

# Submission

to

Senate Employment, Workplace Relations and Education  
References Committee

## **Inquiry into The provisions of the Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005.**

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## **Inquiry into The provisions of the Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005.**

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**June 2005**

# **RMIT Student Union Council Submission**

**to the**

## **Senate Employment, Workplace Relations and Education Legislation Committee**

The RMIT Student Union Council has prepared this submission in the light of the devastating consequences which would arise for students and university life, if the proposed Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005 is adopted. An outline of the functions and activities of the RMIT Student Union forms the first section of this submission, followed by the consequences of VSU for these functions. In the second section we outline the effects on RMIT Student Union and our experience with the Victorian VSU legislation. In the third and final section we provide the Senate Committee with a number of appendices including, statements of support for the services and functions provided by the RMIT Student Union from RMIT University staff and departments, case studies from Student Rights Officers, and the RMIT University Council policy position on VSU.

### **Part A**

#### **Assessment of the likely effect of the legislation on the provision of student services, and related consequences;**

#### **The RMIT Student Union**

The RMIT Student Union was established in 1944 as Student Representative Council. Its principle architect was John Storey Junior, an engineering student. He saw the need for students to organise collectively around issues that affect them. The Student Union has a rich history in student representation and student service provision and continues that tradition today.

As the only independent student representative organisation at RMIT the Student Union has been actively involved in representing the interests of RMIT students both within RMIT and to the broader community. The RMIT Student Union provides the only independent student voice at RMIT. Whether this is at University committees, meetings with University officials, public forums, through state and federal government submissions or to the broader community, the Student Union represents the interests of RMIT students.

The Student Union operates offices across six locations, with 37 democratically elected student representatives and 38 full and part-time staff members. The Student Union firmly believes in students having control over their own affairs, hence it is a body run wholly by and for students. The organisation works to represent students, promote their interests and provide important services both on and off campus. Specifically the constitutional role of the RMIT Student Union is:

- To advance the education, welfare, social life and cultural activities of its members.
- To represent and safeguard members of the Student Union in matters affecting their interests and rights.
- To afford a recognized means of communication between members of the Student Union, the RMIT Administration and other authorities and organisations.
- To endeavor to achieve changes to the University's structure, policies and procedures so that all of these encompass the principles of equal opportunity and affirmative action.
- To facilitate the effective co-ordination of student representation on all University bodies.<sup>1</sup>

The RMIT Student Union is a non-profit organisation and all our available funds are directed into those areas which students, through their elected representatives, have identified as requiring attention. It is important to note that the Student Union is predominantly funded by the collection of the CNAF/SSAF with no further fees required for the majority of our services.<sup>2</sup>

## **Current RMIT fee arrangements**

At RMIT the Compulsory Non Academic Fee (CNAF) from Higher Education students and the Student Services and Amenities Fee (SSAF) from TAFE students, is collected on a per credit point and per contact hour basis, respectively. A full time Higher education student pays a maximum of \$375 per year and full time TAFE P Profile students pays a maximum of \$145 per year.<sup>3</sup>

RMIT Financial services group has projected the total income from these fees in 2005 to be \$9.62 million. These fees are allocated to the following three organisations/divisions for the provision of student services, activities and facilities:

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<sup>1</sup> *Extract of the Student Union aims and objectives, a full copy of the aims and objectives can be found in the RMIT Student Union Constitution, as amended 2003.*

<sup>2</sup> *See Appendix 1 for a list of the services offered by the RMIT Student Union*

<sup>3</sup> *These fees relate to metropolitan on campus students. Higher education non metropolitan full time students pay a maximum of \$95 and on line students pay a maximum of \$25. TAFE fulltime non metropolitan P profile students pay a maximum of \$34, all L profile students pay a maximum of \$34 and all TAFE on line students pay a maximum of \$14 per year.*

RMIT Student Services	\$328,478
RMIT Student Union	\$3,557,636
RMIT Union	\$5,741,434

## **Membership**

It is important to note that membership of the two student organisations is voluntary, with opt out provisions available to all students at the time of enrolment. If students choose to opt out of membership this does not affect their access to the services, functions or activities that are provided by the student organisations. Membership of the Student Union is not contingent on payment of a fee. The fee is charged regardless of whether a student chooses to be a member or not. However, in cases of hardship there are processes in place for students to have the fee waived.

If this Bill were to be passed in its current form, the range of services, activities, facilities and representation provided currently by student organisations could not be sustained in 2006. Some activities would be subject to drastic cuts while others would disappear altogether. Under such conditions, the vibrant culture and student experience at RMIT would be greatly diminished.

## **A snapshot of recent times**

As RMIT's student population has grown and diversified so have the demands placed on the Student Union. The organisation has evolved significantly since RMIT has become a University particularly with the increases in the international and postgraduate student populations. Specifically, over the past ten years we have seen the establishment of the:

- International Students' Department and an International Students' Officer;
- RMIT Postgraduate Association and a Postgraduate Students' Officer;
- Environment Department and an Environment Officer;
- RMIT Food Cooperative;
- Queer Department, a Queer Officer and the Queer Lounge and Resource Centre;

We have also seen the evolution of:

- SRA (Student Radio Association), which has developed into SYN FM, providing youth and students with a remarkable opportunity in broadcasting;

- RMITV becoming the principle contributor to Channel 31 (Melbourne Community Television) providing students with unprecedented opportunities in multimedia experience;
- The RMIT Student Rights Kit. In the early 1990's the Student Union commenced producing Student Rights Leaflets on issues of major concern to students. The Student Rights leaflets have evolved into a significant resource utilised by students and RMIT staff. Each year there are thousands of hits onto the Student Rights section of the Student Union website. So far this year over 20,000 leaflets have been distributed on campus (this is across all campuses and sites).

The needs of students has led to the proliferation of student related information and publications produced by the Student Union. Currently the Student Union produces or contributes towards the following publications:

- The Student Rights Kit – 35 leaflets on issues regarding the academic and welfare rights of students
- The Student Staff Consultative Committee Handbook – available electronically and in hardcopy form. Over 550 copies were distributed to students representatives in 2004
- 'Swick' Newsletter - Brunswick
- The Postgrad – newsletter produced by the RPA on postgraduate issues
- The RMIT Postgraduate Handbook
- Education and related Broadsheets
- Clubs and Societies Handbook
- Salaam RMIT – Muslim students handbook
- 'Catalyst' and 'Don't Panic' – student newspapers
- Havoc – women's edition of catalyst
- Mutiny -Queer edition of Catalyst
- Eccocentric – Environment edition of catalyst
- Student Workers Rights Website\*
- Revere (women's publication at Bundoora)
- Apprentice and Trainee Rights Handbook\*
- RMIT Student Diary\*<sup>4</sup>
- TAFE Talk (TAFE student newsletter)
- How to run an event
- How to seek sponsorship
- Beginners Event guide
- Beginners Event budget

Furthermore, many initiatives and campaigns of the Student Union have also lead to the development of University policies, procedures and commitments:

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<sup>4</sup> Publications with asterisks are jointly published or funded with other RMIT bodies/divisions

- In 2003 a joint campaign between the Student Union and RMIT staff led to the establishment of the RMIT Refugee and Asylum Seeker Project
- In the late 1980s to early 1990s the Student Union proposed and advocated for the creation of Student Staff Consultative Committees at RMIT. This is now one of the most significant ways RMIT students can have active participation in their education. The Student Union produces the training manual and assists with the training.
- The RMIT Student Union ran Sexual Harassment campaigns in the 1980's that were instrumental in the development of RMIT's Sexual Harassment policies and procedures.
- Campaigns surrounding childcare, anti racism, gender inclusive language, student rights amongst others has led to the development of relevant policies and procedures and commitments.<sup>5</sup>

The structure of the Student Union has evolved over the 60 years the organisation has been around, as have its activities, in accordance with the needs of students at RMIT. However, one thing has always remained constant – RMIT students have always made the decisions regarding the direction of the Student Union, what we do, where we do it, how we do it. RMIT students adopted the constitution in a referendum in 1993, and it is students who have determined the funding allocation and priorities of the organisation. Where and when there is change to the structure, role and activities of the Student Union, in accordance with the Student Union constitution, it shall again be RMIT students who determine this.

The sections below titled Student Representation and Student Support and Campus Life discuss in more detail the role undertaken by the RMIT Student Union and the benefits to both students and the University community.

## **Student Representation**

The RMIT Student Union represents almost 60,000 students across both sectors and all campuses. RMIT has supported and valued student representation which is essential to its feedback mechanisms and to ensure that RMIT provides quality education. In the “Strategic Plan and Direction to 2006” RMIT declares itself a student-centred institution<sup>6</sup>. Adequate and supported student representative processes are crucial for this to be maintained. Indeed the AUQA Audit Report 2003 found that improvements could be made to these processes at RMIT and recommended,

That RMIT increase the opportunities for students to interact meaningfully with policy development and decision-making at all levels.<sup>7</sup>

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<sup>5</sup> See Appendix 2 for more recent achievements of the Student Union.

<sup>6</sup> RMIT University, *Dissolving the Boundaries: Building a Sustainable RMIT, Strategic Plan and Direction to 2006*, p3

<sup>7</sup> Australian Universities Quality Agency, *Report of an Audit of RMIT University, December 2003*, p38

The RMIT Student Union engages with the University for precisely this aim. It represents students most directly by nominating and/or resourcing elected student representatives on many university committees such as Academic Board, Programs Committee, Students Committee, University Council and various working parties. Such representation is the most immediate way for the University to get student perspectives on its day-to-day operations and allows the Student Union to play an important role in bringing about constructive change within the institution. The Student Union also represents RMIT students' interests through input into the development of RMIT policies and procedures and more broadly through submissions to government inquiries like this one and the recent Senate Inquiry into Student Income Support.

Another key role of the Student Union has been in the training of student members of Staff Student Consultative Committees, which are a critical program-level feedback mechanism for the Institution. Having trained student representatives assists the process of achieving positive outcomes for students and staff of RMIT.

In the case of the RMIT processes breaking down, the Student Union provides professional Student Rights Officers to independently advocate on behalf of individual students or groups of students with specific complaints or issues. The Student Rights Officers help students to voice their concerns and can advocate and represent these students where necessary and ensure that their rights are upheld.<sup>8</sup>

With the intent of improving the quality of education that RMIT students receive, the Student Union also informs relevant RMIT staff of systemic ongoing problems that may be occurring so that improvements can occur. For example, poor quality teaching, lack of adequate equipment, limited access to learning resources, administration problems, poor quality of training, lack of access to teaching staff, and unclear learning objectives among many others are all issues which have been raised by the Student Union and have since been reflected in VET Graduate Surveys<sup>9</sup> and in the Top 10 Student Concerns Report.<sup>10</sup> The raising of these issues by the Student Union facilitates awareness across the institution of problem areas. If they are addressed in a timely fashion then the quality of the educational experience of RMIT students will vastly improve.

In addition the Student Union helps to develop preventative strategies such as the development of the Student Rights Information Kit, the Muslim Students' Handbook, the Apprentice and Trainee Rights Handbook, ongoing campaigns like Healthy Living Week with the Campus Nurse Service, or the 'Your Work Your Rights' website with the RMIT Union Legal Service. Each of these initiatives are

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<sup>8</sup> See Appendix 4 for Student Rights Office Case Studies

<sup>9</sup> RMIT Institutional Research Consultancy Unit, *VET Graduate Outcomes (2003)* p3. & *VET Graduate Outcomes (2004)*, p6

<sup>10</sup> RMIT University, *Student Feedback, Top 10 Student Concerns and Positive Perceptions Report, 2004*, p11



examples of the Student Union contributing to the general raising of awareness amongst the staff and students of the RMIT community to foster a vibrant and healthy learning environment within the institution.

The Student Union also has a role to play in representing students' concerns to the wider community on social, educational and international issues such as indigenous rights, the detention of asylum seekers, women's rights, sexuality issues, student poverty, and environmental concerns to name a few. In this, the Student Union contributes to a healthy and functioning democratic society.

In all the ways outlined above the representative functions of the Student Union are invaluable to RMIT and contribute significantly to the well-being and positive educational experience of RMIT students.

## **Student Support and Campus Life**

International research demonstrates that “the decisive single factor in affecting college outcomes is the degree to which students are integrated into the life of the campus, interact with faculty and peers, and are involved in their studies.”<sup>11</sup> While RMIT provides important services in these areas, the primary work to ensure that university students are adequately supported and provided with sufficient outlets for social interaction is done by the student organisations. This work, while vital for all students, is particularly relevant for students from rural, regional and overseas origins, a growing section of RMIT's diverse student cohort.

Students also recognise the importance of non-academic services and activities in their academic careers. Campus life consistently appears in student feedback as both a positive perception of RMIT and a high level concern.<sup>12</sup> In order to improve on graduate satisfaction survey results, emphasis on these areas is essential.

The RMIT Student Union supports students and campus life in a variety of ways. One of the largest areas of our work is through the Activities department which provides on-campus entertainment – food, music, discounted tickets, national student competitions for bands, DJs, comedians and artists and other on-campus activities – and the provision of short courses ranging from Responsible Service of Alcohol certificates to singing lessons and palm reading. The staff and students of the Activities department also play a leading role in the coordination

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<sup>11</sup> Davis, T. and Murrell, P. (1993) *Turning Teaching into Learning*, ASHE-ERIC Higher Education Reports No. 8, School of Education and Human Development, the George Washington University, Washington, D.C. See also McInnis, C. (2001) *Signs of Disengagement?: the changing undergraduate experience in Australian universities*, Centre for the Study of Higher Education, the University of Melbourne, Parkville and Baldwin, G. and McInnis, C. (2002) *The Organisation of the Academic Year: Trends, implications and issues*, Centre for the Study of Higher Education, The University of Melbourne.

<sup>12</sup> RMIT University (2004) *Student Feedback: Top 10 Student Concerns & Positive Perceptions Report.*

and administration of the Orientation, Mid Year Orientation and Disorientation program, in conjunction with the RMIT Union and RMIT University.

Student Union resources are also allocated to supporting the work of clubs and societies at RMIT. Whether it be the Beer Appreciation Society or the RMIT Islamic Society, there is a social, political or religious group on campus to cater for most students' needs. National Based Associations also provide an important resource for newly arrived international students, allowing them an opportunity to develop friendships and social networks that are essential to successful academic outcomes.

Certain student cohorts have particular needs for support. Universities do not exist in social isolation and reports of negative attitudes towards gay, lesbian, bisexual, transgender and intersex students and sexism do continue. Through the provision of physical spaces, support groups and referral networks, the Queer and Womyn's departments provide important resources in combating these negative attitudes and supporting the academic goals of these students.

RMIT's Refugee and Asylum Seeker Project, developed with the Student Union, relies heavily on the Student Union's commitment to financially assist these students. An initial commitment of \$100,000 is topped up annually with \$33,000 to provide these students with important financial support, support which the government does not provide, allowing them to accept and complete their programs at RMIT.

Student Union support also extends to assisting general students with the increasing financial burden of study through the provision of a well-stocked and popular Second Hand Bookshop. Many students have commented on the importance of this resource in providing students with an affordable alternative to expensive required textbooks.

The RMIT Student Union resources three important outlets for students studying media, journalism and design – the two student newspapers 'Catalyst' and 'Don't Panic', RMITV and SYN FM. As a result of this longstanding support, RMIT is in a unique position in Australian higher education in being able to offer on-campus training in the three major mass media, a key positional value for the university in recruiting and retaining student journalists, artists and designers.

The campus environment has also been an important historical focus of the Student Union. From the development of the Rooftop Garden to the establishment of the volunteer-run Food Co-op, environmental campaigns and resources contribute to a socially aware student body, healthy food outlets and a green campus.

As can be seen, the RMIT Student Union is much more than a representative body. Without support for the ongoing work of the Student Union, there is a strong risk that RMIT University's vibrant campus life will wither.

## **Possible Effects of VSU on the Student Union**

### **1. Political**

The primary goal of the legislation is to restrict the ability of students to politically organise. Whether it is in defence of students' interests on campus, campaigning around federal government policies on education, or paying for buses to protest against mandatory detention at Baxter, the decisions of Student Unions are made democratically and are held accountable to the student body through annual elections, collectives and other processes. The legislation will severely restrict the ability of students to control where their money is spent, to influence the decision-making of universities and to organise against government decisions that affect their lives.

In 2006, the Student Union will have a massively reduced membership (probably in the order of 10% to 30% of the total student base). This will result, amongst other things, in an inability to claim total representation of students' interests and an increased focus by the university on surveys and statistics, rather than engagement and dialogue, to determine students' needs.

In addition, the Student Union is likely to become reliant on external funding sources (sponsorship, state government support, university funding) to continue operations. This will understandably have an impact on the independence of the Student Union. Reliance on external funding sources may lead to a conservatism in outlook and will likely result in a less effective representative voice for students.

Other political functions that are likely to disappear under this form of VSU include:

- Elections of student representatives;
- Paid office bearers; and
- Student media – Catalyst, RMITV, SYN FM
- Collective Campaigns on issues of concern
- Informative broadsheets, newsletters and leaflets

### **2. Financial**

If the legislation goes through in its current form, there will be a serious impact on the financial state of the Student Union.

While it is never wise to make broad generalisations based on historical circumstances that may be different to current situations, the experiences of Western Australian student organisations, affected by similar legislation between 1994 and 2002, give us some clues as to what the effect on RMIT may be.

One of the key differences between the WA experience and RMIT is that all WA universities had unified Guild structures. This had benefits in that all Guilds had an ability to provide discounts on services and other 'hip-pocket' incentives to students to join. It also had negatives in that an over-emphasis on recruiting, marketing and services limited the political effectiveness of the Guilds. Interestingly, the Guild that focussed most on political representation and least on discounts (Murdoch) maintained the highest level of membership throughout VSU.

Regardless, the Western Australian Student Guilds were forced to drastically reduce their membership fees to attract members, with cuts of more than 50% across all campuses. In addition to this reduction in per student income, the participation rates of students decreased, stabilising at a range of 6% at Edith Cowan University to 35% at Murdoch University. The Student Guilds became heavily reliant on university funding to continue providing the services they provided and in all cases those services were restricted in comparison to a non-VSU situation.

Using these experiences as a rough guide, we have developed internal projections of 2006 income from student fees based on the following assumptions:

- 2006 SUC income from CNAF and SSAF without VSU would be roughly equivalent to 2005 SUC income;
- the continued existence of a split structure (Union and SUC) at RMIT;
- the determination that VSU applies to all TAFE and Higher Education students;
- a reduction in SUC membership fees (as in WA);
- a relatively low take-up rate in the order of 10%, reflecting the lower range of the WA experience and the realities of marketing two student organisations to students.

These projections reveal that the Student Union as we know it would not be able to function or to provide many of the services it currently provides. The Student Union is opposed to a commercialised, user-pays model of higher education. As such, we would resist attempts to commercialise Student Union services. The vast majority of Student Union services and activities are in any case unable to be commercialised. In the event of the passage of the proposed VSU legislation, these services will either not be funded or will require funding from alternative sources.

### 3. Industrial

It has been estimated by the Australasian Council of Union Managers' Association that their member organisations across Australia employ about 7,000 staff members.<sup>13</sup> This estimate does not include staff of student representative organisations, like RMIT Student Union, that are not members of this particular association. All of these jobs are potentially under threat although those that can sustain themselves commercially will fare better.

The situation of RMITSU staff is quite tenuous. As stated above the Student Union's services are not commercially viable. Should the legislation proceed in its current format, it is highly likely that the SUC will be unable to employ any staff, resulting in the redundancies of 38 permanent staff members.

### 4. Undermining universal benefits

The Student Union is fundamentally a universal service provider as it provides services universally and without prejudice to all students. The principle of universality has been derived predominantly from a philosophical position which advocates collectivity, inclusiveness and empowerment. The financial contribution made by all students has made this principle a reality to the extent that the pooling of resources creates a funding base from which non-commercial but nevertheless vital functions and activities can be made available to all students.

It is inconceivable that the majority of the Student Union services could be commercialised. To do so would significantly disadvantage the students of RMIT and reduce their ability to succeed in their academic careers.

While it is possible to perceive of a situation where Student Union services were charged at a different rate for members and non-members, in an environment where many of the functions and services cannot be financially quantified, this seems difficult at best.

Some examples may serve to make this point clearer:

- **What value should be placed on a consultation with a Student Rights Officer?** Can this be determined by some mathematical calculation of SRO's hourly rate plus administrative support? Even if it could the cost to the student would be prohibitive. What is the incentive for students to address problems internally rather than pursuing external and potentially damaging public avenues when their rights have been infringed?
- **How does one charge for the emotional and practical support a lesbian student may receive from the Queer Department?** Gay,

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<sup>13</sup> ACUMA, *Submission to the Senate Inquiry into Higher Education Funding and Regulatory Legislation*, 2003, p4

lesbian, bisexual, transgender and intersex students receive untold support through membership of and participation in the activities of the Queer Department. In some cases this is the difference between academic failure and success. Should the Student Union consider having a membership checking system at the door of the Queer Space?

- **How much should we charge for student newspapers or RMITV?** RMITV and Catalyst (along with SYN FM) provide important avenues of professional development for students studying Communication, Journalism and Design courses and their continuance is essential.
- **Should membership card swipe machines be constructed at the entrances of the cafeteria to ensure non-members do not access on-campus entertainment?**
- **What value can be placed on the representative functions of the Student Union?** When the Student Union (under VSU) directly effects changes in the policies and procedures of RMIT, should non-members have to operate under the old processes?

As can be seen the majority of these services are difficult, if not impossible, to restrict to a limited membership. This point may be made clearer if we look at the analogy of the Australian taxation system. All citizens are required to contribute financially through the taxation system even if not all citizens use or directly benefit from the services derived from the taxation income. The collective public benefit far outweighs the possible argument about the infringement of individual rights due to enforcing payment of the tax for certain services which an individual may not use. The same principle applies to the fees charged by student organisations. The Australian Competition and Consumer Commission has reinforced this position in its determination to allow James Cook University to continue collecting a fee on behalf of the JCU Student Association.<sup>14</sup>

The principle of universality continues to be held by the Student Union, not only for political reasons, but also for purely pragmatic ones. A forced non-association as proposed by the VSU legislation would be a logistical and financial disaster for RMIT student and the RMIT Student Union. Students of RMIT would either have to pay dearly for some of the services on a 'user pays' basis or would have to go without them altogether if funding from another source was not forthcoming.

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<sup>14</sup> ACCC, *Media Release: ACCC Allows JCU to Continue Enrolment Policy*, 30 April 2003

## Part B

### **“Consideration of the experience of universities and students where legislation has been adopted to regulate Student Unions, such as in Victoria and Western Australia.”**

In 1994 the Victorian Coalition government amended the Tertiary Education Act 1993. The intent of the bill was to stop student organisations from carrying out political activities by restricting their activities. This was orchestrated by stipulating a very limited list of ‘allowables’ where student fees could be expended. This attack was carried out under cover of so called Voluntary Student Unionism. The push for VSU was based on the false claim that students were being forced to join unions and pay a compulsory membership fee.

The Student Union did not recognise this as an issue of compulsory versus voluntary membership to student organisations, but rather, a blatant attempt by the government at undermining the representative role of student organisations and depoliticising and silencing a critical student movement.

At the time most Student Unions had provisions that allowed students to resign their membership. As for the ‘membership fee’ this was called a general service fee for higher ed students and the student services and amenities fee for TAFE students- a fee set by the university to provide funding for student services, activities and facilities. Whilst the Student Union and RMIT Union had been traditionally consulted about the level of this fee it remained a university-levied fee, not a membership fee.

The Student Union recognised that the whole VSU argument was a cynical attempt to disguise a union busting exercise as a human rights issue. It was obvious that the real aim of the liberals’ legislation was to stop the small amount of funding for progressive causes which was provided by student organisations and undermine their legitimacy by limiting their membership.

The main reasons student organisations came under attack was the role they played in supporting campaigns around a range of progressive causes on and off campus particularly since the 1960s. Any doubts about the real motivation for the attack on Student Unions was removed when a Victorian Liberal Party briefing document was leaked. This document stated “we do not want compulsory student moneys flowing out to anti-Kennett and anti-coalition campaigns and other fringe activities of the hard student left”.

The subsequent student campaign forced the expansion of the list of ‘allowable’ items. However the campaign failed to defend universal membership of student organisations and allowed the opportunity for greater government and university management interference into the operations of student organisations.

According to the Tertiary Education (Amendment) Act 1994 section 12 F “Limitations on powers to spend funds from the CNAF”, the CNAF was only to be spent on “...providing facilities, services or activities of direct benefit to the institution or students at the institution...relating to the provision of:

- Food services,
- Meeting rooms,
- Sport and physical education,
- Childcare facilities,
- Counselling,
- Legal advice,
- Health care,
- Housing and employment services,
- Visual and performing arts and audio-visual media,
- Debating,
- Libraries and reading rooms,
- Academic support,
- Personal accident insurance for students,
- Orientation information and
- Overseas student services.

As the government placed the powers to implement the legislation onto institutional governing bodies, different student organisations handled the implementation process differently. This resulted in varying effects on the operations of the student organisations and what activities could be or could not be funded through student fees.

Although the RMIT Student Union was able to successfully argue for the continued funding from the CNAF for many of the activities and services of the Student Union, there were also many areas which deemed non allowable. On the one hand, RMIT senior management recognised that the role and activities of the Student Union was of direct benefit to RMIT students and subsequently agreed not to force the wholesale de-funding of all our services and activities. On the other hand, the University capitulated to the government’s unwritten intentions and ceased CNAF funding to many critical areas of operation. The Student Union also had to agree to modify many of its activities in order to receive CNAF funding.

Nothing was actually specified in the act as non-allowable. Implementation was left up to the interpretation of the university management, with occasional qualifying statements from the Minister. The legislation did however allow the Minister to make regulations that may add to or place restrictions on, the categories of facilities, services or activities of direct benefit as specified in section 12 F (3). Only one regulation was enacted, this was the ‘Tertiary Education (Student Representation) Regulation 1995’. This made the funding of



student organisation elections as the only activity specifically prohibited. Although this regulation deemed 'student elections' as of direct benefit to the institution or students at the institution, it went on to deem elections to 'an organisation of students' as specifically "not included" when it defines what student rep elections are allowed.

Despite the Victorian legislation not specifying other activity as non-allowable for funding through the CNAF, there were a number of areas that were deemed as non-allowable for CNAF funding by RMIT. These included:

- Catalyst, the student paper,
- Student Union elections,
- NUS affiliation,
- CAPA affiliation, and
- Student and community campaigns.

New and exhaustive compliance measures were also imposed on the Student Union. Once the legislation was enacted the Student Union had to make comprehensive submissions to the University's Fees Advisory Service outlining the amount of CNAF funding required by the Student Union to provide the services and activities to students. In these submissions we had to detail every activity that was to be funded from the CNAF. The RMIT Business Advisory Service would then analyse the Student Union submission under great scrutiny to verify that it did not include items prohibited under the act.

Furthermore, the two student organisations at RMIT, the Student Union and the RMIT Union, had to develop and sign off on an exhaustive 'Activities, Services and Facilities List' which had to be approved by the RMIT Fees Advisory Committee. This list not only detailed the specific services, activities and facilities to be funded from the CNAF but also at which campuses and sites these were to be provided. The agreement committed both organisations to the provision of all activities and services on the list, any additions or cessation of any specific activity or service had to be approved by the University.

Additionally, at the end of the year the Student Union's auditors would then have to carry out an audit of the CNAF expenditure to verify that the funds were spent in accordance with the submission approved by the Fees Advisory Committee and the Business Advisory Service. The Student Union had an agreement with the University stating that in the event that the audit finds that there has been expenditure on activities or services prohibited under the Act, RMIT would ensure repayment of these funds through the withholding of future remittances. The Student Union went to great lengths to ensure that all CNAF expenditure and activities were within the allowable categories, and all audits confirmed the Student Union compliance.

Finally, the inadequate funding levels through the University sector at the time, coupled with the cuts in funding to University's operating budgets with the election of the Coalition government in 1996, the University commenced shifting the costs of providing student related services, traditionally funded through operating grants, to students through CNAF.

The Victorian legislation lead directly to the situation were RMIT commenced utilising CNAF funding for the provision of University operated student services, such as counselling, employment, financial aid, disability services etc. In 2004 the RMIT Student Services Group received just under \$290,000 from the CNAF. This year (2005) the RMIT Student Services Group is budgeted to receive just over \$328,000 from the CNAF.

### **The funding of non allowed items**

In 1992 the ALP federal government had amended the Higher Education Funding Act 1988, and introduced the Higher Education Funding (Student Organisations) Amendment Act 1994. This ensured that where institutions were, through State government action, prevented from collecting fees and passing them onto student organisations, the loss in funding would be paid by the Commonwealth directly to the student organisations. The initiative was commonly known as the 'Support of Student Organisation program (SOS).

In 1993 the State Grants (General Purposes) Act 1993 was also passed. Section 20 of this Act enabled the Commonwealth to recoup from the States any money paid by the Commonwealth for such purposes. In the short term this program provided both Western Australian and Victoria Student organisation affected by the State government attacks the opportunity to apply for and receive funding directly from the Federal government.

At the time the Victorian legislation was introduced in 1994 the ALP was still in federal government.

In 1995, being the first year the Victorian anti Student Union legislation was operational, the federal government through the SOS program provided funding to student organisations affected by the state legislation. Hence, the RMIT Student Union was able to largely operate with no changes in 1995. The Commonwealth government funded all areas of operation affected by the Victorian legislation. Specifically, the SOS program provided funding for:

- Catalyst, the student paper;
- Student Union elections;
- NUS affiliation;
- CAPA affiliation; and
- Student and community campaigns.

However, the Student Union was not able to get its funding application processed prior to the call of the 1996 elections. Following the change in government with the election of the federal coalition government this scheme was repealed. With a shortfall in funding of several hundred thousand dollars, the Student Union had no option than to seek funding from RMIT University to ensure the on going provision of essential services and activities.

### **The funding of non allowed activities – 1996 to 1998**

From 1996 to 1998 the Student Union submitted comprehensive funding proposals to the University to fund activities deemed as ‘non allowable’ from CNAF, directly from their operating funds.

The University agreed that the ongoing provision of Catalyst, the student newspaper and Student Representative elections, were essential and of direct benefit to students. From 1996 to 1998 the University agreed to fund these activities but at a significantly reduced level than previously funded. RMIT’s provision of funding for these activities meant that funding that should have gone to the provision of academic related services and activities came to the Student Union.

RMIT rejected the funding of affiliation fees to peak national representative bodies and other de-funded activities. The affiliation fees were significantly reduced for those campuses affected by VSU, and we were able to fund this through our meagre non-CNAF income. Funding for student and community campaigns could not be replaced. This unfortunately lead to a significant demise in the types of issues dealt with by the Student Union and further lead to the demise in the level of student activism on campus and more broadly on a community level.

Despite repeated statements by RMIT recognising the intrinsic importance of the services and activities provided by the Student Union<sup>15</sup>, the current financial situation at RMIT and the draconian measures in the proposed legislation, dictates that it is highly unlikely that the University will be able to provide the levels of funding needed to sustain the types and levels of activities and services provided to RMIT students by the Student Union.

Further, given the RMIT Student Union has traditionally committed to allocating all funding received by students in any given year to the provision of services and activities for students, rather than accumulating surpluses, there are no reserves to rely on for any level of continued operations.

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<sup>15</sup> See RMIT VC Statement of Support and Motions passed by RMIT University Council, Appendix 3

## **Conclusion**

The RMIT Student Union urges the Senate Inquiry to reject the proposed Higher Education Support Amendment (Abolition of Compulsory Up-Front Fees) Bill 2005. This proposed legislation is in no-one's interest apart from those who endeavour to silence debate and who fear the democratic right of citizens to organise collectively. Universities, students and the broader community are united in their opposition to this attempt to silence student voices, to undermine their academic and personal welfare by severely restricting services and to render the university environment lifeless.

The effects on the RMIT Student Union will be far reaching if this legislation is passed and this will have long-lasting and very negative consequences for the student body and for the University as a whole.

## Appendix 1

### Summary of Student Union services, activities and facilities funded through non academic fees

	SUC
Academic Clubs and Societies	X
Advocacy, Academic Advice	X
Bookshop, On-campus shops and retail outlets	X
Campus Media/Student Newspapers	X
Catering and Food Services	X
Concerts	X
Meeting Rooms	X
Copy Services for clubs and student groups	X
Discount Ticketing	X
Environment department	X
Event Management	X
Information and Enquiry Service	X
Interest Clubs and Societies	X
International Student Clubs and Services	X
Leisure and Social Activities	X
Market Days	X
Membership of Student Organisation(s)	X
Movie & Cinema Tickets	X
Orientation/Transition	X
Postgraduate Organisation (RPA)	X
Representation on University Bodies	X
Research support for student reps	X
Roof top garden	X
RMITV	X
Scholarship and Financial Aid	X
Short Courses	X
Student Grants	X
Student Leadership Program/Lead	X
Student Lounges	X
Student Radio Station (SYN FM)	X
Student Support publications	X
Trips and Tours	X
University Diary	X
Welfare Services	X
Womyns and queer rooms and resource centres	X

## **Appendix 2**

### **Recent Achievements of the Student Union 2004-2005**

#### **Student Information, Support and Advocacy**

- Participated in developing and running Bullying Awareness workshops for RMIT students under the age of 18. They were run in conjunction with the legal service, the Health Service and the Counselling Service.
- Supported the work of RMIT Refugee and Asylum Seeker Project (RASP). The Student Union provides much needed financial support to Refugees and Asylum Seekers studying at RMIT.
- The Student Union employs Student Rights Officers at every campus to assist students with academic problems you may face, such as appealing against assessment results, illegal fees, making a complaint about the quality of your course/program or teacher quality, etc. Student Rights Officers can attend meetings/hearings with you if you so choose.
- The Student Union publishes student newspapers, student rights leaflets, education broadsheets, campus-specific newsletters, Postgraduate Handbook, and so on. It also assists with the content and publication of the Apprentice and Trainee Booklet, the Muslim Students Handbook, and the Student Diary.
- In conjunction with the RMIT Union, the Student Union created and launched the Work Rights Website which informs students of their rights in the workplace.
- The Student Union in TAFE has a Welfare and Education Library which is expanding each year. Students are welcome to borrow books from this library from all campuses. There are titles in the areas of international politics, womyn's issues, queer and sexuality issues, indigenous rights, student activism, environmental politics and so on.

#### **Representation of students interests/campaigns on issues of concern to students**

- Fought against RMIT's proposal to increase the late enrolment fee from \$40 to \$120 – and won!
- Fought against RMIT's decision to scrap the TAFE Tuition Fee Instalment Arrangement – and won! The Tuition Fee Instalment Arrangement is now also available to Higher Ed. Students and may, in the near future, be available to international students as well.
- Presented a Morning Smoko Report to RMIT, outlining the issues faced by apprentices. Subsequently met with key RMIT staff in the area of apprenticeships and traineeships to discuss the issues and lobby for change.

- Lobbied for a Parenting Room in Building 94 which has now been provided temporarily and we now continue to fight for a permanent space to be established.
- Initiated a “Compliance Campaign” through the university decision-making committee of Academic Board/BOTS, to have it reiterated to staff of RMIT that they have to adhere to RMIT policy and procedures.
- Presented a submission to the Victorian Government Review of TAFE Fees and Charges, outlining issues such as the failure of the current concession-rate criteria to cover students who are struggling to pay the ever increasing fees; the inconsistency across states and institutions on materials fees and charges; the increase in fees without consultation with students and their representative bodies...and so on.
- Presented a submission to the Senate Inquiry into Student Income Support. The submission was developed in direct consultation with RMIT students about their experiences of the lack of adequate income support. A large number of focus groups were held on most campuses and in both sectors.
- Presented TAFE student concerns in a submission to the RMIT TAFE Review in April 2005.
- Lobbied for a bicycle enclosure to be available to staff and students of RMIT- and won.
- Launched the updated Student Rights Kit in 2004 to key members of the RMIT community to ensure that they are well-informed of the rights of students at RMIT.
- Participated and represented students’ rights in the development of RMIT Policies and Procedures (appeals against assessment; at risk processes; plagiarism; discipline and so on)
- Organised and participated in National Days of Action against the Federal Government’s funding cuts and increases in HECS .

## **Activities**

- The TAFE Student Union has continued to run ‘Morning Smokos’ (free bacon and egg breakfasts) at TAFE for apprentices and trainees. In 2004 we cooked and served 150 kgs of bacon; 2020 eggs; 203 jumbo loaves of bread; 580 litres of juice; 80 kgs of fruit salad.
- Continued providing free food and entertainment, such as free soup, donuts, BBQs, lunchtime concerts, DJ workshops at all campuses and both sectors.
- The Activities Dept. run short courses at the City campus for students, including classes in singing, piano, photography, DJ skills, food safety, and Responsible Serving of Alcohol certificate.
- Over 3,400 discounted movie tickets sold to students (number covers city campus only).
- Activities has negotiated over 2,500 free tickets to be provided to RMIT students, including the Australian Opera, advanced movie screenings, comedy festival tickets and theatre shows.

- The Student Union at Brunswick has fed over 2000 students; produced and distributed the Brunswick newsletter “Swick”; supported Fashion Students Exhibition fundraising; improved recycling facilities; distributed free condoms, pads and tampons; provided a variety of entertainment-magic, movies, djs and so on.
- All Departments across campuses and both sectors organise and participate heavily in all aspects of the Orientation of students to RMIT.

### **Ongoing Projects/Activities**

- Elected student representatives participate on a large range of RMIT decision-making committees to ensure the needs and rights of students are heard.
- The Student Union is involved in the Brunswick Cafeteria Review Committee and the Brunswick Focus Group to improve services for students at Brunswick.
- The Student Union annually produces a Student Rights Kit of information about RMIT policies and processes, and disseminates it throughout the year to students and Schools.
- The Student Union assists and resources Student Staff Consultative Committee student representatives throughout the year. If you are an SSCC rep or would like to know more about SSCC’s, contact your Student Union office.
- Provision and maintenance of Womyn’s rooms and resource libraries across campuses. There is a current campaign for the establishment of a Womyn’s room at Brunswick.
- Provision and maintenance of Queer rooms at Northern and at the City campus.
- Provision of the Food-Co-op which is run by two part-time staff members and over 20 volunteers. The Co-op has grown this year to provide bulk organic food as well as café food that caters for people with different cultural and dietary requirements.
- Collectives are run by the various departments of the SUC (Queer, Womyn’s, Welfare and Education, Activities) to provide an avenue for students to become involved and have direct input into the work/campaigns of the Student Union.



## **Appendix 3**

### **Statements of support**

#### **RMIT Vice Chancellor**

Dear Students and Colleagues

RMIT has provided long standing support for the RMIT Union and Student Union Council. RMIT University Council has also expressed its opposition to the Voluntary Student Unionism proposals of the Federal government on more than one occasion.

RMIT does not have compulsory Student Union membership, however the University does collect a fee from students to ensure the ongoing activities and services of the RMIT Union and the RMIT Student Union. This fee is distributed to a number of different areas that enhance the overall experience of our students while studying at RMIT.

Fees collected are used to provide academic support, health and welfare services, student leadership programs, cultural, social and recreational programs, sporting facilities, scholarships and grants, student publications, SYNFM (Student Radio), RMITV, indigenous and international activities, childcare and equity programs.

This year's National Day of Action on April 28, organised by various student bodies across the country, will focus on the proposed VSU legislation. On this day a number of students may choose to attend activities, commencing with an RMIT get together at 1pm in Bowen St., followed by a rally at 2pm in front of the State Library.

These activities are aimed at highlighting the important role the RMIT Union and Student Union play in life on our campuses. I support these students in their efforts and would encourage my colleagues to do the same, by ensuring that students are not disadvantaged by their attendance at these activities on the day.

It is important that the wider community be made aware of the detrimental impact of this proposed legislation on education, on the student experience and on the community.

Professor Margaret Gardner  
Vice-Chancellor

## **Motions passed at RMIT University Council meeting May 9<sup>th</sup> 2005**

“That RMIT University Council opposes the proposed Higher Education Support (Abolition of Compulsory Up front Student Union fees) Bill 2005. If passed this initiative will seriously undermine the quality of campus life and detrimentally affect the educational experience of all RMIT students.

That RMIT University Council reconfirms its recognition of the importance of the activities, services and facilities provided for students by the Student Union and RMIT Union and that they are essential to the academic, social and cultural life of the University and an integral part of the educational process.

That the Vice Chancellor communicate RMIT Council's position on this issue to the University community (students and staff) and the broader public.

In the event that the Higher Education Support (Abolition of Compulsory Up front Student Union fees) Bill 2005 is enacted, that RMIT University Council supports the Vice Chancellor is taking all possible steps to ensure that the facilities, services and activities of the type provided by the Student Union and the RMIT Union shall continue to be provided.

That University Council recognises the establishment a working party with membership including nominees from the Student Union and RMIT Union, the elected students on Council and University management, under the auspices of the PVC (Students) to examine how and what facilities, services and activities currently being provided can be best delivered within the constraints of the legislation. It is recommended that the Vice Chancellor report regularly to Council on the outcomes of these meetings, in line with the principles adopted by Council on VSU.

Finally;

That RMIT University Council resolves to mail out an open letter to all students, staff and alumni informing them the implications of this legislation and RMIT's position. This letter shall be co-signed by the Vice Chancellor, and both Presidents of the Student organisations.”

## **Student Rights Support for International Students.**

In my five years of working as the Manager, Community and Transition and the Head of the International Student Information and Support Area in Student Services Group, my team and I have relied heavily on the services of the Student Rights Officers and the Student Representatives of the Student Union Council. The Student Rights Officers are an invaluable resource that helps to advocate for students at all levels of the university, whether it be at a program level or at a university level.

The Student Rights Officers are a highly respected part of the university community because not only do they advocate for the student individually and collectively but also through their observations and professional work they provide insights into student issues, concerns and how best the institution can work to improve university practices. These insights cross all barriers of the university from administrative activities through to academic practices.

Many international students are not fully aware of the how Australian universities function or how the immigration law is administered. Sometimes, they fall prey to bureaucratic processes that may leave them open to failure and in some case exclusion from the university. Student Rights Officers act to ensure that due process occurs at all levels of the organisation and that international students get a fair go in their hearings and appeals.

How they work with the staff of International Students Information and Support is intrinsic to the safety, health, wellbeing and continued successful performance of the students at the university. They are an important aspect to the university community as they can research, advocate and protect the rights of the student and also provide the university an opportunity, through highlighting student concern, to evaluate and review its practices around student issues.

**Tim Penhall, Manager, Community and Transition, Student Services Group,  
RMIT University**

## Chaplaincy support

In my twelve years in the Chaplaincy, I have benefited greatly by the services extended by the Student Union, on all fronts: from recreation, to legal, to pastoral and academic assistance. We are dealing with a huge sector of young people who have to cope with an increasing number of intense demands, from studies and employment to more personal problems that come with young adulthood. User pays is ok. when one deals with things, but not with people. There is a world of difference between having a facility ready for needs that arise (and after all this time, the university must surely anticipate the mainstream and consistent needs), and inflicting on a student, usually already in stress, a cumbersome and inefficient process of representation and consideration before he/she gets anywhere.

One of the most basic principles of service is that one assists when help is needed, and in the way that that need is best met. There is much accumulated wisdom over the decades in the conduct of the Student Union, and evaluation keeps it accountable. What a waste to throw all that overboard because of politics. It does not take much discernment to feel that if such an extreme measure does take place (doing away with the services), these will be returned in no time at all because these services are essential components in the resources our students need in order to pursue their degrees with a feeling of well-being and continued motivation.

Lastly, I have met so many fine and dedicated people in the Student Union over the years. This is no to canonise them all, of course! But they substantiate our claims of networking.

They offer, in the business of life skills, much mentoring and understanding specially to new students. One can't put a price on that, but without building a community the university is no better than any short-sighted retail business. In the end all arguments in my mind focus on the core issue: do our decisions help us become better human beings? how does the university use its resources so that the quality of life it provides is truly educational?

Sorry, this is straight off the cuff and I wish I had more time to present my views elegantly... but am rather deluged at the moment... I also wish you to know that the National Conference of University Chaplains have similar views as yours truly  
Best wishes\_\_\_ go with blessings! Virginia Calpotura rscj

Sister Virginia Calpotura, RMIT Chaplaincy

## **Response from RMIT Counselling Service to the issue of Voluntary Student Unions**

RMIT Counselling Service has a strong liaison relationship with the Student Union in supporting students and in promoting core values of the university that include broad-based learning and personal growth in addition to academic progress, and equitable and ethical treatment that respects cultural diversity.

The mission of the Counselling Service is to assisting RMIT students to reach their academic and personal potential as part of RMIT's stated commitment to promoting a breadth of qualities in its graduates. These qualities can only be fostered by students' engagement in the wider activities of campus life offered through the Student Union. Thus the issue of Voluntary Student Unionism is about more than just the availability of recreational services on campus, and is crucial to the overall development of RMIT graduates.

As part of the role of the Counselling Service in promoting good mental health and well-being, counsellors encourage students to balance their academic pressures with positive social networks, health and fitness, building friendships and general enjoyment of campus life. In our counselling work, we often recommend and link students with facilities that include: child care, the food co-operative, clubs and societies, sports and recreation, the queer department, and the dental service and legal services among others. Students who are single parents, facing financial hardship, lonely and isolated students and international students who are making a transition, are particularly vulnerable and would be disadvantaged if these services no longer existed. Many of the students who attend counselling for a number of reasons access a range of these services at any one time and inform us of their invaluable assistance. In the view of the Counselling Service, the Student Union provides vital support to the university community in ensuring that these services are available to students.

In addition, Counselling Service frequently liaises with the Student Union in supporting students dealing with academic progress, special consideration, and equity issues. Students presenting with these issues have often been advised to come to counselling based on the suggestion of a student rights officer. The Student Union plays a pivotal role in not only linking these students with the counselling service but also in dealing with complex cases of academic progress that require the advocacy role undertaken by student rights officers in addition to the professional psychological services provided by counsellors. Furthermore, some students who come to counselling discuss confidential concerns and distressing situations that involve abuse of power by staff. Counsellors who have dealt with these situations attest to the vital role of the Student Union in ensuring fair treatment of students by readdressing this imbalance of power.

Accordingly, the Counselling Service strongly affirms the importance of the Student Union in enhancing the quality of the student experience and contributing to the university community.

**Dr. Stephanie Smyrnios, Acting Manager, RMIT Counselling Service**

## **Student leadership and the Student Union**

My work on the recent training program for student representatives on Staff Student Consultative Committees, run jointly by RMIT LEAD and the SU, has confirmed my belief that the university needs a strong Student Union. I was impressed by the training package developed by the SU, but more importantly heard first hand from student representatives that they now felt empowered to work positively with staff to improve their academic programs, and to address ongoing issues. I firmly believe that effective SSCC representation is key element in producing graduate satisfaction and in improving the quality of the University's teaching and learning .

Equally, it gives students an opportunity to develop graduate capabilities in areas such as leadership and communication, opportunities also provide by SU Programs such as the Student Leadership Program. It is obvious that his University will be a far less successful learning environment without a strong Student Union.

**Anna Harley, LEAD Program Developer, Student Services  
Electives Coordinator, School of Education**

## **Refugee and Asylum Seeker project**

The Refugee and Asylum Seeker project receives a range of invaluable support services from the Student Union Council. Most important is an underlying political commitment to the aims of the RAS project, which informs all interactions between SUC staff and student representatives, and Refugee Access Scheme students.

The involvement of the SUC in the RAS project commenced in 2002, when the SUC provided a representative to be part of the Refugee Support Taskforce. This taskforce examined options for providing education to refugees on temporary visas, and formulated the Refugee Access Scheme which exists today. The SUC brought their knowledge of student need and student experience at RMIT as well as their commitment to both access to education, and an opposition to the border control policies of the Howard government.

The SUC reaffirmed this commitment in the grant of \$100 000 to the RAS project in 2003. This money has been distributed directly to the Refugee Access Scheme students, some of whom face extreme financial hardship. This money is given to students at the start of each semester so they can purchase textbooks and meet other educational expenses. Without this money, many RAS students would be unable to obtain the materials they need to commence and complete their courses.

In addition to this grant, the SUC has also waived their portion of the CNAF and SSAF payable by RAS students. As many RAS students at RMIT exist with only the smallest incomes, the waiver of the fee is also vital in allowing them to commence studies. In all aspects the SUC has worked with the University to ensure that the RMIT commitment to providing free education to RAS students is able to become a reality.

Since the commencement of the project the SUC has continued to play an invaluable role. They have supported the project in three major ways: providing advice on the future direction of the project, assisting RAS students with applications for special consideration and other students rights issues, and support for RAS social events, such as BBQs. These social events are an important way for students to meet each other and form their own social support networks.

Liz Thompson has been an ongoing member of both the RAS project advisory group, as well as the working group on student services for RAS students. In both forums the SUC input has given the student perspective. The SUC has also responded to the needs of individual students where necessary. One RAS student was given volunteer work at Organachy, the Food Co-op, which has enhanced his experience of campus life.



If VSU legislation is successful in destroying the SUC, the Refugee and Asylum Seeker project will suffer, as will the students enrolled through the project.

**Ellen Roberts, Project Officer, RASP**

## **RMIT Mentoring programs and the Student Union**

I believe that it would have a disastrous impact on the quality of students' experience of Uni life.

- Uni is meant to be much much more than just getting a degree but it also meant to be an enriching time of personal development, development of life-long friendship networks, cross-cultural enrichment among many other things.
- Student Rights Officers are the ONLY means of support and advocacy that struggling students have to combat the Uni establishment.
- Clubs & Societies enrich their opportunities for personal development - cultural, athletic, social, artistic, recreational.
- On-campus activities such as bands and BBQs where they can establish friendships.
- Union ARTS and Theatre opportunities
- The 2nd hand bookshop which is often their first port of call.
- RMIT Association of International Students - we so happily accept (even seek!) offshore international students' dollars - how dare we not direct some of it back to them!
- On-campus photocopying and printing services
- Orientation Week - which is a critical time of their transition into Uni life.
- The Government has got this ALL WRONG!

**Sincerely, Costa ENGLEZOS, Co-ordinator of Business Portfolio Student Mentor Program**

## **Learning Skills Unit and the Student Union**

The Learning Skills Unit has serious concerns about the effects of the Voluntary Student Unionism legislation on RMIT students.

In our roles as language and learning advisers, we have referred distressed students to student rights officers on numerous occasions, and feedback to us has shown that in most cases the problems have, to an extent at least, been solved with professionalism and expediency. It concerns us that such students may not have an advocate in these situations.

The Learning Skills Unit has also had a particularly close relationship with the Postgraduate Association. They have heavily promoted and advertised our services for postgraduate students, including the on-going series of postgraduate workshops. We believe this Association is absolutely essential, particularly for research students, who often feel isolated. It is very important to provide a place for these students to come in contact with others in the same situation, and for them to feel as though they are part of a community of practice.

Although these are the issues that directly impact on us as learning advisers, other activities at risk, such as sporting, communication, arts, etc, all contribute to the student feeling part of a community, and there is substantial literature identifying the importance of the affective domain on a student (feeling safe, a sense of belonging, etc) in terms of academic progress.

**Judy Maxwell**  
**Coordinator, Higher Education Academic Support**  
**Learning Skills Unit**

## Appendix 4

### Student Rights CASE studies

Many disputes and disagreements between students and their institution arise from two basic causes:

- Students and staff are not aware of rules which cover their situation or misunderstand and misapply a rule, and
- Because of the increasing number of students (and staff) from different cultural backgrounds students often communicate their problem or issue to a member of staff in a way that the staff member does not understand or cannot act on.

A large part of the work of the Student Rights Officers is 'low level', information and advice to help students to understand, what rules actually apply and what processes these rules create and thus to understand how to explain an issue in a way which is understandable to the institution's staff and which facilitates appropriate action.

It is also important to note that this also frequently prevents disagreements or errors leading to highly personalised and emotive disputes- as when a student who believes that they have been mis-assessed comes to a Student Rights Officer wanting to make a complaint about what they may perceive are the personal shortcomings of their assessor, and the Student Rights Officer instead helps the student to understand and explain what any substantive issues or errors are in the assessment itself; thus resolving the issue which has actually driven the student to feel aggrieved.

Having Student Union staff who are approachable and willing to confidentially explore issues of concern with a student is important for many international students who are taught that it is inappropriate to express a problem in a way which may make a powerful person lose face by being shown to be wrong and that you should instead explain why you now have a problem (for instance because you cannot afford to pay to repeat a subject you have a failing grade for) and ask for their favour to resolve the problem (for instance by giving you a pass). In this sort of situation guidance in how to express what any problem is with the way the student has been assessed allows the university to take reasoned action, and potentially saves the student from disciplinary action for requesting 'soft marking'. An example of this sort of situation, which almost ended in disciplinary action is below:

A student approached a Student Rights Officer in first semester to complain that she was being victimised by her Program Co-ordinator and the lecturer for one of her Design Studios (A large course with an academic weighting of 3/4 of a full time load.) and that they were threatening her with suspension and had

instructed other School staff not to discuss her assessment with her. The student explained that she had been failed for the Design Studio in second semester of the previous year because the lecturer said that she had not handed in one of the required pieces of assessment, a journal. The student explained that she had put the journal in the School's assignment submission box and another student had witnessed this. She was very angry and upset that the work had been lost and that the Program Co-ordinator had insisted that she provide a copy of the journal's official cover sheet to verify her story; as she had been asked the student had made a photocopy of the journal but the journals had not had a cover sheet and the student had become convinced that the Program Co-ordinator was deliberately asking for something she knew did not exist as an excuse for not acting. Over a semester the student's behaviour had become more and more anxious, erratic and inappropriate. She knew that the Program Co-ordinator and lecturer had the power to assess her journal and would wait for them, alternately begging and demanding that, as powerful, they help her and tearfully insisting that they explain why they would not show her favour. Interpreting the request for a cover sheet as a conscious way of refusing favour, the student had never explained to the Program Co-ordinator that one had never been created in the first place, the Program Co-ordinator could only interpret the student's apparent refusal to document that they had submitted the work as evidence that the work had never been submitted. The Student Rights Officer was able to quickly resolve this situation by explaining how the university works: the Program Co-ordinator cannot assess a student or pass a student to show favour or out of sympathy and that what they needed was an auditable, documented reason to act. Armed with this information the student was able to realise why her behaviour had been inappropriate and could see that she could easily get her work assessed by giving the school a Statutory Declaration from the student who had witnessed her submitting the work. Case studies that illustrate the importance of student-controlled advocacy services:

### **Case Study 1**

A group of postgraduate students in the Business Portfolio had their names taken down for academic misconduct for using their class notes during an exam. It seems that there was a misunderstanding about what materials were allowed into the exam, in the second exam room for this subject, many students had used notes and not been penalised. They sought the advice of a Student Rights Officer who assisted all the students at their hearings, and represented one who was overseas. The School, despite what had been allowed in the other exam venue, found four of the five students charged with academic misconduct guilty.

Together with the Student Rights Officer, the students worked to find witnesses and friends from the other classroom to testify to their claims, and said that they felt that the School needed to improve its practices in regards to exam supervision and consistency rather than punish students. The students won their hearing on appeal to the RMIT Discipline Board, and the School agreed to review

its examination practices in light of the student's evidence. One of these students went on to sit, as the student representative, on assessment and exclusion appeals for other students.

## **Case Study 2**

A group of computer science students was accused of plagiarism, with the School alleging that two of the students had copied from another two students work. The students, all friends in the same tutorial who had taken the same advice from their tutor, sought the help of the student rights officer. The students were confused and afraid. A member of staff had told one student that he should just blame the other two for copying his work to get off the charges. The Student Rights Officer suggested that it was not in their interests to try to blame each other, as the staff member had suggested, but to simply try to explain everything that actually happened to the School, as a group of students who had taken advice together and had hence arrived at very similar solutions. All the students were found not guilty of plagiarism.

## **Case study 3**

An international student came to see the Student Rights Officers because her application for a deferred exam was rejected. The rejection of the deferred exam meant that the student not only failed the subject but also was at risk of being excluded from the university because of other subjects she had failed. The Student Rights Officer looked through the student's file, with the documented permission of the student, to assist with her appeal against the decision not to be granted a deferred exam and was concerned at a long list of medical certificates. The Student Rights Officer felt that there was evidence that the student may have been seriously unwell, and that this might be the main contributing factor to her long-term poor academic performance. The Student Rights Officer helped the student to access the Counselling Service, whilst assisting the student with her appeal. The recommendation to exclude the student was rescinded by the School, and the student won the right to sit her exams because of the Counsellor was able to identify and start to address a serious eating disorder. The student is now successfully completing her program with assistance from the RMIT Counselling Service and the Learning Skills Unit.

## **Case study 4**

An international student was came to see the Student Rights Officer about being threatened by his employer with deportation after the student asked what for his wages. The student had undertaken work with the employer for more than a month and had not been paid. The student was told by the employer, with whom he had found work after seeing the job advertised on the RMIT Careers website, that he had called the Vice-Chancellor and reported the student for bad

behaviour, and that the Vice-Chancellor would call Immigration. The Student Rights Officer arranged a meeting with the Pro-Vice Chancellor (Students) to reassure the student that the university had not received a report and would not take any disciplinary action against the student. The student then met with the RMIT Employment and Careers Service, who undertook to remove the employer's name from the RMIT website pending an investigation. The Student Rights Officer, working with the RMIT Legal Service, referred the student to a community legal service and "Jobwatch" and also the union with coverage in the student's workplace to assist with wage recovery, and the student went on to successfully complete his degree and apply for permanent residency.

### **Case study 5**

A local student from a non-English speaking background came to see the Student Rights Officer about an "at-risk" meeting that she had with her School. The student's academic performance difficulties seemed to centre on poor performance in exams. The student disclosed an as yet undiagnosed but ongoing medical condition, of which the School was only partly aware. The student expressed that she was unhappy and had been seeing counselling to resolve these issues, and was deeply panicked by the thought of being excluded from her program. The student was not aware that she could access the Disability Liaison Unit for support for a medical condition such as hers. The Student Rights Officer referred the student to the Disability Liaison Unit, who assisted the student to negotiate with the School for more appropriate forms of assessment, and a more realistic study-load. The student passed all her subjects in Semester 2 2004, and is undertaking a part-time load with the support of the Disability Liaison Unit and RMIT Counselling. The student now smiles rather than cries when she comes to see the Student Rights Officer, and drops in to report on how well she is doing.

### **Case study 6**

A student enrolled in the RMIT Refugee and Asylum Seeker Access program was recommended for exclusion from his program. The student was placed at risk in first semester and then failed his only subject, in another School, in second semester after receiving notification that he was to be forcibly returned to his country. The student received this notification in the same week of his exams. Despite his other School allowing the student to sit a supplementary exam, his home School proceeded with the recommendation of exclusion. The student could not represent himself in his appeal because of his involvement in a program to assist in elections in his home country, Iraq, and was represented by a Student Rights Officer. The student was allowed back into his program, and is continuing with the ongoing assistance of his School and the Student Union.

Because of shortfalls in its budgets caused by the AMS catastrophe RMIT has been under considerable pressure to balance its books and last year sought to

recover over \$12 million in historical student debt. Because of the some of the data quality and administrative problems associated with the early days of AMS some of these debts were in error, resulting from corrupt data or from 'work arounds' which meant that the students status with the institution was different on paper to on the system (such as forms to cancel enrolment in subjects being approved but not entered on the system.).

This was the first time that an attempt seems to have been made to reconcile part of the student ledger and many students found that the first they knew about a debt was when they started receiving debt collection letters threatening legal action. Many of the students who saw the Student Rights Officers had never received an invoice which made it clear why they owed money and many of them felt considerable pressure and distress; a student cannot re-enrol if the are a university debtor and an international student who cannot re-enrol has to go home, often to considerable disgrace. Locating and having an administrative problem which has led to an old debt corrected takes considerable time and expertise as liaison with and forensic work with the records of three or four separate areas of the university is often required. Many students in this situation, particularly students from overseas who were not familiar with the administrative culture and operations of a large Australian university were unable to do this on their own, they either got the help of the Student Rights Officers or they paid what the university asked, regarding it as the price of being able to complete their studies in peace.

### **Case Study 7**

In January 2005, an international student faced exclusion from his program for poor academic performance, linked with attendance problems. The student, a young man from China had avoided classes because he was concerned that his parents had cut him off financially after an argument. He felt ashamed to attend classes when he thought he owed RMIT money and had reached this conclusion because he had not received an account. The student's parents had actually paid the students fees for two years in a row, but RMIT had not invoiced the student since mid 2003, to let him know that his account was in credit. In the process of gathering information about this for his appeal hearing, the student rights officers were informed that it is not RMITs practice to inform students if their accounts are in credit. After a period of time, it seems that the credited amount is linked to a general account NOT linked to a student number, and it requires some digging though the computer system to find amounts owing of hundreds, or even thousands of dollars. The student must initiate this process. The student was reported to DIMIA for breaches of his visa.



## **TAFE case studies**

### **Case study 8:**

An International student successfully completed a Certificate 3 program and was offered a place in a Diploma program, which the student accepted. They were then unknowingly re-enrolled in the Cert 3 program they had just completed, believing to be enrolled in certificate 4.

The following semester the student was told there would be a delay in the cert 4 portion of the Diploma program beginning. Subsequently the student was not enrolled for one semester and was reported to DIMIA for breaching their visa.

Due to these delays, the student was required to apply for a visa renewal. Further, due to the problematic enrolments, the program fees charged were incorrect.

The program advertised and accepted by the student had been for 2 years of study. RMIT subsequently shortened the program to 1.5 years of study, creating additional visa issues.

A student rights officer was contacted and assisted the student to escalate the complaint beyond the School. The students' enrolment was corrected and the students' fees were waived for the period in which she was incorrectly enrolled.

The students' issues with the breach of visa conditions were resolved with RMIT International and program staff admitting institutional error, thereby avoiding the students deportation.

The fees associated with the new visa application were reimbursed to the student.

The student was permitted to undertake additional courses of study, at no cost, to increase the duration of study to the 2 years initially offered.

### **Case study 9:**

A student was unhappy with changes instituted in their program. The student lodged a written complaint and raised their concerns with program staff accordingly.

Program staff accused the student of being aggressive and suffering from a mental illness. The school initiated disciplinary action against the student under RMIT's student discipline regulations.

The student sought the assistance of a Student Rights Officer, who assisted the student to prepare for their discipline hearing. The charges were dismissed and the ongoing issues were referred to Student Services.

The SRO further assisted the student to successfully make a case for staff other than those involved in bringing discipline charges against them to assess the students' work.