

## Terms of Reference

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### A. INTRODUCTION

On 28 April 1995 a tragedy of national proportions happened in the Cave Creek area of the West Coast of the South Island. Thirteen students enrolled on Tai Poutini Polytechnic's Outdoor Recreation programme and one Department of Conservation Officer lost their lives when a viewing platform collapsed into a ravine. Four other students on the viewing platform survived the 30-metre fall.

### B. THE CAVE CREEK STUDENT MEMORIAL FUND

The Cave Creek Student Memorial Fund (hereinafter referred to as "the Fund") was established at the instigation of the Association of Polytechnics of New Zealand (APNZ) now known as ITPNZ. APNZ (ITPNZ) pledged the sum of \$125,000, which the New Zealand Government matched dollar for dollar, to institute a memorial fund to honour the 13 students killed at Cave Creek.

Additionally it was agreed that any and all monies gifted directly or indirectly to the Polytechnic in response to the Cave Creek tragedy, by any public corporation, company or incorporated body, unincorporated body of persons or any other person, are to be invested in the Fund, if, in the judgement of the Board of Trustees, such monies may be applied legitimately and in good faith to the purposes outlined in Section E following.

### C. BOARD OF TRUSTEES

A Board of Trustees has been appointed to administer the Fund in accordance with the policies set down in this document.

The Trustees are as follows:

- The Chief Executive of Tai Poutini Polytechnic (or his/her nominee), who will chair the Board of Trustees;
- The Mayor of the Grey District Council (ex officio);
- The Member of Parliament representing the West Coast;
- A legal representative from Tai Poutini Polytechnic's solicitors;
- The Chairperson of Tai Poutini Polytechnic Council or his/her nominee;
- A member appointed by the Institutes of Technology and Polytechnics NZ (ITPNZ);
- The Finance Manager of Tai Poutini Polytechnic (in attendance);

The Board of Trustees is required:

- (a) To convene up to twice a year, once prior to 30 April, and once prior to the end of the academic year, as required.
- (b) To convene for an extraordinary meeting at any time if so requested by the Chairman of the Board, or at the request of three or more members of the Board.

- (c) To arrange and approve investment of capital and interest from the Fund.
- (d) To receive and approve the decisions of the Awards Committee. The Board may request clarification or further information or refer a decision back to the Awards Committee, or decline a decision absolutely. In all cases, the decision of the Board of Trustees is deemed to be final.
- (e) To authorise any expenses necessary for the administration of the affairs of the Fund and its associated personnel.
- (f) To prepare an account of income and expenditure for audit purposes and for inclusion in the Tai Poutini Polytechnic Annual Report.
- (g) To record Minutes from its meetings; these Minutes to be tabled at meetings of the Tai Poutini Polytechnic Council.
- (h) To exercise any other such functions as may lawfully be conferred on it or be required for the proper and effective administration of the Fund.

Additionally the Board of Trustees may consult, co-opt or delegate outside its established membership for a particular purpose which the Board deems necessary or expedient for discharging its functions.

All meetings of the Board of Trustees will be conducted in accordance with the Rules and Standing Orders of Council.

#### **D. AWARDS COMMITTEE**

The Tai Poutini Polytechnic Awards Committee has been delegated responsibility by the Cave Creek Board of Trustees for Cave Creek Memorial Scholarships, and to report them to the Board via the Secretary.

The Awards Committee may, in the course of its deliberations, consult any person or institution, request further information or otherwise take such steps as it deems necessary for the effective discharge of its functions and operation.

The Awards Committee is required:

- (a) To meet before the end of the academic year to decide upon recipients of the Cave Creek Memorial Scholarships for the following year.
- (b) To meet before the end of the academic year but before the Greymouth Graduation ceremony to decide upon the recipient, if any, of the Cave Creek Student Excellence Award.
- (c) To meet to consider any request for a discretionary grant. No recommendation for a discretionary grant may be forwarded to the Chairman of the Board of Trustees without a meeting of the Awards Committee having taken place.
- (d) To make all decisions for Cave Creek Memorial Scholarships and discretionary grants in writing to the Board of Trustees via the Secretary.
- (e) To accept and carry out all reasonable requests as may be directed to it by the Board of Trustees.

## E. CONDITIONS OF SCHOLARSHIPS, AWARDS AND GRANTS

The Fund has been instituted primarily to assist a number of students enrolled, or preparing to enrol, in a full-time outdoor recreation programme at Tai Poutini Polytechnic. Any and all individual applicants for disbursement from the Fund are required to be New Zealand citizens.

Grants awarded in any year must not exceed the total amount of interest earned in the previous financial year, less 3%, in order that the principal value of the fund is not decreased. Scholarships will be for a minimum of \$500 per person.

The Board also directs the Awards Committee to make Academic Scholarships available only to those students who can demonstrate that they meet the selection criteria meritoriously.

### I. Academic Scholarships

- (a) The Awards Committee has the power to nominate **up to 20** students in any one academic year, to receive individual awards of a minimum of \$500 as approved by the Board of Trustees. These awards are to be known as the Cave Creek Memorial Scholarships. This money is to be credited directly towards the students' programme fees, course-related costs or expenses for any outdoor recreation programme (or its equivalent), and may not be applied to any non-academic purpose.
- (b) No student may hold a Cave Creek Memorial Scholarship concurrently with any other entrance award. A student awarded a Cave Creek Memorial Scholarship may, however, be nominated for any polytechnic prize based on academic or personal achievement.
- (c) The Awards Committee makes its decisions from information presented to it. Applications must be on the official application form.
- (d) The Awards Committee is to forward its decisions to the Board of Trustees in good time for the scheduled Board meeting.
- (e) Successful nominees of Cave Creek Memorial Scholarships for the following year are to be informed before the end of the academic year.
- (f) Successful nominees are required to complete the Outdoor Recreation or equivalent programme. In the event of withdrawal from the programme or unsatisfactory progress, the scholarship is to be repaid in full unless in the opinion of the Awards Committee there are exceptional circumstances (e.g., sickness, bereavement) directly pertaining to the withdrawal.
- (g) No successful student may normally be nominated to receive a second scholarship for successive or subsequent years of study. In exceptional circumstances, however, the Awards Committee may award a student a Memorial Scholarship for a second year of study in an outdoor recreation programme.
- (h) The Awards Committee is to make its decisions having due regard for a student's academic record, personal qualities, achievements to date, commitment to outdoor pursuits, financial position, and future prospects or intentions within the field of outdoor recreation.

## **II. Excellence Award**

- (a) The Awards Committee may make up to two awards of up to \$5,000 total, to be presented at the graduation ceremony, to students who have completed their programme of study with merit across both academic completion and their broader contribution to the programme and Polytechnic.
- (b) The award shall be known as the Cave Creek Student Excellence Award.
- (c) The Cave Creek Student Excellence Award shall be for students completing outdoor recreation or related programmes.
- (d) Students shall be nominated by Programme Co-ordinators based on their overall academic performance. The nomination forms shall be completed and submitted to the end of year Awards Committee meeting such that a decision can be made in time for the Graduation ceremony.
- (e) The holding of a Cave Creek Memorial Scholarship or Discretionary Grant shall not preclude a student being nominated for nor being awarded the Cave Creek Student Excellence Award.

## **III. Discretionary Grants**

- (a) The Awards Committee may allocate funding of up to \$5,000 in any one academic year, either to help defray programme-related expenses for individuals enrolled in an outdoor recreation programme, or to assist in meeting expenses relating directly to the circumstances of the Cave Creek tragedy. In making its decisions the Awards Committee will ensure that any alternative means of funding have been competently and fully explored.
- (b) Only in exceptional circumstances would any student holding a Cave Creek Memorial Scholarship be considered for the further award of a discretionary grant from the Fund.
- (c) Discretionary grants may not be carried over the academic year of award.
- (d) No formal applications are required for discretionary grants. The Awards Committee will consider any written proposal, however, which is in accordance with the provisions outlined in section (a) above.
- (e) Discretionary grants may be made at any stage during the academic year. In each and every instance, the Chairman and one other member of the Board of Trustees must approve the grant. The Chairman is obliged to request an Extraordinary Meeting of the Board of Trustees if in his judgement, the nature, circumstances or amount of the discretionary grant requires it.

## **F. MISCELLANEOUS PROVISIONS**

- (a) The terms and conditions governing the Cave Creek Student Memorial Fund are to be endorsed by the Tai Poutini Polytechnic Council for each year of operation. The Board of Trustees is obliged to consider any modifications in these terms and conditions suggested to it by the Council.

- (b) Information pertaining to the Cave Creek Student Memorial Fund and associated awards is to be printed in the Tai Poutini Polytechnic Course Information booklet.
  - (c) Notice of the names of recipients of Cave Creek Memorial Scholarships, Cave Creek Student Excellence Award, or discretionary grants is to be printed in the three West Coast newspapers and advised to ITPNZ.
  - (d) In the event that Tai Poutini Polytechnic or its subsequent bodies are wound up or cease to exist, all remaining funds will be passed over to the ITPNZ to be used as it sees fit.
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