement of information

At the time of nomination each candidate may provide a statement of no more than 100 words containing any of the following information:

- (a) the candidate's name;
- (b) current occupation or position; or

- ~~(e)~~ — if a student, current course and year of enrolment; or
(c) any other information the candidate thinks relevant (for example, brief policy statements).

(4) Editing and distribution of information

The returning officer may edit any information provided by an candidate under Rule 16 (3). Edited statements will be printed as a summary of information and distributed with ballot papers.

(5) Non-withdrawal

A nomination may not be withdrawn once nominations have closed.

(6) Candidate no longer eligible

If, before the declaration of a poll for an election, a candidate dies or is no longer eligible for election, the election must proceed as if:

- (a) the candidate had not been nominated for election;
- (b) the candidate's name had not been included on the ballot papers printed for the election; and
- (c) any vote for that person had not been cast.

17. Receiving nominations

(1) Receipt of nominations

Nominations must be received by the returning officer no later than 4.00 pm on the date for close of nominations specified in a notice of ballot given pursuant to Rule 15 (1).

(2) Rejection of nomination

The returning officer must reject a nomination paper if satisfied that the nomination does not comply with the requirements of Rules 16 (1) and 16 (2). If a nomination is rejected, then the returning officer must, within seven days of receiving that nomination, send or deliver a notice to each person who has signed or endorsed that nomination paper, notifying the person that the nomination has been rejected.

18. Dealing with nominations

(1) Nominations less than or equal to positions vacant

If the number of nominations received is less than or equal to the number of candidates to be elected, then the returning officer must declare those candidates elected.

(2) Number of nominations greater than positions vacant

If the number of nominations received is greater than the number of candidates to be elected, then the returning officer must conduct an election in accordance with these Rules.

19. Secret ballots

(1) Election by secret ballot

An election carried out in accordance with these Rules must be conducted by secret ballot.

(2) Confidentiality

A person involved in an election must not disclose or assist another person to disclose any information as to how a person voted at that election.

20. Postal ballots

(1) If postal ballot required

This Rule applies if a postal ballot is required pursuant to the Act, this Rule or any Rule.

(2) Dispatch of electoral material

The returning officer must, at least 14 days before the ballot is due to be held, send to each voter on the relevant electoral roll, at the voter's address as listed on the electoral roll:

- (a) a ballot paper;
- (b) a notice describing:
 - (i) how the ballot paper must be completed; and
 - (ii) the date and time by which the ballot paper must be returned to the returning officer;
- (c) a declaration requiring the voter to state his or her name and that he or she is eligible to vote; and
- (d) two envelopes, one marked 'Ballot Paper' and the other a returning envelope addressed to the returning officer.

(3) Voting

Each voter must, after completing a postal ballot:

- (a) enclose and seal the ballot paper in the envelope marked 'Ballot Paper';
- (b) complete and sign the declaration of eligibility required in Rule 20 (2) ~~(c)~~ (c);
- (c) enclose and seal the envelope and declaration, referred to in Rules 20 (3) (a) and 20 (3) (b) above, in the returning envelope addressed to the returning officer; and
- (d) send by post or deliver the envelope to the returning officer so that the returning officer receives it no later than the closing date for ballots specified in Rule 20 (2) (b) (ii).

(4) Security of ballot papers

The returning officer must take all reasonable steps to ensure that all ballot papers received under Rule 20 (3) are stored securely until the close of the poll concerned.

21. Election not invalid because of certain errors

(1) Non-receipt of ballot paper or notice

An election is not invalid only because an eligible voter did not see displayed or receive a notice of election, or did not receive a ballot paper.

(2) Ballot paper not accepted

An election is not invalid only because an eligible voter's ballot paper has not been accepted at the election.

22. Marking ballot papers

(1) Preferences must be allocated

Voters must vote by marking the numbers 1, 2, 3 and so on, next to every candidate, in order of preference.

23. Scrutineers

(1) Each candidate may nominate a scrutineer

Each candidate for election may nominate one person to be present as that candidate's scrutineer at any counting of votes for that election. Any nomination under this Rule must be in writing, signed by the candidate, and given to the returning officer before counting of votes commences.

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- (2) **Candidate may not be a scrutineer**
A candidate for election is not eligible to be appointed as a scrutineer.
 - (3) **May inspect any ballot paper**
A scrutineer is entitled to inspect any ballot paper provided that scrutiny does not delay unreasonably the counting of votes in that election.

24. Informal ballot papers

- (1) **Informality**
A ballot paper is informal if:
 - (a) it contains any mark or writing that, in the opinion of the returning officer, enables any person to identify the voter;
 - (b) the ballot paper is not validated by the returning officer; or
 - (c) in the opinion of the returning officer, the ballot paper contains no vote, or does not allocate a preference to each candidate.
- (2) **Not informal for any other reason**
A ballot paper is not informal for any reason other than the reasons specified in this Rule, and must be given effect to according to the voter's intention so far as that intention is clear.

25. Tally sheet to be kept

- (1) **Contents of tally sheet**
The returning officer must keep a tally sheet for each ballot containing the following information:
 - (a) total number of ballot papers;
 - (b) a list of candidates;
 - (c) primary votes allocated to each candidate;
 - (d) secondary votes allocated to each candidate;
 - (e) progressive total vote for each candidate;
 - (f) informal votes, calculated by multiplying informal ballot papers by the number of candidates to be elected; and
 - (g) exhausted votes.
- (2) **Number of ballot papers must tally**
At each stage of counting the total votes divided by the number of candidates to be elected must correspond with the total number of ballot papers.

26. Procedures for election of one candidate only

- (1) **Procedures to be followed**
The returning officer must follow the procedures in Rule 27 where one candidate only is to be elected.

27. Counting votes for one candidate only

- (1) **Informal ballot papers**
Exclude all informal ballot papers.
- (2) **Count primary votes**
Count the primary votes for each candidate on formal ballot papers.
- (3) **Total primary votes**
Enter the total number of primary votes for each candidate next to that candidate's name on the tally sheet.

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- (4) Majority of votes**
If a candidate receives a majority of primary votes, then declare that candidate elected.
 - (5) Distribute secondary votes**
Where no candidate receives an absolute majority of primary votes, distribute secondary votes according to Rules 27 (6) to 27 (11) until one candidate receives an absolute majority.
 - (6) Exclusion of candidates**
Exclude the candidate with the fewest primary votes.
 - (7) Allocation of secondary votes**
For each ballot paper where the excluded candidate received a primary vote, allocate the next active secondary vote.
 - (8) Indicate excluded candidate**
Indicate the excluded candidate and that the next secondary vote has been allocated.
 - (9) Exhausted ballot papers**
If there is no active secondary vote on any ballot paper examined then that ballot paper is exhausted.
 - (10) Exclusion of candidates**
Add together the primary votes and secondary votes for each remaining candidate and exclude the candidate with the lowest number of total votes.
 - (11) Distribution of secondary votes**
If, after the exclusion of a candidate, the next active secondary vote is to an excluded candidate then that secondary vote shall be disregarded and the next secondary vote, if any, distributed.
 - (12) Repeat process**
Repeat the process as set down in Rules 27 (6) to 27 (11) until one (1) candidate receives an absolute majority of votes.
 - (13) Equal lowest vote**
If on any count two candidates have an equal number of votes and that number is the lowest on that count then:
 - (a) the candidate with the lowest number of primary votes shall be eliminated;
or
 - (b) where the number of primary votes is equal, then the returning officer shall draw lots with the candidate first drawn remaining in the ballot.
- 28. Election procedures for more than one candidate**
- (1) Procedure to be followed**
The returning officer must follow the procedures in Rule 29 where more than one candidate is to be elected.
- 29. Counting votes**
- (1) Informal ballot papers**
Exclude all informal ballot papers.
 - (2) Count primary votes**
Count the primary votes for each candidate on the formal ballot papers.

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- (3) **Total primary votes**
Enter the total number of primary votes for each candidate next to that candidate's name on the tally sheet.
 - (4) **Exclusion of candidates**
Exclude the candidate with the fewest primary votes.
 - (5) **Allocation of secondary votes**
For each ballot paper where the excluded candidate received a primary vote, allocate the next active secondary vote.
 - (6) **Indicate excluded candidate**
Indicate the excluded candidate and that the next secondary vote has been allocated.
 - (7) **Exhausted ballot papers**
If there is no active secondary vote on any ballot paper then that ballot paper is exhausted.
 - (8) **Exclusion of candidates**
Add together the primary votes and secondary votes for each remaining candidate and exclude the candidate with the lowest of total votes.
 - (9) **Allocation of secondary votes**
If, after the exclusion of a candidate, the next active secondary vote indicates an excluded candidate, then that secondary vote must be disregarded and the next secondary vote, if any, allocated.
 - (10) **Repeat process**
Repeat the process as set down in Rules 29 (5) to 29 (9) until only the number of candidates required to fill the vacancies remain.
 - (11) **Equal lowest vote**
If on any count, two candidates have an equal number of votes and that number is the lowest on that count then:
 - (a) the candidate with the lowest number of primary votes shall be eliminated; or
 - (b) where the number of primary votes is equal, then the returning officer must draw lots with the candidate first drawn remaining in the ballot.

30. Filling casual vacancies of elected members and the Chair

- (1) **Next candidate**
If a casual vacancy occurs in the office of any elected Academic Forum member, then that vacancy must be filled by the candidate at the immediately preceding election who was the last candidate to be excluded, and who remains eligible to be elected.
- (2) **Alternative**
If a casual vacancy occurs in the office of an elected Academic Forum member and cannot be filled in accordance with Rule 30 (1), then the Academic Forum may fill that vacancy by appointing a person from the relevant category who is eligible to be elected to that category of members to the Academic Forum in that category of members, on the recommendation of the Chair after first consulting with the relevant Dean.
- (3) **Chair**
If a casual vacancy occurs in the office of the Chair:
 - (a) on or after the last six months of the end of the Chair's term, then that vacancy must be filled by the member of the Academic Forum appointed to act as alternative Chair pursuant to Rule 7 (6); or

- (b) before the last six months of the end of the Chair's term, then an election must be held to fill that vacancy.

Academic Governance Rules of the Senate relating to the Academic Board

*Consolidated to incorporate all changes approved by the Senate
up to and including 6 March 2000*

1. Citation and commencement

(1) Citation

These Rules are made by the Senate pursuant to section 37(1) of the Act, and pursuant to ~~chapter 8~~ Chapter 6 of the *University of Sydney Amendment (Academic Governance) By-law 1996 1999*.

(2) Commencement

These Rules commence on the day after they are ~~published~~ made in accordance with Chapter 2 of the *University of Sydney Amendment (Academic Governance) By-law 1996 1999*.

2. Purpose

(1) Defined

The purpose of these Rules is to prescribe the membership, function and procedures of the Academic Board.

3. Dictionary

(1) Definitions

In these Rules:

absolute majority of votes means an amount greater than fifty per cent (50%) of valid votes;

Academic Forum means the Academic Forum established pursuant to the *University of Sydney Amendment (Academic Governance) By-law 1996 1999*;

academic staff member means any person employed by the University:

(a) — for no less than 0.6 of the hours required of a full-time position in any of the academic classifications prescribed by the Senate; and

(b) — on a continuing basis or pursuant to an agreement for a fixed term of no less than three years;

and ~~member of academic staff~~ has a corresponding meaning;

Act means the *University of Sydney Act 1989 (NSW)*;

Chair means a person elected as chair of the Academic Board;

Dean means (as the case may be):

(a) a dean of a faculty; or

(b) a director or a principal of an academic college; ~~or~~

(c) — ~~the Director of the Graduate School of Business;~~

Deputy Chair means any person elected as a deputy chair of the Academic Board;

election means an election conducted pursuant to these Rules;

Faculty means (as the case may be):

(a) a faculty as established by its constitution; or

(b) a college board as established by its constitution.; ~~or~~

(c) — ~~the Graduate School of Business as established by its constitution;~~

Faculty member means a person who is a member of a Faculty pursuant to a Rule or Resolution made by the Senate and member of Faculty has a corresponding meaning;

majority means an amount greater than 50%;

non-professorial member of academic staff means a member of the academic staff who is not a professor, and includes the University Librarian;

primary votes means preferences marked on a ballot paper equal to the number of vacancies to be filled and which have equal value;

professor means a **member of academic staff** who has been appointed or promoted to the position of professor ~~by the Senate~~;

secondary votes means preferences marked on a ballot paper beyond the primary votes to be allocated in rank order according to their numerical values;

special resolution means a resolution passed by at least two-thirds of all members at a meeting of the Academic Board who are eligible to vote;

Standing Committee means a standing committee of the Academic Board established pursuant to Rule 13.

4. Functions

(1) Defined

The functions of the Academic Board are to:

- (a) advise the Senate and the Vice-Chancellor on all matters relating to and affecting the University's teaching and research activities and its educational programs, including general advice on the academic priorities and policies of the University;
- (b) encourage the maintenance and development of high standards of teaching, scholarship and research;
- (c) co-ordinate and maintain an overview of the academic activities of faculties and similar organisational units;
- (d) participate in a formal and regular program of review of academic activities of faculties and similar organisational units;
- (e) advise on the academic aspects of the formulation and review of the University's strategic plan;
- (f) advise the Senate on faculty plans;
- (g) advise the Senate and the Vice-Chancellor with respect to policies concerning the academic aspects of the conditions of appointment and employment of academic staff;
- (h) consider and report on any matter referred to the Academic Board by the Senate or the Vice-Chancellor;
- (i) refer matters to faculties for consideration and report, and refer matters to departments and schools for consideration and report through the faculty under whose supervision they are placed;
- (j) consider and take action on reports from faculties;
- (k) advise the Senate on any academic submission made to the Senate by a faculty or similar organisational unit; and
- (l) exercise other functions delegated by the Senate to the Academic Board.

(2) Sub-committees

The Academic Board or a Standing Committee may establish or dissolve a sub-committee or working party to advise the Academic Board or the Standing Committee (as the case may be) in relation to performance of any of its functions.

5. Constitution of the Academic Board

(1) Membership

The Academic Board consists of:

- (a) the Chair elected:
 - (i) from the academic staff members of the Academic Forum; and
 - (ii) by all members of the Academic Forum;

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- (b) five deputy chairs elected:
 - (i) from the academic staff members of the Academic Forum; and
 - (ii) by all members of the Academic Forum;
 - (c) one academic staff member from the academic staff members of each Faculty:
 - (i) who is not already a member of the Academic Board; and
 - (ii) elected by and from the academic staff members of the relevant Faculty;
 - (d) the deans;
 - (e) five persons who are professors:
 - (i) who are not already members of the Academic Board; and
 - (ii) elected by the professors;
 - (f) five persons who are heads of departments or schools:
 - (i) who are not already members of the Academic Board; and
 - (ii) elected by the heads of departments and schools;
 - (g) five persons who are non-professorial members of the academic staff:
 - (i) who are not already members of the Academic Board;
 - (ii) who are elected as the non-professorial members of the Academic Forum; and
 - (iii) elected by those members of the Academic Forum who have been elected as the non-professorial academic staff members of the Academic Forum;
 - (h) the President of Sydney University Postgraduate Representative Association;
 - (i) the President of the Students' Representative Council;
 - (j) one person elected by and from those persons already elected to hold office as postgraduate student members of Faculties from 1 January in the year following election to the relevant Faculty;
 - (k) one person elected by and from those persons already elected to hold office as undergraduate student members of Faculties from 1 January in the year following election to the relevant Faculty;
 - (l) the Vice-Chancellor;
 - (m) the Deputy Vice-Chancellors; and
 - (n) the Chair of the Academic Forum.

(2) Gender composition

~~Members elected pursuant to Rule 5 (1) (b), (e), (f) or (g) shall, subject to Rule 41, consist of at least two females and two males.~~

Each of the categories of members elected pursuant to Rule (1) (b) [deputy chairs], (e) [professors], (f) [heads of departments or schools] or (g) [non-professorial members] must not include more than three persons of either gender. Rule 41 prescribes how this gender composition is achieved.

(3) Allocation of members

For the purpose of an election under Rule 5 (1) (c):

- (a) the ~~Senate~~ Vice-Chancellor may allocate to any one faculty any member of the academic staff who is not a member of a department or school placed under the supervision of a faculty; and
- (b) a member of academic staff who is a member of more than one faculty is entitled to one vote only, through the faculty which supervises that person's department or school.

(4) Voting rights

All members of the Academic Board have voting rights prescribed in these Rules.

(5) Cessation of membership

A person ceases to be a member of the Academic Board if that person:

- (a) dies;
- (b) resigns from the Academic Board;
- (c) except those appointed under Rule 5 (1) (h) or (i) or elected under Rule 5 (1) (j) or (k), ceases to be employed by the University;
- (d) where appointed under Rule 5 (1) (h) or (i), ceases to hold that position;
- (e) where elected under Rule 5 (1) (j) or (k), inclusive, ceases to be a student; or
- (f) where elected or appointed, is absent from three consecutive ordinary meetings of the Academic Board and is not, within six weeks of the last of those meetings, excused for his or her absence.

6. Observers may speak at meetings

(1) Rights to speak

The following persons have a right to speak, but no right to vote, at Board meetings:

- (a) the Pro-Vice-Chancellors;
- ~~(b) the Assistant Vice-Chancellor;~~
- ~~(c)~~ (b) the Deputy Principals;
- ~~(d)~~ (c) the University Librarian (unless already elected to the Academic Board under Rule 5 (1) (g)); and
- ~~(e)~~ (d) any person first approved by the Chair.

7. Terms of office

(1) Elected members

Subject to Rule 7 (3) and except for those members elected pursuant to Rule 5(1) (j) or (k):

- (a) the members of the Academic Board elected at the first election hold office from the date of election; and
- (b) the members of the Academic Board elected at subsequent elections hold office for two years, from 1 January in the year following election.

(2) Student members

Subject to Rule 7 (3), members of the Academic Board elected pursuant to Rule 5 (1) (j) or (k) hold office for one year, from 1 January in the year following election.

(3) Casual vacancies

Members of the Academic Board appointed to fill a casual vacancy hold office from the date of appointment until the end of the term of that member's predecessor.

(4) Re-election

An elected member of the Academic Board is eligible for re-election, on the conditions that that Board member:

- (a) at the time of their nomination is eligible for membership in that category; and
- (b) does not serve more than two full, consecutive terms as a member in the relevant category.

8. Chair of the Academic Board

(1) Term of office

The Chair holds office as follows:

- (a) the first elected Chair holds office from 1 June 1997 until 31 December 1998; and
- (b) subsequent elected Chairs hold office for two years from 1 January in the year following election.

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- (2) **Re-election**
A person elected as Chair is eligible for re-election, on the condition that that person does not serve more than two full, consecutive terms as Chair.
- (3) **Disqualification**
A person may not hold office as Chair while that person is:
(a) a deputy vice-chancellor;
(b) a pro-vice-chancellor;
~~(c) an assistant vice-chancellor;~~
~~(d) (c)~~ a dean; or
~~(e) (d)~~ the Chair of the Academic Forum.
- (4) **Casual vacancy**
The office of Chair becomes vacant if the person holding that office:
(a) resigns in writing from the position of Chair, or from the University; or
(b) becomes disqualified under Rule 8 (3); or
(c) dies.
- (5) **Alternative Chair**
(a) The Chair must normally, at the first meeting following election, or as soon as possible thereafter, nominate to the Academic Board for approval a Deputy Chair to act in the Chair's position where:
(i) the Chair is unavailable to perform his or her duties; or
(ii) a casual vacancy occurs and is to be filled pursuant to Rule ~~43~~ 42 (5)
(a).
(b) In the event that the Alternative Chair is not available during a period when the Chair is unable to perform his or her duties, the Chair may appoint one of the Deputy Chairs as Alternative Chair during that period and shall notify the Board accordingly.

9. Deputy Chairs

- (1) **Term of office**
Deputy Chairs hold office as follows:
(a) the first elected Deputy Chairs hold office from 1 June 1997 until 31 December 1998; and
(b) subsequent elected Deputy Chairs hold office for two years from 1 January in the year following election.
- (2) **Re-election**
A person elected as Deputy Chair is eligible for re-election, on the condition that that person does not serve more than two full, consecutive terms as Deputy Chair.
- (3) **Casual vacancy**
The office of Deputy Chair becomes vacant if the person holding that office:
(a) is appointed as Chair under Rule 42 (5) (a);
(b) resigns in writing from the position of Deputy Chair, or from the University;
or
(c) dies.

10. Meetings

- (1) **Frequency**
The Academic Board must meet at least eight times in any one calendar year.
- (2) **Convening**
The Chair must convene all meetings.

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- (3) **Additional meetings**
The Chair must convene a meeting if requested to do so by:
- (a) the Senate;
 - (b) the Vice-Chancellor; or
 - (c) at least 50% of all members of the Academic Board.
- (4) **Secretary**
The Registrar, or the Registrar's nominee, is to act as secretary of the Academic Board.
- (5) **Notice**
Members of the Academic Board must be given at least seven days' notice of any meeting. A notice of a meeting must specify the place, date and time of that meeting and a brief description of the business to be transacted at that meeting.
- (6) **Notice not given**
A meeting or a resolution passed at a meeting is not invalid because:
- (a) of an accidental failure to give notice of that meeting to a person entitled to receive notice;
 - (b) a person entitled to receive notice of that meeting does not receive it; or
 - (c) less than seven days' notice of that meeting was given.

11. Meeting procedures

- (1) **Quorum**
The quorum of the Academic Board is a majority of all members.
- (2) **No quorum**
Subject to Rule 11 (3), no business may be transacted at a meeting unless a quorum of members is present at the meeting within 30 minutes of the time nominated in a notice given under Rule 10 (4).
- (3) **Qualification**
If a quorum is not present at a meeting, the meeting may consider procedural matters only.
- (4) **Minutes**
Minutes of each meeting must be kept and must be:
- (a) signed by the Chair as a true and accurate record; and
 - (b) distributed to each Board member and to each observer listed in Rule 6 (1) no later than the date when notice of the next meeting is given.
- (5) **Resolutions**
Any motion which is to be put to a vote by members of the Academic Board:
- (a) must be duly proposed and seconded;
 - (b) subject to Rule 11 (6), may be carried or lost by a majority of votes of those present at the meeting and eligible to vote; and
 - (c) together with the results of any vote on that motion, must be recorded in the minutes.
- (6) **Special resolution**
A special resolution is required to make or change a Rule made by the Academic Board.

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- (7) **Motions without notice**
Subject to Rule 11 (9), only the Chair may put a motion without notice to a meeting of the Academic Board.
- (8) **Chair’s ruling is final**
Subject to Rules 11 (9) and 11 (10), the Chair’s decision on all matters relating to meetings is final.
- (9) **Motions of dissent**
Members of the Academic Board may, by resolution of at least two-thirds of members present at the meeting:
- (a) overrule a ruling of the Chair; and
 - (b) substitute their own ruling for the ruling of the Chair.
- (10) **Presiding over motions of dissent**
The following person must preside at the meeting while a motion is put to, and resolved by, the members of the Academic Board under Rule 11 (9):
- (a) the person appointed as alternate Chair under Rule 8 (5); or
 - (b) if that person is not present at that meeting, another member of the Academic Board elected by and from the members of the Academic Board present at that meeting.
- (11) **Voting at meetings**
Voting at meetings must be conducted by:
- (a) show of hands; or
 - (b) secret ballot, if demanded by any two members who are present at the meeting and who have a right to vote at that meeting, or if the Chair so directs.
- (12) **Member’s vote**
Members of the Academic Board have one deliberative vote each.
- (13) **Casting vote**
If there is a tied vote then the Chair has one casting vote, in addition to a deliberative vote, except in relation to a motion put to a meeting of the Academic Board under Rule 11 (9).
- 12. Report To Senate**
- (1) **Chair must report**
The Chair must present to Senate a report from the Academic Board about any Academic Board meetings held since the previous Senate meeting.
- 13. Standing Committees**
- (1) **Establishment**
The following Standing Committees of the Academic Board are established:
- (a) Undergraduate Studies Committee;
 - (b) Graduate Studies Committee;
 - (c) Teaching and Learning Committee;
 - (d) Research Committee;
 - (e) Library Committee; and
 - (f) Academic Staffing Committee.
- (2) **Membership**
Except for the chair of each Standing Committee, it does not matter that any or all of the members of a Standing Committee are not members of the Academic Board or the Academic Forum.
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- (3) **Presiding member**
The chair of each Standing Committee must be the Chair or a Deputy Chair.
 - (4) **Alternative Chair**
The chair of a Standing Committee may nominate a member of that Standing Committee (who must first be approved by the Academic Board) to act as alternative chair if the chair of that Standing Committee is unavailable to perform his or her duties.

14. Undergraduate Studies Committee

- (1) **Terms of reference**
The terms of reference for the Undergraduate Studies Committee are to:
 - (a) to advise the Academic Board on policies relating to all undergraduate studies in the University, including:
 - (i) the pattern of undergraduate courses in the University;
 - (ii) admission of undergraduate students and the recognition of prior learning, exemption, credit and advanced standing;
 - (iii) equity and access initiatives;
 - (iv) provision of facilities and services;
 - (v) approval of new courses and degree programs; and
 - (vi) approval of changes to courses and degree programs;
 - (b) advise faculties on the development of proposals for new courses and degree programs;
 - (c) consider and report on any matter referred to it by the Academic Board or the Vice-Chancellor; and
 - (d) obtain information or reports from any Faculty, department, school or other unit on academic matters relating to undergraduate studies.
- (2) **Membership**
The members of the Undergraduate Studies Committee are:
 - (a) the Chair or a Deputy Chair, who shall act as chair of that Committee;
 - (b) the Pro-Vice-Chancellor (Teaching and Learning);
 - (c) a nominee of each faculty offering undergraduate programs, nominated by the Dean; and
 - (d) two undergraduate students:
 - (i) one of whom is to be nominated by and from the undergraduate student members of the Academic Forum; and
 - (ii) the other of whom is to be a nominee of the Students' Representative Council.

15. Graduate Studies Committee

- (1) **Terms of reference**
The terms of reference for the Graduate Studies Committee are to:
 - (a) advise the Academic Board on policies relating to all graduate coursework and research studies in the University, including:
 - (i) attraction and recruitment of students to graduate programs;
 - (ii) admissions;
 - (iii) equity and access initiatives;
 - (iv) assessment and examinations;
 - (v) provision of facilities and services;
 - (vi) approval of new graduate programs; and
 - (vii) approval of changes to graduate degree programs;

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- (b) determine matters relating to the award of the degree of Doctor of Philosophy;
 - (c) advise on the pattern of graduate programs, student outcomes and any measures necessary for their improvement;
 - (d) advise the Academic Board on the criteria for determining selection for postgraduate awards and to determine the successful applicants;
 - (e) establish effective supervisory practices for postgraduate research students;
 - (f) advise on the provision of appropriate facilities for research students;
 - (g) consider and report on any matter referred to it by the Academic Board or the Vice-Chancellor; and
 - (h) obtain information or reports from any faculty, department, school or other academic unit relating to graduate studies.

(2) Membership

The members of the Graduate Studies Committee are:

- (a) the Chair or a Deputy Chair who shall act as chair of that Committee;
- (b) the Pro-Vice-Chancellor (Research);
- (c) the Pro-Vice-Chancellor (Teaching and Learning);
- (d) the chair (or the chair's nominee) of the Board or Committee of Postgraduate Studies in each faculty;
- (e) a member of the Teaching and Learning Committee;
- (f) at least one member of the Postgraduate Awards Sub-Committee, other than the Chair;
- (g) the Chair of the Research Committee; and
- (h) two postgraduate students:
 - (i) one of whom is to be nominated by and from the postgraduate student members of the Academic Forum; and
 - (ii) the other of whom is to be a nominee of the Sydney University Postgraduate Representative Association.

16. Teaching And Learning Committee

(1) Terms of reference

The terms of reference of the Teaching and Learning Committee are to:

- (a) advise the Academic Board about ways of improving the quality and effectiveness of the teaching, learning, examination and assessment processes within the University;
- (b) advise the Academic Board about implications of changes in technology;
- (c) advise the Academic Board on policies relating to assessment and examinations for undergraduate students;
- (d) advise the Academic Board on academic activities that take place outside the Faculty academic structure (including the Institute for Teaching and Learning, the Learning Centre, the Centre for English Teaching, and the Centre for Continuing Education);
- (e) maintain an overview of the integration of developments in teaching, learning, examination and assessment into undergraduate and graduate curricula;
- (f) advise the Academic Board about measures needed to encourage and assist staff to develop new skills in teaching and learning;
- (g) consider and report on any matter referred to it by the Academic Board or the Vice-Chancellor; and
- (h) obtain information or reports from any faculty, department, school or other unit on matters relating to teaching and learning.

(2) Membership

The members of the Teaching and Learning Committee are:

- (a) the Chair or a Deputy Chair who shall act as chair of that Committee;
- (b) the Pro-Vice-Chancellor (Teaching and Learning);
- (c) the Assistant Pro-Vice-Chancellor (Information Technology) or nominee;
- (d) the Director, Institute for Teaching and Learning;
- (e) the Director of the Learning Centre;
- (f) the Chair of the Coursework Sub-Committee of the Graduate Studies Committee;
- (g) a member of the Undergraduate Studies Committee, nominated by the Chair of that Committee;
- (h) two academic staff members from each College nominated by the Chair of the Academic Board after consultation with the relevant Pro-Vice-Chancellor (College); and
- (i) the Presidents of
 - (i) the Students' Representative Council; and
 - (ii) the Sydney University Postgraduate Representative Association, or a person nominated by either of them and chosen from the undergraduate or postgraduate (as the case may be) members of the Academic Forum.

17. Research Committee

(1) Terms of reference

The terms of reference of the Research Committee are to:

- (a) advise the Academic Board on the promotion of research, scholarship and other creative work within the University;
- (b) in relation to the Academic Board's research policies:
 - (i) make recommendations to the Academic Board;
 - (ii) monitor the implementation and effectiveness of those policies;
 - (iii) identify resource needs arising from those policies; and
 - (iv) draw any deficiencies to the attention of the Vice-Chancellor and the Academic Board;
- (c) promote and foster the work of faculty research committees;
- (d) consider and report on any matter referred to it by the Academic Board or the Vice-Chancellor.

(2) Membership

The members of the Research Committee are:

- (a) the Chair or a Deputy Chair who shall act as chair of that Committee;
- (b) the Pro-Vice-Chancellor (Research);
- (c) the Chair of the Graduate Studies Committee;
- (d) eight other persons appointed by the Academic Board on the advice of the chair of the Committee and taking into account the following factors:
 - (i) high personal standing in the University in research;
 - (ii) current research activities;
 - (iii) University-wide perspective (if possible supported by evidence);
 - (iv) collective experience or expertise in working with the major granting bodies;
 - (v) collectively embracing all types of research activity within the University (for example, pure or applied research, research based in a laboratory, library or fieldwork, research as an individual or in a team environment); and
 - (vi) reflecting the broad disciplinary clusters across the University; and

- (e) one postgraduate student being the President of the Sydney University Postgraduate Representative Association, or that person's nominee.

18. Library Committee

(1) Terms of Reference

The terms of reference of the Library Committee are to:

- (a) consider and advise the Academic Board on:
 - (i) general Library policy and strategic development including the use of financial resources;
 - (ii) the adoption, dissemination and effectiveness of appropriate academic information policies within the University;
 - (iii) information and library issues relevant to academic policy and recommendations for new or amended policies;
 - (iv) the implementation and effectiveness of those policies, drawing to the attention of the Academic Board to any issues of concern;
 - (v) all matters referred to it by the Academic Board, the Vice-Chancellor or the University Librarian;
- (b) communicate to the Academic Board new developments and needs in library and information matters;
- (c) convene working parties as necessary.

(2) Membership

The members of the Library Committee are:

- (a) the Chair or the Chair's nominee who shall act as chair of that Committee;
- (b) the Pro-Vice-Chancellor (Teaching and Learning);
- (c) the University Librarian;
- (d) the Assistant Pro-Vice-Chancellor (Information Technology);
- (e) the Associate University Librarians;
- (f) a member of the Teaching and Learning Committee nominated by the chair of that Committee;
- (g) a member of the Research Committee nominated by the Chair of that Committee;
- (h) the Chair of the Graduate Studies Committee or the Chair's nominee;
- (i) two academic staff members from each College nominated by the Chair of the Academic Board after consultation with the relevant Pro-Vice-Chancellor (College); and
- (j) the Presidents of
 - (i) the Students' Representative Council; and
 - (ii) the Sydney University Postgraduate Representative Association or a person nominated by either of them and chosen from the undergraduate or postgraduate (as the case may be) members of the Academic Forum.

19. Academic Staffing Committee

(1) Terms of reference

The terms of reference of the Academic Staffing Committee are to:

- (a) recommend to the Academic Board on academic staffing policies which will attract, retain and promote outstanding academic staff;
- (b) identify issues relating to academic staffing and make recommendations for new or amended policies;
- (c) monitor the implementation and effectiveness of existing policies;
- (d) work with faculties, departments and schools on appointment, tenure and promotion matters and to seek their advice as appropriate;

- (e) report regularly to the Academic Board and at least once a year to the Academic Forum.

(2) Membership

The members of the Academic Staffing Committee are:

- (a) the Chair or a Deputy Chair, who shall act as chair of that Committee;
- (b) the Pro-Vice-Chancellor (Employee Relations); and
- (c) up to eight members appointed by the Academic Board on the advice of the chair of the Committee, and chosen for their interest or expertise in academic staffing matters.

20. Elections

(1) Forum as electoral college

Except for members of the Academic Board elected pursuant to Rule 5 (1) (c), all elected members are elected by and from the relevant category of the Academic Forum. Members elected pursuant to Rule 5 (1) (c) are elected by and from members of the relevant Faculty.

(2) Election procedures

Any election for the Academic Board must be carried out in accordance with these Rules.

21. Returning Officer

(1) Returning officer

The Registrar, or the Registrar's nominee, is the returning officer for any election.

(2) Decision of returning officer is final

If there is any dispute about an election, the decision of the returning officer is final.

(3) Agency

The returning officer may authorise another person to exercise any function of the returning officer under these Rules. Any function exercised by that authorised person is taken to have been exercised by the returning officer.

(4) Electoral roll

The Registrar must prepare a list of all persons entitled to vote in each category of election for the Academic Board, completed to 14 days prior to the last day for receiving nominations for the election to each category. A copy of that list must be available for inspection at the Registrar's office (or another place nominated by the Registrar) during the University's usual business hours for at least 14 days up to the time of the election.

22. Eligibility for election

(1) Defined

A person is eligible for election to the Academic Board if:

- (a) except for members elected pursuant to Rule 5 (1) (c), that person is a member of the relevant category of the Academic Forum; or
- (b) if elected pursuant to Rule 5 (1) (c), that person is an academic staff member of the relevant Faculty.

23. Eligibility to vote

(1) Defined

A person is eligible to vote in an election for the Academic Board if:

- (a) except for elections held pursuant to Rule 5 (1) (c), that person is a member of the relevant category of the Academic Forum; or
- (b) where an election is pursuant to Rule 5 (1) (c), that person is an academic staff member of the relevant Faculty.

24. Time intervals for different stages of the election process

(1) Time intervals

When conducting an election, the returning officer must ensure that:

- (a) there are not less than 14 days nor more than 28 days between the publication of the notice that an election is to be held and the time for nominations to close;
- (b) there are not more than 28 days between the time nominations close and the issue of ballot papers; and
- (c) where a postal ballot is held, there are not less than 14 days nor more than 28 days between the issue of ballot papers and polling day.

25. Notice of ballot

(1) Content of notice

When an election becomes necessary, the returning officer must publish a notice of election containing the following information:

- (a) that an election is necessary to a particular office;
- (b) the category or categories for election;
- (c) the number of vacancies to be filled in each category;
- (d) the term of office of each category;
- (e) inviting nominations for election;
- (f) the form in which a nomination must be made;
- (g) the date and time when nominations close;
- (h) the polling day for the election;
- (i) the method of election;
- (j) where appropriate, the time(s) and place(s) where polling is to take place; and
- (k) that the election procedures can be found in this Rule.

(2) Publication of notice

The returning officer must give a notice of an election by any one of these methods:

- ~~(a) displaying the notice on all official University notice boards;~~
- ~~(b) sending a notice to each person entitled to vote in that election; or~~
- ~~(c) placing a notice in the *University News*.~~
- (a) placing a notice in the *University News*;
- (b) displaying the notice on all official University notice boards; or
- (c) sending a hard copy or an electronic notice to each person entitled to vote in that election.

26. Nominating candidates

(1) Requirements

Each nomination must be proposed and seconded by persons, other than the person nominated, who are eligible to vote in the category for which the nominee has been nominated. A separate nomination form must be completed for each nominee, in each category for which that person has been nominated, and must be signed by:

- (a) the person who is nominated for election to the relevant category;
- (b) the person proposing that nomination; and
- (c) the person seconding that nomination.

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- (2) **Eligibility for nomination**
A nominee must be eligible for inclusion in the category for which that person is nominated.
 - (3) **Nominating in more than one category**
An eligible person may be nominated in more than one category of membership of the Academic Board.
 - (4) **Non-withdrawal**
A nomination may not be withdrawn once nominations have closed.
 - (5) **Statement of information**
At the time of nomination each candidate may provide a statement of no more than 100 words containing any of the following information:
 - (a) the candidate's name;
 - (b) current occupation or position;
 - (c) if a student, current course of enrolment and year; or
 - (d) any other information the candidate thinks relevant (for example, brief policy statements).
 - (6) **Editing and distribution of information**
The returning officer may edit any information provided by a candidate under Rule 26 (5). Edited statements will be printed as a summary of information and distributed with ballot papers.
 - (7) **Candidate no longer eligible**
If, before the declaration of a poll for an election, a candidate dies or is no longer eligible for election, the election must proceed as if:
 - (a) the candidate had not been nominated for election;
 - (b) the candidate's name had not been included on the ballot papers printed for the election; and
 - (c) any vote for that person had not been cast.

27. Receiving nominations

- (1) **Receipt of nominations**
Nominations must be received by the returning officer no later than 4.00 pm on the date for close of nominations specified in a notice of ballot given pursuant to Rule 25 (1).
- (2) **Rejection of nomination**
The returning officer must reject a nomination paper if satisfied that the nomination does not comply with the requirements of Rules 26 (1) and 26 (2). If a nomination is rejected, then the returning officer must, within seven days of receiving that nomination, send or deliver a notice to each person who has signed or endorsed that nomination paper, notifying the person that the nomination has been rejected.

28. Dealing with nominations

- (1) **Nominations less than or equal to positions vacant**
If the number of nominations received is less than or equal to the number of candidates to be elected, then the returning officer must declare those candidates elected.
- (2) **Number of nominations greater than positions vacant**
If the number of nominations received is greater than the number of candidates to be elected, then the returning officer must conduct an election in accordance with these Rules.

29. Secret ballots

(1) Election by secret ballot

An election carried out in accordance with these Rules must be conducted by secret ballot.

(2) Confidentiality

A person involved in an election must not disclose or assist another person to disclose any information as to how a person voted at that election.

30. Postal ballots

(1) If postal ballot required

This Rule applies if a postal ballot is required pursuant to the Act, this Rule or any Rule.

(2) Dispatch of electoral material

The returning officer must, at least 14 days before the ballot is due to be held, send to each voter on the relevant electoral roll, at the voter's address as listed on the electoral roll:

- (a) a ballot paper;
- (b) a notice describing:
 - (i) how the ballot paper must be completed; and
 - (ii) the date and time by which the ballot paper must be returned to the returning officer;
- (c) a declaration requiring the voter to state his or her name and that he or she is eligible to vote; and
- (d) two envelopes, one marked 'Ballot Paper' and the other a returning envelope addressed to the returning officer.

(3) Voting

Each voter must, after completing a postal ballot:

- (a) enclose and seal the ballot paper in the envelope marked 'Voting Paper';
- (b) complete and sign the declaration of eligibility required under Rule 30 (2) (c);
- (c) enclose and seal the envelope and declaration, referred to in Rule 30 (3) (a) and (b) above, in the returning envelope addressed to the returning officer; and
- (d) send by post or deliver the envelope to the returning officer so that the returning officer receives it no later than the closing date for ballots specified in Rule 30 (2) (b) (ii).

(4) Security of ballot papers

The returning officer must take all reasonable steps to ensure that all ballot papers received under Rule 30 (3) are stored securely until the close of the poll concerned.

31. Election not invalid because of certain errors

(1) Non-receipt of ballot paper or notice

An election is not invalid only because an eligible voter did not see displayed or receive a notice of election, or did not receive a ballot paper.

(2) Ballot paper not accepted

An election is not invalid only because an eligible voter's ballot paper has not been accepted at the election.

32. Marking ballot papers

(1) Preferences must be allocated

Voters must vote by marking the numbers 1, 2, 3 and so on, next to every candidate, in order of preference.

33. Scrutineers

(1) Each candidate may nominate a scrutineer

Each candidate for election may nominate one person to be present as that candidate's scrutineer at any counting of votes for that election. Any nomination under this Rule must be in writing, signed by the candidate, and given to the returning officer before counting of votes commences.

(2) Candidate may not be a scrutineer

A candidate for election is not eligible to be appointed as a scrutineer.

(3) May inspect any ballot paper

A scrutineer is entitled to inspect any ballot paper provided that scrutiny does not delay unreasonably the counting of votes in that election.

34. Informal ballot papers

(1) Informality

A ballot paper is informal if:

- (a) it contains any mark or writing that, in the opinion of the returning officer, enables any person to identify the voter;
- (b) the ballot paper is not validated by the returning officer; or
- (c) in the opinion of the returning officer, the ballot paper contains no voting, or does not allocate a preference to each candidate.

(2) Not informal for any other reason

A ballot-paper is not informal for any reason other than the reasons specified in this Rule, and must be given effect to according to the voter's intention so far as that intention is clear.

35. Tally sheet to be kept

(1) Contents of tally sheet

The returning officer must keep a tally sheet for each ballot containing the following information:

- (a) total number of ballot papers;
- (b) a list of candidates;
- (c) primary votes allocated to each candidate;
- (d) secondary votes allocated to each candidate;
- (e) progressive total vote for each candidate;
- (f) informal votes, calculated by multiplying informal ballot papers by the number of candidates to be elected; and
- (g) exhausted votes.

(2) Number of ballot papers must tally

At each stage of counting the total votes divided by the number of candidates to be elected must correspond with the total number of ballot papers.

36. Procedures for election of one candidate only

(1) Procedures to be followed

The returning officer must follow the procedures in Rule 37 where one candidate only is to be elected.

37. Counting votes for one candidate only

(1) Informal ballot papers

Exclude all informal ballot papers.

(2) Count primary votes

Count the primary votes for each candidate on formal ballot papers.

(3) Total primary votes

Enter the total number of primary votes for each candidate next to that candidate's name on the tally sheet.

(4) Majority of votes

If a candidate receives a majority of primary votes, then declare that candidate elected.

(5) Distribute secondary votes

Where no candidate receives an absolute majority of primary votes, distribute secondary votes according to Rules 37 (6) to 37 (11) until one candidate receives an absolute majority.

(6) Exclusion of candidates

Exclude the candidate with the fewest primary votes.

(7) Allocation of secondary votes

For each ballot paper where the excluded candidate received a primary vote, allocate the next active secondary vote.

(8) Indicate excluded candidate

Indicate the excluded candidate and that the next secondary vote has been allocated.

(9) Exhausted ballot papers

If there is no active secondary vote on any ballot paper examined then that ballot paper is exhausted.

(10) Exclusion of candidates

Add together the primary votes and secondary votes for each remaining candidate and exclude the candidate with the lowest number of total votes.

(11) Distribution of secondary votes

If, after the exclusion of a candidate, the next active secondary vote is to an excluded candidate then that secondary vote shall be disregarded and the next secondary vote, if any, distributed.

(12) Repeat process

Repeat the process as set down in Rules 37 (6) to 37 (11) until one candidate receives an absolute majority of votes.

(13) Equal lowest vote

If on any count two candidates have an equal number of votes and that number is the lowest on that count then:

- (a) the candidate with the lowest number of primary votes shall be eliminated;
or

- (b) where the number of primary votes is equal, then the returning officer shall draw lots with the candidate first drawn remaining in the ballot.

38. Election procedures for more than one candidate

(1) Procedure to be followed

The returning officer must follow the procedures in Rule 39 where more than one candidate is to be elected.

39. Counting votes

(1) Informal ballot papers

Exclude all informal ballot papers.

(2) Count primary votes

Count the primary votes for each candidate on the formal ballot papers.

(3) Total primary votes

Enter the total number of primary votes for each candidate next to that candidate's name on the tally sheet.

(4) Exclusion of candidates

Exclude the candidate with the fewest primary votes.

(5) Allocation of secondary votes

For each ballot paper where the excluded candidate received a primary vote, allocate the next active secondary vote.

(6) Indicate excluded candidate

Indicate the excluded candidate and that the next secondary vote has been allocated.

(7) Exhausted ballot papers

If there is no active secondary vote on any ballot paper then that ballot paper is exhausted.

(8) Exclusion of candidates

Add together the primary votes and secondary votes for each remaining candidate and exclude the candidate with the lowest of total votes.

(9) Allocation of secondary votes

If, after the exclusion of a candidate, the next active secondary vote indicates an excluded candidate, then that secondary vote must be disregarded and the next secondary vote, if any, allocated.

(10) Repeat process

Repeat the process as set down in Rules 39 (5) to 39 (9) until only the number of candidates required to fill the vacancies remain.

(11) Equal lowest vote

If on any count, two candidates have an equal number of votes and that number is the lowest on that count then:

- (a) the candidate with the lowest number of primary votes shall be eliminated;
or
(b) where the number of primary votes is equal, then the returning officer must draw lots with the candidate first drawn remaining in the ballot.

40. Election in more than one category

(1) Order of election

Where a person is nominated in more than one category under Rule 26 (3), and receives a sufficient number of votes to be declared elected in more than one category, then that person must be declared elected in the relevant category that occurs first in this order:

- (a) member elected as Chair;
- (b) member elected as a Deputy Chair;
- (c) member elected pursuant to Rule 5 (1) (e) [professor];
- (d) member elected pursuant to Rule 5 (1) (g) [non-professorial member of academic staff]; or
- (e) member elected pursuant to Rule 5 (1) (f) [head of department or school].

(2) Removal from subsequent categories

If a person is declared elected pursuant to Rule 40 (1), then that person is no longer eligible for election to any subsequent category of membership, and must be removed from any list of successful candidates for any subsequent category.

41. Gender balance

(1) Nominees in gender groups

In any election of members elected pursuant to Rules 5 (1) (b) or 5 (1) (e) to (g) inclusive, the candidates will be sorted by gender and then by number of votes received. The candidate or candidates to be declared elected will be the candidate or candidates with the highest number of votes in the gender group required to fulfil the provisions of Rule 5 (2).

(2) Remaining vacancies

Once the gender balance as required under Rule 5 (2) is satisfied, then all remaining vacancies will be filled by candidates with the highest number of votes from either gender group.

(3) Insufficient nominations

If there are insufficient nominations in any gender group required to fill any vacancy, then that position becomes a casual vacancy.

42. Filling casual vacancies

(1) Elected members

If a casual vacancy occurs in the office of any elected member of the Academic Board other than in the office of the Chair or the Deputy Chairs, then that vacancy must be filled by the candidate at the immediately preceding election who was the last candidate to be excluded, and who remains eligible to be elected.

(2) Elected members Rule 5 (1) (e) to (g)

~~If a casual vacancy occurs in the office of a member elected pursuant to Rule 5 (1) (e) to (g) inclusive, and cannot be filled in accordance with Rule 42 (1), then the Academic Board may fill that vacancy by appointing:~~

- ~~(a) — an eligible member from the Academic Forum; or~~
- ~~(b) — if there is no eligible member from the Academic Forum, a person who is eligible to be elected to that category of members to the Academic Forum.~~

If a casual vacancy occurs in the office of a member elected pursuant to Rule 5 (1) (e) to (g) inclusive [professors, non-professorial members of academic staff and heads of department or school]:

- (a) it must be filled in accordance with Rule 42 (1); and

-
- (b) if the vacancy cannot be filled in accordance with Rule 42 (2) (a), then the Academic Board may fill that vacancy by appointing:
- (i) an eligible member from the Academic Forum in that category; or
 - (ii) if there is no eligible member from the Academic Forum in that category, a person who is eligible to be elected or appointed to that category of membership of the Academic Forum.

Rule 5 (2) [Gender composition] applies to the filling of casual vacancies under this Rule 42 (2).

(3) Students

If a casual vacancy occurs in the office of a member elected pursuant to Rule 5 (1) (j) or (k), and cannot be filled in accordance with Rule 42 (1), then the Academic Board must fill that vacancy by first consulting with the relevant student associations recognised by Senate and then:

- (a) appointing an eligible member from the Academic Forum; or
- (b) if there is no eligible member on the Academic Forum, appointing a student who is eligible to be elected to that category of members to the Academic Forum. ~~after first consulting with the relevant student associations recognised by Senate.~~

(4) Faculty members

If a casual vacancy occurs in the office of a member elected pursuant to Rule 5 (1) (c), and cannot be filled in accordance with Rule 42 (1), then the Academic Board may fill that vacancy by appointing a person from the relevant Faculty who is eligible to be elected to that category of members ~~to the Academic Forum~~ of the faculty, after first consulting with the relevant Dean.

(5) Chair

If a casual vacancy occurs in the office of the Chair:

- (a) on or after the last six months of the end of the Chair's term, then that vacancy must be filled by the Deputy Chair appointed to act as alternative Chair pursuant to Rule 8 (5); or
- (b) before the last six months of the end of the Chair's term, then an election must be held to fill that vacancy.

(6) Deputy Chairs

If a casual vacancy occurs in the office of a Deputy Chair, ~~then, subject to Rule 5 (2) [Gender composition],~~ the Academic Board may elect another member of the Academic Board to hold office for the rest of the term of that member's predecessor.