

Academic Board Terms of Reference

Section 1 - Establishment

(1) The Academic Board is established under Section 20 (1) of the Charles Darwin University Act 2003.

Section 2 - Functions and Responsibilities

(2) Under section 20 of the Act, the functions of the Academic Board are specified as:

(4) The Academic Board –

- a. May advise the Council or the Vice-Chancellor on any matter relating to the University and, in particular, make recommendations with respect to instruction, studies, examinations and assessments, research and awards relevant to those programs deemed to be awards for funding purposes; and
- b. Must report on any matter on which it is required to report by the Council or the Vice-Chancellor.

(3) The Board may, in addition to the functions conferred on it by section 20 of the Act, undertake the following broad functions:

Academic Direction and Leadership

- (4) Determine guidelines for and receive reports from reviews of academic units;
- (5) Advise the Council and the Vice-Chancellor on the development of the University's academic goals as they pertain to the University Strategic Plan and related plans; and
- (6) Receive regular reports from the Vice-Chancellor and members of the Senior Executive Team on matters relevant to Academic Board and determine actions within the functions of the Academic Board in response to such reports.

Academic Quality

- (7) Maintain oversight, monitor and improve the University's academic quality assurance framework;
- (8) Review, advise and recommend to Council the guidelines for the award of the University and Chancellor's medals;
- (9) Monitor compliance with, and effectiveness of academic governing documents;
- (10) Promote discussion on, establish and analyse academic performance measures and standards, and monitor and actively support continuous improvement strategies;
- (11) Promote discussion and dissemination of information regarding best practice in learning and teaching, research and research training to the broader University community;
- (12) and Receive and consider and, if appropriate, comment upon the annual reports from the University's research

ethics committees before referring them to Council.

Academic Governance

(13) Determine and review academic policies related, but not limited to:

- a. admission, progression, exclusion, academic misconduct, examination, assessment, special consideration, undergraduate course structure and nomenclature, postgraduate coursework structure and nomenclature, research higher degree structure and nomenclature, honours degree structure and nomenclature, and research examination;
- b. Determine the accreditation and re-accreditation of, and process for, units and courses; and monitor and report outcomes, with particular emphasis on the quality and effectiveness of educational innovations;
- c. Determine the framework for minor and major unit and course changes; and monitor and report outcomes;
- d. Receive and consider reports from standing committees and working parties, and determine actions within the functions of the Academic Board in response to such reports;
- e. Monitor the implementation of academic delegations and maintain oversight of academic risks, including academic and research integrity;
- f. Consider and recommend the accreditation of units and courses from other parties; and Report to Council and the Vice-Chancellor new and revised academic governing documents.

General

(14) Report to Council and the Vice-Chancellor on other matters where a response from the Academic Board is requested, with special emphasis on the quality of learning, teaching, research and research training.

Standing Committees and Working Parties

(15) The Board may establish standing committees and working parties as it deems necessary, and a person may be appointed as a member of any such standing committee or working party whether or not that person is a member of the Board. Standing Committees of Academic Board will include:

- a. Executive Committee of Academic Board;
- b. Academic Appeals Committee;
- c. Higher Degree by Research and Research Training Committee (supported by College Research Committees);
- d. Research and Innovation Committee (supported by College Research Committees);
- e. Learning, Teaching and Assessment Committee (supported by College Learning and Teaching Committees and a Policy working group); and
- f. Academic Programs Committee (supported by College Learning and Teaching Committees).

Section 3 - Membership

(16) The membership of Academic Board shall comprise the following:

Ex Officio Membership

- a. Vice-Chancellor;
- b. The following members of the Senior Executive Team:
 - i. Assistant Vice-Chancellor;
 - ii. Provost;

- iii. University Secretary;
- iv. Deputy Vice-Chancellor and Vice-President Operations;
- v. Deputy Vice-Chancellor Northern Australia Medical and Health Development;
- c. All Pro Vice-Chancellors;
- d. All Deans;
- e. Dean of Graduate Studies;
- f. Directors of Research Institutes;
- g. Director of Menzies School of Health Research; and
- h. Director of CDU Global.

Elected Staff Membership

- a. Chair;
- b. Deputy Chair;
- c. One (1) member of professional staff; and
- d. Ten (10) members elected from the Colleges, two (2) from each of five (5) Colleges, elected by the academic staff of the respective College, normally one staff member drawn from Vocational Education and Training and one from Higher Education, provided the College offers both Vocational and Higher Education

Elected Student Membership

- a. One (1) VET student elected by and from VET student cohort;
- b. One (1) undergraduate higher education student elected by and from the undergraduate higher education student cohort; and
- c. Two (2) postgraduate higher education students elected by and from the postgraduate higher education students, one of whom must be a Higher Degree by Research candidate.

(17) Elected student members must not be members of University staff.

Casual Vacancies

(18) Vacancies in the elected membership which occur six (6) months or more prior to the next annual Academic Board election will be filled by direct appointment by the Executive Committee following consultation with the serving members of the applicable electoral cohort.

(19) Vacancies in the elected membership, which occur less than six (6) months prior to the next annual Academic Board election, will remain vacant until the next election.

Acting in Ex-Officio Roles

(20) Persons acting in the capacity of an ex-officio member of the Academic Board will hold the rights and privileges of the ex-officio position for the duration of his or her acting appointment; however they may not hold more than one (1) position on the Board at any one meeting.

Co-opted Membership

(21) The Chair may, after consultation with the Vice-Chancellor, nominate up to three (3) people to be members of the Board to address equity issues.

Permanent Observers

(22) The following will be permanent observers to the Academic Board:

- a. Chair of Academic Board, Batchelor Institute.

(23) Permanent observers have a standing invitation to attend meetings, the right to receive meeting documentation, submit questions on notice and participate in meeting debate.

Observers

(24) Staff members and Council members of the University are encouraged to attend meetings of Academic Board. Notification of the intention to attend must be given to the Secretary a minimum of one (1) week before the meeting. Notifications may cover more than one (1) meeting. Observers have the right to receive meeting documentation, submit questions on notice and participate in meeting debate.

Section 4 - Chair

(25) A meeting of the Board must be presided over by the Chair, or in the Chair's absence, by a Deputy Chair, or in the absence of the Chair and Deputy Chair, by a member elected for the purpose by the members present at that meeting, provided there is a quorum.

Election of the Chair and Deputy Chair

(26) The Chair and the Deputy Chairs of the Board will be appointed by the Council from the full-time Higher Education and Vocational Education and Training academic staff of the University appointment at Levels D or E in Higher Education or appropriate leadership level in Vocational Education after a process of Expressions of Interest.

Section 5 - Secretary

(27) The University Secretary (or nominee) will act as secretary to Academic Board.

Section 6 - Terms of Office

(28) The Chair and Deputy Chairs will serve a term of office of up to three years commencing from the date of their appointment, and finishing on December 31 of the year no more than three years subsequent to their election. The Chair and Deputy Chair may be elected for a further term of two (2) years but may not hold office for more than two (2) consecutive terms. The term of appointment of the Chair and Deputy Chair should not all commence or expire at the same time.

(29) Elected staff members serve a two (2) year term commencing from the date of their election, and finishing on December 31 of the year no more than two years subsequent to their election. Elections will be held each year for half of the elected staff membership. An elected member may be elected for a maximum of three (3) consecutive terms.

(30) Elected student members serve a one (1) year term commencing from the date of their election and finishing on December 31 of the year no more than one year subsequent to their election.

(31) Members appointed into a vacant position as a result of a casual vacancy will fill the term of the vacated position.

(32) Co-opted members serve a two (2) year term from the date of appointment and are eligible for reappointment.

(33) An elected member of the Board vacates their office if the member is absent, without apology, from three (3) consecutive meetings of the Board.

(34) An elected member may resign from their position on Academic Board by notifying the University Secretary in writing.

Section 7 - Quorum

(35) At a meeting of the Board a quorum is constituted as 50% plus one members of the Board.

Section 8 - Meetings

(36) The Chair of the Board or, if the Chair is unable to act, the Deputy Chair must call as many meetings of the Board as are necessary for the performance of the Board's functions. The Board must meet a minimum of five (5) times per year and the interval between meetings must not exceed three (3) months.

Section 9 - Resolution of the Academic Board

(37) Matters requiring a resolution by the Board are to be determined by consensus of the members present.

(38) A member may call for a vote on any matter requiring resolution before the Board. In this circumstance, the Chair will have only a casting vote.

(39) Where a member holds more than one (1) Board position concurrently, they will receive one (1) vote only.

Section 10 - Agenda

(40) The agenda is to be distributed with supporting documentation at least seven (7) days prior to the meeting date.

Section 11 - Minutes and Reporting

(41) The minutes from the meeting of the Academic Board will be provided to the next meeting of the Council of the University.

(42) The minutes will detail the item under discussion, the main points of the discussion, the resolution reached and the primary reasons for reaching that determination.

(43) Information relating to matters under consideration and issues resolved will be disseminated to the University.

Section 12 - Conflicts of Interest

(44) Where a member has an actual, potential or perceived conflict of interest regarding an agenda item, they must declare this to the Chair at the commencement of discussion of the item, and be prepared to excuse themselves from the discussion, or the room, if required, as per the terms of the Conflicts of Interest Policy.

Section 13 - Non-Compliance

(45) Non-compliance with Governance Documents is considered a breach of the Staff Code of Conduct or the Student Code of Conduct, as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures.

(46) All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the Fraud and Corruption Control Governance Framework, and Corruption Control Policy and Whistleblower reporting (Improper Conduct) Procedures.

Section 14 - Definitions

(47) In the context of this document:

- a. Academic staff member means an academic staff member who holds a substantive academic position of at least 0.5 full-time equivalence and with a contract length of at least thirty-six (36) months, with the University.
- b. Professional staff member means a staff member of at least 0.5 full-time equivalence not employed as in an academic or research role, and who is engaged by the University in professional, managerial, administrative including research assistance, cleaning, maintenance and other non-teaching and non-research roles.
- c. Academic units means colleges, research centres and institutes of the University.
- d. Governance document means a formally approved document that outlines non-discretionary governing principles and intentions, in order to guide University practice.
- e. Governance document is a formal statement of intent that mandate principles or standards that apply to the University's governance or operations or to the practice and conduct of its staff and students. They include the CDU Act, by-laws, policies, procedures, guidelines, rules, codes and the Enterprise Agreement.

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