



Adelaide University Postgraduate Students' Association Inc.

Submission

To: University of Adelaide Act Review, Office of Vocational Education and Training

From: Anthony Long, Research Officer

Subject: Review of the *University of Adelaide Act 1971*

Date: July 18, 2002

Introduction

The Postgraduate Students' Association (PGSA) welcomes the opportunity to comment on the proposed Review of the *University of Adelaide Act 1971*, and agrees that there is a need to update and improve sections of the Act, as has already been outlined. This document does not address such changes considered to be acceptable by the PGSA.

However, the PGSA notes that there are a number of areas of concern in the proposed changes, and these are addressed in the current document. However, the PGSA also acknowledges that the majority of the proposed changes are benign in nature and do not affect adversely the University generally or postgraduate students specifically.

1. Definitions

The proposed amendment to Section 1.3 of the University Act is of concern to the PGSA. The PGSA is concerned at the removal of the term "postgraduate" from the Act and its replacement with the term "graduate".

There is no compelling reason to change the term. The term "postgraduate" describes accurately all students undertaking a higher degree program. Consequently, the definition "postgraduate degree or diploma" no longer becomes redundant if the proposed amendment is not adopted.

The PGSA has received strong feedback from its members that the term "graduate" is not one they wished applied to them. Many felt that the term would lead to confusion about the nature of the work in which they engage, as comparisons would be drawn inevitably with the American usage of the term. Given the fact that Australian postgraduate and American graduate programs are not the same in nature, potential employers, particularly those overseas, could be misled by the term.

In addition, PGSA members also expressed concern that there exists the potential for confusion between what a “graduate student” and a “graduate” are. Whilst the proposed changes to the Act define clearly what the differences are, there exists the real possibility that in ordinary usage, the differences may become unclear.

There is additional concern if this change is influenced by the University’s adoption of the PeopleSoft software suite for all administrative records. It is well known that the software does not allow an institution to rename categories and terms to fit its own terms, but rather the institution must change its terms to match those of the PeopleSoft system. A known example of this is the need to change the term “intermission” to “leave of absence”. In the PGSA’s opinion, the nature of the proposed change is similar to this example. Given that PeopleSoft’s projected lifespan is no more than three years, then making this change would be nonsensical, if the change is indeed influenced by this software package.

2. Constitution of Council

The PGSA agrees with most of the recommended points described in Section 3 of the proposed changes to the University Act. However, the PGSA questions whether the Presiding Officer of the Students’ Association should be appointed a member *ex officio* of the University Council. Whilst it is correct that the President of the Students’ Associations at the other South Australian universities is a member *ex officio* of the respective Council, the PGSA feels that this model is not appropriate for the University of Adelaide to adopt. The Students’ Associations at the other two South Australian universities do not have the same structure as the equivalent association at the University of Adelaide. Whilst the Students’ Association claims to represent all students at the University, other affiliates such as the PGSA and Overseas Students’ Association (OSA) represent more effectively and actively specific sections of the University student population. In the opinion of the PGSA, a more appropriate position to be a member *ex officio* of the University Council would be the President of the Adelaide University Union (AUU). The AUU is the peak student body at this University, whereas the Students’ Association is one of seven independent affiliates of the AUU. The inclusion of the President of the AUU would provide a stricter level of AUU accountability to the University that does not exist presently. In addition, the inclusion of the AUU President as a member of Council would be consistent with the constitution of other elected groups on Council. The Chair of the Alumni Association is appointed *ex officio*, as is Convenor of Academic Board.

3. Eligibility of potential members

Another issue raised in the proposed changes to Section 3 of the University Act is the eligibility of individuals seeking to be student members of the Council (Section 3.3). The existing Section requires students to have been enrolled for “two terms” before becoming eligible to be members of the Council. The proposed change specifies that students have been enrolled for “two semesters”. The PGSA is of the opinion that the change is not just a change in nomenclature, but it is also a change of period that lengthens considerably the enrolment period required before students become eligible to become Council members. A student would no longer be eligible to nominate in his/her first year of University study, but would have to wait until the end of the second year of enrolment before being able to be nominated for a position on Council. Given that the University used to have four

terms in an academic year, a more appropriate length of enrolment would be one semester, which is directly equivalent to two terms.

4. Conduct of the business of the Council

An additional section in the Act is proposed (Section 3.9.2) that proposes that Council should meet at least once every calendar quarter. The PGSA is of the opinion that this requirement is too little, and that the current requirement of Chapter 2 of the University's Statute is far more appropriate. This section requires Council to meet at least on eight occasions annually, at intervals not greater than three months, at least once every calendar quarter, and subject to these points, when it sees fit to so do.

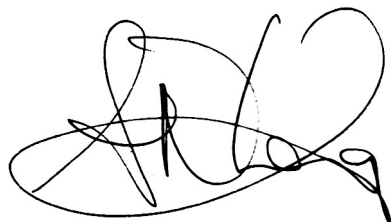
5. Accountability to Council

The Discussion Paper refers to the case *Bennetts v. Board of Fire Commissioners of NSW* [1967] 87WN(NW) 307 as a basis for the proposed change to the Act regarding the accountability of Council members to the Council. The PGSA has been advised that it is contentious as to whether this case is relevant to the proposal that a member of Council is accountable to the Council, rather than to the body by which he/she was elected. Therefore, the PGSA feels that the case should not be used as the definitive reference point to support this proposal.

6. Conflicts of interest

The PGSA acknowledges the need for a new conflict of interest provision for the University Act, and agrees with the content of it. However, there exists the possibility that clause 8 could be read out of context and applied incorrectly. The clause gives the Chancellor of the University the power to force a member of Council to divest him/herself of an interest or office or to resign from Council. Whilst there is nothing problematic with this clause as a part of the entire provision, it is necessary to include an additional clause to stipulates that such powers can only be applied in accordance with the entire provision, and not be taken out of context.

The PGSA welcomes feedback from, and discussion with, the Minister regarding the amendments proposed in the current document.

A handwritten signature in black ink, appearing to read 'Anthony Long', with a large, stylized flourish at the end.

Anthony Long
Research Officer