

## CURTIN UNIVERSITY OF TECHNOLOGY

**ACADEMIC BOARD CONSTITUTION**

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# CURTIN UNIVERSITY OF TECHNOLOGY

## RULE NO. 1 MADE PURSUANT TO STATUTE NO. 21

### ACADEMIC BOARD CONSTITUTION

These Rules are made by the Council of the University under the powers conferred on it by section 3 of *Statute No. 21 – Academic Board* and in accordance with section 34 of the *Curtin University of Technology Act 1966*.

#### PART 1 - PRELIMINARY

##### 1.1 Citation

These Rules, made under *Statute No.21*, may be cited as the *Academic Board Constitution*.

##### 1.2 Revocation

*Rule No. 1 Made Pursuant to Statute No. 21 – Academic Board Constitution*, made by a Council resolution on 8 December 2004, is revoked.

##### 1.3 Commencement

These Rules take effect when they are promulgated, or on 16 July 2014, whichever is the later.

Note: section 4 of *Statute No. 3 – Rules* relevantly states:

4. A Rule is promulgated by posting a copy of it on the notice board located outside the main entrance to the Administration block at the University at Bentley...’.

##### 1.4 Interpretation

In these Rules:

‘**Academic Board**’ or ‘**Board**’ means the Academic Board of the University established under *Statute No. 21*;

‘**Academic Board Executive**’ means the Academic Board Executive, established as a committee of the Academic Board under rule 2.4;

‘**Act**’ means the *Curtin University Technology Act 1966*;

‘**Chair**’ means the Chair of the Academic Board;

‘**Council**’ means the Council of the University;

‘**Deputy Chair**’ means the Deputy Chair of the Academic Board;

‘**International Plan**’ means the University wide enabling plan which operationalises the University’s Strategic Plan outlining Curtin’s international strategies, initiatives, and targets;

‘**Research Management Plan**’ means the University wide enabling plan which operationalises the University’s Strategic Plan outlining Curtin’s research management strategies, initiatives, and targets;

‘**Statute No. 21**’ means *Statute No. 21 – Academic Board*; and

‘**Teaching and Learning Plan**’ means the University wide enabling plan which operationalises the University’s Strategic Plan outlining Curtin’s teaching and learning strategies, initiatives, and targets.

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

## **PART 2 - FUNCTIONS**

### **2.1 Functions of the Academic Board**

- (1) The Academic Board is a committee of the Council and is responsible to the Council for helping to ensure the academic quality and integrity of the University’s operations as an academic institution by:
  - (a) providing advice to the Council;
  - (b) providing advice to the Vice-Chancellor and the senior executive;
  - (c) supporting the Vice-Chancellor in the maintenance, promotion and improvement of the academic standards of the University; and
  - (d) performing designated activities under delegation from the Council.
- (2) The specific functions of the Academic Board include:
  - (a) *Strategic Plan*  
the provision of advice to the Council on the University’s Strategic Plan;
  - (b) *Quality and standards*
    - (i) the approval of University policies relating to quality and standards in the University’s academic activities; and
    - (ii) monitoring quality and standards in the University’s academic activities through processes such as school and collaborative campus reviews, professional accreditation and benchmarking;
  - (c) *Courses*
    - (i) the approval of:
      - (I) University policies relating to courses;

- (II) proposed new courses;
- (III) proposed new majors and streams and changes to courses, majors and streams that would:
  - (A) involve double-badging with other institutions;
  - (B) be taught in a language other than English; or
  - (C) vary from the use of standard Australian Qualifications Framework terminology or standard course durations;
- (ii) the provision of advice and recommendations to the Council on:
  - (I) major new educational activities; and
  - (II) the initiation of major changes to the field of the University's educational activities;
- (iii) monitoring:
  - (I) the University's profile of courses and identifying potential new course areas; and
  - (II) the quality of courses in all locations at which the University operates;
- (d) *Teaching and learning*
  - (i) the approval of University policies relating to teaching and learning;
  - (ii) the provision of advice and recommendations to the Vice-Chancellor on the University's Teaching and Learning Plan;
  - (iii) monitoring progress in implementing the University's Teaching and Learning Plan; and
  - (iv) monitoring the teaching and learning performance of schools and faculties in all locations at which the University operates;
- (e) *Research and development and research training*
  - (i) the approval of University policies relating to research and development and research training, except those that have significant resource and/or human resource implications, including the protection of the University's research-related intellectual property, research consultancies and commercialisation of research;
  - (ii) the provision of advice and recommendations to the Vice-Chancellor on:

- (I) the University's Research Management Plan;
  - (II) policies that are related to research and development but have significant resource and/or human resource implications, including the protection of the University's research-related intellectual property, research consultancies and commercialisation of research; and
  - (III) the establishment and discontinuation of University Research Centres, Institutes and Externally Funded Research Centres;
- (iii) monitoring:
- (I) progress in implementing the University's Research Management Plan;
  - (II) the University's research and development profile, identifying potential new research areas;
  - (III) the research and development performance of groups, centres, institutes, schools and faculties; and
  - (IV) the quality of higher degrees by research and coursework doctorates; and
- (iv) reviewing University Research Centres, Institutes and Externally Funded Research Centres;
- (f) *Academic services*
- (i) the approval of University policies relating to academic services including the admission, enrolment, progression, discipline, and graduation of students; student support; communication with students; scholarships, grants and prizes; equity and pastoral care; and the academic year structure; and
  - (ii) monitoring the quality of academic services provided for students in all locations at which the University operates;
- (g) *International activities*
- (i) the approval of University policies relating to international activities including the establishment of international institutional links for academic cooperation in teaching and research, and student and staff exchanges; collaborative education services (e.g. articulation agreements, offshore programs, collaborative campuses); and quality assurance of the University's international activities including offshore programs and collaborative campus programs;
  - (ii) the provision of advice and recommendations to the Vice-Chancellor on the University's International Plan; and

- (iii) monitoring:
  - (I) progress in implementing the University's International Plan; and
  - (II) the University's international activities including articulation agreements, offshore programs, collaborative campuses and international onshore student outcomes; and
- (h) *Issues that support the academic enterprise*

the provision of advice and recommendations to the Vice-Chancellor on policies that support the academic enterprise but have significant resource and/or human resource implications including academic study leave and academic promotion.
- (3) The Academic Board is to exercise any other functions that may be delegated to it by the Council or the Vice-Chancellor.

## **2.2 Functions of the Chair**

- (1) The functions of the Chair are to:
  - (a) chair meetings of the Academic Board and the Academic Board Executive;
  - (b) ensure the effective and efficient operation of the Academic Board;
  - (c) represent the Academic Board as a member of the Council and any Council committee of which the Chair is a member;
  - (d) provide written and oral reports to the Council on the Academic Board's activities and advice;
  - (e) serve as a member of other committees and working parties as determined from time to time;
  - (f) advise and support the Vice-Chancellor as the principal academic officer of the University;
  - (g) subject to rule 2.2(2) and to any Council resolution to the contrary, exercise :
    - (i) any of the functions listed in rules 2.1(2) and 2.1(3) that is exercisable by the Academic Board; and
    - (ii) any other function that is exercisable by the Academic Board;
  - (h) exercise any other function that may be delegated to the Chair by the Council; and

- (i) undertake such other functions as may be determined by the Council or the Academic Board.
- (2) The exercise by the Chair of a function under rule 2.2(1)(g) is subject to the conditions that:
  - (a) it is to be exercised by the Chair only when it is not possible or practicable for the Academic Board or the Academic Board Executive to exercise the function in a particular case; and
  - (b) any exercise of the function by the Chair must be reported as soon as practicable by the Chair to the Academic Board.

### **2.3 Functions of the Deputy Chair**

- (1) The Deputy Chair is to perform the functions of the Chair, including presiding at meetings of the Academic Board, in the absence of the Chair.
- (2) The Deputy Chair is also to perform any functions assigned to him or her by the Academic Board or the Chair.

### **2.4 Functions of the Academic Board Executive**

- (1) The Academic Board Executive continues to exist as a committee of the Academic Board.
- (2) The Academic Board is to determine, subject to these Rules, the membership, functions and procedures of the Academic Board Executive.
- (3) The Academic Board Executive is responsible for assisting the Academic Board in performing its functions by:
  - (a) planning the annual program for the Academic Board, including the topics for forums and monitoring meetings;
  - (b) approving the agendas for meetings of the Academic Board;
  - (c) exercising, subject to rule 2.4(4) and any Council resolution to the contrary:
    - (i) any of the functions listed in rules 2.1(2) and 2.1(3) that are exercisable by the Academic Board; and
    - (ii) any other function that is exercisable by the Academic Board;
  - (d) exercising any other function that may be delegated to the Academic Board Executive by the Council; and
  - (e) taking whatever other action is appropriate to facilitate the timely and proper achievement of the Academic Board's functions.
- (4) The exercise by the Academic Board Executive of a function under rule 2.4(3)(c) is subject to the conditions that:

- (a) it is to be exercised by the Academic Board Executive only when it is not possible or practicable for the Academic Board itself to exercise the function in a particular case; and
- (b) any exercise of the function by the Academic Board Executive must be reported as soon as practicable by the Academic Board Executive to the Academic Board.

## **PART 3 - MEMBERSHIP**

### **3.1 Membership**

- (1) The Academic Board is to comprise the following *ex officio* or elected members who are to be appointed by the Council:
  - (a) the member of the Academic Board who is a Council member elected under section 9(1)(k) of the Act, *ex-officio*;

**Note: this member is to be the Chair – see rule 3.3(1)**
  - (b) the Vice-Chancellor, *ex officio*;
  - (c) the Deputy Vice-Chancellors and the Provost, *ex officio*;
  - (d) the Pro Vice-Chancellors, *ex officio*;
  - (e) the University Librarian, *ex officio*;
  - (f) the Director, Centre for Aboriginal Studies, *ex officio*;
  - (g) the Chairs of all Academic Board committees, *ex officio* if they are not already members of the Academic Board in another membership category;
  - (h) the Associate Deputy Vice-Chancellor, Research Training, *ex officio*;
  - (i) the 2 members of the full-time academic staff on the Council (elected under section 9(1)(g) of the Act), *ex officio*;
  - (j) 4 members of the full-time academic staff of each Faculty located in Western Australia being:
    - (i) one Professor elected by the Professors in the Faculty;
    - (ii) one Head of School elected by the Heads of School in the Faculty; and
    - (iii) 2 other members of the academic staff elected by the full-time and fractional full-time academic staff within the Faculty;
  - (k) the President of the Curtin Student Guild *ex officio*;

- (l) the Education Vice-President of the Curtin Student Guild *ex officio*; and
  - (m) the President of the Curtin University Postgraduate Student Association *ex officio*.
- (2) A member of the Academic Board holds office subject to, and in accordance with, his or her instrument of appointment by the Council.

### 3.2 Deputies

- (1) Provisions relating to the appointment and powers of deputies are set out in sections 6(1)(c) and 6(2) of *Statute No. 7 – The Council*.

**Note: sections 6(1)(c) and 6(2) of *Statute No. 7 – The Council* state:**

**‘6(1) The Council may, by resolution ...**

- (c) appoint a deputy or deputies for a Committee member’; and**

**‘6(2) A deputy may act temporarily or in place of the Committee member for whom he or she was appointed as a deputy on any occasion on which, or during any period in which, the Committee member is unable to perform the functions of the position’.**

- (2) A deputy of a member of the Academic Board holds office subject to, and in accordance with, his or her instrument of appointment by the Council.
- (3) A member of the Academic Board is not eligible to be appointed as a deputy in respect of the Academic Board.
- (4) Whenever a member of the Academic Board is unable to attend an Academic Board meeting, his or her deputy may:
- (a) attend the meeting in place of the member; and
  - (b) exercise all rights and privileges of the member.

### 3.3 Elections

#### (1) Chair

- (a) The Chair of the Academic Board is to be the person elected by the Academic Board, under section 9(1)(k) of the Act, to be a Council member.

**Note: section 9(1)(k) of the Act states:**

**'The Council shall consist of -**

**...**

- (k) one member of the Academic Board of the University established by Statute, elected by and from the Academic Board'.**

**(2) Deputy Chair**

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

**(3) Academic staff members**

In relation to a member elected under rule 3.1(1)(j), a member of the full time academic staff may nominate for election himself or herself, provided that he or she holds the specified qualifications for office.

**(4) Election of deputies**

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

**(5) Returning Officer**

(a) The Vice Chancellor is to appoint a person to be the Returning Officer for elections conducted under rules 3.2(1), 3.2(2), 3.2(3) and 3.2(4).

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

**3.4 Terms of office**

(1) This rule applies to:

- (a) members who are not *ex officio* members; and
- (b) the Chair.

(2) The term of office of

- (a) the Chair (being the Academic Board member who is elected as a Council member under section 9(1)(k) of the Act);
- (b) the Deputy Chair; and
- (c) each of the members elected under rule 3.1(1)(j);

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

(3) A member may serve consecutive terms provided that:

- (a) he or she continues to hold the specified qualifications for office; and
- (b) subject to rule 3.4(4), he or she serves no more than 3 successive terms.

(4) A member who is the Chair of the Academic Board, during his or her third consecutive term of office, may serve a 4<sup>th</sup> consecutive term on the Academic Board.

### 3.5 Casual vacancies in elected positions

- (1) For the purposes of this rule, a ‘**casual vacancy**’ occurs where an elected member:
  - (a) is elected as a Council member under section 9(1)(k) of the Act;
  - (b) resigns, retires or becomes ineligible to remain in the position (for example, as a result of a change in appointment, or employment conditions); or
  - (c) is absent without leave for 3 consecutive Academic Board meetings.
- (2) If a casual vacancy occurs less than 6 months before the conclusion of what would otherwise have been the term of office, the Academic Board may either:
  - (a) recommend to the Council that a person nominated by the Academic Board be appointed to the position; or
  - (b) take no action to enable the position to be filled.
- (3) If the vacancy occurs more than 6 months before the conclusion of what would otherwise have been the term of office (**Unexpired Term**), an election for the vacant position is to be held and the successful candidate is to fill the position for the Unexpired Term.

## PART 4 - MEETINGS

### 4.1 Meeting schedule

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

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

- (1) Where sufficient advance notice is given of the intended absence of both the Chair and Deputy Chair at a scheduled meeting of the Academic Board, the Academic Board Executive is to appoint another of its members to chair the meeting.
- (2) If an appointment is not made by the Academic Board Executive under rule 4.2(1), the Academic Board is to elect one of its members who is present to chair the meeting.

### 4.3 Quorum

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

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

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

#### **4.4 Officers in attendance**

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

#### **4.5 Attendance of observers**

- (1) The Academic Board may permit the attendance of observers, whether from within the University or from external organisations, at any of its meetings.
- (2) Unless the Chair of the Academic Board determines otherwise, an observer does not have the right to participate in a meeting of the Academic Board.

### **PART 5 - GENERAL**

#### **5.1 Establishment of other committees**

- (1) The Academic Board may establish, or recommend to the Council the establishment of, standing committees to assist it in the performance of its functions.
- (2) The Academic Board is to review the constitution of each standing committee annually to consider whether the committee should continue and, if so, whether any changes are required to the terms of reference, membership or methods of operation of the committee.
- (3) Where it is proposed that the Council should delegate one or more of its functions to a standing committee, the members of that standing committee must first be appointed by the Council.

#### **5.2 Establishment of working parties**

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

#### **5.3 Academic Board Forums**

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

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

**5.4 Reporting**

The Academic Board is to report to the Council on its activities at such times as the Council directs.

**5.5 Review of performance**

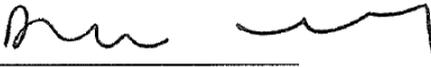
The Academic Board is responsible for reviewing on a regular basis and at least once each 2 years:

- (a) its own performance, and advising the Council on the outcome of this review;
- (b) the performance of its members; and
- (c) the performance of its committees.

**5.6 Servicing**

The Council Secretary is to arrange for secretarial and administrative support for the Academic Board and the Academic Board Executive including, where appropriate, the appointment of an Academic Board secretary.

The Common Seal of **CURTIN UNIVERSITY** )  
**OF TECHNOLOGY** was hereto affixed on the )  
4 day of April 2016 )  
by the authority of the Vice-Chancellor )

  
\_\_\_\_\_  
Vice-Chancellor

  
\_\_\_\_\_  
Administrative Secretary



**REVISION HISTORY:**

<b>Revision Ref No</b>	<b>Approved/ Rescinded</b>	<b>Date</b>	<b>Committee/ Board</b>	<b>Resolution Number</b>	<b>Document Reference</b>
Academic Senate Rules	Approved	18/10/2000	Council	C 118/00	Document No UAB 62/00
Constitution	Approved	8/12/2004	Council	C 120/04	Document No C 122/04
		14/12/2005			Editorial amendments authorised by Gem Cheong
Constitution	Approved	17/05/2006	Council	C 65/06	Document No 00497/06
Constitution	Approved	12/12/2007	Council	C 163/07	Document No 01340/07
		12/02/2008			Format amended
Constitution	Approved	18/03/2009	Council	C 42/09	Document No 00257/09
Constitution	Approved	16/03/2011	Council	C 25/11	Attachment 3 to Document No 00314/11
Constitution	Approved	14/05/2014	Council	C 70/14	Document No 00383/14
Constitution	Approved	17/02/2016	Council	C 20/16	Appendix 1 to Item 9.2.1
	Promulgated	24/05/2016			Posted on Administration Building Notice Board