

## Suggested Changes to the UMSU Constitution

The following suggestions for changes to the UMSU Constitution were developed by the 2015 Constitutional Working Group, chaired and established by 2015 General Secretary. The Constitutional Working Group comprised mainly Office Bearers and Students' Council and Committee members, although its meetings were open to all students and promoted on the UMSU website. This document outlines the rationale behind each of the suggested changes. Changes are listed in numerical order according to the Section of the Constitution in which they appear. Changes that span across multiple sections of the Constitution, such as word substitutions, are listed under the earliest Section of the Constitution in which they appear.

The proposals were subsequently presented to a meeting of Students' Council on March 1<sup>st</sup>, 2016 and were endorsed as presented below to be considered by a Special General Meeting.

### 1. Definitions and nomenclature

*Trans\**, under *Queer Students* definition [p.4].

Also found under:

- *Trans\** definition [p.5]
- s.52.2 [p.16]
- s.129.1 (c) [p.35]
- s. 129.1 (d) [p.35]

**Current:**

*Trans\**

**Proposed:**

~~*Trans\**~~ *Trans*

**Rationale:**

The removal of the asterisk following the word *trans* was suggested by one of the 2015 Queer Officers to reflect current usage. While the asterisk was added to create an umbrella term to include not just individuals who identify as transgender or transsexual but also those who identify as otherwise non-binary including agender and genderqueer, many in the Queer community believe that *trans* on its own should serve as the umbrella term for all of these identities.

*Trans\** definition

**Current:**

*Trans\* means a person who identifies as transgender, transsexual, genderqueer, or sex and/or gender diverse.*

**Proposed:**

*Trans means a person who identifies with a gender, or genders, other than that which they were assigned at birth, including, but not limited to, those who identify as transgender, transsexual, genderqueer, agender or sex and/or gender diverse.*

**Rationale:**

This change was suggested by one of the 2015 Queer Officers in order to establish a broader and more inclusive definition. The addition of *agender* reflects the fact that some students do not identify with any gender.

## 2. Noticeboards

Found under:

- s.33.2 [p.12]
- s.47.1 [p.14]
- s.108.2 [p.31]
- s.108.3 [p.31]
- s.121.2 [p.33]
- s.156.1 [p.42]
- s.207.2 [p.56]

**Current:**

*...and on a prominent notice board in Union House*

**Proposed:**

Delete clause

~~*...and on a prominent notice board in Union House*~~

**Rationale:**

This proposed change suggests removing the requirement for the following documents to be posted on noticeboards in Union House: minutes of General Meetings (s.33.2), confirmation of the outcome of a Referendum (s.47.1),

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minutes of Students' Council, both unconfirmed (s.108.2) and confirmed (s.108.3), decisions of the Electoral Tribunal (s.121.2), notice of Committee budgetary/expenditure decisions (s.156.1) and decisions of the Grievance Tribunal (s.207.2). These documents are still required to be posted on the UMSU website.

With the Internet and social media now the major source of information for students on campus, noticeboards are becoming largely redundant. Thus, it is unlikely that many students would expect to find such documents on a noticeboard. Anyone seeking to view these documents is far more likely to search the UMSU website, or if necessary, make an enquiry to UMSU in person or via email. Constantly updating noticeboards requires a significant amount of time and paper, especially as Students' Council minutes are often many pages long. Furthermore, this proposal brings the Constitution into line with current practice, as noticeboards have also not been kept up-to-date with these documents for several years.

While this proposed change removes most of the references to noticeboards in the Constitution, two are retained. The first of these is s.25(c), which requires notice of a General Meeting to be published on a prominent noticeboard in Union House. As General Meetings require participation from the wider student body in order to be quorate and representative, it is recommended that they are promoted on a noticeboard so as to maximise awareness among students. The second reference to noticeboards retained is s.63(i), which requires Office Bearers to maintain a noticeboard for their departments. This serves to ensure events are well promoted to passers-by.

### **3. Burnley Campus Co-ordinator Honoraria**

Found under:

- s.57.3 [p.16]
- s.57.4 [p.16]
- Renumbering required for subsequent subsections

**Current:**

- 57.3 *The Campus Co-ordinator, Victorian College of the Arts Department shall be remunerated with an honorarium being 50% of the honorarium received by Officers holding an Office individually.*
- 57.4 *The Campus Co-ordinator, Burnley Students Department, shall not receive remuneration.*
- 57.5 *Each Officer holding an office jointly shall be remunerated with an honorarium being 60% of the honorarium received by Officers holding an office individually.*

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- 57.6 *The Students' Council may by Regulation set honoraria for the Media Officers provided that:*
- (a) *Each Media Officer is not to receive less than 60% of the honorarium received by an Officer holding an office individually; and*
  - (b) *Each Media Officer is not to receive more than 100% of the honorarium received by Officers holding an office individually.*

### **Proposed:**

57.3 *The Campus Co-ordinator, Victorian College of the Arts Department and the Campus Co-ordinator, Burnley Students Department shall be remunerated with an honorarium being 50% of the honorarium received by Officers holding an Office individually.*

~~57.4 *The Campus Co-ordinator, Burnley Students Department, shall not receive remuneration.*~~

57.54 *Each Officer holding an office jointly shall be remunerated with an honorarium being 60% of the honorarium received by Officers holding an office individually.*

- 57.65 *The Students' Council may by Regulation set honoraria for the Media Officers provided that:*
- (a) *Each Media Officer is not to receive less than 60% of the honorarium received by an Officer holding an office individually; and*
  - (b) *Each Media Officer is not to receive more than 100% of the honorarium received by Officers holding an office individually.*

### **Rationale:**

This arrangement does not support all students to undertake the role of a student representative to the best of their abilities. The Burnley Campus has not had a Campus Co-ordinator or Committee for the past year, severely limiting Burnley students' access and connection to UMSU and resulting in a lack of events and services at the Burnley campus.

In light of the fact that the VCA campus co-ordinator is paid 0.5 and has the same aims, objectives and responsibilities as the Burnley campus coordinator (see s.74, s.75, s.90 and s.91) it seems unfair that the pay structure is not the same. It is therefore proposed that the Burnley Campus Coordinator is also paid 0.5 remuneration.

### **Financial Implications:**

This proposal will not have an impact on the 2016 UMSU Budget as it has already been factored into this year's honoraria budget. It will have an ongoing impact in increasing the overall cost of honoraria in the UMSU budget each year.

## 4. Media Officer Honoraria

Found under:

- s.57.6 [p.16]
- Renumbered for previous proposed amendment

**Current:**

57.6 *The Students' Council may by Regulation set honoraria for the Media Officers provided that:*  
*(a) Each Media Officer is not to receive less than 60% of the honorarium received by an Officer holding an office individually; and*  
*(b) Each Media Officer is not to receive more than 100% of the honorarium received by Officers holding an office individually.*

**Proposed:**

~~57.56~~ *Each media officer shall be remunerated with an honorarium being 100% of the honorarium received by an Officer holding an office individually.*  
~~*The Students' Council may by Regulation set honoraria for the Media Officers provided that:*~~  
~~*(a) — Each Media Officer is not to receive less than 60% of the honorarium received by an Officer holding an office individually; and*~~  
~~*(b) — Each Media Officer is not to receive more than 100% of the honorarium received by Officers holding an office individually.*~~

**Rationale:**

The current arrangements in the constitution gives Students' Council the power to determine the pay rates of media officers, leaving the process open to politicisation or factional negotiations. No other honoraria rates for Office Bearers are subject to this arrangement. This proposal removes the potential politicisation of Media Officer honoraria when it is determined by Council each year.

**Financial Implications:**

This proposal will not have an impact on the 2016 UMSU budget as media officer honoraria was already set at 100% for the current budget.

## 5. Consent – Queer and Wom\*n's Departments

Found in:

- s.87 [p.26]
- s.89 [p.26]
- Renumbering required for subsequent subsections

**Current:**

87 QUEER DEPARTMENT

*The aims and objectives of the Queer Department include:*

- (a) to actively increase visibility, awareness and acceptance of the presence of Students of all sexualities and genders on campus;*
- (b) to encourage freedom of expression of all sexualities and genders at all levels of the University without fear of harassment or discrimination;*
- (c) to combat queerphobic attitudes, violence and expression within UMSU, the University and the community;*
- (d) to provide a safe, autonomous and discreet queer space or environment on UMSU premises;*
- (e) to provide support to all Students having difficulty with issues of sexuality or gender;*
- (f) to provide access to support services available in the wider community to Students seeking sexuality or gender related information or referral; and*
- (g) to provide Queer Students with awareness of safe-sex practices and the prevention of sexually transmitted diseases, and to distribute information on sexual health issues.*

89 WOM\*N'S DEPARTMENT

*The aims and objectives of the Wom\*n's Department are:*

- (a) to oversee the activities, Policy and direction of UMSU in areas related to promoting the advancement and welfare of Women Students including, but not limited to, education, Student rights, Student representation, equal opportunity, publications and media;*
- (b) to promote and assist in the development and maintenance of high quality services within the University that are responsive to the needs of Women Students;*
- (c) to advocate for Women within UMSU and the University;*
- (d) to organise political, educational and social events which promote feminist debate and action;*
- (e) to provide and protect safe, autonomous Women's space on UMSU premises, and to maintain the materials, facilities and literature therein;*
- (f) to provide Women Students with awareness of safe-sex practices and the prevention of sexually transmitted diseases, and distributing information on sexual health issues;*
- (g) to facilitate a collective to produce the Women's publication, Judy's Punch, at least once per year;*
- (h) to ensure the participation of all Women in the activities of the Department, and UMSU generally; and to act as a contact for Women Students, providing support, advocacy, information and referral as required.*

**Proposed:**

87 QUEER DEPARTMENT

Add:

*(h) to promote a culture of consent both within and outside sexual contexts.*

89 WOM\*N'S DEPARTMENT

*The aims and objectives of the Wom\*n's Department are:*

- (a) to oversee the activities, Policy and direction of UMSU in areas related to promoting the advancement and welfare of Women Students including, but not limited to, education, Student rights, Student representation, equal opportunity, publications and media;*
- (b) to promote and assist in the development and maintenance of high quality services within the University that are responsive to the needs of Women Students;*
- (c) to advocate for Women within UMSU and the University;*
- (d) to organise political, educational and social events which promote feminist debate and action;*
- (e) to provide and protect safe, autonomous Women's space on UMSU premises, and to maintain the materials, facilities and literature therein;*
- (f) to provide Women Students with awareness of safe-sex practices and the prevention of sexually transmitted diseases, and distributing information on sexual health issues;*
- (g) to facilitate a collective to produce the Women's publication, Judy's Punch, at least once per year;*
- (h) to promote a culture of consent both within and outside sexual contexts*
- h (i) to ensure the participation of all Women in the activities of the Department, and UMSU generally; and*
- i (j) to act as a contact for Women Students, providing support, advocacy, information and referral as required.*

**Rationale:**

Consent is an extremely important concept, especially in a university context. It is important that the student union plays a role in educating students about consent in both sexual and non-sexual contexts, as a step towards facilitating student safety on campus, particularly in terms of preventing sexual assault.

## **6. Accessibility requirement for meeting locations**

Found in:

- s.107.4 [p.30]

**Current:**

107 PLACE AND TIME OF MEETING

107.1 Meetings must be held on University grounds at locations generally accessible to Students.

107.2 A meeting of the Students' Council cannot be held at or adjourned on the same day to a place other than that given in the notice of meeting.

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107.3 *Any adjournment of a meeting to a different day must be notified to all the Representatives of the Students' Council.*

### **Proposed:**

Add:

107.4 *Any known accessibility requirement on the part of a student intending to attend a meeting of Students' Council must be honoured in the selection of a location.*

### **Rationale:**

As UMSU recognises the importance of supporting students with disabilities and attempts to ensure inclusivity for all students, it is vital that meeting spaces are accessible. While generally accessible locations should be sought at all times, this is not always practically possible. However, this proposal would prevent a situation in which member of Council or a Committee was prevented from attending regular meetings, and therefore failed to meet attendance requirements, due to meetings being held repeatedly in inaccessible locations, provided that their access needs were known to the relevant Office Bearer.

## **7. Gender specificity correction**

Found in:

- s.114(a) [p.32]
- s.200.1 [p.55]

### **Current:**

114 *QUALIFICATIONS FOR ELECTORAL TRIBUNAL MEMBERS*

*Each member of the Electoral Tribunal must:*

*(a) have been admitted to practise as a barrister and solicitor of the Supreme Court of Victoria more than five years before her or his appointment; and*

200.1 *QUALIFICATIONS FOR GRIEVANCE TRIBUNAL MEMBERS*

*Each member of the Grievance Tribunal must:*

*(a) have been admitted to practice as a barrister and solicitor of the Supreme Court of Victoria more than five years before her or his appointment; and*

### **Proposed:**

114 *QUALIFICATIONS FOR ELECTORAL TRIBUNAL MEMBERS*

*Each member of the Electoral Tribunal must:*



*(b) have been admitted to practise as a barrister and solicitor of the Supreme Court of Victoria more than five years before ~~her or his~~ their appointment; and*

**200.1 QUALIFICATIONS FOR GRIEVANCE TRIBUNAL MEMBERS**

*Each member of the Grievance Tribunal must:*

*(a) have been admitted to practice as a barrister and solicitor of the Supreme Court of Victoria more than five years before ~~her or his~~ their appointment; and*

**Rationale:**

This proposed change was suggested by one of the 2015 Queer Officers. Gender pronouns that exclude non-binary individuals are exclusionary and unnecessary. That gender pronouns appear in these two cases only in the Constitution suggests that there is no practical need for them.

## 8. Spelling error

Found in:

- s. 165.6

**Current:**

*165.6A Committee-elect may make an authorised delegation for the following calander year.*

**Proposed:**

*165.6A Committee-elect may make an authorised delegation for the following ~~ealander~~ calendar year.*

**Rationale:**

Spelling mistakes are one of the many unprofessional features of UMSU's Constitution, and should be rectified.

## 9. Operations Sub-Committee meetings

Found in:

- s.167.6 [p.46]

**Current:**

*167.6 For as long as any delegation from the Students' Council in accordance with rule 158 remains in force, the Operations Sub-Committee*

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*must meet at least once every week during Semester, and once every two weeks in the non-teaching period from February to November inclusive.*

### **Proposed:**

*167.6 For as long as any delegation from the Students' Council in accordance with rule 158 remains in force, the Operations Sub-Committee must meet at least once every ~~week~~ **two weeks during both Semester and ~~once every two weeks in the non-teaching period from February to November inclusive, in alternate weeks to regular meetings of Students' Council where possible.~~***

### **Rationale:**

This proposed change brings the Constitution into line with current practice. When Students' Council is meeting regularly every two weeks during semester, as Constitutionally required, and is reaching quorum, there is often no need for the Operations Sub-Committee to meet on a weekly basis. Due to the nature of Operations Sub-Committee meetings, which tend to be over in a matter of minutes, it makes little sense for Operations Sub-Committee members to meet every week if there is little or no business to be discussed. Holding Operations Sub-Committee meetings in alternate weeks to Students' Council meetings allows urgent business to be dealt with within days, as there is still a weekly opportunity for expenditure and other motions to be passed. Meetings of the Operations Sub-Committee may still be held on a weekly basis if necessary, or can be petitioned.