



Submission to the Education and Science Select Committee

on the

Education (Freedom of Association) Amendment Bill

March 31 2010

WRITTEN SUBMISSION on the Education (Freedom of Association) Amendment Bill

To the Education and Science Select Committee

Introduction

This submission is on behalf the Victoria University of Wellington Students' Association (VUWSA).

VUWSA is the representative body for students at Victoria. VUWSA is governed by an Executive elected annually by all students at Victoria who have not opted-out of membership. VUWSA provides representation, advocacy, welfare, media, clubs, activities and other services for its members. VUWSA is funded by a levy which is set by a general meeting of students, which all students pay unless exempt.

We wish to appear before the committee to speak to this submission. VUWSA will be represented at an oral hearing by VUWSA President Max Hardy.

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Summary

The Victoria University of Wellington Students' Association opposes the Education (Freedom of Association) Amendment Bill.

The Bill would significantly erode VUWSA's financial capacity to fund services essential to University life and any alternative model for their provision would be inequitable, inefficient, unviable, cost students more money and/or be more detrimental to individual and collective rights.

- **This Bill would damage the quality of education, student experience, welfare of students, and the fairness and effectiveness of University decision-making at Victoria, undermining the Government's vision for tertiary education.** This is because:
 - VUWSA's services are essential. The Bill would cause a sharp reduction in the quality and quantity of services available on campus. The services are discussed in detail in the submission.
 - VUWSA representative structures are a critical quality control mechanism, enhance decision-making across the University and ensure financial efficiency. VUWSA should be seen as an ally to the Government and Parliament in this function.
 - VUWSA advocacy is an essential service that ensures the University makes fair decisions and upholds its duty to educate its students. Without this service students can be treated exceptionally unfairly.
 - VUWSA enhances the vibrancy of campus life and works towards the University's strategic goal of an outstanding student experience at Victoria. This improves educational outcomes including qualification completion, improves the attractiveness of University life and facilitates debate, critical thinking and the free exchange of ideas.
- **VUWSA can not and should not operate on a basis of limiting its services to 'members only'.** This is because:

- The most important VUWSA services are “public goods”. They are non-excludable and non-rivalrous. All students benefit regardless of membership.
- Many students do not have the capacity to pay for VUWSA services ‘up-front’, if they cannot pay through their student loan.
- For those services that would be excludable a significant cost would be incurred excluding non-members, making many services unviable.
- VUWSA’s small non-levy income is derived from assets that it has gained as a universal student association. It would therefore not be appropriate to exclude non-members from services paid for by this income.
- All students, as the primary stakeholders in their own education and significant funders of the University, have the right to have a say in the decision-making of the University and this should not be constrained or bolstered by their ability to pay.
- First year students cannot be expected to appreciate the benefits of membership of a student association before they arrive at University.
- **The Committee should not favour a situation where services are delivered by the institution instead of a student association.** This is because:
 - Some of VUWSA’s services, such as advocacy and representation, cannot be appropriately provided by the University.
 - This creates a situation of taxation without representation. Students do not necessarily have a direct say in the setting of the University’s Students Services Levy, nor what services they pay for, nor how these services are run. This is despite the fact that every student must pay. In contrast VUWSA is directly accountable to students through elections, general meetings and intense scrutiny by independent student media.
 - Students’ associations, by their very nature, must be responsive to student needs and consider whether students are willing to pay for the services they

provide. The University, on the other hand, does not necessarily have that consideration.

- The University cannot provide VUWSA's services at the same cost. The University cannot pull on the same amount of volunteer labour and donated goods, must meet the presentational and administrative requirements of a large bureaucratic organisation and is not subject to the same budgetary scrutiny.
- **The current legislative framework does not limit the right to freedom of association and enhances individual and collective democratic rights.** This is because:
 - It already provides for the right to opt-out of membership. Currently this process is both easy and fair.
 - When students enroll at University they join the student community. Joining any community has certain obligations that go with it. Membership of a student association, recognised as it is by the University as important to the quality of education and student experience, is not an unusual obligation to be coupled with enrolling at an institution and joining the student community their.
 - Under a situation of voluntary membership students must pay the University (potentially more) for student services anyway, except they will have no say over what services are provided, how much they cost and how they are delivered. That situation cannot be considered more beneficial to individual rights than the current situation that allows for opting out and democratic control.
- **This Bill would put New Zealand out of step internationally**
 - Universal student associations funded by either the Government, Universities or directly by students, are the norm internationally.
 - For example in the USA, a country where freedom of association is enshrined in the Constitution¹, many universities have universal "student governments"

¹ *NAACP v. Alabama*

which are funded by compulsory levies. To name three examples, this includes Harvard University, University of Florida and the University of Texas.

- Voluntary Student Unionism was a disaster in Australia.

This submission is broken into three main sections. The first explains why VUWSA services are important, the second explains why universal membership is the best way to provide these services and the third explains how the status quo does not impinge the right to freedom of association.

1. VUWSA's Services

(a) Student Representation: Quality Education, Financial Efficiency and Better Decision Making

VUWSA supports student representation across the University's primary decision making bodies including on Faculty Boards, Academic Committee, Academic Board and VUW Council. VUWSA also supports student representation on numerous other decision-making and advisory bodies including for example, disciplinary hearings, serious misconduct hearings, the Food and Beverage Committee, the Joint Student Union Board, the Student Services and Amenities Levy Advisory Committee and the Library and Technology Group. In addition VUWSA facilitates the Class Representative System which sees the democratic election of a student representative for every undergraduate course.

These 800 plus representatives are organised and coordinated by a permanent VUWSA staff member. VUWSA provides the representatives with professional training, handbooks, pre-meetings and administrative and other support.

VUWSA representatives generally advocate for quality education, financial efficiency, improved facilities for academic and non-academic activities, fair decision making processes, better information for students and decisions which enhance the vibrancy of the campus.

Student representatives provide what the University recognises as an absolutely invaluable perspective to

Some examples of student representation

ONE: Budgetary Scrutiny

VUWSA Representatives on University Council and Finance Committee scrutinise the University's budget and advocate for reduced administrative costs and increased funding of direct education.

TWO: Quality Teaching

VUWSA Class Representatives monitor lecturers to make sure that they are doing a good job teaching the class and sticking to the course outline, raises concerns if a sub-standard job is being done so it can be dealt with.

THREE: Food and Drink on Campus

VUWSA representatives on the Joint Student Union Board ensures that the University is aware that the price and quality of food and drink on campus is having a deleterious effect on campus vibrancy and a new retail strategy is developed with the view to enhancing campus life.

NB: In each case it is important that the representative is supported with training and that some for of institutional knowledge can be retained.

decision-making. Often University decision makers, either academics or administrators, are not alive to the consequences that their decisions may have on individual students.

The Government and Parliament should see student representatives as their allies in keeping the University accountable in the use of public and student funds. Students share the Government's goals of quality education and financial efficiency. Student representatives provide an on the ground quality assurance mechanism that the Government should embrace.

Student representation is not based on the premise that all students think alike, but rather that students have the right to have a say in their own education and that University decision-making is improved when they do. VUWSA does not tell student representatives how to represent student interests but supports them in fulfilling their duties.

This Bill would severely weaken the quality of student representation at Victoria. Student representatives need to be trained and supported to be effective, otherwise they can be simply "yes men". VUWSA's capacity to offer honorarium, training, handbooks and administrative support would be radically diminished under the terms of this Bill.

As Australia National University noted VSU meant that "...the capacity of the students themselves to sustain these representational commitments has been placed under greater strain by VSU"

They noted a further negative effect of fewer student leaders

"There is potential for VSU to lead to an enormous waste of young talent through missed opportunities for leadership development on campus, thereby depleting Australia's stock of future leaders."

This Bill would dilute the capacity for meaningful collaborative partnerships with the University. Currently the newly constituted Student Services and Amenities Levy Advisory Committee, a partnership between VUWSA and VUW, gives students the right to a say in what services they wish to pay for out of their student services levy. This allows for budgetary and practical scrutiny of the services otherwise not afforded to students. Without a universal student association, such partnerships would be unlikely to occur.

(b) Student Advocacy: Fair decision making

VUWSA provides professional advocacy to students. The University is a large and bureaucratic organisation, with many individuals that wield exceptionally important discretionary powers over individuals. It is in the interests of the whole community that these powers are used fairly. Unfortunately, without student advocacy instances of abuse of discretionary powers would be very high.

Real Examples of Student Advocacy**EXAMPLE ONE: Dropped from a course without proper reason**

Two first year students chose to study a first year French course. No restrictions were listed. They received and accepted their offer of study, paid their fees and went to the first tutorial and lecture. In the second week they were told they had to drop the course because they had already done NCEA Level One French a number of years prior (which was not listed as a restriction anywhere). This could have led to one of these students becoming a part-time student and then perhaps having to drop out of University altogether (because of being ineligible for student living costs), certainly it would have caused them to take longer to finish their degree (meaning increased borrowing for living costs). They contacted VUWSA.

The Result of Advocacy

VUWSA was able to resolve the issue within a day. The students were allowed to complete the course. This prevented serious negative consequences to the students, but also significant wastage of government funding. VUWSA also insisted that the communication to students on the restrictions to first year language course be improved. This will ensure students take appropriate courses, increasing educational outcomes.

Without VUWSA

The students would have dropped the course. Certainly they would not have been in a position to ensure the wider changes that were necessary.

EXAMPLE TWO: Plagiarism by international students

Over time VUWSA advocates have noticed that a significant number of international students were accused with plagiarism. Many of these students were unsure who to contact or what they could do, and their offending often seemed to result from a misunderstanding of the rules.

VUWSA advocates for these individual students, to ensure they are treated fairly, but also now works proactively to ensure that adequate information is communicated to students.

The result is that more international students have a positive University experience at Victoria and less are negatively affected by serious accusations of impropriety.

Many students are not confident in interacting with the University bureaucracy, often leading to manifestly unfair decisions going uncontested, until VUWSA can intervene. Often students simply require an explanation of what they have done wrong and their options.

When VUWSA is able to advocate effectively for an individual student, it is not only that student that benefits from the service but the whole student body benefits from the better decision making practices that this enforces. Moreover, the wider community benefits from the better use of public decision making power and the better educational outcomes that result.

VUWSA advocates are also in a position to notice trends in academic grievances and therefore work proactively to avoid future recurrences.

Under the terms of this Bill, VUWSA's capacity to offer *professional* advocacy would be severely diminished. It would not be appropriate for the University to offer this service. As every student benefits from advocacy, few students can afford to pay it up front and few students think they will need advocacy before they do, a user pays system would be ineffective.

EXAMPLE THREE: Political discrimination

A student failed an essay after taking an ideological position that was at odds with that of the lecturer (the student was a libertarian). The student approached VUWSA who was able to ensure that the mark was independently checked. The result of the check was that the student achieved a B+ grade instead of a fail.

(c) An Outstanding Student Experience: Clubs, Media, Publications, Events and more

Many of VUWSA services are geared towards enhancing the vibrancy of campus life and working towards of an outstanding student experience at Victoria. A full student experience improves educational outcomes including qualification completion, improves the attractiveness of University life and facilitates debate, critical thinking and the free exchange of ideas.

Campus life, University facilities and student opportunities are a key component for attracting International Students. If the student experience deteriorates this will have a negative impacts on international enrolments.

The Government has stressed a focus on increasing student retention rates at universities. The Government's Draft Tertiary Education Strategy, released for consultation last year, pointed at a

need to have more young people, particularly Māori and Pasifika students, achieving higher level study and to support and encourage student performance including a focus on non-academic needs. Universities desire the same result as indicated by the New Zealand Vice-Chancellor's Committee this year. The Government stated in their draft strategy that "We need to continue to support students to study full-time, as this is a big factor in completion rates". This Bill would run counter to that intention.

(i) *Student Media*

Student media is an essential part of the student experience. VUWSA owns and funds *Salient*, the student magazine at Victoria which has been running since 1938, and has won many awards in its long history, with those involved going to prominent positions such as Prime Minister and well respected journalists. Although *Salient* is funded by VUWSA it remains editorially independent, and can provide an important democratic check on VUWSA, as well as holding the University accountable in the use of student money. The VBC 88.3 FM is Victoria's student radio station, established in 2007 and also funded by VUWSA and has seen a new injection of life and culture into the student body.

Both organisations greatly benefit the student community and campus vibrancy and provide leadership opportunities, work experience and an outlet for creative and critical thinking. Both *Salient* and the VBC 88.3FM sell advertising, but neither is capable of being fully financially self-sufficient.

(ii) *Clubs*

Clubs are an absolutely vital part of the student experience, offering sporting and cultural opportunities to students. They enhance campus life and facilitate critical and creative thinking and leadership.

VUWSA provides clubs with financial grants, use of facilities and equipment, advertising and promotion, clubs weeks, banking, networking opportunities, discounted photocopying services, as well as support by a VUWSA Clubs and Events Manager who acts as a contact person and can provide advice on all matters of club administration, constitutions, organisation and budgeting.

VUWSA provides continuity. Many clubs can flow from success to failure quickly, and VUWSA ensures that they do not become fully defunct during the time of less activity. VUWSA also

contributed greatly to the set-up of many clubs that are now virtually self-sufficient, but provides a backstop if they fall by the wayside. So, for example, the Debating Society has in the past been fully reliant on VUWSA support, but now is in a position where that is less the case.

Sporting clubs offer affordable and accessible opportunities to students, encouraging health and fitness, and in turn place less stress on New Zealand healthcare providers.

A list of clubs that are affiliated with VUWSA and have received funding from VUWSA is attached as Appendix D.

(iii) *Events*

VUWSA puts on annual Orientation, Re-Orientation events as well as regular events on campus throughout the year. The purpose of this service is to encourage engagement with the student community and improve the student experience. VUWSA also enables students to compete at a national level through events such as University Games and Snow Games. The benefit to students and the University is huge and often provides emerging sportspeople with great experience. Many of the events VUWSA funds are de-centralised and provided by clubs and other student groups, but overall VUWSA contributes to more than 200 student-run events every year.

(iv) *Representative Organisations*

VUWSA also helps fund and facilitate Student Representative Groups. These are organisations recognised by a general meeting of the Association. They include the Mature Students' Network, Postgraduate Students' Association, the Pasifika Students' Council and the Law Students' Society. Representative Groups provide support to particular groups within the student body and better represent the interests of these students. They also provide events specifically for the students they represent, such as the Law School Ball, which foster a student community and good student experience.

VUWSA funds Ngai Taura, the Māori Student's Association at Victoria University, which represents and supports students of Māori origin studying at Victoria. This partnership plays an important role in fulfilling commitments outlined in the current Treaty of Waitangi Statute of the University. The proposed bill would severely damage progress that has been made in this area.

A full list of VUWSA Representative Groups and their roles may be found in Appendix I.

(d) Student Welfare Services

VUWSA's welfare services are geared to ensuring that University education is accessible, that students are safe on Campus and that students are not forced out of study if they are hit by unexpected costs or illness. All of these services are run or administrated at least in part by volunteer labour or donated goods. They include:

- Free Bread twice a week (which is donated to VUWSA thanks to building relationships, but obviously still not 'free' to provide)
- A daily food bank service every day at Kelburn and at slightly different times at Karori and Pipitea. Over 800 parcels were given out in 2009.
- Campus Angels, who are people that can walk student home or to a safe spot if they are studying late on Campus, which was a service set-up in response to concerns over student safety when they leave our campuses at night, something both students and Police greatly appreciate.
- In conjunction with the University, free bus tickets for students who study at more than one campus such as Karori, Pipitea and Karori.
- Free flu shots, to prevent the instances of student getting the flu in the middle of their study or exams.
- Funding and support for Student Job Search.

VUWSA also advocates for other welfare measures. For example, VUWSA ensured that lighting could be installed in dangerous walkways and a pedestrian crossing put on Kelburn parade.

(e) Major Building Project

15% of the VUWSA levy is separated as the "Building Levy" and is given to the VUWSA Trust to fund major building projects that benefit students. In the past VUWSA has contributed to the building of the library, the Recreation Centre and the original Student Union Building, and its subsequent extension. There are two current projects that VUWSA is committed to funding, which would be effected by this Bill, which would be another serious practical consequence of this unnecessary legislation.

(i) Campus Hub Project

The Campus Hub Project is a large development project which, as part of Victoria University's strategic vision, aims to "integrate library, information access and social learning functions and act as a central gathering space" (p.4 Victoria University Hub Project Procedures Manual) and overall to improve student experience and make the Campus more of a social learning centre for students. In December 2009 the Victoria University of Wellington Council confirmed that they would initiate the project comprising of a new library and quad space, the refurbishment of all levels of the library building as well as refurbishments to other selected University buildings. The budget cost of the Hub project is \$67 million. VUWSA's contribution to this is \$12.5 million.

If this Bill is to pass VUWSA will almost certainly need to reconsider this commitment, which would mean the University or Government will have to provide this contribution. In the case that this is deemed impossible, discontinuation of the project would have a hugely negative effect on University morale and direction. Many staff have already dedicated huge amounts of time and energy to this exciting project and students are beginning to see the results and are looking forward to future developments.

(ii) Boyd Wilson Field

VUWSA is committed to funding (including a \$500,000 grant and \$500,000 loan) the upgrade of the Boyd Wilson Field. This upgrade will vastly increase hours of use and the capacity for this facility to facilitate student experience and wellbeing.

(f) Other VUWSA Services

These are some of the other services that VUWSA supports:

- University Sport, including organisation of University Games, Snow Games and other national sporting events.
- Student publications, including the *Alternative Student Guide* which provides information to students about what other student think of course they have taken, enhancing information flows and quality education, as well are welfare publications such as a Sexual Health and Flating Guide.
- Provision of car parks and lockers at all campuses.

2. Why universal student membership is the most equitable, cost effective and viable system

(a) VUWSA can not and should not operate on a basis of limiting its services to 'members only'.

Some commentators have suggested that VUWSA could operate like membership based organisations such as the Automobile Association. There are many reasons that this is not a practical suggestion.

(i) Capacity to pay upfront

Most students do not have the capacity to pay for VUWSA services 'up-front', if they cannot pay through their student loan. This would mean that VUWSA would be unlikely to be able to charge a membership fee.

(ii) Public Goods

The most important VUWSA services are "public goods". They are non-excludable and non-rivalrous. All students benefit regardless of membership. This would cause an insurmountable 'free-rider' problem.

The benefits of student representation and advocacy are not excludable. When VUWSA ensures better decisions, they cannot apply only to VUWSA members only. If for example a Class Representative ensures a lecturer gives sufficient notice of a test, speaks up so people can hear them, or sticks to the course outline, the lecturer cannot extend these benefits to VUWSA members only.

VUWSA events and activities on campus cannot be excluded to members only as this would significantly affect the financial viability of putting on events. If members paid for the organisation of the event, non-members would still need to be able to go to the event in order to ensure it could be financially viable and well-attended.

Likewise, student media is non-excludable. *Salient*, the student magazine, can be made financially viable only when it is free to students and distributed widely. Student radio is another obvious example. Student welfare services, again, would be difficult to provide under this model, as few students will anticipate the need for the services.

It would be untenable for the University to support a situation where VUWSA funds or provides student amenities (such as the Recreation Centre, or clubs booking rooms) that were only available to certain students.

“Clubs Week” held twice every year in the University quad as an event to enhance the visibility of clubs on campus and provide clubs a chance to sign up members, would not function as a member-only event.

(iii) Cost of exclusion

For those services that would be excludable a significant cost would be incurred excluding non-members, making many services unviable. As with Auckland University Students’ Association (AUSA), VUWSA would need to spend a significant portion of money (in AUSA’s case, this is money that all students pay for) recruiting members, printing ID cards and enforcing member-only rules.

(iv) The problem of VUWSA’s current assets

VUWSA’s small non-levy income is derived from assets that it has gained as a universal student association and either owns outright, or in trust. It would therefore not be appropriate to exclude non-members from services paid for by this income.

However, this raises further philosophical questions. Currently, VUWSA assets are owned, effectively by all students. Past students have made an inter-generational contribution to the education of present students. Under a situation of VSM, these assets would revert to ownership of a minority of students.

(v) All students should have access to VUWSA’s services and support

All students, as the primary stakeholders in their own education and significant funders of the University, have the right to have a say in the decision-making of the University and this should not be constrained or bolstered by their ability to pay. Being a VUWSA member enhances a student’s access to fair decision making and a say in how their University is run.

(b) The Committee should not favour a situation where services are delivered by the institutions instead of students' associations.

Under a situation of VSM, the University will inevitably wish to provide some of VUWSA's services, either by funding VUWSA to do so or by direct provision. This would not be a worse situation than the status quo for many reasons, without providing any practical benefit to students who still must pay the Student Service Levy.

(i) Taxation without representation

Students would still need to pay the Student Services Levy (currently \$510). However, there would be a situation of taxation without representation. It is recognised that student services are public goods, funded by and for students. The provision of public goods, and the ability to tax for their provision, generally implies that some form of democratic control should exist. Students do not necessarily have a direct say in the setting of the University's Students Services Levy, nor what services they pay for, nor how these services are run. This is despite the fact that every student must pay. Without democratic control it is easy for an unaccountable organisation to justify services that students would not themselves want to pay for.

If the Committee supports this Bill it will need to explain why it believes that a situation where students can democratically choose which services they want to provide and how much they should cost is worse for individual rights than a situation where students are taxed but without a say.

(ii) Direct accountability

VUWSA is directly accountable to students through elections, general meetings and intense scrutiny by independent student media. The scrutiny of student media and individual students should not be underestimated. Student media sit in on all VUWSA Executive and general meetings which must determine all expenditure of the association. They have access to VUWSA accounts and to VUWSA management on a daily basis.

Much has been made of a few isolated incidents of student executive impropriety. However, in many ways it should be seen as a positive thing that such cases are made public and the student executive is held accountable. For example, in 2006 when a VUWSA Executive member used the VUWSA phone to call 0900 numbers, the spending was made public and she was forced to pay

the money back and other personal issues were addressed. If this was to happen at the University (again with student money), there are strong chances that it would never have been made public and students would remain oblivious.

All expenditure of VUWSA is known by student media. This is a very far cry from the situation at the University. The affect of this scrutiny is that the student executive must ask themselves whether a particular spending decision would be supported by students if it made its way into the media. As most student representatives greatly value their reputation and that of VUWSA, this is a very powerful force.

If the University were to take up VUWSA's services they would not be subject to the same level of scrutiny. Further, University decision makers are often not students and do not have to pay for the student services funded by the Student Services Levy this means they are unlikely to observe an imperative to keep costs and the levy as low as possible.

(iii) Increased cost

The University cannot provide VUWSA's services at the same cost. The University cannot pull on the same amount of volunteer labour and donated goods. VUWSA relies on an estimated 60,000 volunteer hours every year. The University, if it decided to provide VUWSA services, would not be able to draw on such labour. Equally as important, they would be far less likely to bother drawing on volunteer labour – as an increase in the Student Services Levy is not a significant deterrent to increasing costs to University decision-makers who are not accountable to students.

They must meet the presentational and administrative requirements of a large bureaucratic organisation. The University cannot afford to do things “off the smell of an oily rag” as this would impose significant risks to the VUW brand. Doing things well that are achieved cheaply and with volunteers however is part of the VUWSA brand.

(iv) Certain services either cannot be provided by the University or the University is ill-suited to deliver

Advocacy and representation cannot be appropriately provided by the University. The practical affect of this Bill would therefore be to seriously limit both of these services and the significant

negative consequences that would arise from that (see earlier sections on both of these services).

Many services however, the University is simply less well-suited to deliver. Orientation, events, student media and club support are examples of services that the University would find difficult to provide to the same standard without significantly increasing costs. Students would therefore likely end up paying more money for a weaker service.

3. The current legislative framework does not limit the right to freedom of association and is beneficial to individual and collective democratic rights

The current right to opt-out of membership (explained in Appendix C) is both easy and fair. It ensures that students have the right not to be associated with an organisation if they choose not to be.

However, this issue should not be conflated with the financial contribution that students must pay for student services. Indeed, this Bill would probably have the effect of increasing the financial contribution that students are required to make to such services.

The further affect of this Bill would be to take such services out of the control of students. This negatively affects our collective democratic right to decide what we are taxed for, as well as our individual rights to have a say in how our money is spent and to conscientiously object from paying some of the money.

When students enroll at University they join the student community. Joining any community has certain obligations that go with it. Membership of a students' association, recognised as it is by the University as important to the quality of education and student experience, is not an unusual obligation to be coupled with enrolling at an institution and joining the student community there.

If Universities were private institutions they would be free to make the decision to have a universal student association (as they do in the USA). This Bill would be an unnecessary impingement on the freedom of the University to decide what services, including their structure, are best for the fulfillment of their educational mission.

Further, in seeking to promote freedom of association, the Committee should not ignore the practical needs of the majority of students for accessible and affordable services.

4. Brief comment on the Australian example

In 2005 the *Higher Support Amendment (Abolition of Compulsory Up-front Student Union Fees) Act 2005* was passed by the Australian Government. The Government provided transition funds but this proved to be insufficient to prevent the adverse effects seen across the Australian university community.

ACUMA Incorporated, a representative organisation for staff in tertiary campus service organisations in Australia and New Zealand, released a VSU Impact Study Report in 2007 after investigating the effects of the bill on Australian tertiary institutions.

Direct charges to students for use of facilities or access to events increased, something which does not contribute to an accessible or supportive campus environment and places greater financial pressure on students, impacting on their ability to complete courses.

Unemployment across the student services sector rose, spilling over into national concerns. Large numbers of sporting clubs suffered substantial reductions in funding, which had direct correlation to the significant drop in participation (a 17% reduction in the number of students in sporting clubs from 2005 to 2007). In addition, student services deteriorated, with 261 union services across Australia shut down or reduced in areas such as funding for Orientation, childcare, and assistance to International Students. It was also noted in other studies that for Students Associations still offering a scaled down version of services after the bill took effect, they had to spend more time marketing and advertising such services than on actually delivering these to students.

In addition, in 2008 the Australian Minister of Youth, Hon. Kate Ellis put forward a discussion paper seeking feedback from higher education stakeholders on the effect of VSU on student services, amenities and representation, and what needs to be done to ensure satisfactory levels of service in these fields.

The subsequent report stated that most submissions concluded that the abolition of compulsory student union fees had negatively impacted on the number and variety of services available to students, and the capacity for student advocacy and democratic student representation.

Like the ACUMA study, a decline in campus vibrancy and diversity was noted particularly as a result of the impact of increases in fees for access to sporting and cultural clubs and their facilities, and reduced funding to these groups.

5. Effect on community organisations

The Committee should also consider the spill-over effect this Bill will have on community organisations. For example, VUWSA provides a heavily used food bank service to students facing financial hardship. If this were to be adversely affected, these students would seek assistance from local charity-based organisations, placing a greater stress on regional councils and other service providers. The loss of advocacy and other welfare services would also have negative effects on community providers.

Conclusion

This Bill would provide no practical advantage to any students and does not promote individual rights. Instead it would have very serious negative practical consequences.

Students' Associations fulfill an essential role at Universities. This bill would undermine the ability of Students' Associations to perform their vital function. This is not only harmful to students, but also the wider community.

There is no viable proposed alternative to the status quo.

The Victoria University Students' Association urges the committee to come to a balanced view on this proposed bill, and hold the extremely detrimental pragmatic costs to students and to communities in general at the foremost of their minds.

Appendices

Appendix A: VUWSA Exemption Policy

As the system stands at Victoria University, students may “opt out” of joining the Students’ Association on the grounds of conscientious objection or financial hardship, in accordance with the Education Act 1989 section 229A(5) and (6).

The system at Victoria is both easy and fair. The *Policy on Exception from Membership* governs the opting out process at VUWSA. Students are able to request for an exemption from membership on the grounds of conscientious objection or financial hardship.

In the case of applications on the grounds of conscientious objection the applicant need only state that they conscientiously object to membership of VUWSA. The student may then choose a reputable charity of their choice that they wish their levy to go to.

The elected VUWSA President is in charge of approving applications from students to “opt out”, however in the past it has been a committee of VUW Council that has decided and VUWSA is more than happy to give this duty to a third party.

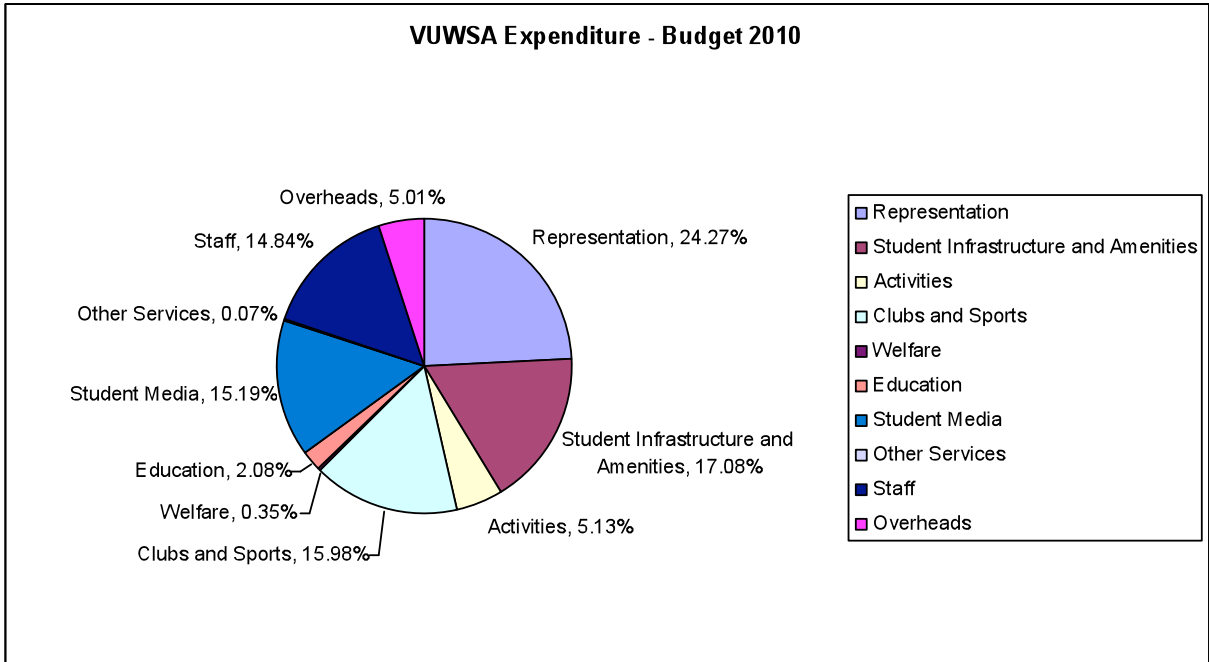
In 2010:

- all applications for exemption of the VUWSA levy have been approved.
- one application for exemption on the grounds of conscientious objection has been received.
- one application for exemption on the grounds of financial hardship has been received.
- five applications have been received for exemption from the Student Service Levy, which is levied by the University and VUWSA cannot control.

The opt-out option is publicised on the VUWSA website and in the Student Diary, amongst other places.

Appendix B: VUWSA Expenditure

Below is a pie graph of the percentage of VUWSA expenditure attributable to each service group. VUWSA understands that VUWSA spends a far smaller percentage of its income on administration costs than University departments of a similar size.



Explanations

Representation

Primarily consisting of representative organisations (e.g. Post Graduate Students' Association, Law Student Society etc.), national representation, womens, queer and international budgets, the VUWSA Executive, elections, student surveys, annual reports and student general meetings.

Student Infrastructure and Amenities

The Building Levy that funds major building projects. The Joint Student Union contribution that funds the Recreation Centre, the Student Union Complex (meeting rooms etc.) and student amenities around campus.

Activities

Orientation, Re-Orientation and student events around the year.

Clubs and Sports

Cultural and sports clubs grants and support costs including clubs week and handbook. University sport including University Games, Snow Games and other national events.

Welfare

VUWSA's Welfare services.

Education

VUWSA's Education Office provides support to student representatives. Training, handbooks etc (note: much of this is also provided in the representation budget).

Student Media

Includes the provision of the weekly magazine *Salient*, the VBC 88.3FM, the Alternative Student Guide and welfare publications.

Other Services

Includes car parks and lockers.

Staff

Includes an Association Manager, Student Advocate, Clubs and Events Manger, Advertising and Sponsorship Manager, Officer Administrator, part-time Education Organiser, Representative Groups Administrator, Campus Angels and Welfare Organiser.

Appendix C: VUWSA Affiliated Clubs

This is a list of VUWSA-affiliated clubs.

Those denoted * have received funding for things such as equipments, venue hire, registration costs, travel and accommodation, operational costs, and student events between 2004 and 2009.

Adventist Students' Association of New Zealand*

AIESEC Victoria*

Amnesty International on Campus*

VUW Anthropology Society*

Asian and European Languages Club*

Beta Omega Chi*

Chinese Students Association of VUW

Victoria University Christian Club*

Victoria University of Wellington Christian Union*

Dance With Me @ Vic*

French Club*

Games Club of VUW

Gecko, VUW Environment Group*

VUW Geology Society*

VUW German Club*

Good Food Club*

Greens@Vic*

Huge@Vic*

Wellington International Christian Fellowship*

Interface*

Just Action*

Vic Labour*

VUW Latin American and Spanish Club*

VUW Medieval and Renaissance Society

Muslim Students' Association of Victoria*

Singapore Sling

Students for a Sustainable Planet Club*

Students for Palestine Club*

Student Life

Society for the Study of Consciousness

SciFi Club*

Thai Students' Association*

United Nations Youth Association of NZ*

Vacant Land*

Victoria International Development Society*

Vietnamese Students' Association*

Weir House Residents Association*

Wellington Community Justice Project*

Wellington Malaysian Students' Organisation*

Workers Party on Campus*

Young Nationals on Campus/VicNats, Victoria University Branch*

Victoria University Aikido Kenkyukai International Club*

Victoria University Badminton Club*

Victoria University Bike Club*

VUW Boxing Gym

Victoria University of Wellington Cricket Club*

Victoria University of Wellington Debating Society Incorporated*

Victoria University Flying Disc Club*

VUW Association Football Club*

VUW Goju Ryu Karate Club

Victoria University Handball Club*

Victoria University of Wellington Hockey Club*

Victoria University Rembuden Kendo Club*

Victoria University of Wellington Hunters Rugby League Club*

VUW Netball Club*

Victoria University Rowing Club*

VUW Sailing Club*

Vic Table Tennis*

Victoria University Tae Kwon Do Club*

VUW Tramping Club*

University Underwater Club*

Appendix D: VUWSA Representative Organisations

VUWSA believes that the student population at Victoria is diverse and that a reflective representative structure is needed to fully support and celebrates that diversity.

Decisions about students' collective interests are best made as close as possible to the students concerned and that VUWSA needs to have a representative structure that enables such decisions to be made. Representatives groups operate largely on funds received from VUWSA, with very few gaining outside sponsorship.

The following Representative Organisations have been recognised by the passing of a resolution at a VUWSA General Meeting:

- (a) The Victoria University Postgraduate Students' Association (representing all post-graduate students)

The Postgraduate Students' Association (PGSA) was formed in 1993. The PGSA assists postgraduate students during their time at Victoria, and encourages postgraduates to become involved in Victoria's postgraduate student community.

The PGSA has delegated authority from the VUWSA President to elect postgraduate students to postgraduate representative roles on University boards and committees. The PGSA encourages the University to provide additional support and resources for postgraduates, as well as the development of postgraduate-friendly policies. The PGSA also hosts academic events and social functions for postgraduate students.

- (b) The Victoria University of Wellington Law Students' Society Inc. (representing all law students)

VUWLSS provides representation and advocacy on issues affecting their legal education, opportunities for members to enhance their legal education and transition into transition into legal careers, promotes and provides legal skills competitions for members to compete in with other members and with other law students. It also runs many social and educational activities for their members to enjoy.

- (c) STUDiO (representing all students in the Faculty of Architecture and Design)

STUDiO is based at the Te Aro campus and ensures that Architecture and Design students get a fair deal. As well as resolving various student issues, STUDiO spend their time organising design competitions, lecture series, BBQs and the yearly Architecture and Design Ball.

- (d) The Mature Students Network (MSN) (representing all mature students)

The Mature Students' Network is for students who are eligible for direct entry to University (anyone over twenty years of age). MSN hosts regular meetings, functions, information seminars, social trips and other social events. The membership includes a diverse group of students with a wide age range, and provides an opportunity for new members to meet and network with friendly and enthusiastic people.

(e) UniQ (representing all gay, lesbian, bisexual, transsexual, transgender, and intersexed students)

UniQ is a group for lesbian, gay, bisexual and transgender students and friends. It provides advocacy, support and social and educational activities. UniQ maintains a policy of inclusivity and welcomes all new members, whoever they might be. UniQ runs the annual Queer Pride Week, assist with the Queer Mentoring Programme and has links with other queer groups around the country. They also coordinate the queer issue of *Salient*.

(f) International Students Council (representing all international students)

The ISC's goals are for international and domestic students to establish both fraternal and cultural relationships; to organise events encouraging international students to enrich their social, cultural and academic experiences; and to promote awareness of cultural diversity and international issues in order to contribute to a better international atmosphere on campus.

(g) VicCom (representing all commerce and administration students)

VicCom aims to here to enhance the University environment for Commerce students, and to breathe some life into the Commerce Faculty. VicCom hold many different events for students at University—quiz nights, comedy events, recruitment evenings, speakers from the business communities, and many more—including Victoria's largest Ball on campus.

(h) Pasifika Students' Council (representing all Pacific Island students)

The PSC represents the Pasifika students at Victoria University. The aim of our organisation is to provide a social and supportive environment for Micronesian, Melanesian and Polynesian students on campus

(i) Can-Do (representing all students with disabilities)

This is a group for students with disabilities. It provides information, support, liaison and advocacy for students, and arranges social events.

(j) Crèche Parents Committee (representing all student users of the University crèche)

This is a group for any parents who use the University crèches. It is also open to other student parents. Their role is social as well as representative and ensures that student parents are supported during their study.

(k) Vic Earth (Representing all students of the School of Geography, Environment and Earth Studies)

VicEarth represents students studying in the School of Earth Sciences and Geography. They aim to support their members both academically and socially.

(l) Women's Group (Representing all students who identify as women on campus)

The Women's Group aims to be both social as well as representative, and seeks to promote discussion and awareness of women's experiences studying at the University.

The Women's Group produces the Women's Issue of *Salient*, and assists with the coordination of the Thursdays in Black campaign. It welcomes all forms of feminism, encourages debate and discussion, liaises with other women's groups on and off campus, and is queer-friendly and inclusive to all.

(m) Victoria Student Media (representing students studying media and those interested in media related activities)

Victoria Student Media represents students studying and involved in student media at Victoria University of Wellington, including *Salient* and the VBC 88.3 FM. They organise lecture series on various topics, aim to give students practical experience in various forms of media, as well as providing an outlet for students who produce their own work.

(n) New Zealand School of Music Groups (representing all students study at the New Zealand School of Music at both Victoria and Massey)

Represents the social and academic interests of students studying at the recently established New Zealand School of Music.

Appendix E: University Boards and Committees with VUWSA Student Representation

The following are Faculty Boards and Committees on which democratically selected Student Representatives are present:

1. Faculty of Architecture and Design
 - Faculty Academic Committee
 - Staff/Student Liaison Committees
 - School of Architecture Committee
 - School of Design Committee

2. Faculty of Commerce and Administration
 - Faculty Equity Committee

3. Faculty of Education
 - Faculty Academic Committee
 - Faculty Assessment Committee

4. Faculty of Engineering
 - Faculty Academic Development Committee

5. Faculty of Humanities and Social Sciences
 - Faculty Academic Committee

6. Faculty of Law

7. Faculty of Science

Faculty Academic Committee

Other University bodies on which a nominated VUWSA Representative is present:

University Council

Audit and Risk Committee

Finance Committee

Governance Committee

Academic Board

Academic Committee

AUSSE Board

Learning and Teaching Strategy Committee

Equity Committee

Information and Technology Advisory Group

Library and Information Services Group

Student Finance Hardship Committee

Timetable Committee

Pandemic Committee

Reduce Harm Committee

Joint Student Union Board

Student Services and Amenities Levy Advisory Committee to the Vice Chancellor

Review of the Third Trimester Working Party