

Schedule 3 to the AUU Constitution: Recall Procedure

AUTHORITY

A Schedule of the Adelaide University Union (AUU) enacted
Pursuant to Clause 19 of the AUU Constitution

Schedule

1. Objectives

- 1.1. To regulate all aspects of the conduct of the recall of the Board.
- 1.2. To ensure that referenda are held fairly and equitably.
- 1.3. To ensure the effective representation of all students at the University of Adelaide by the Adelaide University Union.

2. Definitions

- 2.1. The definitions in the AUU Constitution apply to this Schedule unless specified otherwise below.
- 2.2. “Student” means any person enrolled at the University of Adelaide as a student at the point of the referendum being held.
- 2.3. “University” means the University of Adelaide.
- 2.4. “Study Spaces” means anywhere within the University that is allocated for study purposes.
- 2.5. “Club” means clubs registered under the Clubs Administration Policy.

3. Interpretation

Interpretation of this Schedule is within the jurisdiction of the President, pursuant to the authority of Board. Where another Rule of the AUU is inconsistent with this Schedule, the latter prevails and the former to the extent of inconsistency is invalid. The inconsistent clause of the Schedule remains valid for all other purposes.

4. Timetable

- 4.1. The referendum for recall of the Board must be held by Secret Ballot of all students. The referendum for recall of the Board must be held in person in a designated polling booth over no more and no less than THREE (3) academic days.
- 4.2. A referendum called directed by a simple majority of the Board must take precedence over the recall of the Board referendum.

5. Procedure

- 5.1. A preliminary petition with all the content detailed in Clause 6 and signed accordance to Clause 7 expressly declaring no confidence in the Board signed by at least 0.5% students must be presented to the EO.
- 5.2. In the event of Clause 5.1 being fulfilled, a recall of the Board petition signing stand must be set up in the AUU Office. The student(s) that signed the preliminary petition will not be considered to have signed the recall of the Board petition unless they sign the petition in the AUU Office.
- 5.3. The EO must appoint a responsible staff member to monitor the signing process.
- 5.4. Before a student can sign, the responsible staff member must:
 - 5.4.1 verify that the student is enrolled at the University of Adelaide for at least the next six months by obtaining the student's identification card and checking the validity date;
 - 5.4.2 verify that the student understands the nature of the petition;
 - 5.4.3 verify that the student has read, understood and is willing to comply with this Schedule;
 - 5.4.4 verify that the student is aware of the potential consequences of prohibited conducts;
 - 5.4.5 initial the column of the recall of the Board petition.
- 5.5. A student can remove their signature at any point prior to the recall of the Board petition being received by the EO. To remove a signature, the responsible staff member must:
 - 5.5.1 verify the student's identity by obtaining their student identification card;
 - 5.5.2 physically black out the whole row containing the signature in question and ensure no content is readable.
 - 5.5.3 verify the student's intention to remove their signature from the petition;
- 5.6. In the event of the recall of the Board petition signed by at least 1% of students within TWENTY-ONE (21) Calendar days, the EO must confirm the students' enrolment status with the University. The student's signature is considered valid when the University confirms their enrolment status as "enrolled".
- 5.7. A referendum must be hold in accordance with the constitution.
- 5.8. The recall of the Board petition will be valid for TWENTY-ONE (21) Calendar days. Only ONE (1) petition to recall the Board may be open at one time.
- 5.9. The recall of the Board petition will lapse after TWENTY-ONE (21) Calendar days if the petition was not signed by at least 1% of students. The process is considered concluded after that point. A new preliminary petition as per Clause 5.1 needs to be submitted for another recall of the Board petition to be signed. The old preliminary petition cannot be reused.

- 5.10. No other preliminary / recall of the Board petitions received that is inconsistent with this procedure and/or Schedule may be accepted.

6. Contents of the Petition

- 6.1. Names of all Board directors in question, with their respective term left.
- 6.2. Year of the Board in question.
- 6.3. Must refer to a specific resolution made by the Board in question.
- 6.4. Expressly declaring no confidence in the Board.

7. Conduct of Signing

- 7.1. All students enrolled at the University of Adelaide for at least the next SIX (6) months may sign in the preliminary petition and/or recall of Board petition. No other persons may sign in the petition.
- 7.2. A physical signature with date and the University student ID of the student signing must be written by the student. The date of signing must be consistent and relevant to the Board being recalled.
- 7.3. Person(s) entitled to sign in the preliminary and/or recall of the board petition may only sign once in each petition. All signatures of a student who signs or attempts to sign more than once are invalid. Student(s) who signed the petition more than once will be barred from signing any preliminary and/or recall of the Board petition/s for one year.

8. Prohibited Conduct

- 8.1 The following conducts are prohibited:
- 8.1.1 Campaigning, direct or indirect, or aid in campaigning in the petition, by any persons who are not students at the University of Adelaide.
- 8.1.2 Any person to person campaigning directly aimed at a student who has indicated their desire to not participate in the petition.
- 8.1.3 Campaigning, direct or indirect, or aid in campaigning in the petition, in the exclusion zones as defined in Clause 10.
- 8.1.4 Any conduct of a threatening, intimidatory, or violent nature, whether directed at students or at any other person, and whether intended to coerce or otherwise, is strictly prohibited. For the avoidance of doubt, threats and/or intimidatory acts need not be physical in nature.
- 8.1.5 Distributing misleading, false, or defamatory statements.
- 8.1.6 Campaigning, direct or indirect, or aid in campaigning in the petition, in the exclusion zones as defined in Clause 10.

- 8.1.7 Signing the petition more than once.
- 8.1.8 Failing to comply with the Conduct of Signing as defined in Clause 7.
- 8.1.9 Impersonating or attempting to impersonate another student to sign the petition.
- 8.2 The EO may choose to declare signature(s) on a preliminary / recall of the Board petition as void if:
 - 8.3.1 The student who signed the signature in question has engaged in prohibited conduct(s).
 - 8.3.2 The signature(s) appeared more than once on the petition.
 - 8.3.3 The signature(s) did not comply with the Conduct of Signing in Clause 7.
- 8.3 The EO may choose to reject a preliminary / recall of the Board petition if:
 - 8.2.1 Serious breach(es) of prohibited conduct(s) has been reported.
 - 8.2.2 The petition is signed more than once by the same student.

9. Reports of Prohibited Conduct

- 9.1 Any person directly affected by Prohibited Conduct defined in Clause 8 in relation to the preliminary petition and/or recall of the Board petition may make a report of that conduct to the EO at any time during the period when the preliminary / recall of the Board petition is valid.
 - 9.1.1 Such reports must be in writing and contain any substantiating material possible.
 - 9.1.2 The EO may act within his or her powers in relation to such reports.

10. Exclusion Zones

- 10.1 Hub and/or 20 metres from the entrance of the Hub.
- 10.2 All study spaces.
- 10.3 Inside of all University buildings and 20 metres from the entrance of the buildings.
- 10.4 Anywhere outside the University.
- 10.5 Union house.
- 10.6 Any location where club events, AUU events and/or University events are being held.

Version Control Table

Version	Author	Date	Changes
V1.0	Chuyue (Angela) Qin	07/12/2020	First Enacted