

UNIVERSITY OF SWAZILAND

REGULATIONS FOR STUDENT DISCIPLINE

The Statutes of the University of Swaziland 1983, as amended, provide among other things, the following:

- Section 4(2) (b) That the Vice Chancellor shall be the Chief Disciplinary Officer of the University,
- Section 4(2) (c) That the Vice Chancellor in carrying out his duties as the Chief Disciplinary Officer of the University, shall appoint a Student Disciplinary Committee to deal with alleged serious breaches of the Regulations for Student Discipline,
- Section 20(1) Subject to the Act and Statutes, the Senate Shall:
- Section 20(1) (m) Assist the Vice Chancellor in making and enforcing Regulations for the Discipline of the Students.

AS AMMENDED IN 2007

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0.0 PREAMBLE

0.1 In accordance with powers conferred upon it by the University of Swaziland Act, 1983 and with the approval of the Council, the Senate has adopted the following regulations for the governance and discipline of students of the University of Swaziland.

0.2 It is the duty of all students to acquaint themselves with statutes of the University and all the regulations and channels of communication, violation of which shall be viewed seriously. These are contained in the:

- a) University Act
- b) University Statutes
- c) Academic General Regulations
- d) Faculty Regulations
- e) All documents pertaining to channels of communication
- f) General Regulations contained in the Calendar
- g) The Rules and Regulations for Student Discipline
- h) Other Regulations issued from time to time by the University Authorities

0.3 Ignorance of the law, rules and regulations shall not be regarded as an excuse for any violation thereof.

0.4 All students, whether on University premises or not, whether acting in furtherance of University duty or not, are required to act at all times with a sense of responsibility, with courtesy and consideration for others, and with regard for the good name of the University.

0.5 These rules and regulations may be amended from time to time.

0.6 Any rules and regulations including any amendments to these regulations affecting students shall not come into force until same have been approved by the University Senate.

0.7 For the avoidance of doubt, where the Regulations impose a certain duty and the Student does not abide, the student shall be liable to disciplinary action.

1.0 DEFINITIONS

In these Regulations unless inconsistent with the text, words importing the singular include the plural and vice versa.

Words signifying one gender include other genders, as well as artificial persons such as institutions. Headings to clauses are for reference only and are not to be used in interpreting the meaning of the text.

“Crime” means an offence punishable by law.

“Disorderly Conduct” shall include but is not limited to conduct that is: unruly, irregular, riotous, contrary to public order, violent, unrestrained and/or ungoverned.

“Dismissed from the University” means expelled from the University permanently.

“Exclude from the University” means to keep out a student from the University premises.

“Interference” shall mean but not limited to obstruct, to hinder, to intervene without invitation, inhibit, frustrate, subvert, interrupt, intercede, and interpose, upon any member of the University.

“Offence” means an illegal act, transgression, misdemeanour, violation, breach, crime, felony, infraction, wrongdoing, and infringement, not permitted in these regulations.

“Off – Campus Student” means any University student not registered as a resident student on any of the University Campuses.

“Rusticate” means temporarily expel from the University for a certain period.

“Sexual Harassment or Sexual Assault” is any uninvited, unwanted, unacceptable, unsolicited behavior or move of sexual orientation towards another person or self, physical, verbal or otherwise.

“Staff” means the Academic, Administrative and Non Academic Staff members of the University of Swaziland.

“Suspend from the University” means temporarily expel from the University, for a certain period.

2.0 PUBLIC ORDER AND DISORDERLY CONDUCT

2.1 It is a serious offence for any student to:

- a) interfere in any way with the legitimate freedom of any other person;
- b) engage in any act of violence or intimidation towards any other person;
- c) cause any damage to any property on or off the University Campus;
- d) aid and/or abet any person in the damage of any property on or off the University

Campus(es).

- 2.2 It is a serious offense for any student to bring alcohol, illegal drugs and/or any other intoxicating substances into any of the campuses of the University of Swaziland.
- 2.3 It is a serious offence for students to be found in possession of alcohol, illegal drugs and/or any intoxicating substances within any of the University Campuses of the University of Swaziland.
- 2.4 The Head Warden, Senior Warden, Warden/Boarding Master, the Chief Security Officer or their assistants, Security Personnel or their authorized representatives, have the right to search student(s) room(s) for traces of these prohibited substances.
- 2.5 The Head Warden, Senior Warden, Warden/Boarding Master, shall at all times conduct searches and seizures of prohibited items and substances in the presence of other authorized University Security Personnel.
- 2.6 The Head Warden, Senior Warden, Warden/Boarding Master, the Chief Security Officer or their assistants and other Security Personnel shall confiscate such substances, and destroy same after the finalization of the disciplinary action. This is without prejudice to the Committees' right to deal with the matter in any other appropriate manner.

3.0 DISORDERLY CONDUCT

- 3.1 It is a serious offence for any student to engage in any form of disorderly conduct.
- 3.2 If such conduct results from the use of drugs and/or consumption of alcohol or other intoxicating substances, this shall aggravate the seriousness of the offence.

4.0 INTERFERENCE WITH THE OPERATIONS OF THE UNIVERSITY

- 4.1 It is a serious offence for any student to engage in any conduct which interferes with or is designed to interfere with the functioning of the University or the performance of duties by any member of its staff.
- 4.2 It is a serious offence for any student to engage in any conduct which is likely to bring the University into disrepute and/or does bring the University into disrepute.
- 4.3 It is a serious offence to incite or attempt to incite students to engage in any activity that is meant to disrupt the normal operations of the University.

5.0 INSUBORDINATION

- 5.1 It is a serious offence for student(s) to disobey legitimate orders of persons vested by the University with authority to issue such orders.

6.0 PUBLIC MEETINGS AND DEMONSTRATIONS

- 6.1 Students taking part in public meetings or demonstrations other than those sponsored or approved by the University shall do so in a responsible manner and without implying that the University is in any way associated with such meetings and demonstrations.
- 6.2 No public meetings (including Debates and Open Lectures) or demonstrations to which members of the general public are invited shall be held within the University precincts without prior written permission of the Vice Chancellor or his/her authorized representative.
- 6.3 No public meetings other than those called by the Student Representative Council or by the committees, societies and organizations recognized by the Student Representative Council shall be held on campus without the prior approval of the Dean of Student Affairs or his/her Assistant.
- 6.4 It is a serious offence for any student to convene any public meeting or debate in contravention of paragraph 6.2 and 6.3 above.

7.0 STUDENT BODY MEETINGS

- 7.1 Student Body meetings shall be called only according to the relevant Article (s) of the Constitution of the Student Representative Council of the University of Swaziland.
- 7.2 An agenda must be given to the Dean of Student Affairs or his Assistant at least 48 hours (excluding weekends and public holidays) before a meeting. Such notice shall be delivered to the office of the Dean of Student Affairs during working hours and signed for.
- 7.3 Written minutes of every student body meeting signed by the chairperson and the secretary shall be given to the Dean of Student Affairs or his Assistant within 48 hours of the meeting having been held, excluding weekends and public holidays.
- 7.4 No student other than those designated according to the relevant Article(s) in the Student Representative Councils' constitution shall call or chair a general or special meeting of the student body.
- 7.5 It is a serious offence for any student to call any student body meeting in contravention of regulation 7.1 and all requirements laid out therein.

8.0 PUBLICATIONS BY STUDENTS

- 8.1 The names of students responsible for a publication, which carries the name of the University, or is edited from the University or purports to be issued in the name of the University, shall be made known to the Dean of Student Affairs (or his Assistant) before publication.

- 8.2 Student(s) responsible for any such publication shall deliver a draft of each edition of such publication to the Dean of Student Affairs well before publication.
- 8.3 The Dean of Student Affairs, shall, after consultation with the Registrar, either sign the final draft of the publication as it stands or indicate in writing to the students responsible that the University does not wish to be associated with the publication and give his reasons thereof.
- 8.4 An appeal against such decision may be made to the Senate through the Vice Chancellor.
- 8.5 Student(s) responsible for any authorized publication shall deliver one copy of each issue of such publication to the Dean of Student Affairs.
- 8.6 Student(s) responsible for any such publication shall have full opportunity for the legitimate expression of opinion provided they do not publish matter which is defamatory, derogatory, causing disrepute, contrary to the laws and rules of the University, contrary to the laws of the Kingdom of Swaziland and statements committing the University in any way.
- 8.7 Students responsible for any such publication are also prohibited from issuing statements to the press and the media that are defamatory, degrading, derogatory, causing disrepute, contrary to the laws and regulations of the University, the laws of the Kingdom of Swaziland and statements committing the University in any way.
- 8.8 The foregoing regulations shall not be interpreted to prejudice the right of any student to publish in his private capacity.
- 8.9 Publications meant for pinning up on University notice boards shall be authorized and stamped by the Dean of Student Affairs or the relevant SRC member.
- 8.10 Publications or notices that are not in line with University Regulations shall not be allowed on notice boards, walls, pillars or floors.
- 8.11 Such publications or notices, if found, shall be removed by the Head Warden, Senior Warden, Warden / Boarding Master or any Officer of the Dean of Student Affairs and the authors shall face disciplinary action.
- 9.0 NOTICES
- 9.1 Walls, floors, doors and pillars must not be used for notices and graffiti. Public notices must be restricted to notice boards.
- 9.2 Any student in breach of this regulation shall be required to take responsibility for restoration costs.
- 9.3 Authorized University personnel shall remove unauthorized notices wherever posted within the premises of the University.

10.0 ABSENCE

- 10.1 Where a student absents him/herself from the University for more than one day, he/she shall notify the Dean of Student Affairs in writing as soon as possible, stating the reasons of absence.
- 10.2 Where a student absents him/herself from the University for more than twenty one (21) consecutive days, the student shall be deregistered from the University, following a recommendation from the relevant Faculty Board, notwithstanding the student's right to re-apply in subsequent years.
- 10.3 Where the student is absent due to ill health, such notification should be accompanied by a medical report or certificate from a recognized Medical Practitioner or Health Officer.
- 10.4 The Dean of Student Affairs should immediately upon receipt of such notification inform the Faculty Tutor, Senior Warden / Boarding Master of the concerned student.

11.0 VISITORS

- 11.1 The study rooms and/or hostels of students are not open to non-University people between the hours of 10:00pm and 6:00am without the express permission of the Head Warden / Senior Warden / Warden / Boarding Master or his authorized representative.
- 11.2 The study rooms and/or hostels of students are not open to females where the hostels are for male occupation and vice versa, between 11:00 pm and 6:00 am.
- 11.3 The study rooms and/or hostels of students are not open to "off-campus" students between 8:00 pm and 6:00 am.

12.0 UNLAWFUL RESIDENCE

- 12.1 It is a serious offence for a student to occupy a room or sleep at any hostel without the permission of the Head Warden, Senior Warden, Warden/Boarding Master or their authorized representative(s).
- 12.2 The Head Warden, Senior Warden, Warden/Boarding Master, will grant such permission at his own discretion with reasonable conditions attached to the permission.
- 12.3 It is a serious offence for any student(s) to accommodate any person without the permission of the Head Warden, Senior Warden, and Warden/Boarding Master.
- 12.4 It is a serious offence for any student to lease his/her room to any other person or student.
- 12.5 Where an unauthorized occupant(s) is found in the hostel room(s) he/she shall be evicted immediately by the Head Warden, Senior Warden, Warden/Boarding Master and the authorized occupant, shall be made to pay a spot fine without prejudice to the University's right to implement other disciplinary action.

- 12.6 Where the authorized occupant repeats the abovementioned offence(s), he/she shall be evicted immediately by the Head Warden, Senior Warden, Warden/Boarding Master without prejudice to the University's right to implement other disciplinary action.
- 12.7 It is a serious offence for Part-time students to reside in University Hostel(s), on a full time basis.
- 12.8 It is a serious offence for Part time students to reside on Campus at any time without the express permission of the Head Warden, Senior Warden, and Warden/Boarding Master.

13.0 WEAPONS

- 13.1 It is a serious offence for any student(s) to keep a firearm or any other weapon within the University premises.
- 13.2 It is a serious offence for any student(s) to use or threaten to use such firearm, any other weapon or any other object as a weapon against any person or property within the University premises.
- 13.3 It shall similarly be a serious offence to keep any dangerous chemical(s) or any such related substance on the University premises or use or threaten to use such substance as a weapon on the University premises.
- 13.4 The authorized personnel shall seize the said weapon(s) or any dangerous substance or object from the student, which items will then be disposed of in accordance with the University disposal policy contained herein after appropriate disciplinary action has been undertaken.
- 13.5 Any student found in possession of any weapon(s) or dangerous substance or object(s), shall be excluded from the University residences forthwith. He/She may also be expelled or suspended from the University for a period to be determined by the Student Disciplinary Committee after a disciplinary hearing.
- 13.6 Where a student is in possession of a licensed firearm, such a student shall be expected to declare such firearm at any of the University Campuses' main gate.
- 13.7 A licensed firearm will be left at the University main gate where it shall be kept in a safety deposit box by the security personnel and the owner shall collect such firearm on his way out of any of the University Campus(es).

14.0 COMPUTER OFFENCES

- 14.1 It is a serious offence for any student to access any file and or any other persons file without authority for purposes of using, reading or changing the contents thereof.
- 14.2 It is a serious offence to use another persons' password without his/her authority.
- 14.3 It is a serious offence to use University computer facilities to send obscene or abusive and threatening messages to any person.

14.4 It is a serious offence to use computer facilities to interfere with normal operations of the University computing system.

14.5 It is a serious offence for any student to view any pornographic or sexually offensive images through the University internet or network facilities.

15.0 SEXUAL OFFENSES

15.1 It is a serious offense to sexually harass any person within the University premises.

15.2 It is a serious offense to sexually assault another person within the University premises.

16.0 UNAUTHORISED ENTRY

16.1 Unauthorized entry into any University Offices or laboratories or any other rooms using but not limited to master keys and duplicate keys is a serious offence.

16.2 Unauthorized entry into any student (s) room using but not limited to master keys and duplicate keys is a serious offence.

17.0 STUDENT CONDUCT IN RESIDENCES

17.1 Students shall conduct themselves at all times so as to avoid interference with the work of other students and University staff members.

17.2 No parties of any kind will be allowed in the halls of residence or within their vicinity.

17.3 Permission from the Head/Senior Warden shall be sought for launching parties at any other venues.

17.4 The Head/Senior Warden will grant such permission at his own discretion with reasonable conditions.

17.5 Any student(s) who launches an unauthorized party shall be liable to disciplinary action.

18.0 MUSIC ON CAMPUS

18.1 Any student playing music in or within the vicinity of the hostels shall use head phones.

18.2 Any loud radios, stereos, cassette players, compact discs, and television sets, will be impounded by any authorized University Personnel in the presence of Warden's or by the Wardens and will only be returned to the owners at the end of the semester, or as soon as the owner is excluded from the hostel.

18.3 Anyone found playing loud sound instruments, shall be liable to disciplinary action.

19.0 UNIVERSITY PROPERTY

19.1 It is a serious offence to steal, use, possess without authority, any University property.

19.2 Students are responsible for furniture, fittings, linen and other equipment provided by the University in their rooms, classrooms, hostels and recreation facilities.

19.3 All occupants of a particular residential hall may be individually and collectively liable for the cost of and / or repair to hostel property and for damage that is unaccounted for outside their rooms in that residence.

19.4 Any student(s) who willfully or negligently damages or loses any University property shall be held liable for the cost of repair and/or replacement. Failure to pay costs shall result in:

The deduction of the cost from caution fee and/or the withholding of the results at the end of the academic year until payment is effected and or the refusal of registration in the next academic year, pending the payment of the cost of any damage.

19.5 Any loss or damage to University property shall be reported to the Head Warden, Senior Warden, Warden/Boarding Master or the Dean of Student Affairs without undue delay and the appropriate investigation shall be instituted.

19.6 Any student found guilty of such infringement shall be required to pay the cost(s) of replacing and/or returning the property without prejudice to the University's right to institute other disciplinary action.

19.7 No student shall use and/or remove University property from any rooms, offices, halls or the library without the permission of the relevant authorized officer of the University. Where permission has been granted, the student(s) concerned shall return such property to its proper place.

20.0 PERSONAL PROPERTY

20.1 It is a serious offence to steal, use, possess without authority, any student(s) property.

20.2 The University does not accept liability for the loss of student(s) property(s) on its premises.

20.3 The University does not accept liability for damage to student(s) property(s) where such damage is attributable to the University or its employees acting in exercise of their normal duties.

20.4 The loss of personal property must be reported to the Chief Security Officer, Head Warden, Senior Warden, Warden / Boarding Master or to the Dean of Student Affairs as

soon as possible after the loss is discovered.

- 20.5 Any student in breach of this regulation shall be liable to disciplinary action without prejudice to the University's right to:

Report the matter to the police and/or claim costs involved in returning or restoring the property to its rightful owner.

21.0 MISAPPROPRIATION OF FUNDS BY STUDENT OFFICIALS OF THE STUDENTS REPRESENTATIVE COUNCIL, CLUBS, SOCIETIES AND ANY STUDENT ORGANIZATION

- 21.1 Misappropriation of funds by officials of the Student Representative Council, Club(s), Society(s) and other student Organization(s) of the University is a serious offence.

- 21.2 The Student Representative Council, Club(s), Society(s) and any other Organization of the University shall cause audited statements to be issued forthwith at the end of each academic semester.

- 21.3 Where a misappropriation, theft or shortfall is discovered in the finances of the Student Representative Council or any Club, Society or Organization, the matter shall be reported forthwith to the Vice Chancellor, who shall cause an inquiry to be held to investigate the shortfall.

- 21.4 At the enquiry the Student Representative Council, Club(s) or Society(s) or Organization shall be required to submit the relevant audited statements of accounts.

- 21.5 In the event of such inquiry failing to identify the source of the misappropriation, theft or shortfall, the Officer (s) in-charge in that affected section of the Student Representative Council, Club (s), Society (s) or other student Organization (s) shall be held jointly and severally liable for the loss and shall be required to reimburse the Student Representative Council, Society(s), Club(s) or other Organization (s).

22.0 ILLNESS OR INJURY

- 22.1 Any illness or injury must to be reported without delay to the Campus Nurse.

- 22.2 The Campus Nurse shall report the illness or injury to the Head Warden, Senior Warden, Warden / Boarding Master and Dean of Student Affairs.

- 22.3 The office of the Dean of Student Affairs, shall report the said illness or injury to the relevant Heads of Departments and Tutors.

23.0 RELATIONS WITH UNIVERSITY DOMESTIC STAFF AND SECURITY STAFF

- 23.1 Students shall not interfere with the duties of the Domestic and Security staff on duty on

the Campuses.

- 23.2 Students shall at all times treat Domestic and Security staff members with courtesy, consideration and shall refrain from insulting, assaulting or threatening staff members, in whatever manner, at all times.
- 23.3 Any such staff member who is aggrieved by the action(s) of any student(s) shall report the matter to his/her immediate Supervisor who shall cause the matter to be investigated and referred to the appropriate Disciplinary Committee, where necessary.
- 23.4 Any student who is aggrieved by the action(s) of any staff member, shall report such grievance to his/her immediate supervisor, who shall cause the matter to be investigated and referred to the appropriate Disciplinary Committee, where necessary.
- 23.5 Where a student has reported such grievance, the student will expect a feedback report on the matter within fourteen (14) days.
- 23.6 The Officer(s) shall thereafter deal with the matter in an expedient manner and where appropriate refer it to the relevant disciplinary authorities.
- 23.7 No student other than the Student Representative Council official or any other designated officer of any recognized University Club, Society or any other student organization responsible for dining hall matters, is permitted to enter the kitchen area. Requests to see the Domestic Bursar on duty should be made to the domestic staff on duty at the serving points.
- 23.8 No student(s) shall be allowed behind the refectory serving area.

24.0 PROCEDURE FOR LODGING COMPLAINTS

- 24.1 Students shall direct their academic complaints through the established channels i.e. Lecturer, Course Tutor, Faculty Tutor, Head of Department and the Dean in that order.
- 24.2 All other complaints, including academic complaints, may be addressed to the Dean of Student Affairs or his Assistant, who shall take the appropriate action.
- 24.3 The procedures outlined in regulation 24.1 and 24.2, should be adhered to and exhausted at all times.
- 24.4 Failure to observe the procedures laid out in paragraph 23.1 and paragraph 23.2 shall constitute a serious offence.
- 24.5 Engaging in any form of disorderly conduct as a way of expressing a complaint or a grievance by any student is a serious offence.

25.0 SPECIAL FUNCTIONS

- 25.1 No film show, discotheque or ball held on the University Campus, may continue after 1:00 am except where special permission has been granted by the Head/Senior

Warden or their authorized representatives.

25.2 Music parties at which alcoholic drinks are served will be held only in such places as will be designated for such purposes by the Head /Senior Warden, Warden/ Boarding Master in consultation with the Dean of Student Affairs.

25.3 On receiving a request under 25.1, the Head/Senior Warden shall lay down such conditions as he thinks necessary for the holding of such functions.

26.0 PREGNANCY

26.1 Any student married or unmarried who is pregnant shall report such pregnancy to the Campus Nurse without fail.

26.2 Failure to report the pregnancy is a serious offence. Any absence from the University as a consequence of pregnancy shall be supported by a medical certificate.

26.3 After delivery, the student shall submit to the office of the Dean of Student Affairs a medical report signed by a registered medical practitioner, certifying that the student is medically fit to resume studies.

26.4 Failure to submit the medical practitioner's report is a serious offence.

26.5 Before the student can resume classes, the provisions of the academic General Regulations as they appear in the University Calendar shall be invoked.

26.6 No student shall be allowed to resume classes without having followed all the above mentioned procedures.

26.7 The University Clinic will advise the University when it is considered unsafe for a pregnant student to remain on Campus, whereupon the student shall be required to leave the University Campus.

26.8 A pregnant student shall vacate the University Campus two (2) weeks prior to the assumed delivery date.

26.9 Any student who remains on Campus after the date specified above, shall be liable to disciplinary action.

26.10 The University is not liable for any deaths, sicknesses that may occur as a result of a student(s) pregnancy.

26.11 The University is under no obligation to transport a pregnant student to hospital for delivery or any other sickness related to the pregnancy where the student is supposed to have vacated the University Campus, in accordance with paragraph 26.8 above.

27.0 DISCIPLINARY AUTHORITIES

27.1 Subject to the provisions of the Statutes, the Disciplinary powers of the University are vested in the:

- a) House Committees,
- b) Student Judiciary,
- c) Warden's Disciplinary Committee,
- d) Vice Chancellor,
- e) Student Disciplinary Committee of Senate,
- f) Council.

28.0 HOUSE COMMITTEES

- 28.1 The House Committee shall each consist of five (5) members elected from and by the members of the Hall of residence concerned at a meeting convened by the Assistant Dean of Student Affairs Counselling, in consultation with the Dean of Student Affairs, Head/Senior Warden/ Boarding Master during the first three weeks of the first semester.
- 28.2 The House Committee members shall hold office for one academic year.
- 28.3 The Newly appointed House Committee members shall cause the House Committee to be registered within four (4) weeks of formation, with the Student Representative Council.
- 28.4 In addition to its other duties connected with the smooth running of the hall of residence, the House Committee shall assist the Warden with the implementation of the Regulations.
- 28.5 The House Committee, through its Chairperson in consultation with the Head/Senior Warden/ Boarding Master, shall have the authority to issue a warning for a minor breach of regulations in the hall. For purposes of this subsection, a minor breach shall be but not limited to any offence not specified as a serious offence in any regulation herein and not listed in Paragraph 8.0 of these Regulations.
- 28.6 The House Committee shall also have the responsibility to report repeated breaches of the regulations or more serious breaches immediately to a Warden for appropriate action.
- 28.7 The Assistant Dean of Student Affairs Counselling in consultation with the members of the Hall(s) of residence may dissolve the House Committee where it fails to carry out its duties as stipulated above.
- 28.8 The Head Warden shall then immediately report the matter to the Dean of Student Affairs and proceed to organize the elections and / or conduct elections of a new House Committee.
- 28.9 The Assistant Dean of Student Affairs Counselling shall convene a meeting for the election of a new House Committee within a period of seven days from the day of dissolution.
- 28.10 Each Committee shall give its decision on the cases before it and such decisions shall be communicated to the students concerned by the Secretary of the Committee.

29.0 STUDENT JUDICIARY

- 29.1 The Student Judiciary shall have authority for the maintenance of good order amongst students according to the terms of the constitution of the Student Representative Council, subject to and without prejudice to the University Regulations (as per Article 11.5 of the Student Representative Council Constitution).
- 29.2 The Student Judiciary shall follow only such procedures, and impose only such penalties as are set out in the Students Representatives Council's Constitution.
- 29.3 Any student (s) aggrieved by any decision of the Student Judiciary shall have the right to appeal to the Dean of Student Affairs who shall refer the matter to the appropriate disciplinary committee.

30.0 WARDENS' AUTHORITY IN RESIDENCES

- 30.1 The authority of the Vice Chancellor for the maintenance of good order on campus shall be vested in the Wardens/ Boarding Master, who shall be subject to the general authority of the Vice Chancellor and shall work in close collaboration with the Dean of Student Affairs.
- 30.2 The Head Warden, Senior Warden, Warden/Boarding Master may levy a fine of one Hundred Emalangenani E100.00 on the spot for a minor infraction of the Regulations, without prejudice to the right to invoke further disciplinary action.

31.0 WARDENS' DISCIPLINARY COMMITTEE

- 31.1 The Wardens' Disciplinary Committee, which shall consist of all the wardens on each Campus, shall meet at least once every week to hear cases of any infraction of the rules within their competence.
- 31.2 Any such meeting shall be properly constituted if two thirds of the total numbers of Wardens are present.
- 31.3 Each matter shall each be chaired by any Warden from any of the campuses who does not have an interest in the matter
- 31.4 A secretary shall be appointed among any members of the Committee and shall not be one who has an interest in the matter or has instituted the proceedings.
- 31.5 The Dean of Student Affairs or his authorized representative shall be in attendance.
- 31.6 The Warden's Disciplinary Committee shall give it decision on the cases before it, which decisions shall be communicated to the student(s) concerned within fourteen (14) days.

31.7 AUTHORITY OF THE WARDENS' DISCIPLINARY COMMITTEE

- 31.7.1 The Wardens' Disciplinary Committee may also make a recommendation to the Campus Disciplinary Committee that a resident student be an off campus student for the remainder of the academic year.
- 31.7.2 The Wardens' Committee, through the Head/Senior Warden/ Boarding Master may refer a serious case to the Campus Disciplinary Committee without a hearing, where the matter is considered serious enough or where there has been a repeated breach of minor regulations.
- 31.7.3 The Warden's Committee may refer a matter for sentencing to the Students Disciplinary Committee where after the hearing it appears that the matter is serious and warrants a harsher sentence.
- 31.7.4 Any student aggrieved by the decision, verdict or sentence of the Wardens' Committee shall have the right to appeal in writing to the Student Disciplinary Committee within seven (7) days.

31.8 WARDENS' DISCIPLINARY COMMITTEE PENALTIES

- 31.8.1 The Wardens' Committee may impose any one or more of the following penalties:
 - a) A reprimand.
 - b) A warning to be noted in the Head/ Senior Warden's Disciplinary records and the student's personal file.
 - c) A fine not exceeding E700.00.
 - d) A suspended sentence for a specific period of time e.g. a semester or an academic year.
 - e) A recommendation to the Vice Chancellor that a student be excluded from the Hostel for the remainder of the academic year.
 - f) Review any decision, sentence or verdict of the House Committees and the Student Judiciary.

31.9 APPEAL

- 31.9.1 Any appeal from the Warden's Disciplinary Committee may be made to the Student Disciplinary Committee.
- 31.9.2 Such appeal is to be lodged within seven days of completion of the matter.
- 31.9.3 Such appeal is to be made through the Secretary of the Student Disciplinary Committee.

32.0 THE STUDENT DISCIPLINARY COMMITTEE

32.1 There shall be a Student Disciplinary Committee (SDC), appointed by the Vice Chancellor, which shall consist of:

- a) Five members of the academic staff, out of which there shall be appointed a Chairperson who shall be from the Department of Law, which appointment shall be approved by Senate.
- b) Four members of the Committee, including the Chairperson, shall constitute a quorum.
- c) In the event that a quorum cannot be formed, the Vice Chancellor has the right to appoint someone to the vacant position.
- d) The Dean of Student Affairs or his/her Representative shall be in attendance.
- e) The Committee shall have a Secretary who shall be appointed by the Vice Chancellor, from the Registrar's department who shall not be a member thereof.

32.2 AUTHORITY OF THE CAMPUS DISCIPLINARY COMMITTEE

32.2.1 The Student Disciplinary Committee shall hear cases directly referred to it by the Vice Chancellor.

32.2.2 It may also hear appeals from the Wardens Disciplinary Committee.

32.2.3 It may also hear cases, which because of their seriousness have been referred to it by the Wardens' Disciplinary Committee.

32.2.4 It may also hear cases, which have been remitted to it by the Wardens' Disciplinary Committee for sentencing if a higher sentence is justified.

32.3 STUDENT DISCIPLINARY COMMITTEE PENALTIES

32.3.1 The Student Disciplinary Committee may impose any one or more of the following penalties:

- a) A special sentence within its competence, which may be suspended for a specific period of time, and revived if the student commits a similar violation during that period.
- b) A warning to be noted in the Discipline Committee records and the student's personal file.
- c) A fine not exceeding One Thousand Two Hundred Emalangi (E1200.00).
- d) Rustication for a period not exceeding four (4) weeks.
- e) Suspend a student for more than four weeks, up to a maximum of one year from the

University premises.

- f) Dismiss a student from the University.
- g) Order that a student be off-campus for the remainder of the academic year.
- h) Order that a student be off-campus for the duration of his studies at the University.
- i) Exclude a student from the University premises for a maximum of one year.
- j) Order that a student do Community service within the University premises, of whatever nature for a specified time limit.

32.4 APPEAL

- 32.4.1 Any appeal from the Student Disciplinary Committee may be made to the University Council.
- 32.4.2 Such appeal is to be lodged within seven days of completion of the matter.
- 32.4.3 Such appeal is to be made through the Secretary of Council.
- 32.4.4 Such notice shall be in writing and it should clearly set out the grounds of appeal.

33.0 FURTHER AUTHORITY OF DISCIPLINARY COMMITTEES

- 33.1 Notwithstanding their power to impose fines, any Disciplinary Committee shall also have the power to order the guilty party to pay compensation or make reparation for damage caused to either person or property, the fact that compensation or reparation exceeds the maximum fine a particular Committee may impose shall not prevent that Committee from ordering such compensation or reparation.
- 33.2 Where a student has a case pending against him / her from any of the University Disciplinary Committees, the end of year examination results of such student shall be withheld pending the finalization of such a case.
- 33.3 Where a student fails to appear as a witness before any Disciplinary Committee, without just cause, such student shall face a charge of contempt.
- 33.4 Failure to pay any fine, compensation or reparation imposed by any Disciplinary Committee within the stipulated time shall result in the student's examination results being withheld until such time that the money is paid: PROVIDED, that the Chairman of the committee concerned may, in appropriate circumstances and with the permission of the Vice Chancellor apply to the Bursar to have the amount taken out of the student's allowance and / or caution fee.
- 33.5 Where a student has lodged an appeal against the decision of any disciplinary Committee to be excluded from the hostel or the University, such student shall abide by that decision until it is reversed by the appeals Committee.

33.6 Where the student fails to abide by the decision of any Disciplinary Committee, he / she shall be charged with contempt.

34.0 DISCIPLINARY PROCEDURES

34.1 Should any member of the University witness any infringement of the Regulations, he/she should warn the student(s) concerned and report such infringement to any Warden/ Boarding Master, Security Officer or the University authority concerned.

34.2 The Wardens' Committee may proceed to hear the case save that the same Committee may refer the case to the Vice-Chancellor who may in turn refer it to the Student Disciplinary Committee.

34.3 Where the Campus Disciplinary Committee or the Senate Disciplinary Committee hears a case, the following procedure shall apply:

34.4 The accused student(s) (hereinafter referred to as the defendant) shall be afforded an opportunity of being heard and any defense or explanation thus presented shall be fully considered.

34.5 The defendant shall be given at least four (4) working days' notice in writing in which to prepare for his / her defense.

34.6 Where the defendant and/ or his/her representative fails to make an appearance for the first hearing and /or subsequent sessions thereafter without due cause, after having been duly summoned, the matter will continue to be deliberated upon in his / her absence.

34.7 Any student may be summoned to appear before the Committee as a witness at any stage of the proceedings.

35.0 PROCEDURE AT THE HEARING

When a case has been referred to the Wardens or Student Disciplinary Committee, the following procedure shall be observed:

35.1 The accused student(s) (hereinafter referred to as the defendant) shall be entitled to be present at the enquiry to cross-examine the witness and to conduct his own defense.

35.2 The defendant may seek the assistance of a student member of the University to assist him in his defense.

35.3 Where the defendant intends pleading an alibi, he / she shall give notice of such intention to the Secretary of the concerned Committee within twenty-four (24) hours of receiving the notice to attend the hearing.

35.4 The Committee reserves the right to exclude Counsel for just cause and the defendant is entitled to get other Counsel in his place.

- 35.5 The defendant shall be called, the charge read to him and he/she shall then be asked to plead to the charge.
- 35.6 Where the defendant pleads **not guilty** to the charge, the Committee shall call Witnesses who may present evidence for the complainant.
- 35.7 The witness (es) shall be led in their evidence by a member of the Committee.
- 35.8 The defendant or his representative may then cross examine the witness(es).
- 35.9 After cross examination by the defendant, members of the Committee may then proceed to ask questions.
- 35.10 The defendant may then elect to give evidence and / or call witnesses before the Committee to give evidence on his behalf.
- 35.11 Where the defendant is unrepresented by Counsel, a member of the Committee may help him / her with his witness (es).
- 35.12 The defendant may lead the witness (es) in giving the evidence.
- 35.13 The defendant witness (es) may then be cross examined by the members of the Committee.
- 35.14 At the close of evidence given on behalf of the defendant, the complainant or his representative shall be allowed to address the Committee. The defendant or his representative shall also be permitted to address the Committee.
- 35.15 The Committee may recall witnesses at any stage of the proceedings in the interest of justice. The student, against whom the witness(es) testify, shall have the right to cross-examine the said witnesses(es).
- 35.16 At the close of the address of the defendant or his representative, the Committee shall consider the issues in the absence of the complainant and the defendant.
- 35.17 Where the Committee decides that the defendant is not guilty of the offence with which he is charged, the Committee shall discharge the defendant forthwith.
- 35.18 The defendant shall then be asked if he has anything to say by way of explanation or mitigation which he would like the Committee to take into account before imposing sentence.
- 35.19 Where the Committee has reached a decision on punishment, the defendant shall be informed forthwith, provided that nothing in the section and the next section shall prevent the Committee from giving its decision on punishment and reasons therefore at a later date.
- 35.20 The Committee shall consult the previous disciplinary record of the defendant and present record of the proceedings to assist on the question of punishment.
- 35.21 Such decisions must be communicated to the defendant within reasonable time after they

have been made.

- 35.22 If the defendant **pleads guilty** to the charge, the complainant or his representative shall be asked for a brief resume of the facts of the case.
- 35.23 The defendant shall be asked if he has anything to say by way of explanation or mitigation, which he would like the Committee to take into account before the sentence, is imposed.
- 35.24 Where the offence is a serious offence and the accused student pleaded guilty, the matter shall proceed as though the student had pleaded not guilty.
- 35.25 The Secretary of the Committee shall ensure that an accurate record is kept of all the proceedings of the Committee and of all evidence brought before the Committee.
- 35.26 The Secretary of the Committee shall have full custody of the records.

36.0 PROCEDURE AT APPEAL HEARING

- 36.1 Where an appeal has not been made within the stipulated time limits, the decision of the lower Committee remains binding.
- 36.2 None of the members of the Committee who preside over the appeal shall have presided over the hearing in the lower Committees.
- 36.3 The appeal hearing shall be convened within seven (7) days of receipt of the notice of appeal or within such longer period as may be reasonable in the circumstances.
- 36.4 Prior to the appeal hearing, the Chairperson of the relevant Appeals Committee shall be provided with a copy of the record and all relevant documents pertaining to the original hearing.
- 36.5 At the appeal hearing, the student (s) or his or her representative shall clearly present the grounds of appeal before the Committee.
- 36.6 The Committee shall take into consideration all issues raised and decide on the matter.
- 36.7 The decision and the reasons shall be provided to the student within reasonable time without prejudice to the Committees' right to provide the reasons at a later date.
- 36.8 The decision of the final appellate body shall be binding.
- 36.9 The Secretary of the Committee shall ensure that an accurate record of the proceedings is kept with all evidence brought before the Committee.
- 36.10 The Secretary shall have full custody of all the Committee's records.

37.0 PROCEDURE FOR DESTROYING/DISPOSING OF CONFISCATED ITEMS

- 37.1 All confiscated items for purposes of a hearing are to be recorded by the Warden concerned and such copy of record is to be made available to the Secretary of any of the Student Disciplinary Committees.
- 37.2 If there is to be a disposal at the end of each hearing, such disposal is to be made by the Secretary of the concerned disciplinary committee and in the presence of the Warden concerned, the Chief Security Officer and the Dean of Student Affairs.
- 37.3 Any disposal is to be made within 21 days of the completion of the proceedings.
- 37.4 All sealed alcoholic beverages, shall be sold by public auction, conducted on the University property, at the end of each semester.
- 37.5 All property which has been found on Campus but not claimed, shall also be sold through public auction at the end of each Academic year.
- 37.6 All proceeds from the sale of exhibits and lost items will be remitted into the general revenue of the University.

38.0 CRIMINAL OFFENCES

- 38.1 Where a breach of discipline, which amounts to a crime or appears to amount to a crime, occurs, the Vice Chancellor may immediately cause an informal inquiry to be conducted into the matter. The Vice Chancellor may at this point suspend the student forthwith pending the outcome of the enquiry or disciplinary hearing.
- 38.2 Where the Vice Chancellor believes the matter to be serious enough, he/she may report the matter to the police forthwith.
- 38.3 Where an inquiry has been held and the findings of the inquiry reflect that the matter is not serious enough to be reported to the police, the matter shall be dealt with in accordance with the normal University disciplinary procedures.
- 38.4 Where the findings of the enquiry reflect that the matter is serious enough to report to the police, the Vice chancellor shall report the matter to the police forthwith and the student will be suspended from the University.
- 38.5 If the matter is reported to the police, University disciplinary action shall, in order to avoid prejudice to the student, be suspended until the matter is either dropped or brought to conclusion.
- 38.6 Where the student concerned has been suspended and the police have decided not to prosecute, or he has been acquitted by the court of law, the Vice Chancellor may reinstate the student. Such reinstatement shall be without prejudice to any disciplinary proceedings being brought against the student by the University, for a separate charge to that he was acquitted of.

- 38.7 If the Vice Chancellor has decided not to bring the matter to the attention of the police, but a criminal charge is in any event held against the student concerned by the police, then any University disciplinary proceedings, which have been instituted, should be suspended pending the outcome of the criminal case.
- 38.8 After the completion of the criminal proceedings, the University disciplinary authorities may deal with the matter, where the charge is different to that of the criminal proceedings concluded.
- 38.9 The following matters, shall, among others, be regarded as criminal offences:
- a) Assault of any kind on another student (s) or any member (s) of the University community on or off the University Campus.
 - b) Threatening another student (s) or any member of the University community with a knife or any other dangerous weapon.
 - c) Being in possession of any illegal drug (s).
 - d) Any other act of a criminal nature.
- 38.10 It is a serious offense for any student to engage in any act of a criminal nature.

39.0 SERIOUS OFFENCES

- 39.1 Where a student is suspected to have committed a serious offence, the Vice Chancellor may immediately hold an informal inquiry into the matter to determine the seriousness of the matter.
- 39.2 Where the matter is serious enough, the Vice Chancellor may exercise his / her powers to suspend or exclude the student from the University in accordance with section 4(2)(b) of the University Statutes pending the outcome of a disciplinary hearing.

The following offences shall be regarded as serious offences among others:

- 2.0 Public Disorder and all other related conduct
- 2.2 Possession of alcohol and other related conduct
- 3.0 Engaging in disorderly conduct and all other related conduct
- 4.1 Interference with the operations of the University
- 4.2 Engaging in conduct resulting in the disrepute of the University
- 5.0 Insubordination
- 6.4 Convening a Public Meeting or Debate without the authority of the University
- 7.5 Convening a Student Body meeting without authority
- 12.1 Occupying a Student Room without authority
- 13.1 Possession of any weapon
- 14.0 Computer offenses and all other related offences
- 15.0 Sexual offences and all other related offences
- 16.0 Unauthorized entry into any University Building
- 19.1 Stealing of University property or unauthorized use
- 19.2 Stealing of another person's property or unauthorized use

- 21.1 Misappropriation of funds
- 38.10 Engaging in any Criminal Act
- 49.1 Cooking in any of the University Residences

40.0 DISCIPLINARY RECORDS

- 40.1 The Wardens and the Dean of Student Affairs shall ensure that records are maintained of every case in which disciplinary action has been taken.
- 40.2 The Head Warden's disciplinary records and the Dean of Student Affairs' records shall contain:
 - a) The name of the student
 - b) The nature of the charge
 - c) The time and place where the event took place
 - d) And the outcome of the Disciplinary hearing
- 40.3 The Head Warden's and the Dean of Student Affairs disciplinary records shall make available the information to any Disciplinary Committee upon request.

41.0 PRESCRIPTION OF SENTENCES

- 41.0 A Warning will be valid for one academic year.
- 41.2 Any disciplinary record shall be invalid after one year for minor offences and two years for serious offences.

42.0 WARDENS' HOUSE RULES

- 42.1 The Wardens shall have authority in consultation with the House Committees to introduce from time to time, additional house rules and bye- laws for the residences. All such rules shall be submitted to Senate for approval.
- 42.2 Where a Warden / Boarding Master reasonably believes that a breach of the Disciplinary Regulations is taking place in a student(s) room, he shall have the authority to search the room, after making his presence known to the occupant(s) where possible.
- 42.3 The Head Warden, Senior Warden, Warden, Dean of Student Affairs or his or her authorized representative, shall have the right to search the room and remove the object, which is the cause of the breach of the Regulations.
- 42.4 A Security Officer may conduct searches and seize any unauthorized items in the student rooms in the presence of any of the Wardens or Dean of Student Affairs.

43.0 HOUSE COMMITTEES

- 43.1 The Warden without prejudice to his own disciplinary powers shall have the authority to set up House Committees in accordance with the principles set out under Article 2.2 in these regulations.
- 43.2 Should the Warden not set up such a Committee or should he discontinue such a Committee, he shall report the matter to the Dean of Student Affairs who shall present the report to the Senate.
- 43.3 Where the Warden has dissolved the Committee and after reporting to the Dean of Student Affairs, he should reconvene a meeting seven days from the day of dissolution for the purpose of electing a new House Committee.

44.0 AUTHORITY OF HOUSE COMMITTEES

- 44.1 The House Committee shall report any malfunctioning of the hostel amenities immediately to the Warden.
- 44.2 The House Committees shall report any breach of these regulations to the Head / Senior Warden, who shall in consultation with the House Committee, decide on the appropriate disciplinary action to be taken.

45.0 STUDENT ROOMS

- 45.1 Students are expected to keep their rooms tidy.
- 45.2 It is an offence for any student (s) to enter the room of another without the latter's express permission.
- 45.3 It is an offence for any student (s) to take any University property from any other part of the University to their residences without the permission of the Warden or other authorized University Official.
- 45.4 Private beds, mattresses and sofas, are not to be brought into the residences. Such beds or mattresses shall be impounded by the Warden until the end of the semester.
- 45.5 It is an offence for student to use the walls of their rooms as notice board instead of the notice boards available in the rooms.

46.0 ELECTRICITY

- 46.1 Students are expected to switch off electric lights when they leave their rooms.

46.2 It is an offence to alter, and / or tamper in any way with electric installations in student rooms or elsewhere.

47.0 NOISE

47.1 Students shall be reasonably quiet in the residences at all times.

47.2 All students are required to so conduct themselves in the residences that they do not interfere with the work, sleep, or the reasonable recreation of others.

47.3 Students who, anywhere within the residence or the immediate surroundings, by rowdy or quarrelsome behaviour or by lack of consideration, disturb the peace and good order of the residences or who by misuse or negligence in any way diminish any of the amenities of the residence, shall be liable to disciplinary action.

47.4 Any student found guilty of violating 47.1 and 47.2 above, shall forfeit his /her Campus residence forthwith, without prejudice to any other punishment the Disciplinary Committee may see fit.

48.0 PREVENTION OF FIRE

48.1 Students are expected to take every precaution against fire in the residences.

48.2 It is a serious offence to light fires, for whatever purposes, in the residences or within the vicinity of the residences.

49.0 COOKING IN RESIDENCES

49.1 It is a serious offence to cook in residences. Any cooking utensil found in the residences shall be impounded until the end of the Semester, without prejudice to the Disciplinary Committee's right to impose any other punishment it sees fit.

49.2 Occupants of rooms in which cooking utensils are found shall be subject to disciplinary action.

- END -