



THE UNIVERSITY OF
**WESTERN
AUSTRALIA**

Academic Board Regulations

Approved by Senate on 9 December 2019 (revised version approved by Senate R38/21)

These Regulations are made by the Senate of the University of Western Australia, as the governing authority of the University of Western Australia, under section 16E of the *University of Western Australia Act 1911*.

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Part 1 — Preliminary

1 Purpose

The purpose of these Regulations is to —

- (1) prescribe the membership of Academic Board;
- (2) regulate the election of elected members and officers of Academic Board; and
- (3) regulate Academic Board meetings and procedures.

2 Authorisation

These Regulations are made by the Senate pursuant to the *University of Western Australia Act 1911* section 16E.

3 Commencement

These Regulations take effect on 9 December 2019.

4 Interpretation and definitions

- (1) A term used in these Regulations that is given a meaning or effect by the *Interpretation Act 1984* (WA) has the same meaning or effect in these Regulations unless the contrary intention appears.

- (2) In these Regulations, unless the contrary intention appears —

Academic Staff means a person employed by the University under the *UWA Academic Employees Agreement 2017*;

Ballot Period is defined in regulation 21(2);

Head of each School, has the meaning given in the *University of Western Australia Statute* clause 6(b), which as at the date of these Regulations is:

the person appointed to be the head of a school, whether they have the title “dean”, or some other title approved by the Senate;

Office Bearer means the positions specified in regulation 9;

Professional Staff means a person employed by the University under the *UWA Professional and General Employees Agreement 2017*;

Returning Officer means the officer specified in regulation 17(1) who is responsible for the conduct of Academic Board elections;

Staff has the meaning given in the *University of Western Australia Statute* clause [6], which as at the date of these Regulations is:

an individual employed directly by the University;

Standing Orders means procedural rules pertaining to the conduct of business of meetings of the Academic Board, approved in accordance with regulation 27;

Student has the meaning given in the *University of Western Australia Statute* clause [6], which as at the date of these Regulations is:

a person enrolled in the University as a student, including a person enrolled in an Award course of the University, whether in Perth or elsewhere, or enrolled through University extension as a continuing education student in units offered within Award courses of the University;

University Handbook means the University's yearly official and comprehensive source of course and subject information for the calendar year.

University Working Day has the meaning given in the *University of Western Australia Statute* clause [6], which as at the date of these Regulations is:

any day other than a —

- (a) Saturday;
- (b) Sunday;
- (c) day specified in the University calendar as a University holiday; and
- (d) the University's annual shut-down period as determined by the University's executive each year.

Part 2 — Membership

5 Membership of Academic Board

- (1) The Academic Board is comprised of the following members—

Item	Member(s)
Ex-officio members	
(a)	Vice-Chancellor
(b)	Senior Deputy Vice-Chancellor
(c)	Deputy Vice-Chancellor (Education)*
(d)	Deputy Vice-Chancellor (Research)*
(e)	Deputy Vice-Chancellor (International)*
(f)	the Heads of each School [#]
(g)	Pro Vice-Chancellor (Indigenous Studies)**
(h)	Dean of the Graduate Research School
(i)	President of the Student Guild***
(j)	President of the Postgraduate Students' Association***
Elected Staff members	
(k)	39 Professors (Level E) of the University elected by the Academic Staff
(l)	21 Level A-D Academic Staff of the University elected by the Academic Staff
(m)	8 persons elected by and from the Professional Staff of the University
Nominated Students	
(n)	Four Students nominated by the Student Guild Council to ensure appropriate diversity of student representation

* In the absence of a Deputy Vice-Chancellor, the Pro Vice-Chancellor associated with their portfolio may serve as the Deputy Vice-Chancellor's nominee.

** In the absence of the PVC Indigenous Studies, the Deputy Dean (School of Indigenous Studies) may serve as their nominee.

*** In the absence of the Guild President or the President of the Postgraduate Students' Association, the relevant Vice-President may serve as their nominee.

In an event where the Head of School is unable to attend, an alternate as approved by the Chair of the Academic Board may attend for that specific meeting.

- (2) Staff who are eligible for election in electorates (k), (l) and (m) above —
- are those who hold an ongoing or fixed-term appointment equal to or greater than 0.4 FTE (full-time equivalent); and
 - does not include people holding emeritus, visiting, adjunct, clinical or honorary appointments.
- (3) For the electorates in each of (k) and (l) (elected Academic Staff), the number of persons elected from each cluster, as set out in (3)(c), is determined proportionately according to the formula set out in (3)(a) and (3)(b) —

- (a) 50% of positions are allocated according to relative numbers of Staff in each of the areas concerned using a 2:1 ratio of Academic to Professional Staff; and
- (b) 50% of positions are allocated according to relative student load in each of the areas concerned.
- (c) the following clusters be established for the application of the formula set out in (3)(a) and (3)(b):
 - Cluster 1: Arts, Business, Law, Education and Design
 - Cluster 2: Engineering, Mathematics and Physical Sciences
 - Cluster 3: Health and Medical Sciences
 - Cluster 4: Life and Natural Sciences
 - Cluster 5: Non-discipline based entity, including SIS
- (4) A person who is acting in the position of an *ex-officio* member may attend meetings and exercise the voting rights of that position.
- (5) The Chair of the Academic Board may approve persons to attend as standing invitees to meetings of the Academic Board.

6 Terms of office

- (1) Elected Staff members —
 - (a) hold office for three years commencing on 1 January following their election, and
 - (b) are eligible for re-election up to a maximum consecutive term of six years, which excludes any period of office as an Office Bearer.
- (2) Nominated Student members hold office for one year commencing on 1 January following their nomination and are eligible for renomination.

7 Resignation

Elected or nominated members may resign from the Academic Board by giving written notice to the Chair of the Academic Board via the Academic Secretary.

8 Casual vacancies

- (1) An elected or nominated member ceases to be a member of the Academic Board and creates a casual vacancy where they —
 - (a) resign from the Academic Board under regulation 7;
 - (b) as appropriate, cease to be an eligible member of Staff or an enrolled Student; or
 - (c) are absent from more than 50% of meetings in the calendar year prior to the Academic Board's annual elections, without the written approval of the Chair (which must not be unreasonably withheld).
- (2) The Senate may resolve to remove a member from the Academic Board and thereby create a casual vacancy where the member has been found to have breached the University's Code of Conduct.
- (3) Where a casual vacancy arises for an elected Staff member, the vacancy is to be filled through the Academic Board's annual elections and will remain unfilled until that time.
- (4) Where a casual vacancy arises for a nominated Student member, the vacancy is to be filled by way of new nomination.

Part 3 — Office Bearers

9 Office Bearers

- (1) The Academic Board must elect, in accordance with Part 4, a member to each of the following offices from among its members —
 - (a) Chair;
 - (b) Deputy Chair; and
 - (c) Associate Chair.

10 Chair of Academic Board

- (1) The Chair of the Academic Board is responsible for —
 - (a) chairing meetings of the Academic Board;
 - (b) managing and supervising the responsibilities, functions and powers of the Academic Board;
 - (c) facilitating communications between the academic community of the University, the University executive and the Senate;
 - (d) subject to delegations of authority by Senate and resolutions of the Academic Board, apportioning authority for carrying out the Academic Board's responsibilities, functions and powers to other members of the Academic Board; and
 - (e) reporting to Senate on behalf of the Academic Board.
- (2) In the absence of the Chair, the role of Chair is to be undertaken by the Deputy Chair.
- (3) In the absence of both the Chair and Deputy Chair, the role of Chair is to be undertaken by the Associate Chair.

11 Deputy Chair and Associate Chair

- (1) The Deputy Chair and Associate Chair are responsible for assisting the Chair in the performance of the Chair's functions, as reasonably determined by the Chair.

12 Eligibility

- (1) The Chair, Deputy Chair and Associate Chair must each be —
 - (a) a member pursuant to regulations 5(1)(k) (category of elected Professors) and 5(1)(l) (category of elected Level A-D Academic Staff); and
 - (b) appointed at Level D or Level E.

13 Terms of office

- (1) The Chair, Deputy Chair and Associate Chair each hold office from 1 January for three years unless a different term is approved by the Academic Board.
- (2) The Chair, Deputy Chair and Associate Chair are each eligible to hold office for a subsequent term up to a maximum consecutive term in the same office of six years.

14 Resignation

- (1) The Chair may resign their office by giving written notice to the Chancellor.

- (2) The Deputy Chair or Associate Chair may resign their office by giving written notice to the Chair of the Academic Board.

15 **Casual vacancy**

- (1) The Chair, Deputy Chair or Associate Chair cease to hold office where they —
 - (a) are no longer eligible to hold the office;
 - (b) resign under regulation 14;
 - (c) are absent from more than 50% of meetings in the calendar year prior to the Academic Board's annual elections; or
 - (d) are removed from office by a resolution of the Academic Board passed by two-thirds of all members of the Board.
- (2) Where a casual vacancy arises in the office of the Chair, Deputy Chair or Associate Chair —
 - (a) the vacancy is to be filled in the same manner as if that term of office had expired; and
 - (b) until the position is filled in accordance with (a), the role of Chair is to be undertaken in accordance with regulation 10.

Part 4 — Academic Board elections

16 **Application**

This Part applies to the election of —

- (1) Staff members of the Academic Board; and
- (2) the Office Bearers of the Academic Board.

17 **General requirements**

- (1) The Academic Secretary is the Returning Officer and responsible for the conduct of Academic Board elections.
- (2) An Academic Board election may be conducted by electronic means, in which case the processes in this Part are to be modified as the Returning Officer considers necessary for the conduct of the election by electronic means.
- (3) The Returning Officer must ensure that any ballot is secret and the identity of each voter is kept separate from the person's vote.
- (4) The accidental omission to send a call for nominations or voting ballot as required by these regulations, or the misdirection or non-receipt of such documents, does not invalidate any nomination or election.

18 **Call for nominations**

- (1) At least three months before the term of any elected member expires, or an elected member of the Academic Council, the Returning Officer must —
 - (a) call for nominations for membership from those eligible to vote; and
 - (b) allow at least 15 University Working Days for a response.

- (2) At least three months before the Chair, Deputy Chair or Associate Chair's term expires, or as soon as possible after the office otherwise becomes vacant, the Returning Officer must call for nominations for the office from members of the Academic Board.

19 Submission of nominations

- (1) Nominations must be —
- (a) agreed to and signed by the nominee;
 - (b) seconded by a member (other than the nominee) who is eligible to vote;
 - (c) submitted on and in accordance with the requirements of the prescribed nomination form;
 - (d) accompanied by a signed declaration by the nominee that they have no conflict of interest in serving as a member of the Academic Board; and
 - (e) submitted to the Returning Officer in writing by the closing date.
- (2) Nominations submitted to the Returning Officer after the closing date will not be considered.
- (3) The Returning Officer is to reject a nomination if satisfied that —
- (a) the nomination does not comply with these Regulations; or
 - (b) the person nominated is not eligible.
- (4) A person may withdraw their nomination in writing to the Returning Officer up to seven University Working Days before the Ballot Period.

20 Conduct of elections

- (1) Elections are to be conducted and vacancies are to be filled in accordance with the following table:

Table 1: Academic Board elections	
Number of candidates and vacancies	Process for filling vacancy
Equal number of candidates and vacancies	Ballot is not required and candidate(s) is/are elected.
Two nominees for a vacancy	Ballot is required, and the vacancy is to be filled by majority vote. If there is a tie, the election must be determined by lot.
Three or more candidates for a vacancy	Ballot is required and the vote is to be carried out by optional preferential voting with proportional counting of votes. If there is a tie, the election must be determined by lot.

21 Ballots

- (1) This regulation applies where the number of candidates for an election exceeds the number of vacancies and a ballot is required.
- (2) The electronic Ballot Period is the period during which persons may vote in an election and must be not be less than three University Working Days.
- (3) The Returning Officer must issue a notice of ballot not less than two University Working Days before the start of the Ballot Period to all persons eligible to vote.

- (4) The notice of ballot must include —
 - (a) the date when the ballot closes, allowing reasonable time for votes to be returned; and
 - (b) where appropriate, details of the electronic voting website; and
 - (c) where a ballot is to be conducted by electronic means, the right for persons who are unable to access the electronic voting system to apply in writing for a postal ballot.
- (5) The ballot must include —
 - (a) any electoral statements; and
 - (b) instructions for the completion of the ballot.
- (6) Where a ballot is conducted by electronic means and a person who is eligible to vote applies for a postal ballot, the Returning Officer must provide the person with hardcopies of the ballot documents in (5) above, a voter's declaration and a pre-paid envelope for the return of the completed ballot paper
- (7) Votes may be cast and recorded in a manner determined by the Returning Officer.
- (8) Ballots must be completed according to any voting instructions provided and returned by the time and date provided. Ballots that do not comply are invalid.
- (9) After the closing of the Ballot Period, the Returning Officer must —
 - (a) exclude any invalid votes; and
 - (b) count the valid votes in accordance with regulation 20 above.
- (10) In an election for the Chair of Academic Board, each candidate may appoint a person who is not a candidate as a scrutineer to review the result of the election, but any scrutineer must not disclose the details of any individual's vote.
- (11) The Returning Officer must publish the result and report to the Chair who declares the candidates elected at the next meeting of the Academic Board.

Part 5 — Academic Board proceedings

22 Schedule of meetings

The Academic Board meets as and when required but must meet at least four times each year.

23 Special meetings

- (1) The Chair of the Academic Board may call a special meeting of the Academic Board.
- (2) A special meeting of the Academic Board must be held if requested by at least 25 members and the request —
 - (a) is in writing;
 - (b) specifies the proposed purpose of the meeting; and
 - (c) is given to the Chair of the Academic Board (or in their absence, the Deputy Chair or Associate Chair) and the Academic Secretary.
- (3) A special meeting requested by members under (2) must be held no later than ten University Working Days after the request is received.

24 Notice of meetings and agendas

- (1) Subject to (2) below, the Academic Secretary must give members at least three University Working Days' notice of a meeting of the Academic Board.
- (2) Where the Chair of the Academic Board considers a matter to be urgent, members must be given at least two University Working Days' notice.
- (3) A notice of a meeting must be in writing, provided to each member of the Academic Board and provide details of all matters to be considered at the meeting.
- (4) A meeting held or a resolution passed at a meeting is not invalid because a person entitled to receive notice of the meeting did not receive it.

25 Adjourning and cancelling meetings

- (1) The Academic Board may adjourn a meeting to a date before the next scheduled Academic Board meeting.
- (2) The Academic Board's steering committee or Chair of the Academic Board may cancel an ordinary meeting of the Academic Board if satisfied that there is insufficient business, in which case the Academic Secretary must give at least five University Working Days' notice to members.

26 Quorum

- (1) The quorum for meetings of the Academic Board is 50 members.
- (2) If a quorum is not present within 15 minutes after the time appointed for the meeting, the business to be transacted must either be (as decided by the Chair) —
 - (a) deferred until the next ordinary meeting of the Academic Board, at which it must take precedence;
 - (b) dealt with by circular in accordance with the Standing Orders of the Academic Board; or
 - (c) referred to the next meeting of Academic Council.

27 Standing Orders and meeting procedures

- (1) The Academic Board may approve Standing Orders to regulate the calling and conduct of meetings of the Academic Board, which must not be inconsistent with the University's Statute or Regulations.
- (2) Academic Board meetings are called and conducted in accordance with any approved Standing Orders of the Academic Board.
- (3) Subject to any requirements prescribed in a committee or sub-committee's constitution, Academic Board committees are conducted in accordance with any Standing Orders of the Academic Board.

28 Decision making

- (1) Unless otherwise required by these Regulations, all questions are decided by the majority of the members present and voting.
- (2) The Chair has a vote, and in the case of an equality of votes, a casting vote.

29 Minutes

- (1) The proceedings of all Academic Board meetings must be minuted and retained.

- (2) After each meeting, the Academic Secretary must provide the Senate with a report containing any items for the Senate's consideration.
- (3) Draft minutes must be provided to each member within the agenda for the next meeting.
- (4) The minutes must be confirmed or amended by resolution of the Academic Board at the following meeting.

Part 6 — Courses

30 Course requirements

- (1) All course requirements and structures must be —
 - (a) developed by and approved by the relevant School or other relevant academic organisational unit;
 - (b) approved and reviewed by the Academic Board (or any committee or sub-committee to which it has delegated authority); and
 - (c) published in the University Handbook in accordance with the University's policies.

Part 7 — Transitional provisions

31 Term used: Commencement day

In this Part —

Commencement Day means TBA.

32 Transitional provisions

- (1) All persons who, immediately before Commencement Day held office as an elected or nominated member or Office Bearer of the Academic Board, continue in office under and subject to these Regulations and for the balance of the person's term of office remaining immediately before commencement day.

Version History

Version	Approved / Amended	UWA Endorsement	Commencement
V1	Approved – New Academic Board Regulations	9 December 2019 Senate Resolution [R63/19]	9 December 2019
V2	Approved – Academic Board Regulations (revised)	24 May 2021 Senate Resolution (R38/21)	24 May 2021