

UNIVERSITY OF KWAZULU-NATAL RULEBOOK

The vision of University of Kwazulu-Natal is to be the Premier University of African Scholarship. It is a truly South African university that is academically excellent, innovative in research, and critically engaged in society.

The Department of Student residence Affairs (DSRA) offers on campus and off campus living and learning environments that promotes the UKZN goals and strategies of becoming African led global institution, by contributing responsibly to communities, through pre-eminent research and excellent teaching and learning environment and establishing university as an institution of choice for staff and students with efficient and effective management systems.

Many of the students choose to stay in university residences; however, we are unable to accommodate all the students that have applied. The university intends to increase residence capacity to maintain and match the high demand for student accommodation soon.

Congratulations on your admission and choosing the University of KwaZulu-Natal as the preferred institution in the province. On behalf of the Residences staff, we are delighted to know that you choose to make this residential community your home for the 2015 academic year. We intend to provide you with a safe and pleasant living environment, which supports and enhances the academic purpose of the university.

RESIDENCE GUIDE

The Residence guide contains important information about the policies and procedures in residence. Please keep this guide handy for reference during the year.

Welcome to the Residences!

We would like to take this opportunity to welcome you to our residences. Your stay will be rewarded with exceptional quality student life experience that promotes listening, living and learning environment experience at UKZN.

You have taken an exciting step towards fulfilling your aspiration of achieving endless results by choosing to stay at the university controlled residence. Please note that life at a university is completely different to the one at school because of abundance of freedom to be embraced. In order to ensure that you are safe and secure in residence, at the University, it is important to familiarize yourself with all the rules and regulations, policies and guidelines. We highly suggest and encourage you to read and understand the rules and regulations as they outline the do's and don'ts while staying at the university controlled residence clearly.

We are committed to ensuring that all our residences offer a uniform set of amenities, and are equally secure. This will take us a few years to complete, but we expect significant developments to take place during 2015.

We are committed to providing an atmosphere in which residences can be regarded as living and learning spaces that contributes successfully to excellent learning experience. This guide may it serve as a wonderful and informative source of knowledge towards creating a memorable and lasting residence life experience.

Management: Residences

OUR CONTRACTUAL RELATIONSHIP

In Student Residence Affairs we endeavor to accommodate as many students as possible (at the best possible price). In order to accomplish this we must try and ensure high levels of occupation by fee-paying students. It is important for you know what is required of you with respect to the payment of fees. We refer you to the following extracts from the University's **Student Financial Support Services Policy**:

1. **RESIDENCE FEES:** All residence Fees are subject to the approval of the University Council, on the recommendation of the University Planning and Resources Committee (UPRC). The adjustment to, or waiver of a Student's assessed residence fee liability is subject to the approval of the Executive Director of Students Services.
2. **RESIDENCE REGISTRATION:** Before access to a room can be given:
 - Students accepting a place in residence must have obtained financial clearance for their academic registration
 - Students must have made the full initial payment required for residence accommodation in the First Semester (R2,750) OR provided acceptable evidence (original letter of offer required) that they have been awarded an external sponsorship, loan or any other form of financial assistance from an approved sponsor, which will be adequate to meet the students' financial obligations to the University for the First Semester (included residence costs as specified), OR.
 - Students must have been awarded an approved financial aid package by the University (which covers the specified residence costs).
3. **TERMS OF PAYMENTS:** Residence fees for the academic year (first and second semesters) must be paid in accordance with the University's Institutional Policy on terms and conditions of payment.
4. **WINTER TERM AND VACATIONS:** Admission to residence during the **Winter Term and Summer Vacation** will be conditional upon the terms as highlighted in 3 above, Students who remain in residence for the vacation periods will be charged the applicable daily rates for accommodation
5. **RESIDENCE FEES:** Please note that these are approximate amounts. Fees are charged on a semester basis. Fees for Medical School students will thus be higher due to the longer semesters.

SELF-CATERING

Please remember that all the residences are self-catering, and you will have access to a communal kitchen in your building in order to prepare your food. Hobs, microwaves, fridges/freezers, toasters, etc., are provided, but you will need to provide your own cooking utensils and cutlery and crockery. For those occasions when you do not wish to cater for yourself, there are food outlets on campus, and near to campus (as well as places to buy supplies).

BED LINEN/DUVETS

Your room has all the basic furniture that you need, but you are expected to supply your own bed linen and/or duvets. The residences do have laundries where you can launder your clothes and bed linen/duvets.

HEALTH AND SAFETY ISSUES

1. **MEDICAL AID INFORMATION:** Upon checking in you must provide details of your Medical Aid Scheme (Name and Membership Number) and the person responsible for the payment of any medical accounts.
2. **CAMPUS HEALTH CLINIC:** Residence students can make use of the Campus Health Clinics on campus. Minor ailments are treated at the clinic, and limited medication is supplied. A nominal charge-per-visit is made by the Clinics. The Clinic Sisters may refer residence students to the General Practitioners retained by the University or to a local hospital, if required. Any prescriptions issued or subsequent medical treatment (e.g. x-rays, hospitalization or surgical procedures) is the responsibility of the student concerned.
3. **MEDICAL EMERGENCIES:** Registered students will be covered by a contract with **Emergency medical services** that will provide emergency medical care and transportation. **Please note** students are responsible for arranging transport **after** medical emergency or hospitalization.
4. **CHRONIC ILLNESS:** Students who require medical treatment and support which cannot reasonably be provided by the residence or the Campus Health Clinic, and who are not hospitalized, shall be required to return home or make alternative accommodation arrangements.
5. **PREGNANCY:** Residence students who are pregnant on entry to residence, or who fall pregnant during the course of the academic year, are required to notify their respective Residence Assistants/ Department of Student Residence affairs and the Campus Health Clinic of their condition, which will be kept confidential. This is to avoid serious medical complications and will assist the residences and the clinic to be prepared for any emergency that may arise relating to your pregnancy.

The campus clinic does not provide ante-natal care but will refer students to the nearest government clinic for your free ante-natal care. Pregnant students will be allowed to remain in residence without prejudice until their 32nd week of pregnancy, and will be given such support as is possible by the Campus Health Clinic, unless an earlier departure from residence is recommended by the Sister-in-Charge of the Clinic. **However, arrangements must be made by the student concerned, to move out of residences to an alternative accommodation at the 32nd week of pregnancy. Failure to comply with this will result in immediate expulsion from residences.**

6. FIRE SAFETY: Safety and security is of paramount importance in university residences. Fire prevention is of critical importance in a large community environment such as the residences because so many lives can be endangered by accidents or careless actions. Therefore the following is an outline of fire safety regulations designed to keep you and your community safe:
 - a. In the interests of safety, students may not tamper on no account with **any** alarms, fire hoses, fire extinguishers, fire escape exits or emergency exit signs, except in the case of an emergency. Remember the purpose of the fire detection devices is to call the Fire Department and more importantly to wake you in the event of a fire. Most people who perish in fires do so from fire gases rather than the fire itself.
 - b. Tampering and or vandalizing fire equipment is a criminal offence. Any violation of this will be regarded in a serious light, and **fin**es of at least **R1200.00** and/or expulsion from residence will be imposed, in addition to reparation for any damages.
 - c. Fire drills will be conducted in all residences at least once a semester in terms of the by-laws and also to ensure that students are aware of the evacuation procedure. Participation is compulsory and failure to comply will result in serious disciplinary measures.
 - d. Only oil heaters are allowed in residences, and open element (bar) heaters of any description are prohibited within residences. **Open element (bar) heaters and hot plates found in student's rooms will be confiscated and culprits will face immediate eviction from residences.**
 - e. Too many electrical appliances plugged into one circuit will overload the circuit and blow a fuse, and such overloading is prohibited. Any violation of this will be regarded in a serious light, and **fin**es of at least **R1200.00** and/or expulsion from residence will be imposed, in addition to reparation for any damages
 - f. Candles are not permitted because of increased fire hazard.
 - g. Burning of incense or Impepho and any other related substance is prohibited.
 - h. Braai-stands whether gas or fires are not permitted inside the building, rooms, balconies or on residence premises.

- i. In case of fire, flood, or any emergency, students are required to evacuate the entire building, and report the emergency to RMS and/or any staff member.

GENERAL RULES AND GUIDELINES APPLICABLE IN ALL RESIDENCES

CARING FOR THE RESIDENCES

1. **YOUR OWN ROOMS:** Students are required to keep their own rooms, common rooms, bathrooms and residence facilities in a clean and tidy condition. Students are entirely responsible for the cleaning of their own bedrooms.
2. **VANDALISM AND/OR NEGLIGENCE:** In the event of damage to a residence room or its fittings through vandalism and/or negligence on the part of the occupant, the costs of any repairs will be the responsibility of the student concerned. Vandalizing University property is anti-social conduct detrimental to the interests of students and will be treated as a serious matter, which could lead to expulsion from the residence. Tampering with safety equipment, or using fire escape doors other than in an emergency may be punished by expulsion from the residence.
3. **LOUNGE FURNITURE AND KITCHEN APPLIANCES:** Lounge furniture and kitchen appliances supplied by the residence are for the common use of residents, and thus residents may not remove any lounge furniture (in part or whole) or appliance for their private use or for the use of anybody else. A fine may be imposed for the removal or for being found in possession of such furniture without the permission of the Residence Assistant.

RESIDENCE ADMINISTRATIVE MATTERS

1. **ROOM INVENTORY FORMS:** All residents must fill in inventory forms for the rooms they will occupy during the year, at the beginning of each academic year. At the end of a semester, a student will be required to clear his/her room of all his/her belongings. Room inspections will be undertaken and a student will be charged for any damage or for cleaning that may be necessary.
2. **ROOM CHANGES:** Students are assigned to a room within a residence on arrival. Students may not take occupation of a different room without the prior approval of the Residence Office after completing an official Room Change Form. Please adhere to this rule to avoid administrative chaos, and being held responsible for a room you no longer

occupy. Remember, if you have not changed rooms officially, you still remain responsible for the room assigned to you by the Residence Office.

3. **BOX (STORAGE) ROOMS:** When using Box (Storage) Rooms at the Residences, students should be aware that any articles left in such rooms are left at their own risk, and the University can assume no responsibility for any thefts or damage to property. Students are advised NOT to leave valuables in such storerooms during the vacations.
 - a. When articles are left for storage, they must be in locked trunks, or boxes securely tied and clearly marked.
 - b. Box rooms must be closed after each student has packed away his/her belongings. It is up to each student user to see that the box room is locked.
 - c. Box rooms will not be opened for access to any forgotten articles or books during vacation, unless a member of the Residence Life staff is present. This is to ensure the safety of items.
 - d. When box rooms are opened at the beginning of semester, students must make sure that they remove all their belongings; empty trunks will be stored when necessary.
 - e. When students leave the University or Residences for good, they must take all their belongings with them. A maximum 14 working days for storage will be allowed at students' own risk. Belongings not claimed after this period will be disposed off through an auction or any other means, and the funds raised retained by the University.
4. Students personal hifi's, big fridges, home theaters ,TV's and other big appliances are not allowed in student residences, because of the size of the student rooms and excessive consumption of electricity, as well as the unbearable noise generated by big music systems in particular. Only bar fridges, portable radio and computer/laptops are allowed in student residences.
5. **ARRIVAL AND DEPARTURE:** Students are required to sign for a set of keys where applicable, on arrival at the beginning of their period of residence, and are responsible for returning the full set of keys (including key tags) on departure. In the event of keys not being handed in for safekeeping in during vacations where requested, a fine will be levied. The University Residences Management will determine the amount of the fine annually, and shall not be less than the current replacement cost of a full set of keys and key tag(s).
6. **VACATING ROOMS:** Students in residences are required to vacate their residence room within 24 hours of the last day of examinations according to the University's academic calendar at the end of each semester, unless the Student Residence Affairs Office has granted written permission. At the end of the first semester, and the final semester, students must vacate their rooms by no later than 10:00am on the day following the official end of term, as contained in the sessional dates for the University.

7. **MOTOR VEHICLES:** All vehicles operated by residence students and parked within the residence(s) must be registered with Risk Management Services, and must display an appropriate University vehicle sticker or parking disk. Students' motor vehicles are parked at their own risk and the University accepts no responsibility. Parking restrictions and rules must be observed.
8. **LEAVE OF ABSENCE:** Any student expecting to be absent from their Residence for longer than a week during an academic term must notify their Residence Administrator.

7. PARTIES

- 7.1 The Functions Monitoring Committee shall be given a **minimum** of twenty eight (28) days notice of the proposed party so that he/she can take into account the academic and other interests of students in residences.
- 7.2 Only after approval by Student Residence Affairs, shall students submit a request for a party to the Functions Monitoring Committee.
- 7.3 No functions/parties shall be held on the residence premises. No functions/parties shall be held within 4 weeks prior to an examination period and during an examination period.
- 7.4 Authorized parties shall be held only on Friday or Saturday evenings, and not on consecutive evenings. In authorizing parties, other conditions shall be agreed to prior to the event by the Residence Life Coordinator and the party hosts. Such conditions may include security, the venue and duration of the event, and shall be strictly adhered to by the hosts.
- 7.5 Party organisers or hosts shall be required to comply with safety, health, emergency protocols and all the public events rules and regulations.
- 7.6 Any member of the Residence staff shall have the right to stop unauthorized party/a party, if he/she is of the reasonable belief that the continuation of a party will endanger a person or persons, property and/or violate in part or in full the principles embodied in the code of conduct.

7.7. Confiscation of items

Big or loud music systems and Hi-fi's are not allowed in Residences; if they are found they will be confiscated and the owners will be disciplined accordingly. The Residence affairs department is not liable for the loss or damage of the confiscated items while stored away.

8. VISITORS

- 8.1 Students are responsible for the behaviour of their visitors at all times. All visitors are bound by university and residence rules at all times. The host must leave their student card with the security guard at the gate and will only receive it upon departure of the visitor/s. Students are only allowed a maximum of 5 visitors at a time during the day (Up to 22h00) and only one visitor overnight.
- 8.2 Unauthorized sharing of a room or the unauthorized occupation of a student's room by other person/persons is not allowed.
- 8.3 Children from the age of 10 and under are not permitted to enter residence premises.
- 8.4 Written permission must be requested from Residence Assistant for overnight visitors, before a visitor can be hosted, and such a visitor shall not be a child as defined in point 9.3 herein. Visitors are not allowed in residences after 22h00 (10h00 p.m.), unless permission has been sought. Residence Assistants shall obtain overnight visitors forms from the Residence Administrators, in order to issue to students/visitors as and when they need them.
- 8.5 Students are allowed one guest staying overnight for a maximum period of three (3) nights within that month. However; no sleep over visitors in residence where students are sharing a room (double room).
- 8.6 Failure to comply with the above rules on visitors will result in a spot fine of R500, 00 per day being issued by the Resistance Assistant or Residence Life Officer, and or disciplinary action.

9. SUBLETTING

The Resident (student) shall not assign or sublet his/her Room or transfer his/her contract or any of the Resident's rights to another student. If it is shown that students have accepted money for hosting squatters, the students concerned will be handed over to the S.A.P.S for prosecution (for fraud). Please note that in recent cases students found guilty of housing squatters have been ***excluded from*** residences i.e. they may not set foot in any residence for any purpose whatsoever.

10. IN CASE OF VANDALISM/DAMAGE TO PROPERTY

Individual or group behavior within the residence occasionally may warrant the following administrative action described below

10.1 BILLING: INDIVIDUALS

Residents will be assessed, and charges will be imposed for damages, losses, and special services required, due to abuse of the assigned space. When the assigned space is shared, and where the responsible resident cannot be determined or fails to assume responsibility, an equal portion of the charges may be billed to each resident. Resident may also be billed for damage or theft for which their guests are responsible.

10.2 BILLING: GROUP

Residents may be held collectively responsible for damage, theft, special service costs required for the common areas or University property within the residence when individual responsibility cannot be determined, and when deemed necessary by a Student Residence Affairs Staff member. Charges would be divided equally among all residents. Questions or disputes of such charges should be directed to the HOD: Student Residence Affairs.

11. SAFETY

11.1 No resident students are allowed to have firearms, explosives or any other dangerous articles in the residence. Such articles shall be handed in to Risk Management Services for safekeeping.

11.2 Propping doors open and tampering with security and fire equipment is prohibited.

11.3 Open fires, dangerous chemicals or highly inflammable materials (petrol, cleaning solvents, and charcoal, lighter fluid) are not permitted in or around the residence.

11.4 Tampering with or unauthorized use of any security and/or fire equipment is a violation of University regulations. This includes lighting any material on fire, breaking fire glass, pulling fire alarms without cause, or misuse of fire extinguishers or hoses.

11.5 Residence rooms are fitted with residence locks and students are required to bring with them a robust padlock and key.

11.6 The Department of Student Residence Affairs together with RMS are entitled to search student's bags, luggage, pockets etc. if there is a suspicion raised.

11.7 **ACCESS CONTROL:** The University has an on-going programme of enhancing access control to our residences. Controlling access is critical if we are to protect people and property. Access control measures (e.g. the card access systems in place in residences) can be rendered completely ineffective by individuals who opt to ignore the need for security. It is prohibited to swipe in (or out) other persons through the University and Residence gates, be it your friends, parents, staff members, or anybody. Your student card is for your own use only and remains of property of University of KwaZulu Natal and is not transferrable. Security personnel deployed at the gates would assist you in swiping in (and out) your visitors. Your visitors must register their details, leave their student cards and /or IDs with the security personnel at the gates, but the overnight

visitors rule still apply (see rule 9.5 of the general rules and guidelines in this booklet). As a residence student YOUR support and concern for not only your own safety, but of your peers, is of the utmost importance. Students may not attempt to circumvent, impede or damage any access control devices installed in residences, or intentionally leave emergency access doors open. Students who are found guilty of tampering with and/or of granting access to non-residents will face disciplinary action.

12. ROOM ENTRY

In as much as the University respects and is committed to the protection of the student's right to privacy. The University also has responsibility to ensure the welfare of people on campus; the educational and service functions of the University and the property of the University receive adequate attention and protection. To this end the Room Entry Procedure provides the following guidelines:

- 12.1 Residence staff shall not enter a resident's room without permission of the resident, unless under conditions of immediate and serious threat to the safety or well being of persons or property or for reasons stated in this booklet.
- 12.2 Under such conditions as alluded to in point 14.1 above herein, a staff member may enter a student's room whether the residents are present or not. If it is believed that such danger is connected with fire, chemicals, explosives, weapons, or other items that would cause serious personal problems or injury, the staff member should, if possible, contact Risk Management Services and South African Police Service for assistance.
- 12.3 The same procedure is prescribed if the danger involves assault or other acts constituting possible jeopardy to persons or property. Others (staff or students) may be asked to assist in an emergency situation requiring room entry, which threatens immediate harm to the safety of the individuals.
- 12.4 Residence staff may also enter the resident room to evict unofficial/unauthorized persons or visitor in the residence and in cases where a student is being evicted from residences.
- 12.5 Staff may also enter into a student's room if the student is not present, to eliminate disruptive noise from electrical sound equipment which may violate an individuals' right to sleep, study or read etc.
- 12.6 Staff may also enter a room even if the student is not present to conduct building and assets repairs, and in cases of emergency.
- 12.7 Entry of police officers or Risk Management Services into a student's room for purposes of investigation is governed by University rules. This includes, but is not limited to officers in possession of a valid search/arrest warrant, hot pursuit, safety emergency, or when a police officer or Risk Management Services has probable cause to believe a criminal act is being or has been committed by the individual therein.

12.8 Student Residence Affairs Staff members and RMS/security official may enter a student room to conduct a residence check/raid without notifying the student even if the student is not present.

12.9 Student Residence Affairs staff members shall not, except as noted above, admit a third party to a student's room without the resident's permission.

REGULATION OF GATHERINGS ACT

The University respects and upholds the right of any individual within the University community to participate in gatherings, processions and demonstrations on any campus of the University. However, such right must be exercised subject to the rights of other members of the University community and the public at large. This applies to both participants and non-participants in any gathering, procession, etc. Further, the holding of any such gathering, procession etc must be in compliance with the law. In this regard, the following rules are applicable in terms of the Regulation of Gatherings Act 205 of 1993:-

- a) any organisation on any campus of the University intending to hold a gathering must appoint a person (referred to as a convenor) to be responsible for the arrangements for that gathering and to liaise with relevant members of the SAPS, the local authority and the University. In particular the convenor must liaise with the Manager of Risk Management Services on the campus concerned;
- b) the convenor must give at least 7 days' notice of the intended gathering to the Manager of Risk Management Services concerned. (Where it is not reasonably possible to give seven days' notice then notice must be given at the earliest opportunity. However, where less than 48 hours notice is given the gathering may be prohibited);
- c) such notice must set out the details of the gathering. In particular it must specify the name and address of the convenor and the organisation; the purpose of the gathering; time, date, duration and venue; the number of participants and marshals and, in the case of a procession, details of the route and the manner and means of transporting participants to the event;
- d) the local authority is entitle to impose reasonable conditions in regard to the conducting of the gathering which will have the effect of minimising disruption of traffic and non-participants as well as reducing the risk of violence and public disturbance;

- e) as far as the actual conduct of the gathering is concerned, all participants are obliged to abide by the laws as well as any conditions that might be imposed. The convenor is responsible for ensuring that sufficient marshals are in place to maintain order;
- f) in addition, all participants shall refrain from uttering any words that are likely to encourage violence or incite racial or ethnic hatred;
- g) participants shall also not wear any disguise or mask that obscures facial features or wear any uniforms resembling those of security forces;
- h) no-one may be armed while participating in any gathering;
- i) all orders of members of the SAPS must be obeyed.

1. Reporting of Misconduct

- 1.1 All incidents of Misconduct shall be reported to Risk Management Services (RMS) on the relevant campus or to the Resident Assistance on the relevant Residence.
- 1.2 RMS shall investigate all such reports and compile a report of their investigations for transmission to the Residence Tribunal or Student Discipline Office.

MISCONDUCT

2. A student will be charged with Misconduct if he or she:

- 2.1 Makes noise which disturbs any student or staff member coming from within the University or the vicinity of the residences
- 2.2 acts in a violent, indecent or improper manner on, or in the vicinity of, University premises or at a function organised by the University;
- 2.3 acts in an insulting, indecent (sexual harassment) or improper manner towards another student, a University personnel member or functionary, or a member of the public;
- 2.4 mentally harms or humiliates, or assails the dignity or person of another student, a University personnel member or functionary;

- 2.5 introduces a dangerous weapon eg. Firearm etc, explosive or illegal substance e.g. drugs etc. onto any University campus without permission;
- 2.6 acts in such a way that their conduct results in, or could reasonably be expected to result in, prejudice to, or endangerment of the maintenance of order, discipline or safety at the University Residence;
- 2.7 impedes the orderly course of an investigation into alleged Misconduct, or the course of disciplinary proceedings;
- 2.8 intentionally or negligently removes, misuses, damages, defaces, or uses or enters, without permission, any asset or property owned or controlled by the University, or by any personnel member, or student of the University within the Residence;
- 2.9 uses emergency equipment for purposes other than in an emergency situation;
- 2.10 enters, uses or occupies any Residence of the University without permission of a University Residence Personnel ;
- 2.11 assists or encourages another student to commit Misconduct;
- 2.12 allows another student or any other person to utilise their student card or student number for any purpose whatsoever, or to utilise the student card or student number of another student for any purpose whatsoever specifically to swipe the student in the residence;
- 2.13 fails to comply with, or ignores any order of a disciplinary tribunal or court;
- 2.14 refuses to produce a student identity card upon lawful request by any personnel or functionary of the University;
- 2.15 consumes any alcohol (as defined in the Liquor Act, 2003), on any University premises, other than at a place and time approved by the University ;
- 2.16 any other act or omission that is contrary to the rules, regulations and guidelines of the University residences.

RESIDENCE JUDICIAL PROCESS

The rules that govern a residence are an integral part of the community standards that we agree uphold when taking up a place in residence, and when the standards are not adhered to the residence judicial process comes into operation as outlined in the University Rules for Students. You are urged to make sure that you know the rules, and that you are familiar with the consequences of breaking the rules. Rules for Students are provided to all registered students.

In many cases transgressions of the rules in residence will result in an appearance before the Residence Tribunal to answer charges of misconduct. In other (more serious) cases, students may have to appear before the Student Disciplinary Court.

The Residence Judicial process is as follows:

RESIDENCE TRIBUNALS

3.

- 3.1 Where the Proctor has referred the matter, or after consultation with the Proctor, a student who is charged with Misconduct as defined in Rule 9 in, or in relation to, a residence shall appear before a Residence Tribunal.
- 3.2 A Residence Tribunal shall consist of:
 - 3.2.1 A President of the Student Discipline Court,
 - 3.2.2 The Residence Life Co-ordinator on the campus concerned, appointed by the Executive Director: Student Services; and
 - 3.2.3 The Chair of the House Committee or a nominee who shall be a member of the House Committee.

4. Procedure at the Tribunal Inquiry

- 4.1 A charge of Misconduct shall be brought against a student where:
 - 4.1.1 An Officer-in-Charge of a residence, is of the opinion that a student has transgressed a rule, the contravention of which is defined as Misconduct by Rule 9, but only after consultation with the Proctor; or

- 4.1.2 where the Proctor has directed that a Residence Tribunal shall consider the charge.
- 4.2 A student who is charged with committing a Misconduct shall be summoned to appear before the Residence Tribunal on not less than 72 hours written notice in the manner prescribed for in Rule 21.
- 4.3 In conducting an inquiry a tribunal shall proceed in an inquisitorial manner and shall call and examine any witnesses who may be required to testify.
- 4.4 If a student, after notice duly given in terms of Rule 25.2, and without the leave of the tribunal, fails to attend the inquiry, the inquiry may proceed in the absence of the student, provided that the student may make written representations to the tribunal which the tribunal shall consider.

5. Procedure upon conviction of a Student in a Residence Tribunal

- 5.1 In the event of a Residence Tribunal finding a student guilty of Misconduct it shall impose one or more of the following punishments:
 - 5.1.1 reprimand or warning, or both;
 - 5.1.2 an order for reparation for any damage to property or loss caused, payable by a date stipulated by the Tribunal;
 - 5.1.3 a fine not exceeding R1000, payable by a date stipulated by the Tribunal;
 - 5.1.4 deprivation of all or specified student privileges in the residence;
 - 5.1.5 the performance of such duties or tasks in, or on behalf, of the residence as the Tribunal may determine for a period that shall not exceed one semester;
 - 5.1.6 exclusion for a stated period from any residence or part of a residence;
 - 5.1.7 expulsion from the residence; provided that this sentence shall immediately be reported to the Registrar and shall not come into effect unless and until it has been approved by the Registrar, who shall thereupon inform the student that he or she is expelled from the residence; provided further that where a sentence of expulsion from a residence has been confirmed by the Registrar in the manner provided in

this rule, and unless the Registrar directs otherwise, the student shall not be admitted to another residence.

- 5.2 Upon conviction, a student shall be advised of their rights of appeal under Rule 30.

SUSPENSION OF SENTENCES AND APPEALS

6. Suspension of Sentences

- 6.1 Any Student Discipline Court or Residence Tribunal constituted under these rules may direct that the operation or execution of any penalty imposed by the said court or tribunal shall be suspended for a period not exceeding the time the student remains a registered student of the University and upon such conditions as the court or tribunal may deem appropriate, provided that a warning or reprimand and the punishments referred to in Rule 23.1.7 shall not be suspended.
- 6.2 Where a punishment imposed in terms of these rules has been suspended and the student concerned breaches a condition of such suspension, the court or tribunal which originally imposed the punishment may:
- 6.2.1 order that the suspended punishment be brought into operation; or
 - 6.2.2 order the further suspension of the execution or operation of the punishment on the same or different conditions; or
 - 6.2.3 make such other order as it deems proper in relation to the suspended punishment.

7. Appeals

- 7.1 A student or the University may appeal in the manner hereinafter provided against any conviction for a contravention of these rules or against any sentence imposed by a Student Discipline Court or Residence Tribunal. For these purposes an appeal may include a request to review the proceedings of the court or tribunal on the grounds of procedural irregularity in terms of these rules or on the grounds that the Court or Tribunal failed to observe the rules of natural justice.
- 7.2 Unless the court or tribunal directs otherwise at the time of imposing the punishment, the operation of any punishment imposed by the Student Discipline Court or Residence Tribunal shall be suspended until an appeal instituted under these rules has been finally disposed of; provided that if, in the opinion of the Registrar, it is in the interests of the University, or the students of the University, that

the operation of the sentence be not suspended, the Registrar may order that the operation of the sentence be not suspended; provided further that in the event that the court or tribunal has failed to consider whether the operation be suspended, the Registrar shall determine whether the operation of the sentence shall be suspended or not.

8. Appeal from Student Discipline Court to Appeal Committee of Council

- 8.1 A student convicted by a Student Discipline Court may appeal against the conviction or sentence, or both, and the University may appeal against any acquittal or sentence imposed by the Court, to the Council of the University in the manner provided in this rule.
- 8.2 The appellant (whether a student or the University) shall apply to the Student Discipline Court for leave to appeal to the Council of the University in the manner provided in this rule.
- 8.3 Such application, based solely on evidence already led and/or representations to the Student Discipline Court, shall be made either:
 - 8.3.1 by way of verbal presentation, setting forth the grounds of the appeal after sentence has been handed down, and before the conclusion of the proceedings; or
 - 8.3.2 written notice setting forth the grounds of appeal which must be lodged with the Student Discipline Office within 3 working days of the conclusion of the proceedings.
- 8.4 If the Court considers that the appeal has a reasonable prospect of success, it shall grant leave to appeal and notify the Student Discipline Office and the Registrar of its decision. The Student Discipline Office shall notify the Student's Representative, or in the event of the student not being represented, the student.
- 8.5 If the Court refuses leave to appeal to any student who has been convicted under these rules, the Court shall convey such decision to the Student Discipline Office and the Registrar. The Student Discipline Office shall notify the Student's Representative, or in the event of the student not being represented, the student. In such event:
 - 8.5.1 the student may petition the Council to allow an appeal.

- 8.5.2 such petition shall be in writing and shall set out the grounds for seeking relief and shall be lodged with the Registrar within ten (10) working days of the court refusing leave to appeal.
- 8.5.3 the Registrar shall refer the petition to the Director: Legal Services who shall consider the petition and who shall thereafter advise the Chairperson of the Council.
- 8.5.4 the Chairperson of the Council shall either grant or refuse the petition.
- 8.5.5 if the petition is granted the appeal shall be heard in the manner set out in this rule.
- 8.5.6 the decision of the Chairperson of the Council shall be final and no further petition shall be received or considered.
- 8.6 Should the Court grant leave to appeal, or should the Chairperson of Council grant the petition, the appellant and the representative of the other party, shall file written appeal argument, to be lodged with the Student Discipline Office within ten (10) working days of receipt of notification in terms of Rules 29.4 or 29.5. Should the appellant not file argument timeously, the Registrar shall have the right to invoke the provisions of Rule 28.2.
- 8.7 Unless the council directs otherwise, the appeal shall be based solely upon the record of the proceedings of the Student Discipline Court; provided that the appellant may, on written application to the Registrar seek the approval of the Appeal Committee to the introduction of additional evidence. Such evidence shall:
 - 8.7.1 be lodged with the Registrar within ten (10) working days of notification of the Court's decision under Rule 29.4, or the granting of a petition under Rule 29.5; and
 - 8.7.2 set out fully the nature and purpose of such additional evidence and the name(s) of any proposed additional witness(es);
 - 8.7.3 be argued before the Appeal Committee at the commencement of the appeal consideration.

The Appeal Committee may, if it considers it to be in the interests of justice, grant the application and hear such additional evidence as part of the appeal. In the event of the Appeal Committee refusing such application, such decision shall be final.

- 8.8 Should the Court or the Chair of Council grant leave to appeal, the Registrar shall forward to the Appeal Committee of Council;
- 8.8.1 the notice of appeal,
- 8.8.2 the transcript of the proceedings of the inquiry;
- 8.8.3 the report of the Court made in terms of Rule 22.9;
- 8.8.4 the written arguments submitted under Rule 29.6, and
- 8.8.5 any application made under Rule 29.7.
- 8.9 In the event of no application being made under Rule 29.7, the Appeal Committee shall consider and decide the appeal on the papers submitted under Rule 29.8.
- 8.10 In the event of an application being made in terms of Rule 29.7, and having been granted by the Appeal Committee, the Registrar shall give the appellant and the respondent at least 120 hours written notice of the time and place of the hearing of the additional evidence. At such hearing:
- 8.10.1 such witness(es) shall be called, led and cross-examined;
- 8.10.2 having heard the evidence of such witness(es), the Appeal Committee shall terminate the hearing to consider the additional evidence in conjunction with the other documents submitted under Rule 29.8.
- 8.11 The appeal shall be considered by the Appeal Committee of Council, which shall comprise:
- 8.11.1 three members appointed by the Chair of the Council from a panel of persons appointed by the Council for this purpose; provided that the membership of this panel shall not be confined to persons who are members of the Council, and
- 8.11.2 the President of an Appeal Committee shall be a person who is a lawyer.
- 8.12 The Appeal Committee shall either grant or dismiss the appeal in whole or in part and may either increase or reduce any sentence imposed and may order that its decision be published in the manner contemplated in Rule 23.6; provided that the decision of the Committee shall be reported to Council at the next ordinary meeting of the Council.

- 8.13 The provisions of this rule shall apply in all appropriate respects to an appeal by a Student Organisation charged in terms of Rule 20 or on appeal by the University in respect of any sentence imposed upon such organization.
- 8.14 In the event that no appeal is made against a conviction or sentence as contemplated by this rule, and the Council has reason to believe that a student has been wrongly convicted, or that the sentence imposed on a student is grossly excessive, the Council may appoint from the panel referred to in Rule 29.11 above a committee that shall review the conviction or sentence and make recommendations to the Council in this regard; provided that the committee shall not recommend to Council that the conviction or sentence be set aside merely by reason of some formal or technical defect in the proceedings before the Student Discipline Court which did not result in a substantial failure of justice.

9. Appeal from a Residence Tribunal to the Student Discipline Court

- 9.1 An appeal against a conviction or sentence by a Residence Tribunal shall be heard by the Student Discipline Court in the manner set out in this rule.
- 9.2 A student convicted by a Residence Tribunal shall have an automatic right of appeal, on written notice, to be lodged with the Student Discipline Office within three (3) days of the decision of the Residence Tribunal. On receipt of such written notice, the Proctor shall, with the consent of the student, deal or dispose of the matter as provided for under Rule 13.4.4, 13.4.5 or 13.4.6; alternatively, refer the appeal to the Student Discipline Court.
- 9.3 The appeal shall be heard by a Student Discipline Court constituted in the manner set out in Rule 16.
- 9.4 If the appeal is against the conviction of the student, the Student Discipline Court shall hear the charge against the student *de novo*, and the proceedings shall be conducted in the manner prescribed in Rule 22.
- 9.5 If the appeal is against the sentence only, the Student Discipline Court shall only hear evidence in mitigation of sentence.
- 9.6 The Student Discipline Court may either grant or dismiss the appeal in whole or in part and may either increase or reduce any sentence imposed and may order that its decision be published in the manner contemplated in Rule 23.6, and its decision shall be final.

- 9.7 The provisions of this rule shall apply in all appropriate respects to an appeal by a Student Organisation charged in terms of Rule 20.

Disciplinary guidelines: Residences

Charge/Transgression	1 st transgression	2 ND transgression	3 rd transgression
1. Less Serious Misconduct Examples: disturbing of the peace, noise, wearing, and transgression of house rules.	Residence Tribunal session: Fine: R250 – 400 Written warning	Residence Tribunal session: Fine: R400 – 500 Final Written Warning Letter to the parents	Proctor: Recommendation for expulsion from all University residences. Letter to the parents
2. Misconduct Examples harming the good image of the residence, non-payment of fines, fights,	Residence Tribunal session: Fine: R300 – 500 Final written warning and or recommendation for expulsion from all University residences Letter to the parents	Proctor: Recommendation from all University residences. Letter to the parents.	
3. Serious Misconduct Examples: squatters in rooms, cohabitation, visitors outside prescribed visiting hours, racism or tribalism, seniors/first-year incidents, assault, rape, drugs & alcohol abuse, security & equipment violations, (evacuation doors, turnstiles gates, fire extinguishers, etc) & vandalism.	Residence tribunal session Temporary expulsion by the registrar / Student disciplinary Court. Letter to the parents		
4. Use of alcohol: The consumption of alcohol is prohibited in residence grounds.	Residence Tribunal session: Fine R200 – R300 Written warning	Residence Tribunal session: Fine 500 – 1000 Final written warning Temporary expulsion from residence Letter to the parents	Proctor: Recommendation for expulsion from all University residences Letter to the parents

RESIDENCE TELEPHONE DIRECTORY

PIETERMARITZBURG RESIDENCES

DENISON RESIDENCE

Residence Life Officer		033- 260 6600
Residence Administrator	Mrs T. Sibisi	033 - 260 5683
Res Building & Assets	Mrs M Moffett	033 - 260 5684
Fax		033 - 260 6658

WILLIAM O' BRIEN

Residence Life Officer		033 - 260 5406
Residence Administrator	Ms C. Howard	033 - 260 5406 / 6503
Res Building & Assets Officer	Mr B Ngcobo	033 - 260 5088
Fax		033 - 260 6253

MALHERBE

Residence Life Officer		033 - 260 6702
Residence Administrator		033 - 260 6701
Res Building & Assets	Mrs A Damons	033 - 260 6707
Fax		033 - 260 6721

PETRIE

Residence Life Officer		033 - 260 6300
Residence Administrator	Mrs E Matizamhuka	033 - 260 5403
Res Building & Assets Officer	Mrs A Damons	033 - 260 5424
Fax		033 - 260 6304

STUDENT RESIDENCE AFFAIRS OFFICE

HOD	Ms R Yende	033 - 260 5302
Residence Life Co-ordinator	Mr M Mabaso	033 - 260 5128
Help Desk	Ms V Frank	033 - 260 6226
Fax		033 - 260 5799

DURBAN RESIDENCES

Howard College Campus Residences :

Albert Luthuli Complex and Pius Langa Residence :

Residence Administrator	Ms Shama Hansraj	031 - 260 2274
Fax		031 - 260 2337
Residence Life Officer		031 – 260 2928

Charles Smith Complex including Medical School

Residence Administrator	Ms Thembile Mdhladhla	031 - 260 2793
Residence Administrator		031 - 260 1294
Fax		031 - 260 2337
Residence Life Officer		031 - 260 3304
Residence Life Officer		031 - 260 2925

Student Residence Affairs Office

HOD	Mr S. Dludla	031 - 260 2182
Residence Life Co-ordinator	Ms Q. Gumede	031 - 260 1484
Help-desk/Office Administrator	Mrs S. Ntuli	031 - 260 2182
Fax		031 - 260 1396

EDGEWOOD CAMPUS

Residence Administrator	Ms June Cele	031 – 260 3611
Assets and Building Officer	Ms Glynis Frara	031 – 260 3425
HOD	Mr. Sbu Khumalo	031 – 260 3664/7901

WESTVILLE CAMPUS

On Campus Residences:

Blocks : O, P, R & S

Residence Administrator -	031 – 260 8040
Fax	031 – 260 7113

Off-Campus:

Santa Cruz, Dunstaple Heights, and New Residence

Residence Administrator	Mr Ezrom Lebodi	031-2608150
Residence Administrator	Mrs Reeksha Sumanth	031 – 260 8150
Fax		031 – 260 7113

Student Residence Affairs Office :

HOD	Mr Sbu Khumalo	031 - 260 7901
Help Desk Administrator		031 – 260 8070
Residence Life Co-ordinator	Ms Lerato Khoali	031 – 260 7035
Private Accommodation ?		
Fax		031 – 260 7113