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advocacy  
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**MINUTES** of the **4th** meeting of the Executive Committee, 91st SRC, held on February 19th in the Gosper Room, SRC Offices, at 11am

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**PRESENT:** Jacky He (Chair), Dane Luo^ (phone), Niamh Callinan\*, Yuxuan Yang\* (late arrival), Josie Jakovac (phone), Xiaoyu Jin, Prudence Wilkins-Wheat,

Apologies: Caitlyn Chu^, Vonnie Li

Minutes: Cameron Caccamo

In attendance: Melissa de Silva, Chitra Narayanan

Meeting Opened: 11.10am

\*^Joint position holders, counted together towards quorum.

### **1. Acknowledgement of Country**

The University of Sydney Students Representative Council acknowledges the traditional owners of this land, the Gadigal people of the Eora nation. We pay our respects to the Elders both past and present of the Eora nation and extend that respect to other Aboriginal people present.

### **2. Apologies**

Apologies were received from Caitlyn Chu and Vonnie Li.

**Motion:** That the apologies be accepted.

Moved: Niamh Callinan

Seconded: Prudence Wilkins-Wheat

The motion was put and **CARRIED.**

### **3. Minutes**

Minutes of the Third Meeting of the Executive held on the 18<sup>th</sup> of January were distributed.

**Motion:** that the minutes of the Third Executive Meeting be accepted.

Moved: Niamh Callinan

Seconded: Prudence Wilkins-Wheat

The motion was put and **CARRIED.**

#### **4. Business arising from the minutes**

##### **4.1 Amendment to Motion in Part 11**

At the previous meeting, there was a request from Melissa de Silva that the SRC reimburse the cost of a Certificate IV in Training and Assessment, and allow her five hours release from work to assist completing it.

This will need to be amended to five days of release to better reflect the workload of the course.

**Motion:** That Melissa de Silva be granted thirty-five hours of release total for the purposes of this course.

Moved: Dane Luo

Seconded: Prudence Wilkins-Wheat

The motion was put and **CARRIED.**

##### **4.2 Amendment to Motion in Part 7**

In the Report of the President, \$1904.00 was requested for the purpose of printing Growing Strong as part of the Welcome Week budget. This quote did not take into account GST – the total cost was \$2094.00. The difference has already been paid by the SRC, so this is a retrospective approval for that payment.

**Motion:** That the Executive approve \$2094 worth of expenditure in total for the purpose of publishing Growing Strong.

Moved: Niamh Callinan

Seconded: Prudence Wilkins-Wheat

The motion was put and **CARRIED.**

#### **5. Correspondence**

*There was no correspondence.*

#### **6. Workplace Health and Safety Report**

*Melissa de Silva entered the room at 11.20am*

*Melissa de Silva submitted this report:*

##### **Sushi Time**

I contacted Clint (manager of Wentworth building) re: sushi shop about the obstructions to the fire exit and the fact that they didn't evacuate at the last emergency evacuation. He got the property manager Katie, to contact them explaining the problems. The sushi shop

replied very positively. I believe it is likely that they will comply from now on, however, if you notice that there are obstructions to any of the fire exit doors please take a photo and send it to me.

### **Evacuation**

We had an emergency evacuation last week. The SRC was clear in under 3 minutes.

#### Discussion

**Melissa de Silva:** On this point, we're still waiting to hear from Cheryl Wharton (Operations Manager, Campus Security) to teach us about lockdown procedures.

### **Visitor Safety**

If you have people using the SRC space throughout the year, as in if they are going to be visiting more than a couple of times, please consider getting them to do the WHS module. It will be more convenient than having you accompany them for the entire time they are in the office. The module is pretty straight forward and will help you to get the correct answers, so it shouldn't take anyone longer than 15 minutes to complete.

### **Welcome Week Bags**

The bags in the Office Bearer room have a strong toxic-type smell. The air con button needs to be pushed every 2 hours please to keep it a little bit ventilated until they go to the stalls tomorrow.

### **Bag-packing safely**

The process of stuffing bags was done with some disregard for WHS. Could you all please take some responsibility for the people that you bring in the office. If in doubt, please re-complete the WHS module yourself, so that you are clear about when you can leave things in the walkway, etc.

#### Discussion

**Melissa de Silva:** Just on this point, please make sure exits are clear and WHS procedure is applied, especially after hours.

### **Other Welcome Week WHS concerns**

With Welcome Week stuff can you please remind yourselves and others to be careful when lifting stuff. There's lots of heavy things. Also after setting up the stall please step back and check for trip hazards, things hanging down, potential electrical problems etc. Please note that it will rain, so it is a good idea to place boxes of stuff on top of bread or milk crates.

*Melissa de Silva, as acting Casework and Policy Manager, asked to give the Casework and Policy Manager report at the same time. The Executive agreed and moved directly to Item 11.*

## **11. Report of the Casework and Policy Manager**

*Melissa de Silva submitted this report:*

### **Casework load**

I wanted to correct any misconceptions that may be around about the workload and the capacity of the team to engage with that workload. The increase in workload is due to academic progression and the associated challenges for students, orientation week, and our commitment to satellite campus engagement. We are busy and we are coping well. We are a very competent team, who between us, have an impressive array of skills that we are able to use on a day to day basis. As a team we are very supportive of each other, and are also very fortunate to have the administration, publications, and legal departments support the work we need to do. During this busy time I do ask that there be an exception to the agreement where we will be able to accumulate up to two weeks worth of time in lieu.

**Motion:** That the Executive allow members of the Casework and Policy Department to accrue two weeks worth of hours of time-in-lieu between Welcome Week and the end of March.

### **Incidents**

There have been a number of incidents that have impeded our ability to provide a professional and high quality service to students. I would like to request that all members of executive together with all office bearers make a commitment to attend a short training session of about one hour to go over the solutions that we need to instigate to be able to provide the necessary level of service.

We are doing a training session for a few hours on Tuesday 5th March – the only reasonable time included lunch. The trade was that I would ask if we could provide lunch. Can we please have \$100 for this?

**Motion:** That the Executive approve expenditure of \$100 for the purpose of providing lunch for this training session.

### **Casework provision and confidentiality**

When a caseworker's door is shut please only contact that caseworker by email. Please do not knock on the door, unless there is imminent danger of harm to someone, e.g., the building is on fire; there is an active shooter on campus; there is someone that requires CPR or an ambulance. Alternatively, you can talk to the front office person and ask them to relay your message. Please also do not peer into our windows. This is very disturbing to our students who reasonably believe that we are providing a confidential service.

### **Relationship with the University**

The relationships that we have with members of the university and community organisations have resulted from many years of hard and clever work from our team. We need to maintain our professional conduct as an organisation, to ensure that we

maintain these relationships. With this in mind, it is a very busy period for all of us, so it is effective for us to support each other.

#### Discussion

**Dane Luo:** I would like to move all of these motions, as well as add this one;

**Motion:** That the Secretary to Council and the General Secretary send an email to all Councillors and Office Bearers regarding privacy with caseworker activities and Workplace Health and Safety practices.

**Motion:** that the reports of the Workplace Health & Safety Officer, and Casework and Policy Manager, and the motions therein, all be accepted.

Moved: Dane Luo

Seconded: Niamh Callinan

The motion was put and **CARRIED.**

*Melissa de Silva left the room at 11.35am*

*The Meeting returned to normal Standing Orders.*

## **7. Report of the President**

*Jacky He moved the chair to the Deputy Chairperson, Niamh Callinan.*

Jacky He spoke to the Report:

### **Welcome Week**

We had several people come in to help, everything has been delivered and packed into bags. Thanks to volunteers and to those that organised them.

*Yuxuan Yang entered the room at 11.38am*

### **Summer School**

Summer school units run on different basis, now they have been updated and run in the same way as in-semester courses. Don't need to be applied for separately, everything is consistent now.

### **International student campus tour**

Yuxuan led a tour with intl student reps across campus, 60 international students attended despite 40 registered.

### **WeChat**

Running very well, recent Welcome Week post with what we're doing etc. 1500 views, 60 new followers from that post. Plenty of International Students now understanding the SRC and following us, great improvement.

Discussion:

**Regarding Summer School changes**

**Prudence Wilkins-Wheat:** Just on the Summer School, what has changed?

**Dane Luo:** Summer and Winter School has operated out from a separate registration system, through its own website. Now that Commonwealth legislation has provided that most units of study in Summer and Winter School, as well as intensive units, can be Commonwealth Supported Places, instead of full-fee-paying places, the University is seeking ways to streamline that.

**Jacky He:** I contacted Tony Masters (Chair of the Academic Board) and Steven Garton, they have confirmed Summer School will be renamed Summer Intensives. All Summer School units will be applying via Sydney Student

**PWW:** So there will be a completely different group of people running it?

**DL:** It will be a different section of the University running it now, but all of the Professors and Tutors will be the same.

**PWW:** Will this mean more efficiency?

**DL:** Hard to tell, the time at which results will be released will remain consistent, but unsure of other things. Maybe Jacky could check if response rates will increase?

**PWW:** Yes please, can we have you ask the University that.

**NC:** Yeah, it sounds like a version of Trimesters are being introduced

**Regarding Library seats**

**PWW:** How can we get more seats in Libraries and other study spaces? Many of us campaigned on this so would be interested in hearing how to make it happen.

**JH:** We have to advocate for it, through petitions and the like.

**DL:** When I went to Student Experience Working Group meeting, I tried to add this to the agenda but the meeting ran very long and we did not get to discuss it. The Timetable Unit has more publicly shared the Central Timetable function for students to find empty classrooms. But this isn't a one-stop-hub. Indeed, library study rooms are separate. It also doesn't allow students to make bookings. I will be meeting with several University figures to see what can be done on that soon.

## Regarding SRC visibility

**PWW:** An issue I've found is that not many students know about the SRC. As Student Ambassador, I can tell you heaps of people learn too much and forget it all. Could we do an online module to teach them?

**DL:** If you're thinking of a mandatory online module for all students (such as Consent Matters or the Academic Honesty modules, which are being reviewed this year), Jacky could bring this up in a committee meeting. Consent Matters is being reviewed this year so they're looking over it. But the Senior Executive is working really hard to increase SRC visibility in Welcome Week and on social media, and I'm trying to do that with Faculty Societies and at the satellite campuses.

**PWW:** Any way to make sure students know what we do.

**NC:** Welcome Week activities can be rolled into a Transition to Uni program, caseworkers happy to come out on campus throughout the year, every two weeks even, to help with having students know about us.

**PWW:** I think the main thing is that we get lost: USU advertising is everywhere, for example, but ours is not.

**Motion:** That the report of the President be accepted.

Moved: Prudence Wilkins-Wheat

Seconded: Yuxuan Yang

The motion was put and **CARRIED.**

*Niamh Callinan returned the Chair to Jacky He.*

## **8. Report of the Vice Presidents**

*Caitlyn Chu and Dane Luo submitted this report:*

### **Engaging with Faculty Societies**

We have been in contact with most of our Faculty Societies. The SRC can promote our Caseworker and Legal Service, tell students how the SRC can help them and represent their interests to the University. At the same time, they can raise issues with us that their students face and we can take them to relevant committees that the President or SRC representatives sit on. Most Faculty Societies also do a lot of work to improve student welfare and wellbeing that we can collaborate with them to make even bigger and better.

In relation to welcome and orientation initiatives with Faculty Societies, here's how we are engaging with them:

- **Conservatorium Students' Association** – we are holding a presentation at their Welcome Day on Monday 18 February 2019 talk to promote our casework and legal services.
- **Sydney Arts Students' Society** – both our organisations (SRC and SASS) are hosting a joint orientation welcome event on Wednesday 6 March 2019 at 1pm Carlaw Lecture Theatre 275. This will be an opportunity to speak about the work of the SRC and feature one of our caseworkers and possibly a solicitor. Importantly, we hope to give some guidance about degree progression and studies for Arts students.
- **Sydney University Business Society** – Dane is helping SUBS lay up their First Year Handbook and we have included a full page A4 advertisement in there so students can see and hear about the SRC's services.
- **Sydney University Dental Association** – Dane attended their orientation session on 1 February 2019 with the School of Dentistry and gave information about the SRC and handed out wallplanners to all students there.
- **Sydney University Engineering Undergraduates Association** – we are working with their Executive to include a full page A5 advertisement about the SRC's services in their 'Yearbook' (their welcome guide). In addition, we are looking to be part of their Free Food Week to promote healthy eating and mental health initiatives close to assessment periods where it is very stressful for many engineering students.
- **Sydney University Medical Science Society** – we are working with their new team to coordinate engagement for Welcome Week. They have expressed interest in collaborations but as their society President has been away, it has been difficult to get a clear plan at the moment.
- **Sydney University Law Society** – we are working with their President and Vice President (Education) to include a full page A5 advertisement about the SRC's services in their First Year Guide and a full page A4 double spread guide about academic issues that will be created with our caseworkers in their Education Guide. In addition, we are organising a presentation at a joint First Year Crash Course event at Tuesday 26 February 2019 at 1pm at the Law Foyer about what the SRC does and how we can help.
- **Sydney University Science Society** – we are working with this society to develop a guide for first year students, which we hope to include details about the SRC's services and work.

This is just the start – we hope to build our relationships with these and other Faculty Societies for more events and activities throughout 2019!

**Motion:** That the Executive approve \$150 for food at the SASS x SRC Arts Welcome Session.

**Motion:** That the Executive approve \$150 for food at the SALS and SRC First Year Crash Course.

**Motion:** That the Executive approve \$150 for food at the Engineering Free Food Week in collaboration with SUEUA.

### **SSAF Application**

We took a role in helping the Senior Executive create the SRC's SSAF application for 2019, which is now submitted! Dane met with the President, General Secretary and all the staff heads of the Casework, Legal, Administration and Communications and Publications Departments, as well as sitting down with each of the heads of departments and the 2018 Electoral Officer individually to coordinate our entire SSAF submission. We worked on other aspects of the submission and extensively reviewed every part of it.

We would like to express our thanks and appreciation to Chitra (Administration), James and Mel (Casework and Policy), Amanda and Mickie (Communications and Publications), Thomas (SRC Legal Service), Karen (Elections), Niamh, Jacky and Yuxuan for their many hours of work on this submission. We are proud to submit a comprehensive submission within the deadline!

We also took a role in developing the SRC's Physical Infrastructure SSAF application. Dane, along with Jacky and Niamh, worked with Chitra, Mel, Thomas and the *Honi Soit* Editors regarding suggestions to improve our office space. We focused on ensuring that we have a safe and healthy working environment and thank our WHS Officer for all her help in the process.

### **SSAF December Allocation**

In December, the SSAF Budget Allocation Committee allocated additional funds to the SRC application for various projects. As part of these additional funds, the SRC will be bringing a dedicated full-time Research and Policy Officer to supplement our Casework and Policy Department for 12 months. This is something that the caseworkers have been asking for a long time and we are delighted to finally deliver that for them! They will be assisting the President and Officers for University Committee matters and any research we need to do. We could possibly explore the possibility of the SRC making our own submissions to the Australian or NSW Parliament regarding proposed legislation and regulations that affect students. At some points in the year, it also frees up our other caseworkers to 'travel'. They will be visiting every satellite campus (we definitely hope to join them!) and to give face-to-face help to any student with any issue they have, whether that be Centrelink, tax, tenancy, mental health or just speaking to someone who will listen.

We are also using these funds to update our Legal Service software (which worked well after a free trial), having more University-approved calculators at the front office to loan and a new door buzzer.

### **Health Day and Welfare Week**

We want to build on the inaugural Welfare Week initiative from 2018 that our predecessors started. At the moment, we are looking to do this in semester 2.

One of the things we really want to organise similar events for our satellite campuses, which are often under-engaged with the SRC. We will be working with our caseworkers and community organisations to run two Health Days. The first one will be an event at the Cumberland campus in collaboration with the **Cumberland Student Guild** late in semester 1. And a second info type event for Bachelor of Nursing students, who have consistently been documented to face worrying mental health issues, in week 8. We have very strong support for this from the Faculty Societies in other satellite campuses (including Dentistry and the Conservatorium) to bring something like this to their campuses and we will keep discussing with them.

### **NUS President's Summit**

Dane attended the NUS President's Summit between Monday 4 February 2019 and Wednesday 6 February 2019 in his capacity as Acting President. Overall, it was a very productive meeting of Campus Presidents and National Office Bearers from all affiliated campuses of the NUS.

Dane met with many Campus Presidents and discussed challenges that they faced. We heard from TEQSA and discussed SSAF modelling. This was very interesting because there were some student organisations who only receive 3% of SSAF allocations and others receive over 50%. Dane has ongoing conversations with most of the Campus Presidents and the National Education Officer to see if there can be reforms in this area in the near future and how the SRC could learn from other organisations with SSAF submissions.

A large focus was on media training, conducting effective research and how to write submissions, which was extremely helpful. There was a lot of information given about producing submissions to Parliament. This is something that the NUS and some campuses have done for legislation, regulations or proposals that directly affect students. Some campuses do something similar as well for committees that their President or student representatives sit on.

*Dane Luo also spoke to the report:*

### **Satellite Tours**

Sharon, Mel and Dane will be looking to tour every satellite campus over the first week of the semester to tell students about the SRC and hand out our wonderful wall planners. This includes Camden, Westmead, Cumberland, Conservatorium, SCA and Mallett Street. I will invite the Inter-campus Officers and representatives on the Inter-campus Committee. And if anyone wants to join, please let Dane know.

**Motion:** that the report of the Vice Presidents, and the motions therein, be accepted.

Moved: Niamh Callinan

Seconded: Yuxuan Yang

The motion was put and **CARRIED.**

## **9. Report of the General Secretaries**

*Niamh Callinan and Yuxuan Yang submitted this report:*

### **SSAF Application**

On the 31<sup>st</sup> of January, the SRC's SSAF Application was successfully sent off. This was within the deadline given and included both the base funding and contestable funding aspects of the application. We would like to give a massive thank you to Dane who as Acting President signed and officially sent the application. We would also like to thank Dane for all the hard work behind the scenes in assisting with the writing, editing and re-adjusting of the application. We would also like to say a massive thank you to Chitra (Administration), James and Mel (Casework and Policy), Amanda and Mickie (Communications and Publications), Thomas (SRC Legal Service), Karen (Elections) for the work they put into the application, and also their ideas and suggestions for improving each department's capacity over the coming year.

In regards to the final numbers of the application, this will not be confirmed until around April, so whilst the application has been received and acknowledged, we are still awaiting further communication as to the progress of the application and the final amounts the SRC will receive from the SSAF resource pool this year.

### **Council's First Meeting/ Reps Elect**

We are very excited to finally have all the OB positions elected and we have started to communicate with all the officers in regards to what they are hoping to achieve this year. At the moment various initial meetings are starting to take place. From what we have discussed so far, it is looking like all the OBs are excited for the year ahead and have some great ideas and plans for activities, campaigns and change for 2019.

We both look forward to continuing to discuss and assist all OBs and Collectives in their plans for the coming year.

### **Welcome Week**

Welcome Week is finally upon us; we have spent that last few weeks finalising the merchandise, the allocation of stalls, volunteers and packing all the material into the SRC tote bags. We would like to thank the Welcome Week Committee for their assistance in organising Welcome Week, and also all the OBs and Collectives for their enthusiasm, time and energy they have placed into meeting the deadlines for printing and materials for this week. It is going to be a massive week and a huge opportunity to get the SRC's services communicated to students, as well as a great opportunity for all OBs and Collectives to engage with the student body for the first official time this year.

**Motion:** that the report of the General Secretaries be accepted.

Moved: Prudence Wilkins-Wheat

Seconded: Dane Luo

The motion was put and **CARRIED.**

## **10. Report of the Administration Manager**

*The Administration Manager, Chitra Narayanan, entered the room at 12.32pm.*

*Chitra Narayanan spoke to this report:*

*There was a request that the meeting be moved in camera.*

**Motion:** That the meeting move *in camera*.

Moved: Niamh Callinan

Seconded: Prudence Wilkins-Wheat

The motion was put and **CARRIED**.

The meeting moved *in camera* at 12.33pm

**Motion:** That the meeting move *ex camera*.

Moved: Niamh Callinan

Seconded: Prudence Wilkins-Wheat

The motion was put and **CARRIED**.

The meeting moved *ex camera* at 12.38pm

### **New Payroll system**

We'll be introducing a brand new payroll system – single touch payroll, instantly report to ATO, compulsory, and quite different. The Payroll Software we use is offering training, it's not cheap but Hani (Bazawir) and I should go along. The cost is set to be \$198 per person, so \$396 total, but may include GST so please approve \$450.

### **New Keyboards**

Keyboards in OB room have disappeared – can't update computers without them! Want new wired keyboards, 10 for \$450, will be locked to the computers. 460 including delivery. Women's Room and Honi may need them as well. We definitely need 6.

#### Discussion:

**DL:** lots of computers don't currently work, can we check those?

**Chitra Narayanan:** Can't test those computers without a keyboard anyway.

**DL:** Last year ten new keyboards were purchased, where are they now?

**CN:** Good question. Three of them are being used in the Honi Soit Office, two are in casework/other offices, at least 3 or so have been lost.

**DL:** We may not need as many as ten, should we go with eight?

**CN:** There's a deal to buy in the next six days that makes it cheaper for us.

**NC:** Then I think we should buy ten.

### **Issue with Rooms being used**

Students affiliated with the SRC used a room that was not booked, which left the University quite annoyed. Make sure Collectives and Officers know the procedure; they require 14 days

notice, so send it in well before that. Even if you have an urgent room booking request, still send it to us to pass on, or use the SRC rooms here.

Discussion

**JH:** I noticed that one was approved in just a couple of days

**Cameron Caccamo:** May happen now, won't happen during semester

**CN:** Uni can be quick or take very long.

**DL:** I agree with Chitra. I move that the Secretary to Council and General Secretaries send an email to all Representatives and Officers with details of the procedure.

**Motion:** that the report of the Administration Manager, and the motions therein, be accepted.

Moved: Dane Luo

Seconded : Prudence Wilkins-Wheat

The motion was put and **CARRIED.**

**12. SRC Legal Service Report**

*There was no SRC Legal Service Report*

**13. Approval of Payments**

**13.1. Invoices**

*There were no invoices to consider*

**13.2. Reimbursements**

Approved via Circular

C08 – Layla Mkhayber (Council)	\$36	4x200ml Black Paint
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For consideration

Jacky He (Council)	\$14.30	Stationery and batteries
Dane Luo (Council)	\$187.18	NUS President's Summit Travel
	\$550.30	President's Summit Registration
	\$534	Stipend: Returning Officer, February Regular Meeting
	\$7.70	Meal Allowance: RO, Feb Meeting
Laura Kitsos (Welcome Week)	\$40	Welcome Week Lolly Bowls
Sharon Maher (Staff)	\$78.48	Hand trolley and bungee strap^
Chitra Narayanan (Staff)	\$86.61	Wall Planners sent to Cumberland Campus
Louise Stack (Staff)	\$40.93	Travel to Con, Welcome event

Gabi Stricker-Phelps (Women's)	\$88	Stickers (See App. 1)
Zifan (Crystal) Xu (Women's)	\$544.50	500 bags
Ruby-Rose Laginha (2018 Environment Collective)	\$172.08	Roadtrip expenses*

^The existing trolley used by the Casework and Policy Department can only hold one and a half boxes of planners. This new trolley folds flat, is lightweight enough for easy carry, made from a steel frame and has a 100kg load rating, allowing the Department to carry a larger load for Welcome Week stalls and on other visits.

\*A request has been sent to 2018 Environment Officer Zac Gillies-Palmer to provide more information for this reimbursement.

Discussion:

**Regarding the 2018 Environment Collective Expenditure)**

**Cameron Caccamo:** To clarify, I have sent an email to Zac Gillies-Palmer after the rejection of the reimbursement in the last Circular. I am yet to hear anything back.

**Prudence Wilkins-Wheat:** I think if he hasn't responded then yeah, that's fine, we can just not approve that one.

**Motion:** That all reimbursements, except for the Ruby-Rose Laginha reimbursement, be approved en bloc.

Moved: Niamh Callinan

Seconded: Prudence Wilkins-Wheat

The motion was put and **CARRIED.**

**13.3. Requests**

Approved via Circular

C08 – Jacky He (Welcome Week)	\$480	Slushie Machine
	\$1378.30	SRC T-Shirts

For consideration

James Newbold (Education)	\$25	Water for Welcome Week
	\$30	Lollies for Welcome Week

Steff Leinasars (Queer)	\$153.15	QUAC Welcome Week Stickers/Badges (App. 2)
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Discussion

**Dane Luo:** Just on the requests made by James Newbold, the SRC is getting a lot of lollies and water being supplied for Welcome Week so he didn't need to buy his own. However, he did consult with Laura and Cameron quite early on, and he has gone ahead and bought those items. Because the advice came from Laura that these

should be bought, I'd be happy to approve this but reaffirm that the Executive does not generally reimburse items that are available at the office.

**Motion:** that requests be approved en bloc.

Moved: Prudence Wilkins-Wheat

Seconded: Niamh Callinan

The motion was put and **CARRIED**.

## **14. Any Other Reports**

### **14.1. Report of the Publications Managers**

*The Publications Managers submitted a confidential report:*

**Motion:** That the meeting move *in-camera*.

Moved: Niamh Callinan

Seconded: Yuxuan Yang

The motion was put and **CARRIED**

The meeting moved *in camera* at 12.02pm

The meeting moved *ex camera* at 12.32pm

**Motion:** That the Publications Managers Report be accepted, and that the Secretary to Council work with the Publications Managers to create a new DSP procedure.

Moved: Niamh Callinan

Seconded: Prudence Wilkins-Wheat

The motion was put and **CARRIED**

### **14.2. Report of the Women's Officers**

*Gabi Stricker-Phelps and Crystal Xu submitted this report:*

Since Reps-Elect (and before) Crystal and I have been preparing for Welcome Week and starting to brainstorm future events for the year to come.

In terms of Welcome Week we edited the USYD Women 2019 Handbook using Indesign. This involved seeking contributors from a variety of faculties and backgrounds to write about issues they felt passionate about. We also sought graphic design contributors. The handbook has two major aims. The first is to showcase the talent and opinions of our diverse USYD Women community. The second is to provide information and tips for women starting their university careers on where to get help, how to join women focused clubs such as the Network of Women and general university survival tips. We also learnt the basics of how to use Indesign with the dedicated help of Amanda from the Publications Department. We want to thank her for her time and effort. We printed a total of 500 handbooks with executive approval.

Additionally, we have ordered 500 cotton bags to put the handbooks in, totalling at \$544.50. The bags will also contain Future Women Annual Memberships at the subsidised price of \$2 (normally \$79) and USYD Women 2019 Logo Stickers (1000 for \$10). We have also tried to source 500 sanitary items to include in the Welcome bags.

Crystal and I have also begun to reach out the sanitary item companies in relation to our project to have a stock of free sanitary items available at all times in the SRC building, as per the following sample letter:

“Good Morning Libra Team,

My name is Gabi Stricker-Phelps. I am a councillor on the 2019 University of Sydney Student Representative Council (SRC). The Council has a strong history of activism and providing student services. One of our key focus areas this year is on women’s health and the provision of affordable sanitary items for all women on campus.

We are intending on running a program from the SRC office where all students who require sanitary items during university hours are able to access them free of charge. There will also be a donation box towards the charity KindNecessities, whose Sydney executive is comprised of a number of University of Sydney Student. This would enable those women who are willing and able to contribute to the price of sanitary items to do so while contributing to the important social mission of KindNecessities.

I have included an excerpt from the KindNecessities ‘About Us’ page:

*KindNecessities is an organisation that works on a local and international level to provide the necessities that should be afforded to every woman, irrespective of circumstance. Through our local commitment to transforming the discussion and stigma surrounding female hygiene, to the sanitary items that we provide to the victims of crises - our team works tirelessly to do what we can to 'normalise' the discussion in societies deemed progressive, conservative and everything in between. Almost 29% of the 4,289,792 registered Syrian refugees between the ages of 12 and 59 in Jordan's Zaatari camp are affected by the gap in aid towards female hygiene products, resulting in the use of cloths, rags and garbage bags as sanitary pads. This means that even with their allowance provided by the UN, over 1 million women and girls are having to choose between feeding their family and purchasing sanitary items. Their health is at stake, with these women opting in to put themselves at risk of infection for their families. We want to change this by providing reusable pads at no cost to the most vulnerable in our society. Their shelter, blankets, clothes and shampoo are provided for by many charities and international organisations - their sanitary items should be too, because we believe it is just as much of a necessity for women and girls fleeing from war as it is for us back home.*

We are contacting your company to enquire if you would be interested in getting involved with this pilot project by either donating sanitary items to the University of Sydney SRC or considering charging a bulk price for the quantity required.

For our pilot program we are looking to source or buy:

- 250 boxes of Mini
- 500 boxes of Regular
- 250 boxes of Super
- 200 Regular Pads
- 200 Assortment of pad and liner items

Additionally, we are looking for sample products for our Welcome Week bag which will be handed out with a handbook of USYD women's stories, experiences, insights and opinions. Would you be willing to assist in this way with the provision of an assortment of 500 sanitary items either in terms of donating them or via offering a bulk price?"

We are responding to responses we have received currently.

We were also contacted by BBC India to make comment on the increased prevalence of sexual assaults and harassment during orientation weeks at universities in Australia, with a specific focus on the international student experience. We reached out to the sexual harassment office bearers via email to give them the opportunity to make a statement.

This was our statement below:

*"Welcome week at the University of Sydney is a vibrant, exciting and busy time of year with students having opportunity to socialise, prepare and explore before lessons begin.*

*Shockingly according to the 2018 Red Zone report 1 in 8 University of Sydney college sexual assaults occur during orientation week. There are no excuses for acts of sexual assault or harassment. It is totally unacceptable behaviour that threatens the safety and wellbeing of students.*

*In light of Change the Course the University of Sydney has put into place a number of measures including releasing a new Sexual Assault and Harassment Policy, creating an online portal to enable confidential disclosure of an incident and requiring students to complete a compulsory Consent Matters Module. Ensuring adequate campus lighting and security presence is also important.*

*We encourage all students coming into orientation events to actively seek out campus security phone numbers and the specific university procedure and policy regarding reporting and seeking help following an incident of sexual assault and harassment.*

*As Women's Officers and members of the SRC it is our shared duty to ensure students know where to seek help and feel safe and comfortable in speaking out about incidents of sexual assault and harassment during Welcome Week and beyond. Not only must these messages flow onto the general student body, but also be readily accessible to students in residential colleges and accommodation facilities. International students are especially vulnerable due to their potential unfamiliarity with university. The 2019 SRC will be launching a WeChat digital platform to increase*

*communication and provide resources for students to access especially regarding where to find support following an incident.”*

In terms of International Women’s Day on the 8<sup>th</sup> of March, we are considering two event ideas:

- 1) Sending a cohort of volunteers to UN IWD breakfast
- 2) Holding an IWD lunch on Quad

We have also engaged with a number of Women’s officers and representatives across Uni to organise meeting times with them in the upcoming weeks.

We have also made contact with This is 42 and secured at 10% discount for Women students at USYD who want to attend the Roxane Gay and Christina Hoff Sommers Event called “A Conversation About Feminism,” on Friday 29<sup>th</sup> of March.

We also need to schedule a meeting with the senior executive to touch base about further events, plans and a budget for the remainder of the year.

**Motion:** that the report of the Women’s Officers be accepted.

Moved: Niamh Callinan

Seconded: Dane Luo

Abstentions noted: Prudence Wilkins-Wheat

The motion was put and **CARRIED.**

## **15. Other Business**

### **15.1. Staff Leave**

Cameron Caccamo:	Annual, 18/02/19, 1 day, 5 hours
James Campbell:	Annual/TIL, 4/2/19-5/2/19, 1.5 days, 10.5 hours Sick, 5/2/19-5/4/19 (approx.), return date TBA in mid-March
Breda Dee:	Annual, 14/1/19, 4 hours Sick, 6/2/19, 1 day, 4 hours Annual + pay without leave, 23/4/19-29/6/19, 16 (annual)+31 (pay without leave) days, 329 hours total
Laura Kitsos:	Annual, 31/1/19, 1 day, 7 hours Sick, 14/2/19, 1 day, 7 hours
Julia Robins:	Annual, 01/03/19-11/03/19, 7 days, 35 hours

**Motion:** That the staff leave be approved en bloc.

Moved: Dane Luo

Seconded: Niamh Callinan

The motion was put and **CARRIED.**

### **15.2. Swipe Card Access**

The following students have requested Swipe Card Access to the SRC Offices. Those marked with an asterisk have completed all necessary forms.

Xiaoyu Jin (automatically approved as a member of the Executive)

Peter Burrell-Sander\*  
Jayesh Joshi  
Hayden Moon\*  
Ellie Stephenson\*  
Alexander Vaughan\*  
Yilan Wu\*

Motion: that the Swipe Card Access requests be approved en bloc.

Moved: Niamh Callinan

Seconded: Prudence Wilkins-Wheat

The motion was put and **CARRIED.**

### **15.3. Standing Legal Interpretation**

The Chairperson of the Standing Legal Committee, Xiaoman Zhu, issued an interpretation regarding Faculty Societies (Appendix 3).

Dane Luo (Vice President) filed an opinion (Appendix 4), in which Caitlyn Chu joins.

The Interpretation was noted by Executive.

### **15.4. Communications and Publications Department**

Amanda and Mickie have asked to have their positions and department renamed to Communications and Publications. This is to reflect that they are doing a wider range of work, including social media engagement, website issues, video and interactive programs, and marketing strategies.

Dane and other members of the Senior Executive have been discussing this extensively with Amanda and Mickie (with the assistance of Chitra) for the Department this year. There are three major projects being proposed:

- A major overhaul of the SRC website. When this is finished, the link will be changed from [www.srcusyd.net.au](http://www.srcusyd.net.au) to [www.src.usyd.edu.au](http://www.src.usyd.edu.au).
- Weekly content development and implementation for Facebook, Instagram and Twitter for SRC services, student representation and publishing. This will be for the SRC, Casework and Legal pages (Legal is subject to approval by the SLS Board).
- Undergo training in two courses to further their skills:
  - AFTRS – Social Media Advanced Content Creation; and,

- AFTRS – Advance Premier Pro Course, focusing on advanced video editing and creation, which could be helpful for our *Honi Soit* editors, Officers and projects that we want to run.

For these projects, we propose to grant them one day of casual cover for 13 weeks. We have made provision for this in our SSAF submission to the University. After the 13 weeks, we will review progress and impact to see if we extend that casual cover or make different arrangements.

**Motion:** That the Publications Department be renamed as the Communications and Publications Department, and the Executive approves one day of casual cover for 13 weeks for the Communications and Publications Department.

Moved: Dane Luo

Seconded: Niamh Callinan

The motion was put and **CARRIED**.

## **16. Other items approved via Circular**

### **16.1. C08 – Resignation Of Rebecca Sallit (Chitra Narayanan)**

Rebecca Sallit (admin assistant Job Share) has given me her resignation and would like her last day to be the 5th of February. I have spoken to the Administration team and Laura Kitsos would like to trial working full time from the time that Rebecca leaves. The admin assistant position was a full time role held by Laura before she went on maternity leave and as her children are a bit older she would like to trial going back to full time work. This would be a huge advantage as February is a busy month with o-week and having Laura here full time would be great. The administration team would only like to revisit that part time position if Laura does not want to return full time in the middle of March.

I request to the Executive to accept Rebecca's resignation and to allow Laura to trial full time work for 1 month. After which we will assess the position and plan for it if needed.

Dane Luo made a statement: I thank Rebecca (or just Bec as she is known in the office) for all the work she has done for the SRC. She has been the face of the SRC's office - usually, one of the first people that students see when they come into our office - and she is always friendly, kind and helpful. I had the pleasure of delivering some flowers and a thank you note last Thursday. I believe the SRC staff and students will miss her. I also look forward to seeing Laura return in a full time position.

Jacky He and Josie Jakovac concurred and agreed with the statement.

The motion was **CARRIED** via Circular on February 4<sup>th</sup>, 2019

### **16.2. C08 – Designation Of Acting Casework And Policy Manager (James Campbell)**

I write to confirm my earlier conversation with the Acting President Dane Luo that I am required to take some extended leave commencing next Tuesday 5/2/19. This will continue for approximately 2 months i.e. To 5/4/19. This may vary depending on medical advice available mid March. I will be taking a day and a half of TIL next week so today is my last day.

As advised I recommend that Melissa de Silva be formally appointed Acting Manager in my absence.

Dane Luo made a statement: I wish James all the best over the next two months. For the Executive, I note that the time James needs may be more or less than two months so I kindly ask Executive members to not specify an end date for Melissa's acting appointment. The end date should be James' first day of return.

Jacky He and Josie Jakovac concurred and agreed with Dane Luo's statement.

The motion was **CARRIED** via Circular on February 4<sup>th</sup>, 2019

### **16.3. C09 – Standing Legal Interpretation Regarding Number Of Councillors**

The interpretation was **CARRIED** via Circular on February 6<sup>th</sup>, 2019 (Appendix 5)

Dane Luo (Vice-President) filed an opinion (Appendix 6).

*The meeting was declared closed at 12.56pm*

APPENDIX ONE



## APPENDIX TWO

17 items in your basket Keep shopping

**sticktoresist** Contact shop

	New pride flag — QTPOC centered 1" flag button (pin) in matte Save for later Remove	9 <input type="text"/>	<b>AU\$6.48</b> (AU\$0.72 each) <b>Only 9 available and it's in 10 people's baskets</b>
	Reject ableism - sticker Save for later Remove	20 <input type="text"/>	<b>AU\$11.60</b> (AU\$0.58 each)
	Reject gender roles - sticker Save for later Remove	20 <input type="text"/>	<b>AU\$11.60</b> (AU\$0.58 each)

**How you'll pay**

VISA  Mastercard  American Express  PayPal

Item(s) total **AU\$153.48**

 Get shipping and tax

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**Total (17 items) AU\$168.79**

**Proceed to checkout**

GST included (where applicable)  
Additional duties and taxes may apply.

## **APPENDIX THREE**

### **QUESTION:**

Given that Schedule One of the *Constitution* now references Faculty Societies that do not exist, have changed name, or no longer represent Faculties due to University restructuring, what Societies should be seen to be “Faculty Societies” for the purposes of the *Constitution* and *Regulations*.

### **CONSTITUTION PROVISIONS CITED**

#### **Section 2**

- (b) The Council shall consist of the Representatives, the President and other Officers of Council as specified in Section 4 hereof and as defined in the Regulations, the Presidents of the Faculty Societies listed in the First Schedule, or their nominees, and of the holders for the time being of such offices as the Council shall from time to time determine.

#### **Schedule One**

Sydney University Agricultural Society  
Sydney University Architecture Society  
Undergraduate Arts Students Society  
Sydney University Dental Undergraduates Association  
Sydney University Economics Society  
Sydney University Education Society  
Sydney University Engineering Undergraduates Association  
Sydney University Law Society  
Sydney University Medical Society  
Sydney University Nursing Society  
Sydney University Pharmacy Association  
Sydney University Science Society  
Sydney Campus Undergraduate Law Society  
Sydney University Social Work Students' Association  
Sydney University Veterinary Society

### **INTERPRETATION**

These societies are now recognised by the SRC:

Conservatorium Students' Association  
Education and Social Work Society  
Sydney Arts Students' Society  
Sydney University Agricultural Society  
Sydney University Business Society  
Sydney University Dental Association  
Sydney University Designers Association  
Sydney University Economics & Econometrics Society  
Sydney University Engineering Undergraduates Association  
Sydney University Health Society  
Sydney University Law Society  
Sydney University Medical Science Society  
Sydney University Nursing Society

Sydney University Pharmacy Association  
Sydney University Science Society  
Sydney University Veterinary Society

## **APPENDIX FOUR**

### Opinion of Dane Luo (Vice President), in which Caitlyn Chu joins.

1. On the outset, I note that the Chairperson of the Standing Legal Committee is the sole interpreter of the *Constitution* and *Regulations*.<sup>1</sup> The only role that the Executive and Council plays in the interpretation process is if it wishes to overturn an interpretation.<sup>2</sup> Nevertheless, I am providing my opinion on a matter that directly affects the work of the Vice President.
2. Section 2(b) of the *Constitution* and part 1 sections 2, 6(c) and 6(f) of the *Regulations* provide that the Presidents of the Faculty Societies listed in Schedule One of the *Constitution* or their nominees are members of Council.
3. The list in Schedule One is explicit and clear. So it would not be unreasonable to suspect that, at first glance, the interpretation makes an unorthodox departure from the plain and ordinary text in Schedule One of the *Constitution*.
4. It is well-known that ‘the task of statutory construction must begin with consideration of the text itself’.<sup>3</sup>
5. Chairpersons in the past have sought to interpret the *Constitution* and *Regulations* in light of the context and intent of the text. This is evident in the interpretations given in the affirmative action provisions. The former Chairperson, Winston Ma, held that ‘Part 1, Section 4, (a) and (b) shall be *interpreted in light of the context and the intent of the Constitution and Regulation*. It is *the intent* of Section 4, (a) and (b) to ensure that at least 50% of the roles be held by those who do not identify as cis males (cis women, non-cis women and non-cis men), which sets *out the overarching purpose* of the Affirmative Action Provisions’<sup>4</sup> (my emphasis in italics). Likewise, another former Chairperson, Liam Thorne, held that ‘*the intent* of Part 1, Section 4, (a) and (b) is that 50% of roles be held by those who do not identify as cis males’<sup>5</sup> (my emphasis in italics).
6. Thus, the ultimate duty of an interpreter is to give effect to what the student body or Council intended the provision to have.
7. A reasonable student at the time of enacting Schedule One of the *Constitution* would have had in contemplation that school and faculty structures would change over time. Corresponding clubs and societies would evolve as well.
8. Thus, it could not have been intended that the prescribed list in Schedule One would remain fixed, set in stone and not open to interpretations that reflect future changes.

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<sup>1</sup> *Regulations* pt 9 s 13.

<sup>2</sup> *Ibid*.

<sup>3</sup> *Alcan (NT) Alumina Pty Ltd v Commissioner of Territory Revenue* (2009) 239 CLR 27, 46 [41].

<sup>4</sup> Report of the Chair of Standing Legal, 30 October 2018.

<sup>5</sup> Meeting of Representatives-elect of the 90<sup>th</sup> Council, 2 November 2017, Appendix A.

9. It is well known that, over time, some Faculty Societies listed in Schedule One of the *Constitution* have undergone changes. Some have merged, changed their names or dissolved. It was the intent of the student body that the Faculty Societies in Schedule One of the *Constitution* would continue to have representation even if their name changed or the society's functions were transferred to another society with similar purposes. Thus, the list in Schedule One of the *Constitution* should refer to the following Faculty Societies:

<b>Schedule One of the <i>Constitution</i></b>	<b>Relevant Faculty Society in 2019</b>
Sydney University Agricultural Society	Sydney University Agricultural Society
Sydney University Architecture Society	Sydney University Designers Association
Undergraduate Arts Students Society	Sydney Arts Students' Society
Sydney University Dental Undergraduates Association	Sydney University Dental Association
Sydney University Economics Society	Sydney University Economics & Econometrics Society
Sydney University Education Society/Sydney University Social Work Students' Association	Education and Social Work Society
Sydney University Engineering Undergraduates Association	Sydney University Engineering Undergraduates Association
Sydney University Law Society/Sydney Campus Undergraduate Law Society	Sydney University Law Society
Sydney University Medical Society	Sydney University Medical Science Society
Sydney University Nursing Society	Sydney University Nursing Society
Sydney University Pharmacy Association	Sydney University Pharmacy Association
Sydney University Science Society	Sydney University Science Society
Sydney University Veterinary Society	Sydney University Veterinary Society

10. I note that the Sydney University Medical Society is the representative body for all medical students enrolled in the University of Sydney Medical Program, which now only represents graduate entry degrees and, therefore, does not include members of the student body as defined by section 1(a) of the *Constitution*. The Sydney University Medical Science Society is a faculty endorsed society for students undertaking the Bachelor of Science (Medical Science) at the University of Sydney.
11. At the time of enacting Schedule One of the *Constitution*, the student body had included the societies of all faculties and University schools. It is clear that this principle should be maintained. Since the enactment of Schedule One, the faculty and school structure within the University of Sydney has changed. Having regard to rules 2.2 and 2.3 of the *University of Sydney (Governance of Faculties and University Schools) Rule 2016*, the University is currently composed of the following faculties and schools:
- a. Faculty of Arts and Social Sciences
    - i. School of Economics

- ii. The University of Sydney School of Education and Social Work
- iii. School of Languages and Cultures
- iv. School of Literature, Art and Media (including Sydney College of the Arts)
- v. School of Philosophical and Historical Inquiry
- vi. School of Social and Political Sciences
- b. The University of Sydney Business School
- c. Faculty of Engineering & Information Technologies
  - i. School of Aerospace, Mechanical and Mechatronic Engineering
  - ii. School of Chemical and Biomolecular Engineering
  - iii. School of Civil Engineering
  - iv. School of Electrical and Information Engineering
  - v. School of Information Technologies
- d. Faculty of Health Sciences
- e. Faculty of Medicine and Health
  - i. The University of Sydney School of Dentistry (Sydney Dental School)
  - ii. The University of Sydney School of Medicine (Sydney Medical School)
  - iii. School of Medical Sciences
  - iv. The University of Sydney Susan Wakil School of Nursing and Midwifery (Sydney Nursing School)
  - v. The University of Sydney School of Pharmacy (Sydney Pharmacy School)
  - vi. The University of Sydney School of Public Health (Sydney School of Public Health)
  - vii. And clinical schools:
    - 1. The University of Sydney Central Clinical School
    - 2. The University of Sydney Children's Hospital Westmead Clinical School
    - 3. The University of Sydney Concord Clinical School
    - 4. The University of Sydney Nepean Clinical School
    - 5. The University of Sydney Northern Clinical School
    - 6. The University of Sydney Adventist Hospital Clinical School
    - 7. The University of Sydney Westmead Clinical School
    - 8. School of Rural Health (Dubbo/Orange)
    - 9. The Broken Hill University Department of Rural Health
    - 10. The University Centre for Rural Health (Northern Rivers)
- f. Faculty of Science
  - i. School of Chemistry
  - ii. School of Geosciences
  - iii. School of History and Philosophy of Science
  - iv. School of Life and Environmental Sciences
  - v. School of Mathematics and Statistics
  - vi. School of Physics
  - vii. School of Psychology
  - viii. The University of Sydney School of Veterinary Science
- g. The University of Sydney School of Architecture, Design and Planning
- h. The University of Sydney Law School
- i. Sydney Conservatorium of Music

12. It is discernible that the intent of the student body was to provide student clubs and societies from all faculties and University schools (not schools within a faculty) to have representation. Thus, new societies for new faculties and University schools should be included. Therefore, the following Faculty Societies should, by implication, be included in Schedule One of the *Constitution*:
  - a. Sydney University Business Society
  - b. Conservatorium Students' Association
  
13. The Faculty of Health Sciences will be consolidated to the Faculty of Medicine and Health on a future date pursuant to rule 2.2(2) of the *University of Sydney (Governance of Faculties and University Schools) Rule 2016*. Until this date is determined and the consolidation is finalised, the Sydney University Health Society should have representation and be included in Schedule One of the *Constitution*.
  
14. This interpretation does two things. Firstly, it provides that all Faculty Societies that are explicitly listed in Schedule One (in the name listed or as transformed) continues to have representation even if the faculty has become a school within a faculty. This preserves the historical practice and conforms with the plain and ordinary text in Schedule One. Secondly, societies representing new faculties and University schools are included in Schedule One of the *Constitution*, which best adheres to the intent of the student body.
  
15. For these reasons, I concur with the interpretation of the Chairperson of the Standing Legal Committee, Xiaoman Zhu.

## **APPENDIX FIVE**

### **QUESTION**

How should the number of Representatives be calculated as per the Constitution?

### **CONSTITUTION PROVISIONS CITED**

#### **Section 3**

(a) The number of representatives shall be calculated by providing for one representative for every one thousand (1000), students enrolled in an undergraduate degree, or part thereof, and if the result is an even number by then raising that number to the next odd number, provided that the number of representatives shall be no less than twenty nine (29).

(b) The Electoral Officer shall determine each year prior to the Annual Elections in September, the number of Representatives under subsection (a) above, and the number so determined shall remain unchanged until the next Annual Elections.

### **INTERPRETATION**

The Executive, acting as the Chairperson of the Standing Legal Committee, makes the following interpretation:

Section 3 of the Constitution gives the Electoral Officer the ability to set the number of Representative each year prior to the Annual Elections depending on the number of students enrolled in an undergraduate degree. The student body has been fluctuating above and below 34,000 students in 2017 and 2018. In March 2017, there were 34,012 undergraduate students. But this number fell throughout the year. Importantly and relevantly, by the time of the Annual Elections, there were under 34,000 students in both 2017 and 2018. This makes a determination very uncertain and the Council, as representatives of the student body, should consider this issue.

Any change to the number of Representatives needs to be communicated to the Council. The 2018 Electoral Officer has included in her Report that there should be an increase to 35 Representatives for the 2019 elections for the 92nd Council. Section 3 of part 8 of the Regulations requires the EO Report to be tabled to Council. This needs to be moved, seconded and voted on by the Council. Therefore, if the Report is accepted by Council, the number of Representatives for the 2019 elections shall increase to 35. If the Report is rejected by Council, the number of Representatives shall stay at 33.

## **APPENDIX SIX**

### **Opinion of Dane Luo (Vice President)**

1. I have reviewed the *Constitution and Regulations* as of April 2017, the 2010 EO Report, which increased the number of Representatives from 31 to 33, and the 2013, 2015 and 2017 EO Reports<sup>6</sup> in forming my opinion.
2. I note on the outset that the Chairperson of the Standing Legal Committee is the sole interpreter of the *Constitution and Regulations*.<sup>7</sup> However, as no Chairperson has been elected, the former Chairperson, Winston Ma, has issued an interpretation that the Executive is the interpreter of the *Constitution and Regulations*.<sup>8</sup>
3. The Council is open to all members of the student body and staff but only Representatives have the ability to vote.<sup>9</sup>
4. The *Constitution* stipulates that '[t]he number of representatives shall be calculated by providing for one representative for every one thousand (1000), students enrolled in an undergraduate degree, or part thereof, and if the result is an even number by then raising that number to the next odd number, provided that the number of representatives shall be no less than twenty nine (29).'<sup>10</sup>
5. The *Constitution* allocates the role of making that calculation to the Electoral Officer (EO), an impartial and independent person appointed by the Council.<sup>11</sup> It is the EO who determines the number of Representatives 'each year prior to the Annual Elections in September...and the number so determined shall remain unchanged until the next Annual Elections.'<sup>12</sup>
6. The 2018 EO, Karen Chau, included in recommendation 3.3 of her EO Report that 'in order to comply with the SRC's own constitutional requirements regarding student representation, the Electoral Officer should define **35 councillors** to sit on the 92nd Students' Representative Council (term commencing 1 December 2019) prior to the commencement of nominations for the SRC's 2019 Annual Elections, should undergraduate enrolment numbers exceed 33,000 students in Semester 1 2019.' (bold and underline in original).
7. Under the *Regulations*, the EO needs to provide 'a report on each election he/she has conducted and any matters dealt with by the ELA as well as a copy of the declaration [of the election]'.<sup>13</sup> It has been the practice of past EOs to also include recommendations to Council for alterations to the *Constitution and Regulations* in their Report. These recommendations are not binding and it is for the Council and student body to take the proactive step, if it wishes, to make the necessary alterations to the *Constitution and Regulations* to give effect to such recommendations.

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<sup>6</sup> I am very grateful to the Secretary to Council and Administration and Systems Manager for their assistance in providing these materials.

<sup>7</sup> *Regulations* pt 9 s 13.

<sup>8</sup> See Minutes of the 1<sup>st</sup> Executive Meeting of the 91<sup>st</sup> SRC, 4 December 2018, item 15.2.

<sup>9</sup> *Regulations* pt 1 s 17.

<sup>10</sup> *Constitution* s 3(a).

<sup>11</sup> See *Constitution* s 3(c); *Regulations* pt 8 s 3(a).

<sup>12</sup> *Constitution* s 3(b).

<sup>13</sup> *Regulations* pt 8 s 3(d).

8. The EO Report needs to 'table' the Report to the Council.<sup>14</sup> In my opinion, the act of tabling a document requires presentation to the Council. However, in the past, the Council conducts a vote to accept the Report.
9. Tabling and accepting documents are very different actions. The act of tabling a document is an antecedent step or precursor in the acceptance process. A document can be deemed to be tabled even if it is not accepted. The mere fact that the acceptance process results in a rejection is not determinative of whether a document has been tabled or not.
10. Thus, at first glance, it may appear that accepting the Report is to signify that Council has, in fact, received the Report.
11. However, by examining the history and tradition of the SRC, it reveals that accepting the Report can have consequences. In 2015, the then-Electoral Legal Arbiter, Andrew Stone, indicated that he wished to pass the role to Greg Young. This was included in the 2016 EO Report, which was accepted by the Council in Semester 1 2017. This acceptance was interpreted to constitute an appointment of Mr Young as Electoral Legal Arbiter (ELA) by the Council for the 2017 Annual Elections.<sup>15</sup>
12. Save for the appointment of an ELA, I doubt that a failure of the Council to accept an EO Report has any other effect.
13. Firstly, it would be absurd to suggest that a failure to accept the Report would invalidate or overturn the EO's final declaration of the election results. In 2015, the Council did not accept the EO Report<sup>16</sup> and that action did not have any ramifications, although the Council accepted the EO Report at a later meeting.<sup>17</sup>
14. Secondly, decisions and directives of the ELA are 'final and conclusive and binding on the EO and Council'<sup>18</sup> so I highly doubt that the ELA's actions are somehow reviewable or can be overruled by Council rejecting the EO Report.
15. Thirdly, a failure to accept an EO Report would not prevent the Council from dealing with recommendations for altering the *Regulations*.
16. In light of the above, the question that the Executive, acting as the Chairperson of the Standing Legal Committee, is being tasked to answer is: if an EO Report includes a determination about the number of Representatives for the next election, can the Council give effect to the determination or prevent its implementation by accepting or rejecting the Report?
17. It is clear from the plain and ordinary meaning of the words in ss 3(a), (b) of the *Constitution* that it is for the EO, not the Council, to determine the number of Representatives. This is based on a formula prescribed in s 3(a) of the *Constitution* and the student data that the SRC receives from the University of Sydney.

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<sup>14</sup> *Regulations* pt 8 s 3(d).

<sup>15</sup> See 2017 Electoral Officer Report, item 2; *Regulations* pt 8 s 28(a).

<sup>16</sup> Minutes of the 1<sup>st</sup> Special Council Meeting of the 87<sup>th</sup> SRC, 15 April 2015, item E (on page 2, '[w]hile recommendations of the electoral report were discussed and accepted[,] the Report of the electoral officer was not accepted'). For completeness, I note that the *Regulations* governing the Annual Elections were amended on 5 April 2017.

<sup>17</sup> Minutes of the 3<sup>rd</sup> Regular Council Meeting of the 87<sup>th</sup> SRC, 6 May 2015, item E.

<sup>18</sup> *Regulations* pt 8 s 31(b).

18. Part 8 s 3(c)(i) of the *Regulations* states that the EO '[s]hall act in accordance with and apply the provisions of the Constitution and these Regulations...but otherwise shall not act on any direction of the Council or its office-bearers' (my emphasis in underline). The fact that the EO does not lead or answer to the Council is well known and has been historically applied.<sup>19</sup>
19. It has been suggested to me that a determination about the number of Representatives on the Council and an appointment of an ELA are not so different. Thus, if appointing an ELA can be done by accepting an EO Report, why can't a determination about the number of Representatives? I disagree. A determination about the number of Representatives is distinguishable from a recommendation on the appointment of an ELA for several reasons. Firstly, it is expressly stated in the *Regulations* that the Council appoints an ELA<sup>20</sup> whereas it is expressly stated in the *Constitution* that the EO determines the number of Representatives. Secondly, I am of the opinion that the EO can make a determination under s 3(b) of the *Constitution* without including it in their Report. A determination can be made at any time provided it is communicated 'prior to the Annual Elections in September' and one of those means of communication is by inclusion in the EO Report. This is contrasted against the situation where an EO recommends an individual to be the ELA, which requires the additional step of confirmation by Council to have effect.
20. When reading the *Constitution* and *Regulations* as a whole and having regard to the practice, history and tradition of the SRC, I am persuaded to the view that the EO's determination under s 3(b) of the *Constitution* is an independent and arbitrary exercise of a power that is neither reviewable by nor subrogated to the Council. The EO has the power to exercise the function regardless of any direction, approval or disapproval of the Council.
21. I believe that it is good practice for the EO to consult with the Council<sup>21</sup> but neither the *Constitution* nor the *Regulations* make consultation a prerequisite to the exercise of the EO's power.
22. On this basis, I conclude that the Council can not, by rejecting the EO Report, override the decision of an independent and impartial EO. For completeness, if a student feels aggrieved by an act or decision of the EO, they can lodge an appeal in writing to the ELA.<sup>22</sup> I understand that I am the lone dissenter on this question. I regret that I cannot come to the same conclusion to a majority of the Executive, whose opinion prevails on this question and which I unfeignedly respect.

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<sup>19</sup> See Minutes of the 7<sup>th</sup> Regular Council Meeting of the 90<sup>th</sup> SRC, 1 August 2018, item L3 (on page 6, '[t]he Secretary to Council Julia Robins clarified that the EO does not take lead or answer to the council as situated in the constitution and regulations').

<sup>20</sup> *Regulations* pt 8 s 28(a).

<sup>21</sup> See, eg, Minutes of the 7<sup>th</sup> Regular Council Meeting of the 90<sup>th</sup> SRC, 1 August 2018, item L3.

<sup>22</sup> *Regulations* pt 8 s 29(d).