

## **La Trobe Student Union Council Meeting** **Business/Agenda**

### **Council Meeting:**

The *second* meeting of the La Trobe Student Union (LTSU) will be held on Tuesday 15 September 2020 at 3pm AEST via Zoom link online.

Meeting opened by the chair at: 3:03pm

### **LTSU Council Meetings – Preamble and Reminders for Student Behaviour**

Due to a preliminary investigation which includes but is not limited to the conduct of student behaviour at LTSU council and student meetings, LTSU has received a list of recommendations and directives that we will be working to implement today and over the coming weeks to ensure these meetings are a safe space for all, and that they are productive and conducive to the work undertaken at LTSU for all.

**All students and staff** present must conduct themselves with the upmost of professionalism and refrain from making any slanderous or defamatory comments. You are expected to be respectful and considerate at all times.

**All questions must be relevant to the reports** being given and all office bearers and executives can choose whether they will allow questions or not

All meeting will be taped from this point forward and made available to the university as part of the complaints process only

All minutes from the meeting will be provided via the LTSU website at the earliest opportunity

A staff member will be present at every meeting moving forward and will assist the chair in ensuring that any conduct that occurs is in line with all OHS requirements and that a duty of care is exercised as required. Any conduct that is considered to be harmful or inappropriate will result in the removal of the offending student immediately.

### **LTSU Code of Conduct**

The LTSU Code of Conduct has been attached for your reference and the chair takes this opportunity to highlight **clause 3.7**

**LTSU members shall not engage in discrimination, sexual harassment or intimidation against another LTSU member, prospective member, member of LTSU staff or La Trobe University students or staff. For the purposes of the last sentence, “discrimination” is taken to mean direct or indirect discrimination on the grounds**

**of nationality, race, gender, gender identity, sexual orientation, age, gender identity, disability, marital status, parental status or status as a carer, physical features, political belief or activity, pregnancy or religious belief or activity.**

#### **LTSU Standing Orders**

The standing orders are also attached for your reference and the chair takes this opportunity to highlight **clause 2 and relevant subsections**

2.1 Subject to the regulations, at every meeting of LTSU after attendance and Apologies, the President will be the chairperson of the meeting. In the event that the President is not present or decides to vacate the chair the Education Vice-President will take up the role of the chair. If neither the President nor Education Vice-President is available to take up the role of chair the LTSU council will elect a chair from General Members

2.2 The chairperson shall be heard without interruption and when he/she rises during debate, all discussion shall cease.

2.3 Should the chairperson decide to take part in the debate on any question, they shall leave the chair and call upon another member to act as chairperson until the conclusion of the debate and the vote, if any, thereon.

2.4 The chairperson shall maintain order any may at any time, adjourn a meeting which, in his/her opinion, has become disorderly for such period as he/she thinks fit.

2.5 Any member desiring to speak shall rise in his place or otherwise indicate his/her intention and will be placed on the speaking list

The chair also takes this opportunity to highlight **clause 4 and relevant subsections under the LTSU Standing Orders**

#### **4. Formal Debate**

4.1 The chairperson shall, as far as practicable, call on speakers for and against a motion of amendment alternatively, subject to the right of the seconder to speak immediately after the mover. If two consecutive speakers have both argued for or against a motion or an amendment and there is no member wishing to argue the opposite side, or in the case of a motion, to move put without debate

4.2 Discussion shall be confined to the motion under consideration, subject to the Sections 3.7 and 4.1.

4.3 Every member desiring to speak shall address her/himself to the Chair.

4.4 Members shall:

- address remarks to the chairperson in restrained and courteous language
- relevant to the matter under discussion
- not use offensive or objectionable language
- not behave in a disorderly manner
- respect the authority of the chairperson at all times

4.5 Each person will be limited to five minutes for his speech and may speak only once, provided that the mover shall have her/his right of reply.

#### **LTU Charter of Student Rights & Responsibilities**

The LTU Charter of Student Rights & Responsibilities are also attached for your reference and the chair takes this opportunity to highlight **Part C – Behaviour & Wellbeing – section 6**

- 6) You are responsible for:
- a. Behaving in a respectful manner at all times towards fellow students, staff and members of the broader University community and its partners;
  - b. Valuing diversity and everyone's right to make a respectful contribution;
  - c. Engaging in positive behaviours and using language which does not cause offence, physical/ emotional injury or intimidation to another person;
  - d. Using social and other electronic forms of media appropriately and refraining from using it to vilify, intimidate, isolate or bully another student, staff member or member of the broader University and general community;
  - e. Behaving professionally when representing La Trobe on student placements, on overseas programs, volunteering and at sporting or other University sponsored events;
  - f. Using University property and resources safely, in a way which will not endanger others or cause unnecessary damage or reputational risk;
  - g. Taking an active role in contributing to an environment that is safe and free from discrimination, harassment, vilification and victimisation;

Reporting unacceptable behaviour or concerns and participating in a complaints process as required

### **Meeting Business:**

Acknowledgement of Country

1. Procedural Matters
2. Motion for Notice of Election
3. Motion to consider Temporary LTSU Election Regulation Amendment
4. Motion to open a council investigation into the proposed LTSU amalgamation

### **Acknowledgement of Country**

On behalf of the LTSU Student Council members present, we would like to acknowledge the traditional custodians of the land on which we meet today. We pay our respects to the Wurundjeri people, the Elders past and present.

### **1. Procedural Matters**

- 1.1 Attendance: Annabelle Romano (President), Ashraf Imam (Ed. Vice-President), Abhishek Madan (General Secretary), Musa Qamar (Post Graduate Officer), Warsan Tubea (Executive General Member), Areesha Nazeer (General Member), Prajulie Maharjan (General Member), Brody Tanner (MSA President), Thomas Balakas (General Member), Chloe Andrews (General Member), Arun Parvathyraj (General Member), Ahsanul Karim Fayaz (General Member), Jasmine Kinderis (Welfare Officer), Kate Benesovsky (Queer Office), Lewis Kimpton Drake (Environment Officer), Jake McGuinness (Environment Officer), Olga Novak (SSA President), Stephanie Briese (Ed.Pub Officer), Sumiyah Aziz (Women's Officer), Akshat Bodele (ISA President), Louise (LTSU Staff), Helen (LTSU Staff), Kylie D'Aloia (SSA Staff)
- 1.2 Apologies: N/A
- 1.3 Not in Attendance without Apology: Robert Campbell (Ed.Pub Officer), Cooper Dickson (Welfare officer), Hannah Lockwood (Queer Officer), Angus Turner (Activities Officer), Roja Mudundi (Women's Officer), Shehbaz Singh Sandhu (Ethno-cultural Officer), Jayde Hopkins (Indigenous Officer), Sayed Durraiz Ahmed (Ethno-cultural Officer), Chris Graham (Rabelais)

Editor), Clodie Veyrac (Rabelais Editor), Pooja Ganesh (City Campus Officer), Anushi Goyal (City Campus Officer), Kate De Witte (MASO President)

Students in Attendance: Eric Seychell (20708008), Isabella Currie (18077767), Ben Murphy (18115784), William Griffin (18917561), Durandara (19356219), Bronte (19460750), Steven Andrew (19463027), Charlotte Williams (20707664), AJ, Andrea, Andy Tuano, Anukriti, Bob Ross, Brody Mcdowell (19921665), Carina (18918810), Destiny (20423961), Georgie Beatty, Harsh Patel, Jonah Allen (20762551), Katelyn, Kathy Jordan, Sanjith Konda House, Kurt, Lani Dumas, Leah Holden, Lukas Jamieson (20363522), Matthew White (19323088), Paddy (19627782), Pheobe Meldrum, Ryan Gidley, Taksh Nanda (20185852), Tate Copeland (20362739), Taylah LJ (19348257), Kev, Jolene Green (2316428), Eamonn McGrath.

## **2. Motion for Notice of Election**

Preamble:

The LTSU student council has resolved to conduct its annual election in a constitutionally compliant manner. The timeline for certain tasks to be completed is narrowing and are now highly urgent. There are particular actions that LTSU must take in order to progress the election.

Action:

1. The LTSU student council directs the executive to inform the General Manager of the LTSU of the successful tenderer for the position of Returning Officer via email by 4:30pm AEST on 15 September 2020. This email correspondence will also be shared with governing members of the LTSU.
2. The LTSU student council directs the General Manager of the LTSU to inform the successful tenderer for the position of Returning Officer by 5:00pm AEST on 15 September 2020.
3. The Returning Officer will issue the Notice of Election by 5:00pm AEST, Friday 18 September 2020.
4. The LTSU will publish and circulate all election related material as required by the Returning Officer throughout the 2020 LTSU Annual Election.

Mover: Themistoklis Balakas

Seconder: Chloe Andrew

Speaker for: Jake McGuinness

Speaker against: N/A

Speaker for: N/A

Speaker against: N/A

Abhishek Madan commented on the motion

Motion passes

## **3. Motion to consider Temporary LTSU Election Regulation Amendment:**

This meeting of the LTSU council considers and votes on the *Temporary LTSU Election Regulation Amendment* as circulated by Jake McGuinness on 15 September, immediately, pursuant to clause 1.1 of the LTSU council standing orders.

1. Amends clause 6.3 of Temporary LTSU Election Regulations to read as follows:

*“The notice must be published at least 5 academic days before the close of nominations: (a) on notice boards on the Melbourne, Mildura, Shepparton and City Campuses if possible, and (b) on the LTSU Website”*

2. Amends clause 7.11 of Temporary LTSU Election Regulations to read as follows:

*“Nominations must close at 5.00 pm at least 5 clear academic days before the first day of voting”*

Moved: Themistoklis Balakas (General Member)

Seconded: Chloe Andrew (General Member)

Speaker for: Jake McGuinness

Speaker against: N/A

Speaker for: N/A

Speaker against: N/A

Jenna Boyd asked what the amendments are

Thomas Balakas replied

Motion passes

#### **4. Motion to Open a Council Investigation into the proposed LTSU Amalgamation**

---

Submitted: Jake McGuinness (Environment Officer)

Moved: Themistoklis Balakas (General Member)

Seconded: Chloe Andrews (General Member)

##### **Preamble**

Throughout 2020, LTSU President (Annabelle Romano) and General Manager (Elissa Khoury) have informed staff, elected representatives, and the student body, that La Trobe University would only fund one student association as of 01/01/2021, effectively forcing the LTSU, BSA, and WSA to amalgamate. In a student forum, held on the 11/09/2020 by the University, Deputy Vice-Chancellor Jessica Vanderlelie responded to questioning on the issue by publicly stating that the university had always intended to fund, “however many student associations” that remained on campus, and that any pressure to amalgamate came from within the student associations. If true, this would imply serious misconduct from both the general manager and president, misleading the student body and board members of the LTSU Inc. In light of this, the LTSU Council immediately calls for an investigation into the matter, so the truth can be ascertained, and appropriate further action can be decided upon.

##### **Platform**

---

1. Following the La Trobe All-Student Forum, (11/09/2020), council recognises the urgent need for clarity regarding the proposed LTSU/WSA/BSA amalgamation
  - a. Council notes that comments made by Deputy Vice-Chancellor Jessica Vanderlelie regarding amalgamation, directly contradict statements made by LTSU President, Annabelle Romano, and LTSU General Manager, Elissa Khoury.
2. Council reaffirms the legal responsibility of the general manager and president, to provide honest and accurate reports to council regarding issues of governance.
  - a. Council formally reminds all members and staff of its constitutionally stated status and responsibility
    - 30.1 The Student Council is the governing body of the Student Union.*
    - 30.2 The Student Council is responsible for both the governance and management of the Student Union.*
3. Council recognises the need for further information before deciding if, and what, disciplinary action to take
  - a. Council recognises the need for an immediate formal investigation, given the seriousness of the allegations

---

#### **Action**

1. Council calls for an investigation into the actions of the LTSU general manager and president relating to the proposed LTSU Amalgamation
  - a. Council directs the immediate opening of nominations for the investigator, to be decided by a simple majority vote of council.
    - i. Council notes that to be eligible to nominate, you must be both a student and governing member of the LTSU.
2. Council directs the investigator to report back to council on their findings at the October Council
  - a. Council resolves that the report will be considered as the first agenda item after the acknowledgment of country at the October Council
  - b. Council directs the investigator to attempt to answer the following questions in their report back, noting that these questions serve to identify key areas of interest rather than limit the scope of the investigation
    - i. Did La Trobe University inform the LTSU that they would only fund one student association as of 01/01/2021?*
    - ii. Did the LTSU President or General Manager, knowingly mislead council regarding the proposed amalgamation?*
    - iii. Did the LTSU President or General manager, knowingly misuse LTSU funds or power granted by their positions to pursue amalgamation, and if so did they do so for their own benefit?*
3. Council directs staff and office-bearer to provide any relevant information or assistance to the investigator in a timely manner
  - a. Council includes, but does not limit, this assistance to;
    - i. Communication with the university regarding amalgamation*

- ii. Internal communication regarding amalgamation
  - iii. Communication with lawyers/law firms regarding amalgamation
  - iv. All minutes taken from Project Team meetings
  - v. All relevant staff and elected representatives submitting to questioning, via Zoom, with the investigator, should they deem it necessary
4. Council resolves to formally consider appropriate disciplinary action upon the completion of the investigators report back.
  5. Council directs the LTSU project team to cease all meetings and actions relating to amalgamation, until the completion of the investigation.

Thomas Balakos waived his speaking rights to Jake McGuinness

Will Griffin spoke to the motion

Jake McGuinness spoke to the motion

Will Griffin responded

Kate Benesovsky asked Jake McGuinness a question

Jake McGuinness replied

Kate Benesovsky noted the conflict of interest in the motion by having a governing member and student as the investigator

Brody Tanner spoke to the motion

Thomas Benesovsky replied

Stephanie Briese spoke to the motion

Ben Murphy's mic wouldn't work, he noted in the minutes " a general student, I welcome an internal investigation in to the LTSU as an important first step, and should love the opportunity to see the scope of any investigation broadened"

Tate Copeland spoke to the motion

Jenna Boyd spoke to the motion

Thomas Balakos spoke to the motion

Jake McGuinness spoke to the motion

Stephanie Briese spoke to the motion

Will Griffin spoke to the motion

Kylie D'Aloia spoke to the motion

Thomas Balakos right of reply

Annabelle Romano noted in the minutes she'd like to acknowledge the hard work the regional support officers, Michelle Knights and Kylie D'Aloia, have done during this year and for the amalgamation and Project Team.

Motion taken to a vote, hung vote. Revote.

Motion taken to a vote for a second time, hung vote, revote

Motion taken to a vote for a third time. Equal amount of votes. Under section 5.1 of the LTSU Standing Orders, *"At every meeting of the LTSU Council, each elected member other than the chairperson, shall have one vote. In the case of an equality of votes, the chairperson shall have a casting vote."*

The chair voted against the motion.  
Motion failed.

Meeting closed at 4:19pm

Louise Newton-Keough contacted the chair and informed them that she told students attempting to continue the meeting that as the Chairperson has closed the meeting, the staff are now required to leave and do not recognise the meeting continuing past the official closure.