STUDENT ASSOCIATIONS POLICY 2020

The Senate of the University of Sydney, as the governing authority of the University of Sydney, by resolution adopts the following Policy.

Dated: 9 December 2019
Signature: ____________________________________________
Position: Deputy Vice-Chancellor (Education)

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1 Name of policy

This is the Student Associations Policy 2020.

2 Commencement

This policy commences on 7 February 2020.

3 Policy is binding

Except to the extent that a contrary intention is expressed, this policy binds the University, staff, students and affiliates.
4 Statement of intent

This policy:

(a) specifies requirements for establishing and operating student associations;
(b) establishes governance, approval and quality assurance arrangements for student associations;
(c) prohibits student associations from acting inconsistently with the University of Sydney Act 1989, University policy, procedures or their own constitutions; and

Note: See the Policy Register.

(d) prescribes the manner in which the University will conduct investigations into student associations, where required.

5 Application

This policy applies to all:

(a) student associations;
(b) students, staff and affiliates, including when:
   (i) attending or organising a University event, function or activity, whether or not on University lands;
   (ii) participating in any activity, wherever held, as a representative of the University;
   (iii) performing duties or functions on the University’s behalf as a staff member or affiliate; or
   (iv) participating in a University event or representing the University as a student in any place, including on a study abroad or exchange program.

6 Definitions

In this policy:

affiliate has the meaning given in the Code of Conduct – Staff and Affiliates, which at the date of this policy is:

clinical title holders; adjunct, conjoint and honorary appointees; consultants and contractors to the University; holders of offices in University entities, members of Boards of University Foundations, members of University Committees; and any other persons appointed or engaged by the University to perform duties or functions on its behalf.
Associate Dean (Student Life) has the meaning given in the *University of Sydney (Governance of Faculties and University Schools) Rule 2016*, which at the date of this policy is:

- means an Associate Dean whose area of accountability corresponds to a committee of the University Executive.

**audit** means an independent inspection of any of a student association's:

- accounts;
- records;
- documents; or
- other materials relevant to its operation and activities.

**constitution** means a document which specifies an association's:

- object;
- purpose;
- membership;
- management of affairs, including financial;
- operational conditions; and
- any other relevant matters.

**establishing authority** means:

- the Deputy Vice-Chancellor (Indigenous Strategy and Services);
- the Pro Vice-Chancellor (Student Life); or
- an Associate Dean (Student Life).

**faculty** means, as appropriate, a faculty or a University school, established and constituted consistently with the provisions of the *University of Sydney (Governance of Faculties and University Schools) Rule 2016*.

**school** means a school within a faculty.

**staff or staff member** means an employee of the University, including a casual employee.

**student** means a person who is:

- currently admitted to candidature in an award course at the University;
- a non-award student, exchange student or study abroad student; or
- currently enrolled in a course offered by the Centre for English Teaching.
student association means any student representative organisation, student club, or student society (regardless of how they are named).

student representative organisation means a student association listed in subclause 7(1) of this policy.

student club or student society means a student association established under the terms of clause 8 of this policy.

7 Student representative organisations

(1) The University will have the following student representative organisations:
   (a) Cumberland Student Guild (CSG);
   (b) Sydney University Postgraduate Representative Association (SUPRA);
   (c) Sydney University Sport and Fitness Limited (SUSF);
   (d) University of Sydney Students' Representative Council (SRC); and
   (e) University of Sydney Union (USU).

(2) The constitution of a student representative organisation must be approved by Senate.

(3) Subsequent amendments to the constitution of a student representative organisation must be approved by the Deputy Vice-Chancellor (Education).

(4) If the Deputy Vice-Chancellor (Education) rejects an amendment or amendments to the constitution of a student representative organisation, the student representative organisation may appeal that decision to the Senate.

(5) In relation to subclause 7(4) the Senate may:
   (a) approve or reject the amendment or amendments to the constitution of the student representative organisation; and
   (b) set a commencement date for the operation or the amendment or amendments.

Note: See the University of Sydney (Delegations of Authority – Administrative Functions) Rule 2016.

8 Establishment of student clubs and societies

(1) Subject to clause 11, student clubs and societies must be established consistently with this clause if they use or propose to use:
   (a) the University name;
   (b) University lands; or
   (c) University resources.

(2) Students proposing to establish a student club or society affiliated to a student representative organisation must:
(a) submit a written application and a draft constitution to the most appropriate student representative organisation; and
(b) seek approval to establish the club or society from that organisation in accordance with the requirements and policies of the appropriate student representative organisation.

(3) The Deputy Vice-Chancellor (Education) may in consultation with the student representative organisations and establishing authorities determine general conditions under which student clubs or societies are created by means of procedures associated with this policy.

(4) Students proposing to establish a student club or society under the supervision of an establishing authority must submit a written application and a draft constitution to that authority, as provided in this policy.

(5) An establishing authority must:
   (a) consider each application it receives; and
   (b) recommend to the Deputy Vice-Chancellor (Education) as to whether or not the proposed clubs or societies should be established.

(6) In relation to subclause 8(5) the Deputy Vice Chancellor (Education) may:
   (a) approve or reject an application to establish proposed student club or society;
   (b) set a commencement date for its operation; and
   (c) impose conditions on the operation of the proposed student club or society.

(7) If any application to establish a student club or society is rejected the proponents may apply to the relevant student representative organisation or the Deputy Vice Chancellor (Education) in relation to an establishing authority as appropriate, for a statement of reasons.

(8) Students may reapply to establish a previously rejected student club or society, after taking into consideration any reasons provided in the statement referred to in subclause 8(7).

(9) The Deputy Vice-Chancellor (Education) will establish and maintain a register to record, in relation to each student club or society approved by the Deputy Vice-Chancellor (Education), on the recommendation of an establishing authority:
   (a) its name;
   (b) the date of approval;
   (c) the date of cessation; and
   (d) any other relevant information which the Deputy Vice-Chancellor (Education) considers appropriate.

9 Expenditure and reporting

(1) Student associations must only expend funds in accordance with their constitutions.

(2) All student representative organisations must report annually to the Senate on their financial activities of the organisation in writing. Reports must include:
(a) financial statements audited by an independent certified public accountant in accordance with the requirements of the University’s auditing standards or the Corporations Act 2001 (Cth);
(b) a balance sheet; and
(c) any other information required by Senate.

(3) Each student club or society must report annually in writing to the student representative organisation or an establishing authority under which it was established. Reports must include:

(a) a summary of activities in the preceding year (if required by the student representative organisation or establishing authority);
(b) a financial report as specified in the procedures;
(c) any other material required by its constitution or as a condition of approval of its establishment; and
(d) a compliance report in relation to any conditions to which it is subject.

10 Investigations

(1) The Vice-Chancellor may recommend to Senate that it appoint a suitably qualified investigator to carry out an investigation into a student association in relation to any alleged:

(a) financial irregularity;
(b) electoral irregularity; or
(c) governance misfeasance

(2) Before making any such recommendation to Senate, the Vice-Chancellor will consult with the governing body of the relevant student association.

(3) Senate will consider any such recommendation by the Vice-Chancellor and may, if it believes it is appropriate to do so, authorise an investigation.

(4) Any authorisation by Senate of an investigation must be reported to the governing body of the relevant student association and, unless the Senate believes there is good reason not to do so, to the members of the relevant student association.

(5) Students, staff and members of the association must provide to an investigator appointed in accordance with subclause 10 (3) information and documents that the investigator reasonably requires.

(6) Upon completion of the investigation, the investigator must:

(a) report findings; and
(b) any recommendations to the Vice-Chancellor.

(7) Upon receipt of the findings and recommendations of an investigator, the Vice-Chancellor may take one or more of the following actions:

(a) appoint, for a specified temporary period:
(i) an administrator with power to manage the student association’s affairs;

(ii) an external auditor to monitor and report on the student association’s financial records and activities,

(b) direct a fresh election of any or all officers under the supervision of:

   (i) the University;

   (ii) an independent firm of accountants or lawyers; or

   (iii) another appropriately qualified expert,

(c) in the case of a club or society, require it to show cause why it should not be disestablished:

   (i) where cause is not shown, disestablish the club or society,

(d) implement such other steps which take account of the findings or recommendations of the investigation.

(8) The Vice-Chancellor will report to Senate:

   (a) on any action taken or proposed to be taken; and

   (b) recommend whether other persons or groups should be advised of the outcome of the investigation,

   in relation to the student representative organisation.

11 Transitional arrangements

Student clubs and societies existing at the date of commencement of this policy must, within one year of the commencement of this policy:

   (a) be established by a student representative organisation in accordance with subclause 8(2); or

   (b) be established by the Deputy Vice-Chancellor (Education) in accordance with subclause 8(6).

12 Rescissions and replacements

This document replaces the Sports Unions, SRC and Faculty Societies, SUPRA, Union, Cumberland Student Guild and SASCA which commenced on 1 July 2006 and which is rescinded as from the date of commencement of this document:
NOTES

Student Associations Policy 2020

Date adopted: 9 December 2019
Date commenced: 7 February 2020
Administrator: Deputy Vice Chancellor (Education)
Review date: 9 December 2024

Rescinded documents: Sports Unions, SRC and Faculty Societies, SUPRA, Union, Cumberland Student Guild and SASCA

Related documents: Code of Conduct – Staff and Affiliates
Corporations Act 2001 (Cth)
Extra-Curricular Education Policy 2017
University of Sydney Act 1989
University of Sydney (Delegations of Authority – Administrative Functions) Rule 2016
University of Sydney (Governance of Faculties and University Schools) Rule 2016

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