



NOTICE OF MEETING
47th STUDENT ASSOCIATION COUNCIL

Notice is hereby given of the 9th Ordinary Council Meeting of the 47th Student Association Council (9/47, 9/17) to commence at **8:00am to 9:00am on Monday 29 May 2017**.

Location: Video Conference Cairns, JCUSA conference room- building 133 Townsville

1. APOLOGIES AND PROXIES

2. DECLARATION OF CONFLICTS OF INTEREST

3. APPROVAL OF UNSTARRED ITEMS

The Chair will invite members to indicate which unstarred items they wish to star.

Thereupon, all unstarred items will be deemed to have been approved or noted as approved or noted as presented.

4. CONFIRMATION OF MINUTES & FLYING MINUTES

4.1 7th Ordinary Council Meeting minutes Wednesday 17 May (7/47; 7/17)

4.2 8th Ordinary Council Meeting minutes Friday 19 May (8/47; 8/17)

4.3 Flying Minutes approved 28th April 2017 – Approval of SSAF Budget

4.4 Flying Minute approved 8th May 2017 – Approval of Close of Membership for Nominations

5. LEGAL MATTERS

6. REPORTS

6.1 Acting President report, Acting Equity & Diversity Officer report & Cairns Campus Officer report

6.2 Acting Vice President report & International Officer report

6.3 Townsville Campus Officer report

6.4 Acting Postgraduate student officer report

6.5 Finance Officer report

7. GENERAL BUSINESS

7.1 Second reading of amendments to the JCUSA Constitution

8. QUESTION TIME

Members of the Student Association may direct questions in writing to officers of the Student Association through the Secretary. Questions may be put on notice.

Catherine Fraser
Secretary to JCUSA Council



NOTICE OF MEETING – PROPOSED AFENDA
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4. CONFIRMATION OF MINUTES & FLYING MINUTES

- ~~4.1 5th Ordinary Council Meeting minutes Wednesday 3rd May 2017 (3/47; 3/17)~~
- 4.12 6th Ordinary Council Meeting minutes Friday 12th May 2017 (6/47; 6/17)
- 4.23 7th Ordinary Council Meeting minutes Wednesday 17 May 2017 (7/47; 7/17)
- ~~4.4 8th Ordinary Council Meeting minutes Friday 19 May 2017 (8/47; 8/17)~~
- 4.35 Flying Minute Approved 24th May 2017 – Approval of revised SSAF Budget

5. LEGAL MATTERS

6. REPORTS

- 6.1 President report, Acting - Equity & Diversity Officer report & Acting - Cairns Campus Officer report
- 6.2 Vice President report & Acting - International Officer report
- 6.3 Townsville Campus Officer report
- 6.4 Acting - Postgraduate student officer report
- 6.5 Finance Officer report

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Catherine Fraser
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MEETING MINUTES

9th Ordinary Council Meeting of the 47th Student Association Council (9/47; 9/17)

Meeting Opened at **8:04am on Monday 29 May 2017 by SK** (VC Nominee and Convener)

PRESENT:

Sally Kift (VC Nominee, Convener), Jesse Argent (President and Acting – Cairns Campus Officer), Sydney Jones (Vice President and Acting – International Officer), Michael Kane (Townsville Campus Officer), Benita Bosch (General & Finance Manager), Teisha Condie (Staff Representative), Claire Holland (Acting – Postgraduate Officer), Catherine Fraser (Secretary).

IN ATTENDANCE:

Stephen Naylor (Incoming VC Nominee), Michael Kern (University Secretary), Edward Harridge, Kimberley Rogers Ford, Aaminah Kahn
Jasmine Laredo, Glistening Deepwater (Via Video Link from JCUSA Cairns Office).

1. APOLOGIES and PROXIES

None

2. DECLARATION of CONFLICTS of INTEREST

Standing Conflict declared by CH (JCU Employee and JCUSA Council member)

Standing Conflict declared by SK (VC Nominee and JCUSA Council member)

RESOLVED

That the proposed agenda circulated to all present be accepted and used for this meeting

Moved: JA
Seconded: SJ
All in Favour

3. APPROVAL of UNSTARRED ITEMS

EH starred **items 4.3 and 7.1** (Revised SSAF budget and 2nd reading of proposed amendments to Constitution)

CH starred **items 4.1 and 4.2** (6th Ordinary Council minutes and 7th Ordinary Council minutes)

4. CONFIRMATION of MINUTES and FLYING MINUTES

4.1 6th Ordinary Council Meeting minutes Friday 12th May 2017 (6/47; 6/17)

4.2 7th Ordinary Council Meeting minutes Wednesday 17 May 2017 (7/47; 7/17)

RESOLVED

That items 4.1 and 4.2 be moved for discussion at the next Council Meeting to be held on 12 June 2017

Moved: CH
Seconded: JA
All in Favour (SK Abstain)

4.3 Flying Minute Approved 24th May 2017 – Approval of revised SSAF Budget

EH enquired what changes had been made to the budget?

BB advised that cuts were made to election and legal costs



- EH enquired if Clubs and Societies allocation had changed? If consideration was given to increases? And if there had been savings how these had been reallocated?
- BB stated there had been nothing had changed so there were not actually any savings
- SK Money had to be cut to come under the JCU allocation of \$1.2M SSAF given to the JCUSA
- BB stated this had gone down as SSAF allocation had gone down, the JCUSA is wearing some costs
- EH enquired about the travel budget for all council members and staff
- BB stated it was pretty much in line with last year. GM went up from \$K to \$4800
- SK Any further discussion?
- EH No

RESOLVED

That the Flying Minute Approved 24th May 2017 – Approval of revised SSAF Budget be ratified.

Moved: JA
Seconded: MK
All in Favour (SK Abstain)

5. LEGAL MATTERS

None to discuss

6. REPORTS

Items 6.1 to 6.5 deemed to be presented and approved

7. GENERAL BUSINESS

7.1 Second Reading of amendments to the JCUSA Constitution

- SK introduced that the first reading took place on 12 May and some amendments and resolutions were made including making the amendments an explanatory note were made available to members for comment and feedback. Thanked the JCUSA Council for creating a clear compilation of all feedback and comment received and the responses given by Council following due consideration of the submissions received, including any further amendments that may have been made as a result.
- BB suggested to go over sections that may be amended since the first reading
- JA Changes are highlighted in yellow so I'll go from the beginning
- 5.4 - Associate membership now automatically includes Staff to allow staff who look after the Association daily can be members
 - 5.8 - Included a clause about cancelling Ordinary membership by a 2/3 majority vote based on conditions
 - 6.5.5 - updated cross referencing
 - 6.6.3 - Office bearers appointment of 2 years as determined by Association Council
- AK questioned the use of he/she on page 10 in section 6.5.5. JCU recognises that there are more genders than Male and Female so JCUSA should comply also
- SK suggested replacement with "they"

All agreed and supported the amendment.

Checks would be made to ensure the whole document complied and was consistent



- JA Moved to make a motion to endorse the 2nd reading of the proposed amendments to the Constitution subject to the amendments proposed at today's meeting.
- MK Seconded
- SK Invited further discussion from council and members
- KRF 5.8 – adds that a 2/3 majority vote can remove an ordinary or associate membership and questioned the motive and does not see fit when student's pay SSAF which pays staff member's wages that they should be able to revoke a student's membership
- MK Understand concern that there is potential for misuse of that however it stems from contract law that if you breach the contract the contract would be revoked. The same as if a member revokes the code of conduct then their membership could be revoked.
- BB For staff and council to be funded by SSAF we need to meet requirements and criteria of the University. The University distances themselves from membership as they are two different functions. The University gives an allocation of SSAF to provide services to ALL students regardless of being members or not. Any student can attend a SSAF Funded event. And then there is members only.
- AK Wasn't satisfied with Item 15 and the way the Association Council conducts elections to remove preferential voting and move to a first past the post system. The explanation that this method is practiced in one third of the world is not adequate argument. Also says JCUSA Council believes it is more appropriate in elections concerning government. Are you not a governing council?
- SK Thank you. It's important to note here it costs between \$10K to \$20K of precious student funds from SSAF to conduct elections in another way. We have an agreement with JCU to conduct the elections electronically on a first past the post basis, at no cost to the Association and that has been a win for everybody.
- AK What is the dollar price on loss of representative democracy?
- SK We have just been talking about Clubs and Societies and how we might be able to increase allocations to this for the future; this is a potential way to do that.
- BB clarified last year to cost the SA \$5800 for 24 votes to be cast
- EH The contract was for both Townsville and Cairns campus for \$5000 + reasonable expenses. Ballot papers and the like would have been reasonable expenses so it would have cost more if there had been more votes so that amount is misleading. The amount covered the duties of John Bearne as the Electoral Officer
- SK It is the fact that only 24 votes were cast
- EH Yes but that amount is considerably less than \$20K
- MK Can we clarify if it would have cost more if Elections had been held on Townsville campus as well
- BB confirmed this as true
- EH argued to wouldn't have cost \$15K more
- KRF commented I don't think you can put a price on democracy and that she is happy for her SSAF money to go towards elections as she feels all students and all members should be represented.
- AK Agreed and stated that first past the post systems make it very difficult for independent candidates to get in at the election
- SK stated that this is why it is very important and a great initiative for Jesse as President and Sydney as Vice President to attend the next Student Advisory Forum to speak about running for the Student Council and to encourage broader-based engagement and a greater diversity of candidates than the currently quite limited range of candidates, so that more student voices are heard. The Student Advisory Forum is a captive audience of about 40 students with very broad representation, including external and distance students, Indigenous students and students from other study centres.
- AK questioned if they were the same students whose votes would be eliminated? Such Remote & External, Brisbane and Singapore Presidents?



- SK Remote & External has been removed as in the previous few years no one has been willing to fill this position. Council has the flexibility to reintroduce this role, if there is an interested candidate, via the 4 extra positions created by the proposed amendments to the Constitution.
- AK stated she has studied at Mackay and Mount Isa campuses and that failure to get someone in the position suggests a failure to engage with that cohort of students
- BB stated that there had been various attempts to engage with Remote and External by herself and Jesse in the last 6 months and we were told "it's not worth the effort for 6 students to do anything" by previous Council.
- AK There are more than 6 students
- BB That was the advice of the previous Council when Jesse and I wanted to reach out to that cohort
- SK Suggested AK could take that up with previous Council if she was still concerned
- MK Supported that electronic voting makes it easier for ordinary members to cast a vote and hopes this will increase engagement by students but expressed concerned that candidates may harass or intimidate students on campus to pressure them into voting. It also help to engage the Remote and External students
- SK Good point as there was a physical altercation one year and also that it engages more students. Being able to email more students who aren't on campus to cast a physical vote, is a more inclusive system.
- KRF Disagreed as she believes the University has difficult engaging students with the Student Feedback Surveys so who can say it won't be the same with a link to vote. Suggested physical presence is more effective to gain votes
- AK suggested some JCU SA emails are automatically filtered and not always received via push notifications. Infrastructure already exists to run preferential voting electronically as this happened when she was Secretary of the JCU Medical SA with the aid of the University for free.
- CH stated that Council have debated the pros and cons of each way and the feedback received from students and needed to balance those to come to the best decision when considering the whole student body.
- JA stated the feedback was received by approximately 6 students one of which was a Remote & External student
- SK Stated that JCU had a 44% response rate from students on the first occasion it ran online teaching and subject surveys, which showed above average engagement
- TC suggested there is nothing to stop student holding promotional events and campaigns on campus to create awareness and engagement with elections still even if voting will be electronic.
- EH Concern about ability to remove any officer bearer, except the president by a majority vote and no appeal process
- SK Can only happen if the office bearer has been found guilty of a breach of discipline of a serious nature.
- EH Well there are a range of things under a broad construction you could be dismissed for removing a paperclip from the office.
- CH would that constitute a serious breach?
- EH Its entirely subjective. It provides a way to remove a person of minority views where the majority may want to gain more power on the council. It removes the ability of members to decide on that via referendum. In a public company only the members can remove a director. Requirements of member rights and democracy should be more important under a Student Association than a public company. Understand that perhaps a referendum may not be necessary but Ordinary members should be able to decide at a General Meeting. No appeal right to council is unusual



- UQ Union Constitution states elected student representatives have the overall right of management and as is appropriate of a board are delegated to staff. It is disturbing that JCUSA is not giving students that same right. Procedural matter requires that proposed amendments should be tabled at a meeting which we have already discussed that no copies were given prior to the meeting and questions about that can be amended after the process
- AK added that the changes today are substantial for example 5.8 and asked why an additional 14 days to consult on the amendment is not being provided
- SK Starting with comments by EH which he states he has previously made and proposed amendments were previously considered and debated. The JCUSA Council has sought and received independent advice on this matter of procedural compliance and has been assured that the procedural aspects have been complied with. The feeling behind that amendment mentioned by AK was that JCUSA Council need to operate respectfully. A suggestion that Ordinary members would be expected to comply with a Code of Conduct is not outrageous and would be in the best interest of the Association and its members.
- AK stated she is not saying it was a bad amendment but that further time for feedback needed to be provide to consider it
- SK This is the opportunity for Ordinary Members to provide that feedback. It has been set up by the current Constitution that these 2 meetings would take place with 14 days between them to allow for consultation.
- GD Stated there has to be an end point to consultation or there is no chance to move forward. Once a general consensus is reached not everyone may be happy with it but feedback has been considered and have bought about some amendments further in favour of students now it has reached this point to vote
- KRF stated request for continued consultation shows students are happy
- SK Thanked and congratulated the JCUSA Council on efforts in responding to feedback
- BB noted the time limits allowed for speaking on a matter are being exceeded and the conversation doesn't seem to be coming to a conclusion
- EH If consultation was genuine reforms wouldn't have been dumped on the first meeting before actually making a decision
- SK noted he has raised this previously and Council has considered his comments
- EH Further amendments have been made since then. Find it concerning that the University representative is speaking on behalf of students rather than the President. Students requested copies and were only given them in that meeting which was not consultative. Although yes that has now been introduced. Most concern is people can be removed and doesn't think this can happen in any other student union in the country. It is also concerning there is appeal If decision makers were impartial then yes that would be okay
- SK Are you making an allegation Edward?
- EH Yes
- SK Thank you, can we record that?
- EH Yes I would be quite happy for that to happen
- CF What was your allegation Edward?
- EH I'm not making a formal allegation. You can take my statement how you want. My concern is that in a student politics environment people can be removed from the board easily.
- SK Only once the process has been complied with. Your point about me speaking is concerning as you are aware that I have been appointed as Convener, so would you like to withdraw that comment?
- EH No I would not like to withdraw that comment.



- SK The comment more broadly that you make is a good one in that this seems to be viewed by some as a student politics exercise, when in fact it needs to be viewed in terms of good governance in the best interest of all students and JCUSA members.
- AK Can't speak for EH or KRF as I am completely impartial. I began coming to meetings because I would be interested in what the SA was doing. I wrote a submission which KRF kindly put her name to. The facts members elected by us can be removed without justification and not by us is concerning. I've known KRF for about 3 weeks and EH for about 2 before anyone would like to accuse me of bias.
- SK No one is accusing you of bias.
- CH The removal of an officer bearer must meet the requirement of being found guilty of a Breach of Discipline or Loss of Confidence of a serious nature – there is a threshold requirement
- AK Where is that threshold in the document?
- JA 7.2.1
- MK Due process will be followed
- KRF Last question is the motive to amend 7.2.2 that president cannot be removed without approval of JCU council – not good or democratic to me it reads that the current president can be kept in but the old one can be kicked out
- CH That addressed concerns that there was no appeal process and to act as a safeguard
- KRF Why just president then? Only seems like safe guard against them
- CH JCU Council is busy and doesn't always have capacity to assist but happy to ensure that additional due process is followed for the President summarily if it was not of a serious nature. We weighed up advice on each position and this was the conclusion.
- KRF Is President the most important then? I would argue all are equal.
- SK Would agree that the ethos is for quality amongst Council Members, with the President first amongst equals and with a view to adding in a safeguard to ensure procedural fairness re this, that is the view that has been reached. The point in Cairns was well made by the supportive Cairns ordinary members that this had to be a consensus generating exercise and we have reached as much consensus as possible.
- AK Well we can just run and change the Constitution next year

RESOLVED

That the JCUSA Council endorse the 2nd reading of the proposed amendments to the Constitution subject to the amendments proposed at today's meeting.

Moved: JA
Seconded: MK
All in Favour

8. QUESTION TIME

- EH Enquired results of Election
- CF stated Declaration from Electoral Officer was on the JCUSA Door, results were President: Jess Argent, Vice President: Sydney Jones, Postgraduate Officer: Adam Tilbrooke, Equity & Diversity Officer: Tara Gopal
- AK Questioned required notice of meeting and method of notice required
- CF Explained for changes to the Constitution 7 clear days was required. For Ordinary meetings only 5 clear days. Constitution requires notice to be placed on the Official noticeboard which is the JCUSA Office Door at this stage
- CH Stated if AK had other suggestions for requirements and methods of notice to put them in writing to the Secretary as regards proposed amendments to the Regulations or otherwise.



AK Enquired about meeting locations and access to Remote and External Members
JA explained a Virtual Meeting Room had been set up so students from all campuses, and external study centres could access this would be distributed widely to members for their information.

Meeting Closed at 8:58am

Catherine Fraser
Secretary to JCUSA Council

A handwritten signature in blue ink, appearing to read 'Sally Kift'.

Sally Kift
VC nominee - Convener