

VICTORIA UNIVERSITY

*Victoria University Act 2010*

## Academic Board Regulations 2021

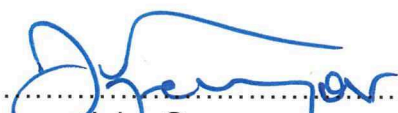
The Vice-Chancellor makes the following Regulations:

Dated: 30<sup>th</sup> of June 2022

**THE COMMON SEAL** of VICTORIA )  
**UNIVERSITY** was affixed to this )  
document at the directions of the )  
**COUNCIL** in the presence of: )  
)



  
.....  
Professor Adam Shoemaker  
Vice-Chancellor and President

  
.....  
Professor John Germov  
Deputy Vice-Chancellor Higher  
Education

# ACADEMIC BOARD REGULATIONS 2021

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## Part 1 – Preliminaries

### Introduction

1. Under section 20 of the Victoria University Act 2010, the University Council must establish the Academic Board.
2. The Academic Board plays a leading role in the academic governance of the University, working separately but collaboratively with Council and the University Executive.
3. The Academic Board has authority under section 9 of GASA and delegated authority for approving academic policies, programs, establishing quality assurance and risk monitoring relating to academic matters, and for monitoring the implementation of academic policies.
4. The Academic Board may advise Council and the Senior Executive on any academic matter relevant to the University and works with them in achieving the strategic objectives of the University.
5. The Academic Board also plays a leading role in ensuring that the University is compliant with relevant educational regulations. It is expected to work closely with the Compliance, Audit and Risk Committee and provide advice to Council.
6. The Academic Board may, by resolution, constitute, appoint and dissolve such committee as it thinks fit, determine the composition and terms of reference of its committees, and elect a chair for each committee from amongst the members of the Academic Board.
7. The Academic Board Terms of Reference, approved by Council, (“Terms of Reference”) delegate to the Academic Board academic governance of the University. The Terms of Reference also allow the Academic Board to establish committees and working groups to assist in the performance of its role. The Terms of Reference of standing committees are approved by Academic Board.

### Purpose

8. The purpose of this Regulation is to make provision for:
  - a. the operation of the Academic Board in accordance with the GASA;
  - b. membership, meetings and procedures of the Academic Board;
  - c. the accreditation of courses and awarding of degrees and other awards; and
  - d. the approval of academic policies and procedures.

## Authorisation

9. These Regulations are made under the GASA and sections 28, 29 and 30 of the Victoria University Act 2010.

## Commencement

10. Following Council approval, this Regulation comes into operation on its promulgation upon publication on the University website.



## Definitions

11. Unless otherwise defined, the following definitions apply:

- a. 'Academic progress' means the process by which students are able to advance in their course, having fulfilled academic and administrative requirements.
- b. 'Academic Secretary' is the person appointed to be the secretary to the Board.
- c. 'Accreditation' means the process for approval by the Academic Board of a course of study leading to a formal award qualification.
- d. 'Act' means the Victoria University Act 2010.
- e. 'AQF' means the Australian Qualifications Framework.
- f. 'Board officers' means the offices of the Chair or Deputy Chair of the Board.
- g. 'Board' means the Academic Board.
- h. 'Chair' means the chairperson of the Board elected in accordance with the regulation Part 5 clause 6.
- i. 'Co-opted member' means a member of the Academic Board referred to in regulation Part 5 clause 4.
- j. 'College' for the purpose of this Regulation means an organisational unit established as a College or any other organisational unit with the primary responsibility for the delivery of award courses, foundation courses or English Language Intensive Courses for Overseas Students (ELICOS) as determined by the Academic Board.
- k. 'Committee' means a committee of the Academic Board appointed under regulation Part 9.
- l. 'Course' means a program of study that leads to a degree or other award.
- m. 'Council' means the University Council.
- n. 'Coursework' means studies undertaken for any undergraduate or graduate degree or other award but does not include studies undertaken in satisfaction of a requirement to submit a thesis for a higher degree by research.
- o. 'Degree' means an accredited program of learning leading to a formal certification that meets the requirements for an AQF qualification.
- p. 'Deputy Chair' means the deputy chairperson of the Academic Board elected in accordance with regulation Part 5 clause 7.

- q. 'Executive Officer' means the person fulfilling the role of Academic Board or Committee Secretary.
- r. 'Ex officio member' means a member of the Academic Board referred to in regulation Part 5 clause 3.
- s. 'GASA' means the Governance, Academic and Student Affairs Statute 2013 of the University.
- t. 'Higher degree by research' means studies undertaken in satisfaction of a requirement to submit a thesis for a higher degree by research.
- u. 'Other award' means an accredited program of learning that leads to a formal certification at the University but the program is not a degree.
- v. 'Recognised Student Organisation' means an organisation responsible for representing the interests of all students in one or more of the categories within Part 5 section 2e of this Regulation as determined by the AB from time to time.
- w. 'Senior Executive' means the staff members, however designated, directly responsible to the Vice-Chancellor.

## Part 2 – Academic Board

### Role

1. The Academic Board has particular responsibility for academic matters. It is tasked with ensuring the University maintains quality teaching, scholarship and research and upholding the University's academic reputation. As well as reviewing academic policy recommendations and approving and accrediting degrees and other awards, it provides a forum for debate and within the University and between the academic community and the Senior Executive.

### Authority

2. The Academic Board is authorised to:
  - a. approve, accredit and reaccredit courses of study;
  - b. approve academic policies and procedures;
  - c. set up and delegate its duties to committees;
  - d. establish internal working groups as required to assist it in the exercise of its responsibilities;

- e. request the attendance of any University employee, officer of a University subsidiary entity or Council member at Committee meetings;
- f. obtain legal or other professional advice as considered necessary to execute its functions;
- g. obtain relevant and reasonable information in line with the Committee's functions, from an University employee or an external party (subject to any obligation of confidentiality); and
- h. exercise such other functions as may be necessary to enable it to exercise the responsibilities set out in its Terms of Reference.

## Culture and Values

3. The Academic Board values a culture of openness and transparency in the University's decision-making processes and promotes the following in all its activities:
  - a. opportunities for staff and students to provide meaningful input into all of its deliberations;
  - b. honest, respectful and ethical discussions about items within its remit;
  - c. setting and monitoring academic standards and outcomes that support and enhance the University's reputation; and
  - d. the best interests of the University as whole.
4. The Academic Board values its interactions with Council and the Senior Executive and embraces its shared role in the attainment of The University's strategic goals and mission.

## Part 3 – Academic Board Functions

1. As the peak academic governance body within the University and accountable to the University in its own right and as a delegate, the Academic Board's functions are to (but not limited to):
  - a. set institutional standards for academic quality and outcomes and monitor the effectiveness of initiatives to meet academic standards and improve the quality of teaching and learning, programs and courses and the student experience, domestically, internationally and through third party arrangements;



- b. approve (or not approve) proposals for the accreditation and reaccreditation of all academic programs of study offered by the University;
- c. maintain oversight of academic and research integrity, including monitoring of potential and emerging risks;
- d. review and provide advice on the development and effectiveness of policies and procedures that guide all academic and educational activities, including approval of policies relating to academic quality;
- e. monitor and provide advice to Council and the Vice-Chancellor on policies and procedures that are intended to support participation by Aboriginal and Torres Strait Islander peoples and ensure sensitivity to Aboriginal and Torres Strait Islander knowledge and cultures;
- f. monitor and provide advice to Council and the Vice-Chancellor on the quality of scholarship, research, research training and research-related matters and associated policies and foster the development and maintenance of high standards and support for research and scholarship;
- g. monitor and review the effectiveness of delegations made under policies and procedures relevant to the role and functions of the Academic Board and its standing committees, ensuring delegations are appropriately implemented;
- h. advise Council and/or the Vice-Chancellor on the academic aspects of the University's strategic plans, priorities and risk management, including evaluating the quality and effectiveness of educational innovations or proposals for innovations;
- i. evaluate annual self-reviews of Academic Board's standing committees to ensure that their referred responsibilities are effectively discharged;
- j. provide a forum to facilitate communication on issues within the education sector and encourage discussion and dissemination of information within the University regarding good practices in scholarship and research;
- k. monitor occurrence of formal complaints about academic matters and allegations of academic and research misconduct, and actions taken to address underlying causes;
- l. advise on matters referred to the Academic Board, within the remit of its delegated authorities, by Council, the Vice-Chancellor or other University officers; and
- m. review and report annually to Council on its own performance.

## Part 4 – Role of the Chair, Academic Board

1. In accordance with section 11 of the Act, the Chair of the Academic Board is an official member of the Council.
  
2. The Chair of the Academic Board is responsible for:
  - a. chairing meetings of Academic Board;
  - b. advising Council on the view of Academic Board in relation to matters within the Terms of Reference of Academic Board;
  - c. reporting to Council and the University community on significant matters considered or decided by Academic Board;
  - d. putting forward recommendations from Academic Board to Council with respect to University academic governance;
  - e. consulting with Academic Board with respect to matters relating to academic programs and student welfare, when requested by Council or the Chancellor; and
  - f. providing general input into decisions of Council with particular regard to issues relating to teaching and learning, research and student welfare.

## Part 5 – Membership

1. The Academic Board is comprised of elected, ex-officio and co-opted members.
  
2. Elected members:
  - a. two members elected by and from teaching and research staff from each College;
  - b. two members elected by and from teaching and research staff who work in organisational units other than a College;
  - c. four members elected by and from professional staff;
  - d. one member elected by and from Indigenous staff;
  - e. four student members, comprising-
    - i. one student elected by and from students enrolled in a higher education degree by coursework course of study; and



- ii. one student elected by and from students enrolled in a higher degree by research course of study; and
  - iii. one student elected by and from students enrolled in a Vocational and/or Further Education course of study; and
  - iv. one student elected by and from onshore international students.
3. Ex officio members:
- a. the Vice-Chancellor; and
  - b. six members of staff who hold positions determined by the Vice-Chancellor after consultation with the Academic Board.
4. There will be a maximum of four co-opted members appointed by the Academic Board following a majority vote.

## Elections

5. Elections for the Academic Board will be conducted in accordance with the *Elections Regulation 2016* of the University.

## Appointment of Chair and Deputy Chair

6. The Academic Board must elect one person from among its members to be the Chair of the Academic Board.
7. The Deputy Chair will be elected by and from the members of the Academic Board.
8. Terms of Office:
- a. Chair and Deputy Chair – two years (with no more than three consecutive terms);
  - b. Co-opted members – one year (with the option of reappointment);
  - c. Casual Vacancies – the Academic Board may appoint a person with equivalent qualifications and from the same College of that of a casual vacancy if an elected member of an election to fill the casual vacancy would occur within 13 months before the expiry of the term of office. A member appointed to fill a casual vacancy is entitled to hold office during

the remainder of the term of office. If a vacancy occurs within three months before the expiry of the member's term of office, the office may be left vacant for the remainder of the term.

### Chair of the Academic Board

9. The Chair of the Academic Board may exercise any powers of the Board which are:
  - a. of a routine or minor nature; or
  - b. involve an urgent matter requiring immediate action.
  
10. The Chair must notify the next meeting of the Board of any exercise of power under this section.

### Vacancy and Removal of Office

11. A member of the Academic Board other than the Chair may resign by writing provided to the Chair.
  
12. The Chair may resign by writing provided to the Chancellor as Chair of the Council.
  
13. The Academic Board may remove the Chair or Deputy Chair following an unanimous decision of the Academic Board (excluding the member proposed for removal) if it is the opinion that:
  - a. the member is incapable of performing their duties as a member, or
  - b. the member:
    - i. refuses to perform their duties or is inefficient in the performance of their duties;
    - ii. is derelict in the performance of their duties;
    - iii. is negligent or reckless in the performance of their duties; or
    - iv. has otherwise breached their duties as a member.
  
14. The Academic Board Chair may recommend the removal of a member to the Academic Board should the Chair be of the opinion that the member is incapable,

unwilling or unfit to be a member of the Academic Board. The Academic Board may remove that member by a majority decision.

### Petitions from Student Organisations

15. The Academic Board must respond to petitions from a recognised student organisation within the University if it involves matters affecting teaching or academic matters.
  
16. Initial consideration of the petitions will be conducted by the Chair of Academic Board. This will include the appropriateness of the petition in the context of the Academic Board's Regulations, Terms of Reference and governed by such procedure as Academic Board may establish.
  
17. The Academic Board may refer to Council any petitions from a recognised student organisation within the University involving teaching or academic matters affecting students, where Council would benefit from awareness of the petition and or may be asked for guidance, provided the Academic Board attaches a report.

### Part 6 – Meetings

1. Academic Board meets at least five times per year. A report and minutes of each Academic Board meeting is provided to the University Council. The minutes of each meeting will be made available to the University community via the publication of the minutes (excluding confidential items) online.

### Procedure for including an item in the Academic Board Agenda

2. All proposed agenda items are to be presented in the form of a briefing paper. Feedback on the decision made will be provided to the item's proposer. Briefing papers for the proposed items must be sent to the Academic Board Secretary.

### Calling Meetings

3. The Chair may call a meeting at any time.
  
4. The Chair must call a meeting if requested to do so by:

- a. the Chancellor;
  - b. the Vice-Chancellor; or
  - c. a written request signed by at least thirteen members of the Academic Board.
5. A meeting which has been requested under Part 6 clause 4c must be held within 21 days of receipt of the request unless the Chair considers that it is impracticable to do (in which case the meeting will be held as soon as is practicable).

### Notice of Meetings

6. The secretary to the Academic Board must give at least five days' notice of a meeting of the Academic Board.
7. Notice of meeting may be given by email or other electronic communication method used by the University.
8. Notice of a meeting under Part 6 clause 6 must:
  - a. be in writing;
  - b. be provided to each member of the Academic Board; and
  - c. specify the time, place and agenda of the meeting.
9. The Chair, or any five elected members, may by written notice to the Secretary, request that a special meeting be held in relation to a matter set out in the notice. The Secretary will determine the date within a fourteen day period after the notice is given.
10. A meeting is not invalidated by:
  - a. failure, by accidental omission or otherwise, to send a notice of meeting to a member of the Academic Board; or
  - b. the fact that a member of the Academic Board has not received notice of a meeting.



## Code of Conduct

11. The Code of Conduct for Academic Board and Committees should be read in conjunction with the Appropriate Workplace Behaviour Policy, Student Charter Policy and the University Values.
  
12. All members on the Academic Board and its Committees, will:
  - a. participate constructively in governance activities in a lawful, ethical and justifiable manner;
  - b. demonstrate respect, concern and courtesy at meetings;
  - c. inform oneself about the Committee's role and purpose within the University and associated matters affecting the Committees' business;
  - d. participate actively and work cooperatively with other Committee members and University staff for the betterment of the University;
  - e. not improperly influence or attempt to influence other Committee members;
  - f. where required, respect confidentiality of Committee business;
  - g. openly declare any conflicts of interest and, where appropriate, disqualify themselves from discussions and decisions at such time;
  - h. share the responsibility for ongoing improvements in the Committees' operations, culture and good standing; and
  - i. ensure decisions are consistent with any regulatory and policy requirements.

## Conduct of Meetings

13. The Chair will maintain order of the meeting and may call upon this Regulation where necessary.
  
14. The Chair will conduct meetings according to the order of business as shown on the agenda and may decide to amend the order of the business should the need arise.

## Other Business



15. Any member of the Board or Committee may request that an un-starred item on the Agenda be starred for discussion.
16. All un-starred items will be submitted for approval in a single motion without debate during the acceptance of the Agenda.

### Speaking

17. Any member wishing to speak during a meeting should first advise the Chair, and when recognised by the Chair should speak briefly and to the point on the item before the meeting.
18. If more than one speaker wishes to speak, the Chair will call on the speaker in the order as determined by the Chair.
19. No member may speak twice during the discussion of a single item.
20. The Chair will endeavour to encourage an atmosphere in which all parties can contribute to the meeting.

### Motions

21. All motions presented to a meeting must be in the form of writing and preferably circulated with the agenda and papers before the meeting.
22. The mover of a motion should be permitted to speak to the motion for no more than five minutes and all other speakers for and against no longer than three minutes.
23. Should the Chair wish to speak in the debate, the Chair should first pass the chairing role to the Deputy Chair for the entirety of the item.
24. A motion may be amended by the meeting after the mover has spoken and if the Chair determines that the amendment is not a direct negation of the original motion.

25. If an amendment does not receive a seconder then the amendment lapses and the original motion is put.
26. If there are several amendments to a motion, then the Chair will decide the order in which the amendments will be considered.
27. If an amendment is carried then the motion as amended becomes the substantive motion before the meeting.
28. A mover of a motion may reply to the arguments raised during debate but cannot introduce new material. Once the mover is finished their right of reply, the Chair will put the motion.
29. Procedural motions such as the speaker no longer being heard or that the meeting proceed to the next item of business take precedence over the matter before the meeting. Procedural motions need to be put by the Chair once a seconder is found. The Chair will put the procedural motion to the meeting.

### Voting

30. If required, voting will normally be through a show of hands. The Chair will read out the motion prior to a vote being taken.
31. The Chair has a deliberative vote and the right to exercise a casting vote where the vote is tied.
32. In matters where some anonymity may be preferred, such as voting for an office bearer of the committee, the Executive Officer will conduct a confidential ballot.

### Circular Resolutions

33. Where a decision of Academic Board is required before a scheduled meeting the Chair may authorise a circular resolution.
34. A circular resolution request will set out background information and contain recommendations on which Members can vote for or against or abstain.

Members will confirm their vote by online methods or any other method specified in the notice, by the date specified in the notice.

35. The number of responses either for, against or abstaining, must meet the quorum provisions in these guidelines.
36. A report on the outcome of a circular resolution will be provided to the next Board meeting and will be confirmed in the same manner as for ordinary minutes of a Board meeting.
37. A circular resolution by a majority of members of the Academic Board, or a Committee, is valid. The resolution may consist of several documents from one or more members and may be in the form of electronic mail or other messaging service provided it forms a written record.

### Communication and Reporting

38. The Academic Board and its Committees will communicate, as appropriate, its decisions and deliberations with all key stakeholders in a timely manner through minutes, reports and emails.
39. The Academic Board must ensure that minutes of meetings are available for inspection during business hours.
40. A report of the proceedings of each of the Academic Board meetings will be provided to the next ordinary meeting of the Council.

### Virtual Participation

41. Where necessary, a member that attends meetings by virtual means will be considered in attendance for the purposes of quorum. All members must advise of virtual attendance at least three days prior to the scheduled meeting.
42. A member of the Academic Board who participates in such a meeting is deemed to be present at the meeting even if they are not physically present. The Chair

must acknowledge the presence of a member participating electronically both at the beginning and end of a meeting.

43. Members not attending in person are to be supplied with the same material given to members who attend in person. If a member does not have the information, or if material is tabled at the meeting and cannot be simultaneously given to a member not attending in person, that member should refrain from voting on a motion concerning any motion relating to that material.

### Quorum

44. A question or resolution will not be decided or made at a meeting of the Academic Board unless there are present (either physically or virtually) at the meeting at least one half of the current members (including proxies) plus one.
45. If a question or resolution cannot be decided or made at a meeting because the quorum requirements have not been satisfied:
- a. the Academic Board must meet within five weeks after such meeting; and
  - b. at that subsequent meeting the Academic Board may decide the question or make the resolution notwithstanding the lack of a quorum.
46. The quorum for a meeting of a Committee is:
- a. the quorum specified by the Academic Board, or
  - b. if the Academic Board has not specified a quorum, half of the number of current members of the Committee plus one.

### Observers

47. The Academic Board may invite any person to attend the whole or part of a meeting to be an observer and the Chair may invite any person to attend the whole or part of an Executive Meeting.
48. Observers may speak at a meeting only at the invitation of the Chair.
49. If there is inappropriate behaviour on the part of an observer which in the opinion of the Chair may interfere with the running of a meeting, the Chair of the meeting:



- a. may request that the inappropriate behaviour cease;
- b. if the behaviour continues, may ask the observer to leave;
- c. if an observer fails to leave as requested, may adjourn the meeting until the observer leaves the meeting.

## Part 7 – Charter of Responsibilities

1. While all members will abide by the Code of Conduct outlined above, the following provides a list of specific responsibilities:

### Chairs

2. Lead discussions on matters of importance and ensure that all members' voices are heard during meetings.
3. Make sure that all meeting time is efficiently used and outcomes of the meeting are clearly understood by all members.
4. Actively contribute to the development of agenda and presentation of items of business.
5. Liaise with other Chairs to ensure alignment of governance business through convened meetings.
6. Ensure that all meetings are conducted in an orderly and agreed fashion.
7. After each meeting, clear the draft minutes presented by the Executive Officer for distribution and action within five business days.
8. In conjunction with the Executive Officer, monitor the volume of business submitted to the Academic Board or Committee.
9. Follow up outstanding actions outside scheduled meeting times.
10. Represent the Academic Board or Committee at Chairs' meetings and other forums.

### Members



11. Attend all meetings, or where attendance is not possible provide apologies and proxies, verbally or in writing, to the Executive Officer prior to the meeting.
12. Actively contribute to the agenda and papers.
13. Read the agenda and papers prior to meetings.
14. Actively contribute to meeting discussions by addressing the item/issue under discussion.
15. Listen to and value others when they have the floor.
16. Respect the role of the Chair as leader of the meeting and abide by their rulings in relation to meeting procedure.
17. Ensure that records related to confidential items are stored and maintained in a way that protects the confidentiality.
18. Avoid using their position to gain an advantage for themselves or another person.
19. Always act in the best interests of the University as a whole.

#### Executive Officers

20. Prepare and circulate agenda and papers a week before the meeting.
21. In conjunction with the Chair, develop annual work plan for committees.
22. Record the business and outcomes of the meeting and report for the parent body within a week of the meeting.
23. Maintain the distribution platforms and associated intranet sites.

24. Ensure appropriate communications with the Chair, members of the committee and other bodies.
25. Follow up and monitor actions arising from meetings and liaise with key staff and students.
26. Oversee the annual review of the Board or committee and report findings to the parent body.
27. Support the implementation of membership surveys and present reports on the outcomes of surveys.
28. Prepare appropriate briefings for the Chairs of Committees.
29. Provide advice to the Chairs and Committees on policy and regulations relevant to the committees' Terms of Reference and general governance operations.
30. Provide information about venue, date and timing of items to all presenters in a timely manner.

## Part 8 – Professional Development

1. Each year the Academic Board will conduct an Induction Session for all newly elected members to the Academic Board. In addition, new members will normally receive an induction briefing from the Chair or Deputy Chair as soon as practicable after their appointment and prior to their first meeting.
2. New members of committees and the Academic Board may be allocated a mentor to assist them with their ongoing Academic Board or committee activities and to develop their capabilities on request.

3. Each year the Academic Board and office bearers will coordinate a refresher session covering regulatory compliance and any other matters the members require.
4. Office bearers will be encouraged to broaden their skills and knowledge about governance, its principles and processes.

## Part 9 – Committees

### Committees

1. The Academic Board may, by resolution, constitute, appoint and dissolve such Committee as it thinks fit.
2. The Academic Board will determine the composition and terms of reference of its Committees.
3. The Academic Board will elect a chair for each Committee from amongst the members of the Academic Board.
4. The term of office of each Chair is two years.
5. A Committee may elect a deputy chair from the members of the Committee.
6. The term of a person's membership of a Committee is two years and is eligible for reappointment to the Committee.
7. A Committee of the Academic Board must report to the Academic Board on its activities at such time and in such form as the Academic Board directs.

## Part 10 –Annual Work Plans

1. At the end of each calendar year, the Executive Officer, in liaison with the Chair, will prepare an Annual Work Plan for the following year. The Work Plan will schedule business that is consistent with the Committee/Board's functions and all relevant regulatory standards.
2. After consultation with key stakeholders, the Work Plan will be presented to the respective Board/Committee for consideration and endorsement.

3. Once endorsed, the Work Plan will be circulated to key stakeholders and proposed presenters for their information and preparation.
4. The Work Plan will be monitored throughout the year by the Executive Officer, the Chair and the Committee and with key presenters to ensure accuracy and efficiency.
5. At the first meeting of each year, the Executive Officer and the Chair will present a report on the performance of the Committee/Board in the previous year utilising the Annual Work Plan.

## Part 11 – Governance Review Processes

1. Annual Reviews of the Academic Board and its committees will be supported by a biennial membership survey which will consider the following items:
  - a. the role of the Academic Board/committee;
  - b. the membership of the Academic Board/committee;
  - c. meeting processes;
  - d. behaviours of the Academic Board/committee chair;
  - e. the effectiveness of the Academic Board/committee in meeting its terms of reference and compliance with relevant Threshold Standards (Schedule 1 of the Regulations); and
  - f. general comments.
2. The Executive Officer and the Chair of the Board/Committee will present a report on outcome of the Membership Survey as soon as practicable after the results are known.

### Independent Reviews

3. Periodically, as determined by the University Council (and at least every seven years) independent reviews of the effectiveness of academic governance processes will be conducted in accordance with Threshold Standard 6.1.3d. These reviews will be commissioned by Council independent of the Academic Board.



## Part 12 – Educational Regulatory Environment

Schedule 1 to this Regulation contains an overview of the regulatory framework within which the University operates.

## Part 13 – Revocation of Regulations

1. The Academic Board Regulations 2017 which came into operation on 19 December are revoked and re-made by this regulation.

### VERSION HISTORY

Version	Council approval	Commencement	Notes/amendments

## SCHEDULE 1

### Tertiary Education Quality and Standards Agency

1. The Tertiary Education Quality and Standards Agency (TEQSA) is Australia's independent national quality assurance and regulatory agency for the higher education sector. It was established by the Tertiary Education Quality and Standards Agency Act 2011 (Cth) with the purpose of:
  - a. ensuring the higher education sector operate and comply with the Threshold Standards,
  - b. registering regulated entities as higher education providers (which includes self-accrediting universities) and accrediting courses of study for non self-accrediting higher education providers,
  - c. conducting compliance and quality assessments,



- d. providing advice and making recommendations to the Commonwealth Minister responsible for Education on matters relating to the quality and regulation of higher education providers,
- e. cooperating with similar agencies in other countries, and
- f. collecting, analysing, interpreting and disseminating information relating to quality assurance practice and quality improvement in higher education.

## Higher Education Standards Framework (Threshold Standards) 2021

2. The Threshold Standards has been structured to align with the student experience or 'student life cycle' i.e. as they progress from prospective students through to the award of a qualification. The Standards are intended to be useful to higher education providers as a framework for internal monitoring of the quality of their higher education activities. They encompass the matters that a higher education provider would ordinarily be expected to address in the course of understanding, monitoring and managing its higher education activities and any associated risks, and apply at all times
3. The Threshold Standards:
  - a. set out the requirements that a higher education provider must meet – and continue to meet – in order to be registered by TEQSA to operate in Australia as a provider of higher education. The Standards provide the basis for the regulation of registered higher education providers
  - b. ensure that the barrier to entry into the higher education sector is set sufficiently high to underpin and protect the quality and reputation of the sector as a whole
  - c. establish a baseline for operational quality and integrity from which all providers can continue to build excellence and diversity, and
  - d. serve other broader purposes including the provision of an articulation of the expectations for provision of higher education in Australia as:
    - a guide to the quality of educational experiences that students should expect
    - a reference for international comparisons
    - a reference for other interested parties, and

- a model framework which higher education providers can apply themselves for the internal monitoring, quality assurance and quality improvement of their higher education activities.

### Australian Skills Quality Authority

4. The Australian Skills Quality Authority (ASQA) is the national regulator for Australia's vocational education and training (VET) sector. It was established by the National Vocational Education and Training Regulator Act 2011 (Cth) and regulates registered training organisations (RTOs) including Technical and Further Education (TAFE) organisations that offer vocational education and training (VET) courses. ASQA's role is to make sure that the sector's quality is maintained through the effective regulation of:
  - a. vocational education and training providers,
  - b. accredited vocational education and training courses.

### ASQA Standards

5. ASQA regulates against two main instruments:
  - a. Standards for Registered Training Organisations (RTOs) 2015
  - b. Standards for VET Accredited Courses 2021.

### Australian Qualifications Framework

6. The Australian Qualifications Framework (AQF) is the national policy for regulated qualifications in Australian education and training. It incorporates the qualifications from each education and training sector into a single comprehensive national qualifications framework. It underpins the national system of qualifications in Australia encompassing higher education, vocational education and training and schools.

### ESOS Framework

7. The Education Services for Overseas Students Act 2000 (Cth) or ESOS Act, establishes the legislative requirements and standards for the quality assurance of education and training institutions offering courses to international students who are in Australia on a student visa. Under the ESOS Act, a provider must apply to an ESOS agency for approval to provide a course at a location to international students. The three ESOS agencies are:
  - a. TEQSA for higher education providers;

- b. ASQA for vocational and training providers; and
  - c. The Secretary of the Department of Education, Skills and Employment (DESE) for schools.
8. The ESOS Framework comprises of subordinate regulation:
- a. National Code of Practice for Providers of Education and Training to Overseas Students 2018
  - b. National Standards for Foundation Programs
  - c. ELICOS Standards 2018

### Higher Education Support Act

9. The Higher Education Support Act 2003 (Cth), or HESA, is the legislation that governs education funding in Australia. HESA establishes the administrative requirements under the Commonwealth Grant Scheme (CGS) and HECS-HELP loans for Commonwealth Supported Places (CSP). HESA establishes the institutions eligible for the public funding subsidy for higher education which are primarily public universities. These arrangements include grants made for research and special purposes.
10. HESA also establishes the FEE-HELP and VET Student loans scheme, to assist students pay tuition fees for units of study undertaken in approved courses approved providers. The FEE-HELP scheme is administered by the Department of Education, Skills and Employment.