

## **Terms of Reference v 7**

---

Tuesday, 19 September 2023  
Federation University Student Senate

Prepared by  
Student Senate Executive Officer

**Status: RATIFIED | Version: 7 | Date: 19 September  
2023**

## Contents

<b>Authority</b>	<b>2</b>
<b>1. Interpretation</b>	<b>2</b>
<b>2. Objectives</b>	<b>2</b>
<b>3. Membership</b>	<b>2</b>
Conflict of Interest	4
Min Representative Requirements	4
Chair & Leadership	4
Removal & Resignation of Members	5
Complaints & Appeals	5
<b>4. Advisors</b>	<b>5</b>
<b>5. Executive Officer</b>	<b>6</b>
<b>6. Terms of Reference</b>	<b>6</b>
Member Vacancy	6
<b>7. Elections</b>	<b>7</b>
<b>8. Duties and Responsibilities</b>	<b>7</b>
<b>9. Meetings</b>	<b>7</b>
<b>10. Portfolios</b>	<b>8</b>
<b>11. Voting</b>	<b>8</b>
<b>12. Observers</b>	<b>9</b>
<b>13. Reporting Relationships</b>	<b>9</b>
<b>14. Dispute Resolution</b>	<b>9</b>
<b>15. Review</b>	<b>9</b>
<b>16. University Wide Consultation</b>	<b>9</b>
<b>17. Legislation &amp; Resources</b>	<b>10</b>

It is recommended that these Terms of Reference be read in conjunction with the *Student Senate Induction Manual*, available on enquiry to [student.senate@federation.edu.au](mailto:student.senate@federation.edu.au).

## Authority

The Student Senate is a student based advisory body established to make recommendations regarding the student experience, including but not limited to student amenities and services. The Senate acts as a consultative body to the Vice-Chancellor, through the Deputy Vice-Chancellor, Academic as primary sponsor.

## 1. Interpretation

1.1 In these Terms of Reference:

“Advisors’ means the Deputy Vice-Chancellor, Academic, the Director, Retention, Innovation and Student Experience and the Director, Student Services and Registrar

“HE” means higher education

“HDR” means Higher Degree by Research

“International Onshore Students” means international students studying in Australia

“Portfolio” means a sub-group of the Student Senate

“Postgraduate” includes HDR

“Student Senate” (or “Senate”) means the democratically elected representative committee of the University’s student body (Higher Education, Postgraduate, TAFE, VET & VCAL), constituted in accordance with these Terms of Reference

“TAFE” means Technical and Further Education

“University” means Federation University Australia, including Federation TAFE

“VCAL” means the Victorian Certificate of Higher Learning

“VET” means Vocational Educational and Training

“Vice-Chancellor” means the Vice-Chan or their nominee.

## 2. Objectives

2.1 The Student Senate is concerned with the improvement of the student experience for all students of the University (Higher Education, Postgraduate, Federation TAFE, VET, VCAL) across all campuses of the University and partner provider locations (within Australia) and students studying online or via distance education. This involves consulting with, and providing an avenue for, students to provide feedback and recommendations in relation to:

1. student amenities and services
2. the University’s policies and procedures regarding student life
3. student life for students based on campus, studying online or via distance education
4. the University’s physical, cultural and technological learning environments.

2.2 The Student Senate makes recommendations to the Vice-Chancellor, through the Deputy Vice-Chancellor, Academic as primary sponsor, regarding the use and proposed use of proceeds from the student services and amenities fee (SSAF) as per *The Higher Education Support Act 2003* and the Student Services, Amenities, Representation and Advocacy Guidelines (‘the Representation Guidelines’) for the provision and improvement of student services and amenities.

## 3. Membership

3.1 The Student Senate consists of the following members:

#### a. Ex-Officio members

The following students are members ex officio of the Senate:

- (1) The students who have been elected to the Board of:
  - a. the Institute of Health and Wellbeing;
  - b. the Institute of Education, Arts and the Community; and
  - c. the Institute of Innovation, Science and Sustainability.
- (2) the HE by coursework student elected to the Academic Board; and
- (3) the HE by coursework student elected to the Learning and Teaching Quality Committee.

Ex-officio members have full voting rights. See 3.4 for removal and 6.2 for further information on eligibility.

#### b. Elected members

Student representatives elected into the following positions:

- **BALLARAT AND SURROUNDS AREA STUDENT REPRESENTATIVE (2 positions):**  
Acts to advocate on behalf of all students at the North Western, Victoria area.  
**Eligibility** OPEN to Higher Education students enrolled at a course at the University's campuses in the North Western, Victoria area.
- **BERWICK AREA STUDENT REPRESENTATIVE (1 positions):**  
Acts to advocate on behalf of all students at Berwick campus.  
• **Eligibility** OPEN to Higher Education students enrolled at a course at the University's Berwick Campus.
- **DISTANCE EDUCATION/OFF CAMPUS STUDENT REPRESENTATIVE (1 positions):**  
Acts to advocate on behalf of all Distance Education/Off Campus Students  
**Eligibility** OPEN to students enrolled in Distance Education/Off Campus courses of the University, who are required to pay the Student Services & Amenities Fee.
- **EQUITY, DIVERSITY AND SOCIAL INCLUSION ADVOCATE (1 position):**  
Engages with and advocates for the diverse range of students currently enrolled at the University.  
**Eligibility** OPEN to all students enrolled at the University.
- **FEDERATION TAFE STUDENT REPRESENTATIVE (1 position):**  
Acts to advocate on behalf of all TAFE students at Federation University Australia.  
**Eligibility** OPEN to TAFE students enrolled at a course at the University.
- **FIRST NATIONS REPRESENTATIVE (1 position):**  
Engages with and advocates for the diverse range of indigenous students enrolled at the University.  
**Eligibility** OPEN to all Aboriginal and/or Torres Strait Islander students enrolled at the University.
- **GIPPSLAND AREA STUDENT REPRESENTATIVE (1 positions):**  
Act to advocate on behalf of all students at the Gippsland campus.  
• **Eligibility** OPEN to Higher Education students enrolled at a course at the University's Gippsland Campus.
- **INTERNATIONAL STUDENT REPRESENTATIVE (1 position):**  
Acts to advocate on behalf of all students enrolled as International Onshore Students at the University.  
**Eligibility** OPEN to students enrolled as International students at the University and studying in Australia (must hold a current Overseas Student Visa).
- **POSTGRADUATE STUDENT REPRESENTATIVE (1 position):**  
Acts to advocate on behalf of all postgraduate students at the University .  
**Eligibility** OPEN to students enrolled as a postgraduate student at the University.
- **STUDENT REPRESENTATIVE FROM EACH INSTITUTE**  
Acts to advocate on behalf of all students within relevant Institute at the University  
**Eligibility** OPEN to students enrolled within each of the three Institutes at the University.  
Provided that any student nominated is:

- (i) studying at a time fraction of 0.5 or more;
  - (ii) not employed by the University at a time fraction of 0.5 or more;
  - (iii) 18 years or over (not applicable to Federation College and VCAL students); and
  - (iv) not currently serving a custodial sentence,
- at the time of the calling for nominations by the Returning Officer.

Elected members have full voting rights on all recommendations and/or business brought to the Senate. See 3.4 for removal and 6.1 for further information on terms.

#### c. Appointed members:

The Senate may seek nominations for the appointment of members and appoint members by majority resolution. Such appointed members will assist the Senate achieve an informed perspective on any of the powers or duties of the Student Senate as defined in 2. *Objectives*.

Each appointment will continue until the end of the year of appointment or until the Senate decides by majority vote to terminate the appointment. The number of appointed members is limited to a total of 5 members at any one time.

Appointed members do not have voting rights.

Any student nominated for appointment must be:

- (i) studying at a time fraction of 0.5 or more;
- (ii) not employed by the University at a time fraction of 0.5 or more;
- (iii) 18 years or over (not applicable to Federation College and VCAL students); and
- (iv) not currently serving a custodial sentence,

at time of nomination and while holding their position.

### **Conflict of Interest**

Members of the Senate must declare any conflict of interest that arises, (including potential or perceived conflicts of interest), and must exclude themselves from associated proceedings, while participating in the normal operations of the Senate.

### **Minimum Representative Requirement**

At all times the Student Senate must include at least 1 representative from each of the following categories:

- (i) students enrolled in an undergraduate course of study
- (ii) students enrolled in a postgraduate course of study
- (iii) International Onshore Students

### **Chair and Leadership**

3.2 The Student Senate shall elect from its members a Chair. The Chair may only be a member drawn from (a) Ex-officio members and (b) Elected members.

3.2.1 Vice-Chair: The University's Student Senate shall elect from its members a Vice-Chair. The Vice-Chair may only be a member drawn from (a) Ex-officio members or (b) Elected members. The Vice-Chair will carry out the Chair's duties in the Chair's absence. The Vice-Chair will provide support and assistance to the Chair in carrying out their responsibilities and may take on specific duties from the Chair where delegated and appropriate. For term length see 6.3.

3.2.2 Interim Chair: In the period between the final meeting of one Senate term to the first meeting of the next Senate term an Interim Chair may be appointed. This position will be determined by a vote at the last meeting of the year and must be filled by a member that has already secured a position on the forthcoming Senate.

It is expected (unless otherwise indicated) that the Interim Chair will take on the role of Chair in the forthcoming Senate. This will be determined by a spill motion at the first meeting of the year. If the spill motion is not carried then the Interim Chair will become Chair. However if the spill motion is carried then the role becomes vacant and all Senate members (including the Interim Chair) are eligible to nominate for this position.

## Campus Chapters

3.3 The Senate may create Campus Chapters, which consist of campus based representatives of the Student Senate and any other member of the Senate for whom consultation with a student cohort on a particular Campus would be beneficial to fulfilling their role. Such Campus Chapters will report to the Student Senate meetings and are bound by these Terms of Reference.

## Removal and Resignation of Members

3.4 The Senate may remove an any member from office if:

- (a) the member, without first seeking a leave of absence from the Chair, fails to attend 3 consecutive meetings;
- (b) a resolution is passed by a majority four-fifths vote of the Senate that the member is found to have neglected their duties (as outlined in 8. *Duties & Responsibilities* and the Student Senate Handbook) and/or disregarded the objectives of the organisation as outlined in 2. *Objectives*;
- (c) a resolution is passed by a majority four-fifths vote of the Senate that the member is found to have impeded the Senate to conduct its business and/or engages in conduct that is disruptive and disrespectful to other members or impedes the ability of the Chair to direct a meeting;
- (d) during their term on the Senate the member is found by the University, through its formal procedures, to have engaged in a breach of discipline or misconduct (including harassment, discrimination, bullying) in relation to any matter.

The member must be given: (i) particulars in writing of what it is alleged they have done or failed to do in breach of their duties, at least 1 week before the meeting at which the motion to remove them is to be considered; and (ii) a reasonable opportunity to make written submissions to, attend and be heard at that meeting.

An elected member of the Student Senate, other than the Chair, may resign by writing delivered to the Chair.

The Chair may resign by writing delivered to the Vice-Chancellor.

Where an elected member expects to be absent from more than 3 consecutive meetings in any calendar year, the member must seek a leave of absence in writing from the Chair, or resign their position from the Senate by writing delivered to the Chair at the first meeting of the Senate after it becomes known to the member that the ongoing absence is likely.

## Complaints & Appeals

3.5 If a member removed from office by the Senate believes their removal to be unfair, or not in accordance with these Terms of Reference, the removed member may have access to the University's official grievance processes.

## 4. Advisors

The Director, Retention, Innovation and Student Experience and the Director, Student Services and Registrar will have the right to attend meetings of the Student Senate, to submit items for Senate meeting

agendas and to participate in debate at meetings. The Director, Retention, Innovation and Student Experience and the Director Student Services and Registrar will act as Advisors to the Student Senate.

The Deputy Vice-Chancellor, Academic has the right to attend meetings of the Student Senate, submit items for the Agenda and participate in debate at meetings. The Deputy Vice-Chancellor, Academic will act as Permanent Advisor to the Student Senate.

Senate members, with the Chair's approval, may call on additional staff advisors to attend all or any meetings and advise the Senate. Such advisors will have the right to attend meetings when invited, submit items for the agenda, and right of debate.

Advisors do not have voting rights.

## 5. Executive Officer

An Executive Officer will be appointed by the University to assist the Student Senate with advice and secretariat support.

## 6. Terms of Reference

6.1 The student representatives, as defined in 3. *Membership*, shall hold office for a period of 24 months commencing November 1 until October 31 24 months later, with a maximum of two consecutive terms. All Members must fulfil the conditions of Membership, as listed in 3. *Membership*, to retain their position on the Senate.

6.2 Ex-officio members may hold their position on the Senate for as long as they hold their position on the relevant Institute or on the Academic Board or the Learning and Teaching Quality Committee. For the non-voting Appointed members, the position lasts for the year in which the member was appointed or until the Senate decides by majority vote to terminate the position.

6.3 The Chair and Vice-Chair, as defined in 3. *Membership*, shall hold office for a period of 12 months commencing in November each year, with a maximum of two consecutive terms. A member is eligible to act as Chair or Vice-Chair while within the period of their position as either (a) an Ex-officio member or (b) an Elected member.

### Member Vacancy

6.4 In the case of a vacancy on the Senate, members present may resolve by majority vote as follows:

6.4.1 For an elected role, the Senate may:

- see the position remain vacant until next election,
- fill the position by a general election for the balance of the term,
- or appoint another eligible person to backfill the role as defined in 3. *Membership*,

Should an elected role be filled by appointment, the appointment expires at the next election, as per 7.1.

6.4.2 For an appointed role, the Senate may:

- appoint another eligible person to the role as defined in 3. *Membership*
- let the role lapse. (See 3. c.)

6.4.3 For an ex-officio role, the Senate may request the relevant body refill the position and report to the Deputy-Vice Chancellor, Academic if this does not occur within a reasonable period.

6.5 As per the Terms of Reference, at all times the Student Senate must include at least one representative from each of the following categories:

- a. students enrolled in an undergraduate course of study,
- b. students enrolled in a postgraduate course of study,

c. International Onshore Students.

If at any time the Senate does not include a representative from the categories listed the Senate will, per 6.4, seek such eligible members of these categories to meet this requirement.

## 7. Elections

7.1 Elections for positions on the Student Senate will be held during Lecture Period 3/Term 3 of the year prior to the term members will serve when any elected positions are determined to be vacant. Elected positions will be determined to be vacant by the Executive Officer if:

- (a) a member is finishing their full term in that position,
- (b) an elected position has fallen vacant and it has not been refilled,
- (c) a person has been appointed by the Senate to fill a vacancy in an elected position.

7.2 If positions are vacant after the first round of elections then a second round will take place in or before Term 1 of the corresponding Senate year.

7.3 Election procedures, including Nomination and Voting procedures, will be governed by the Federation University Australia (Operations) Regulations, Part 5, Divisions 1, 3, 4, 5, 6, 7, 8 and 9.

## 8. Duties and Responsibilities

8.1 The duties and responsibilities of the Student Senate and its Chapters as pertaining to the Student Services and Amenities Fee (SSAF) are as follows:

- duly consider matters referred to it by the Deputy Vice-Chancellor Academic, University management, University Council or other University body including partner provider institutions in relation to the provision of student services and amenities as per the *The Higher Education Support Act 2003* and the Student Services, Amenities, Representation and Advocacy Guidelines ('the Representation Guidelines'), across all and partner provider campuses (in Australia)
- duly consider recommendations in regards to provision of student services and amenities made by its Chapters
- make recommendations to the Vice-Chancellor, through the Chief Learner Experience Officer, or appropriate university body, in relation to student services and amenities at campuses and partner provider locations including recommendations as to the use of proceeds from the student services and amenities fee.

8.1.1 In regards to the student experience, which includes:

- student amenities and services,
- the University's policies and procedures in regards to student life,
- student life for students based on campus, studying online or via distance education,
- the University's physical, cultural and technological learning environments.

8.1.2 Other duties and responsibilities include:

- consultation with the student body (Higher Education, Postgraduate, TAFE, VET, VCAL) across all campuses of the University and partner provider locations (within Australia) and students studying online or via distance education. Make recommendations to the appropriate University bodies in regards to the above,
- duly consider matters referred to it by the Vice-Chancellor, Deputy Vice-Chancellor Academic, University management, the University's Council or other University body including partner provider institutions in regards to the above.

## 9. Meetings

9.1 The Student Senate shall normally meet 6 to 8 times per year on a set day, time and place suitable to the majority of members. Provision for meeting by videoconference or teleconference shall be made if meeting in person is not possible for any of the members.



9.2 Representatives will hold forums open to all students on their relevant campus at least twice during the academic year.

9.3 Notice of a meeting and an electronic copy of the agenda papers shall be circulated by the Executive Officer to each member at least five full working days before the meeting. The Chair may allow additional agenda papers to be circulated with less notice or to be tabled at the meeting. Such additional business shall not be considered if one-third of those present, or the Chair, vote that it be held over to a subsequent meeting.

9.4 Any notice of motion, report, or other business must be submitted in writing to the Executive Officer seven working days before the day of the meeting. Matters submitted after this time may be accepted at the discretion of the Chair.

9.5 A quorum is defined as 50% of the voting membership. In the case of Chapter or Portfolio meetings, a quorum is 50% of the voting membership of that group.

9.6 If a quorum is present at the commencement of the meeting, the meeting may continue until attention is drawn to the lack of a quorum. When this occurs, the meeting shall be adjourned until such time as the Chair may determine. Where a meeting is adjourned for lack of quorum, the reconvened meeting shall normally deal only with matters listed for the original meeting and which were not dealt with.

9.7 The Chair shall preside at all meetings of the Senate.

9.8 In the absence of the Chair, the Senate members present shall appoint a member to preside at that meeting.

## 10. Portfolios

10.1 The Student Senate may establish Portfolios (sub-groups) as required to assist with the functioning of the Senate and the expediency of meetings. These could include, but are not limited to, Communication, Student Connect, Academic and Buildings Portfolios

10.2 Student Senate representatives will volunteer for Portfolios; with the exception of the Academic Portfolio which consists of all Ex-Officio members. Student representatives can only sit on a maximum of two Portfolios.

10.2 Senate Portfolios will be chaired by a Senate Member who has been elected from within the Portfolio membership. Responsibilities of the Portfolio Chair are outlined below:

10.2.1 Portfolio Chair Responsibilities:

- Facilitate monthly Portfolio meetings.
- Ensure meetings are structured to allow for the diversity of student views.
- Prioritize issues pertaining to Portfolio.
- Document actions and outcome of Portfolio issues.
- Facilitate communication with relevant University staff in relation to Portfolio issues
- Present report at Student Senate meeting.
- Attend Portfolio Chair meetings as required by Chair of the Senate.

## 11. Voting

11.1 Upon any question arising at a meeting of the Senate, a member (Ex-officio or Elected) has one vote only.

11.2 All votes must be given personally (proxy voting not permitted)

11.3 In the case of an equal vote on a question or matter, by motion of the Senate the matter will be referred to a committee of Senate members for decision ("Decision Committee"). Members of the Decision Committee will be chosen by resolution of the Senate.

## 12. Observers

12.1 Meetings of the Student Senate may be attended by people approved by the Chair to attend the meeting as an observer.

12.2 Observers at a Student Senate meeting will be entitled to see and hear the proceedings of the Senate and, with the permission of the Chair, will have the right to contribute to debate at Senate meetings. Observers do not have the right to vote.

12.3 Observers at a Student Senate meeting may be required to leave the meeting by the Chair, or by majority vote of members, or when the Senate considers any confidential business.

## 13. Reporting Relationships

13.1 After each of its meetings the Student Senate shall submit a report to the Vice-Chancellor, through the Deputy Vice-Chancellor, Academic. The report shall include:

- (a) the minutes of Senate meetings; and
- (b) a record of recommendations (if any).

13.2 Should matters for action fall outside the scope of the Deputy Vice-Chancellor, Academic the Senate shall confer with Director, Retention, Innovation and Student Experience and/or the Director Student Services and Registrar as to appropriate course of action and pathway for referral.

## 14. Dispute Resolution

14.1 The process for dispute resolution set out in this rule applies to disputes under these Terms of Reference between the Student Senate and University management. Either party may raise a dispute. The steps are outlined below:

- i. The dispute must be delivered in writing, ie: The Chair must give written notice to the Deputy Vice-Chancellor, Academic specifying the nature of the dispute, or vice versa, depending on which party has raised the matter.
- ii. The Chair and the Deputy Vice-Chancellor, Academic or their nominees must meet within 10 working days of receipt of the dispute notice to try to resolve the dispute.
- iii. Failing resolution, either party may refer the dispute to mediation in accordance with the Law Institute of Victoria Mediation Guidelines, in which case an independent mediator will be appointed.

## 15. Review

15.1 The Terms of Reference of the Student Senate shall be reviewed at least every 2 years. Any recommendations for changes to be made to the Vice-Chancellor, through the Deputy Vice-Chancellor, Academic.

## 16. University Wide Consultation

16.1 The Student Senate agrees to engage in any consultation required by governing boards/committees and bodies within the University and will nominate an appropriate Senate member when such student comment is required. Should the matters arising fall outside the scope of the Student Senate, the Senate shall confer with Senate Advisors.

16.2 The University's governing bodies should consult the Student Senate before altering their terms of reference which alterations may adversely affect the functionality, structuring and operations of the Student Senate.

## 17. Legislation & Resources

### **Federation University Australia Statute 2021**

[https://federation.edu.au/data/assets/pdf\\_file/0003/535359/Federation-University-Australia-Statute-2021.pdf](https://federation.edu.au/data/assets/pdf_file/0003/535359/Federation-University-Australia-Statute-2021.pdf)

### **Federation University Australia (Academic) Regulations**

[https://federation.edu.au/data/assets/pdf\\_file/0006/597345/ECM\\_229482\\_v1\\_FUA-Academic-Regs-2022-Amended-25-May-2023\\_597345.pdf](https://federation.edu.au/data/assets/pdf_file/0006/597345/ECM_229482_v1_FUA-Academic-Regs-2022-Amended-25-May-2023_597345.pdf)

### **Federation University Australia (Students) Regulations**

[https://federation.edu.au/data/assets/pdf\\_file/0007/592990/ECM\\_229480\\_v1\\_FUA-Students-Regs-2022-Amended-9-1-2-2023\\_592990.pdf](https://federation.edu.au/data/assets/pdf_file/0007/592990/ECM_229480_v1_FUA-Students-Regs-2022-Amended-9-1-2-2023_592990.pdf)

### **Federation University Australia (Operations) Regulations**

[https://federation.edu.au/data/assets/pdf\\_file/0008/595475/ECM\\_229481\\_v1\\_FUA-Operations-Regs-2022-Amended-17-April-2023\\_595475.pdf](https://federation.edu.au/data/assets/pdf_file/0008/595475/ECM_229481_v1_FUA-Operations-Regs-2022-Amended-17-April-2023_595475.pdf)

*For further information or assistance contact:*

*Email: [student.senate@federation.edu.au](mailto:student.senate@federation.edu.au) | URL: [www.federation.edu.au/student-senate](http://www.federation.edu.au/student-senate)*