



UNIVERSITY OF CAPE TOWN

## GENERAL RULES AND POLICIES

### 2018

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The Admissions Office and Student Records Office are located in the Masingene Building, Middle Campus. The Cashier's Office is located in Kramer Building, Middle Campus.

**This handbook is part of a series that consists of**

<b>Book 1:</b>	Undergraduate Prospectus
<b>Book 2:</b>	Authorities and Information of Record
<b>Book 3:</b>	General Rules and Policies
<b>Book 4:</b>	Academic Calendar and Meetings
<b>Book 5:</b>	Student Support and Services
<b>Books 6 – 11:</b>	Handbooks of the Faculties of Commerce, Engineering and the Built Environment, Health Sciences, Humanities, Law, Science
<b>Book 12:</b>	Student Fees
<b>Book 13:</b>	Bursary and Loan Opportunities for Undergraduate Study
<b>Book 14:</b>	Financial Assistance for Postgraduate Students

## UCT Values

The University is a community of scholars, students and staff. A community implies the shared acceptance by its members of common values. The concept of values implies not only rights but also obligations, for the community itself and for its individual members.

This Statement of Values provides a framework that informs and governs what is considered by the University community to be appropriate and acceptable behaviour. The Statement also serves as the foundation for a range of University policies and guides the management of particular aspects of University life.

As a value-based community, we aspire to an encompassing ethos which:

- Promotes academic excellence and the attainment of the institutional goal of becoming a world-class African University.
- Preserves what is valuable in the history of the institution and of this country, and responds to the challenges posed by past injustices and unfair discrimination.
- Achieves social transformation, empowerment and participative governance.
- Affirms and protects the fundamental human rights enshrined in the Constitution.
- Encourages the institution and all its members to accept responsibility for the welfare of the community and for behaving in accordance with these community values.

### Values:

We commit ourselves to:

- Truth, fairness, consistency and integrity in both academic and other work, and in all personal and institutional relationships.
- Compassion, generosity and concern for the needs and aspirations of others, and in particular for the challenges faced by the less privileged in our society.
- Respect and tolerance for cultural, religious, political, and other differences and acknowledge of the value of diversity in society.
- Respect for the individual privacy, dignity and the right to personal choice.
- Intellectual honesty, vigour in debate, openness to alternative ideas and respect for other views, beliefs and opinions.
- Commitment to high standards, personal fulfilment and the pursuit of excellence.
- The protection and responsible use of the University's assets and resources.

### Actions:

In the context of our recent history, we recognize the importance of affirming this *ethos* and promoting these shared values. Accordingly, we undertake collectively and individually:

- To promote and protect academic freedom.
- To oppose and take steps to prevent racial, gender or other forms of unfair discrimination, harassment, violence or abuse.
- To actively promote social justice and equity.
- To nurture a culture of learning which are supportive of students, scholars and teachers.
- To refrain from speech or conduct that demeans or humiliates others.
- To encourage our members to enjoy life, to laugh, to love, to appreciate and take full advantage of the wealth of opportunities available to use in academic endeavour, in making friends, and in social, cultural and sporting activity.
- To advance the principle of open governance and to be fully accountable for our actions, decisions, and the stewardship of the University's resources and mission.
- To nurture and empower our members.

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The University has made every effort to ensure the accuracy of the information in our handbooks. However, we reserve the right at any time, if circumstances dictate, to

- (i) make alterations or changes to any of the published details of the opportunities on offer; or
- (ii) add to or withdraw any of the opportunities on offer.

Our students are given every assurance that changes to opportunities will only be made under compelling circumstances and students will be fully informed as soon as possible.





# RULES FOR DEGREES, DIPLOMAS AND CERTIFICATES

## General rules on Application, Admission and Readmission, Registration and Examinations

*These rules must be read together with Faculty rules.*

### University rules

- G1.1 No error or statement in the registration or application form or other document or communication, written or oral, will entitle a student to claim exemption from University statutes, regulations or rules except where exemption is provided for in the rules and is granted by Senate or Council or both.
- G1.2 University rules may be amended or reviewed at any time and, unless otherwise stated, take effect from the date of approval.

### Rules relating to application and internal transfers

- G2.1 The closing dates for the receipt by the Admissions Office of applications will be set annually by Senate. Applications must be submitted by the applicable date. closing dates for application transfers to MBChB
- G2.2 An undergraduate student who wishes to transfer internally:
- (a) to the MBChB must submit a completed online application to the Admissions Office. MBChB
  - (b) to all other qualifications should submit a completed “change of curriculum form” to the admitting faculty.

### Rules relating to admission

- G3.1 (a) Candidates for the degree of bachelor must have obtained a matriculation certificate or have obtained a National Senior Certificate endorsed to state that they have met the matriculation requirements or must have satisfied the conditions for exemption from the matriculation requirements and obtained a certificate to that effect. *first bachelor degree: minimum requirement*
- (b) Council and Senate may, in addition, prescribe as a prerequisite for admission to any programme or course, the attaining of a specified standard in specified subjects at the matriculation or equivalent examination. (Where these have been prescribed, they are set out in the Admissions Policy). *admission to specific programmes/courses*
- G3.2 Candidates for undergraduate diplomas or certificates must hold at least a National Senior Certificate or some other qualification acceptable to the Senate. *diploma or certificate*

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### Restrictions to admission and readmission

G4.1	Council: (a) may in consultation with Senate, determine minimum requirements for readmissions to study at the University; (S 37(4) of the HE Act) (b) may refuse readmission to a student who fails to satisfy such minimum requirements for readmission; (c) has given authority to Senate to determine in particular cases that the period of registration for a student placed on academic probation by the Senate shall be one semester only.	<i>minimum requirements for re-registration academic probation</i>
G4.2	Senate may refuse to admit persons as candidates for a postgraduate degree if their academic attainments are, in its opinion, not adequate.	<i>admission to postgraduate study</i>
G4.3	Council may, in consultation with Senate, limit the number of students who may be permitted to register for specified programmes or courses and the manner of their selection; in which case Senate must select from the applicants those who shall be permitted to register for the programme or course. (List of programmes and courses for which limits have been set may be obtained from faculty offices).	<i>specific programmes/courses</i>

### Rules relating to registration

G5.1	Before starting their studies, persons must present themselves for registration by the faculty concerned. In cases where postgraduate students are required to revise and re-submit a dissertation or thesis, then such students would again be under supervision, and must therefore once again register and pay fees. If minor corrections to the dissertation or thesis are required, then re-registration is not required.	<i>obligation to register</i>
<i>NOTES:</i>		
(1)	<i>To be considered as a qualifier in December, an unregistered UCT finalist who is completing a course through another university is required to register before the relevant examiners' meeting in November.</i>	
(2)	<i>Re-registration is not required of honours, master's or doctoral students who complete their obligations early enough to submit their essay, dissertation or thesis before 12:00 on the first day of the academic year unless the curriculum makes provision for it. If students have not completed their obligations they are required to re-register for the ensuing academic year. See the parallel rule in the Student Fees book, 8.2</i>	<i>re-registration of postgraduate students</i>
G5.2	Every student must register for one year of study or for such shorter period as the Council may in general or in a particular case determine. Except where students only need second semester courses, they must register at the start of the academic year for all courses they plan to take in the academic year including Winter and Summer courses where these are scheduled in advance and form part of the student's curriculum for that year.	<i>period of registration</i>
G5.3	A student may not, in the same academic year, register for more than one degree, diploma or certificate of the University, except	<i>registration for more</i>

	in cases where the student has completed all the requirements for the award of one and wishes to register as a candidate for another, or where specific provision is made for this in the rules.	<i>than one qualification</i>
G5.4	Except by permission of Senate a student may not, in the same academic year, be registered as a student of another university, or be registered for two qualifications at this university.	<i>concurrent registration</i>
G5.5	Where the principal supervisor of a dissertation for a master's degree by coursework and dissertation (i.e. a dissertation other than a 180 credit dissertation) is in a discipline of a different department to that in which the student is registered for the degree, the student must register for the dissertation in the department in which the principal supervisor has an appointment, except in the rare case where the subject of the dissertation is not the domain of that department, in which case the student must register for the dissertation in a department determined by the Dean.	<i>registration for Master's dissertation by supervisor</i>
G6.1	A date will be set for registration for each undergraduate and honours programme, and a date may be set for registration for postgraduate candidates following a set programme. If this is done, a student must register on the set date.	<i>registration dates</i>
G6.2	A candidate for a postgraduate study programme must re-register not later than the Friday before the term starts, but a person who is registering for the first time may be allowed to register later. If such candidates register after 1 May, they may not count the remainder of the year as part of the minimum prescribed period of study for the programme.	<i>postgraduate registration</i>
G6.3	Where a candidate has completed the work for a degree but the result is outstanding at the start of the next academic year, no subsequent re-registration is needed until the results are received, and then only if the result requires the student to revise and re-submit will re-registration be required (this is because the candidate is required to resume work under supervision). No re-registration is required to make minor corrections to the thesis or dissertation.	<i>re-registration revise and resubmit</i>
G7	If the result of a supplementary or deferred examination is not available at the time students are required to renew their registration, they must renew the registration on the assumption that they will pass the examination. Where students fail the examination and are required, or wish, to repeat the course(s) concerned, they must submit a change of curriculum form to the faculty office within one week of the publication of the result.	<i>awaiting results of supplementary or deferred exam</i>
G8	A Dean or a Faculty Manager acting for the Dean may, for good academic, medical or compassionate reasons, permit a person to register up to 7 days late. Only under exceptional circumstances will a person be permitted to register more than 7 days after the set date, and Deans may act on behalf of the Senate in approving late registration in these cases. A person who fails to register on the set date and who is permitted by the academic administration or the Dean to register late must pay the prescribed late registration fee unless the fee is waived by the Dean on the basis of a written application which proves good cause. A person may appeal against the decision of the Dean not to waive the late registration fee, by written motivation to the officer appointed for this purpose.	<i>late registration</i>

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- NOTE:*
- (1) *Any applications for a waiver of a late registration fee must be directed in the first instance to the Faculty Manager in the faculty in which student is or was registered, or to which the student has applied. Where student fails to register for the course before the end of the course, retrospective registration is at the discretion of Senate, which will require the payment of fees and a late registration penalty.*
  - (2) *Senate allows a concession for the waiver of the late registration penalty for those students playing in sporting events where they represent UCT, the province or country on condition that they apply in advance to the Faculty Manager for the concession.*

G9 Students are responsible for ensuring that all personal information on the student administration system is correct and current. *change to personal details*

*(Any change to this information must be made at once using the online self-service, or by informing the Faculty Manager.)*

#### Registration cards

- G10 The registration card issued to each registered student: *student cards*
- G10.1
- (a) serves as a permit to attend lectures and practical classes and to use the University library;
  - (b) must be produced for the purpose of identification at all University examinations;  
*(No other form of identification will be accepted.)*
  - (c) must be retained for the duration of the student's career at the University and shall be presented to the Dean at registration each year;
  - (d) must be produced to obtain official certificates of registration, e.g. for income tax purposes and travel concessions;
  - (e) if lost, may be replaced on payment of a prescribed fee where a student provides satisfactory evidence of the loss of the original;
  - (f) remains the property of the University;
  - (g) carries the student's photograph. (This image is stored electronically by the University, and may be made available to faculties and departments, and to residences, for class lists and similar purposes.)
- G10.2 Fingerprint data will be collected and used for identification purposes as an alternative to student cards in certain instances. *fingerprints*
- (The biometric data is stored electronically by the University, and may be made available to faculties, departments and residences to be used for identification and access purposes.)*

## Registration for a course in audit mode

- G11.1 Senate may allow a postgraduate student registered for a degree or diploma to audit a course where a clear case has been made by the programme convenor, and supported by the Dean, that the course is additional to the curriculum but a pre-requisite for the student to complete the programme successfully.
- G11.2 The fee for an audited course will be 50% of the regular course fee.
- G11.3 A student enrolled in audit mode will participate fully in the course, but will not be examined. Students who audit a course will have this reflected as ATT on their academic record.

## Registration for non-degree purposes

- G12.1 Senate may permit a graduate, or a person who has appropriate qualifications or experience, or an undergraduate from another university wishing to spend one or more semesters at this university, to register as an occasional student. Except with the permission of Senate, a student registered for a qualification may not simultaneously be registered as an occasional student. *occasional students*
- G12.2 Each occasional student who is not a graduate shall obtain a matriculation certificate or exemption from matriculation requirements before registration. *matriculation exemption*

## Cancellation of registration

- G13.1 Students may cancel their registration by giving notice of this in writing to the Registrar. Fee reductions are granted only if the cancellation occurs by the Friday of the third week of the course. *notice of cancellation*

### NOTES

- (1) *A student may drop a course up to the end of the first week and may receive a 100% fee adjustment.*
- (2) *A student who drops a semester course before the Friday of the third week of the course will be allowed a 50% reduction in the fee for that course.*  
*No reduction in fees will be considered if a student withdraws from a semester course later than the third week of the course.*
- (3) *For non-standard courses see fees book 2.3.*
- G13.2 The Registrar may cancel the registration of a student at the end of the first semester if the student has failed to make the initial payment of fees, or provide evidence acceptable to the University that a sponsor or bursary organisation will pay the fees for the year, by 15 May. Here, fees are understood to include housing fees if the student is in residence. Students qualifying for financial aid but who have not been offered a package for the current year and have not yet paid the initial amount (or if in residence, the initial amounts) due, by the end of the first quarter, will be sent a letter,
- (i) copied to the fee-payer, warning that their registration will be cancelled at the end of the term unless the initial amount(s) is paid, or they provide evidence acceptable

## 6 RULES FOR DEGREES, DIPLOMAS AND CERTIFICATES

- to the University that a sponsor or bursary organisation will pay the fees for the year, by 15 May; and
- (ii) including a statement that if such students cancel registration at the start of the second quarter (and, where applicable leave residence before the start of the second quarter) their fees raised for the year, less R401, will be cancelled. (This cancellation applies only in these cases.)
- (3) *Students who drop a whole-year course by end of the first week of the second semester will be allowed a 50% reduction in the fee for that course. No further reduction will be considered. (See Student Fees handbook, fee rules.)*
- (4) *A semester course dropped after the Friday of the third week but by the Friday of the sixth week will be removed (withdrawn) from the student's academic record. A year course dropped after the Friday of the third week but by the Friday of the second week of the second semester will be removed (withdrawn) from the student's academic record. After this no course may be dropped (withdrawn.) See G15.2(d) declaring a course incomplete.*

### Rules relating to fees

- |       |  |  |
|-------|--|--|
| G14.1 | Students may not renew their registration unless their fees for the preceding year or years have been paid in full.  | <i>re-registration</i>                     |
| G14.2 | Students whose fees are not paid by the due dates, and who have not produced evidence of receipt of a bursary/scholarship/loan may be excluded from attendance at classes or from a residence or student housing unit unless satisfactory arrangements have been made with the Fees Manager for the payment of all fees. | <i>exclusion from classes or residence</i> |
| G14.3 | Students must check their fee accounts on a regular basis. ( <i>This is especially important before the year's end. Various charges, including library and traffic fines, student health charges and residence damage costs, may be debited from fee accounts towards the end of the year.</i> )                         | <i>checking fee accounts</i>               |
| G14.4 | No course result will be released until all fees have been paid. Current or past students will not be issued with a transcript of their results until all fees have been paid. A student will not be entitled to graduate or to receive a diploma or certificate until all fees have been paid.                          | <i>release of results</i>                  |
| G14.5 | Non-South African students who do not have permanent residence, must pay the minimum academic and residence fees before they may register.   | <i>initial payment and registration</i>    |
| G14.6 | Where prescribed initial payments by South African students and non-South African students who have permanent residence are not paid by the due date, a penalty will be imposed. ( <i>See Handbook 12: Student Fees handbook.</i> )  |  |

**Rules relating to changes of curriculum**

- G15.1 Students may add a course, or substitute one or more courses, until the Friday of the first week of the semester. The Dean of the faculty in which students are registered may permit the addition of a course:
- addition of courses*
- (a) at any time before the final examination in the course, if the students show to the satisfaction of the Dean that they have attended the course from the start, if the head of the department concerned recommends this, and if the Dean is satisfied that there are sound academic reasons for this; provided that any such addition shall be subject to the payment by each student of the prescribed penalty and the course fee; or
- (b) to rectify an administrative error.
- NOTE:* A late addition of a course may be subject to the penalty described in fee rule 2.4 in the Student Fees Handbook. See Note (1) to G13.2 for fee implications.
- G15.2 Students may withdraw from a course:
- course withdrawals*
- (a) in the case of a semester course, up to the Friday of the sixth week of the course; or
- (b) in the case of a year course, up to the Friday of the second week of the second semester; or
- (c) for courses other than year-long or semester courses, up to the Monday of the week after which two thirds of the course material will have been presented.
- Where a course is withdrawn as described in a – c, the course is removed from the student’s record. After the last date to withdraw from a course but before the last ten teaching days of a semester course (F and S suffix, or E suffix) or whole-year course (W and H suffix and E suffix), students may notify the faculty office that they do not intend to complete the course unless DP lists have already been published. If a course is declared incomplete, it remains on the record with a result of INC ‘incomplete’. During the last ten days of a semester or year course, or after the DP lists have been published, such notifications will no longer be accepted and a result of DPR or AB will be awarded by the department.
- incomplete: course not completed*
- NOTE:* A result of INC is a fail.
- G15.3 Every change of curriculum must be made through the appropriate faculty office. Informing departments of proposed changes is not sufficient.
- change of curriculum*
- G15.4 If students write an examination in a course for which they are not registered and
- writing examinations when not registered*
- (a) fail, they shall be deemed to have registered for the course and the result (fail) shall be entered on their record and the course fee and penalty added their student’s fee account; or
- (b) pass, the Dean may permit the late addition of the course and allow the result to stand if such students show to the satisfaction of the Dean that they have attended the course from the start; provided that any

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such addition shall be subject to the payment by the students of the prescribed penalty and the course fee. The decision of the Dean to permit or refuse the addition of a course in terms of this rule shall be final.

### Rules relating to attendance and leave of absence

- |       |   |  |
|-------|---|--|
| G16.1 | Students are expected to attend all scheduled meetings for each course for which they are registered. Classes may be recorded for teaching and learning purposes.   | <i>class attendance</i>                |
| G16.2 | Senate may allow students who are repeating a course to take the examinations in the course without the re-attendance at classes; in such cases, Senate will specify which of the course requirements such students will be required to complete, in addition to the examinations, and how they will be assessed.   | <i>exam without attendance</i>         |
| G16.3 | Senate may grant leave of absence to students for a specified period usually to the end of the semester or end of year. (Reasons for granting leave of absence include illness, compassion, maternity leave and external study opportunity other than a formal exchange.)<br>Senate may grant leave of absence to a postgraduate student registered for a part-time, coursework postgraduate (diploma or master's degree) programme on the grounds of exceptional work commitments. | <i>grounds for leave of absence</i>    |
| G16.4 | Where leave of absence is granted, all courses for the period for which results have not yet been entered, will be withdrawn from the student's record. The student's record remains active, and the student has the right to return at the end of the period without reapplying.   | <i>leave of absence course results</i> |
| G16.5 | Save in exceptional circumstances, Senate will not grant leave of absence retrospectively (see notes 1 and 2 below).  | <i>retrospective leave of absence</i>  |
| G16.6 | Leave of absence will not prejudice the progression status of a student.  | <i>absence</i>                         |
| G16.7 | Students who are granted leave of absence do not have access to classes, supervision, the library, ICTS services, laboratories or other UCT facilities for the duration of the period of leave of absence. The myuct email remains active.  | <i>access to services</i>              |
| G16.8 | Students granted leave of absence on medical grounds will be required to show that they are fit for study before resuming their studies.  | <i>fit for study</i>                   |

#### NOTES

- (1) *Leave of absence will not be granted after the course has been completed.*
- (2) *Ordinarily, leave of absence will not be granted in the last quarter of the semester.  
Refer to fee rule 2.7 in the Students Fee Handbook.*
- (3) *'Leave of absence' as envisaged in this rule is not for short term absences, for example, where a student is excused to represent the University, province or country in sport. Such excused absence is arranged at faculty level.*
- (4) *Students must show they are fit for study by applying to the Senate Fit for Study Panel.*



- (5) *The health professional who has been treating the student since leave of absence was granted must submit a separate confidential medical report to the Fit for Study Panel. The application from the student will be considered by the Fit for Study Panel along with confidential report. Where a student was not treated by a health professional, this must be specified by completing option B in the application form.*

## Appeals

### Appeals other than on readmission of students who fail to meet minimum readmission requirements

- |       |  |  |
|-------|--|--|
| G17.1 | Where these rules allow discretion, the decision to exercise the discretion lies with Senate. In these cases, and in cases not provided for in the rules, Senate's authority may be exercised under delegated authority, by Deans and other officers, or by faculty boards or other committees.<br>Students may appeal against decisions affecting them made on behalf of Senate by a Dean or other officer, or by a faculty board or other committee. | <i>delegated authority</i><br><br><i>right to appeal</i> |
| G17.2 | The appeal in such cases lies to the Vice-Chancellor, or to a person nominated by the Vice-Chancellor, who shall decide the case. If the Vice-Chancellor or Vice-Chancellor's nominee upholds an appeal, they shall report this fact and the reasons for the decision to the Senate Executive Committee for information.   | <i>appeal to Vice-Chancellor/nominee</i>                 |
| G17.3 | There is no appeal from any decision by the Vice-Chancellor or Vice-Chancellor's nominee in terms of this rule.  |  |
| G17.4 | In cases where the Vice-Chancellor or Vice-Chancellor's nominee decides, having considered an appeal, to place a student on academic probation, it may be determined that the period of registration for that student shall be one semester only. In such cases, the Vice-Chancellor, or nominee, may prescribe minimum requirements which the student must meet in order to renew their registration for a further semester.                          | <i>academic probation</i>                                |
- NOTES:
- (1) *There is no appeal against the decision of a Dean to refuse a late addition of a course or a late submission of a course.*
  - (2) *There is no appeal against a decision of an FEC or the DDB on the award of a course result.*
  - (2) *Any appeal in terms of this rule must be directed in the first instance to the Faculty Manager in the faculty in which the student is or was registered, or to which the student has applied.*
  - (3) *There is no appeal against a decision of the Fit for Study Panel (a review of the decision may be sought).*

## 10 RULES FOR DEGREES, DIPLOMAS AND CERTIFICATES

### **Appeals on readmission of students who fail to meet minimum readmission requirements**

- G18.1 Undergraduate, postgraduate diploma or MBA students, or honours students in the Faculty of Commerce, the Faculty of Health Sciences and the Faculty of Engineering and the Built Environment; or students in the taught component of coursework master's degree may appeal against a decision to refuse them readmission made on behalf of Council by a faculty board, a faculty examinations committee or a Dean, and must do so by lodging their appeal in writing with the Registrar:
- RAC  
submission  
date*
- (a) in respect of decisions based on October/November examination results, by the Wednesday of the seventh week preceding the start of registration work in the next year; or
  - (b) in cases where readmission depends on January/February supplementary or deferred examinations, by the final day of the January/February examinations period;
  - (c) in respect of a decision based on the May/June examination results, by the Monday of the last week of the winter vacation.
- G18.2 The appeal in such cases lies to the faculty's Readmission Appeal Committee (RAC) in terms of this rule. *Readmission  
Appeal  
Committee*
- G18.3 No appeal shall lie from any decision by the Readmission Appeal Committee in terms of this rule.
- G18.4 Where the Readmission Appeal Committee allows a concession it may: *concession of  
RAC*
- (a) determine that the period of registration shall be one semester only; and
  - (b) prescribe such minimum requirements as it considers appropriate, and which the students concerned shall be required to meet before they are permitted to renew their registration after one semester or one academic year, as the case may be.
- NOTES:*
- (1) *There is no appeal against the decision of a Readmission Appeal Committee (RAC). Persons believing that there has been a procedural error may ask the Vice-Chancellor or Vice-Chancellor's nominee to review the decision of a RAC, by making written submissions via the Registrar's Office. Persons wishing to submit further evidence in support of an appeal may ask the RAC to reconsider their case in the light of information that was not before it when it made its decision. Students are expected to submit all evidence in their initial appeals, and the submission of new evidence is at the discretion of the chair where good grounds can be shown for not including such evidence previously.*

### **Review of readmission of students who fail to meet minimum readmission requirements**

- G19.1 A person who believes that there has been a procedural error may ask the Vice-Chancellor to review the decision of: *grounds  
for review*

- (a) a Readmission Appeal Committee;
  - (b) a Faculty Examinations Committee or the Doctoral Degrees Board;
  - (c) a Dean to refuse a late addition or late substitution of a course; or
  - (d) any other decision made by an officer or committee affecting the person's status as a student.
- G19.2 The Vice-Chancellor may individually, or on the recommendation of a Dean or the Registrar, review any decision listed in G19.1(a) to (d) above or any decision made under Senate delegated authority where no appeal has been lodged, if there is reason to believe that there has been a procedural error or that the decision made was substantially unfair or unreasonable. *Vice-Chancellor to review decision*
- G19.3 The Vice-Chancellor, having reviewed a decision in terms of G19.1 or G19.2 may *outcome of review*
- (a) confirm the decision; or
  - (b) if finding that there was substantial irregularity, or that the decision made was substantially unfair or unreasonable, or that there is material evidence that was, for whatever reason not considered:
    - (i) set aside the decision, and refer the matter back for fresh consideration by the committee, board, or person who took the decision; or
    - (ii) set aside the decision and substitute his or her own decision.
- G19.4 The Vice-Chancellor may delegate the powers and responsibilities in terms of G19.1; G19.2 and G19.3 to a nominee. *Vice-Chancellor may delegate authority*
- G19.5 Where the Vice-Chancellor, or a nominee acting in terms of G19.3, sets aside any decision the fact shall be reported, and the reasons for doing so, to the committee, board or person whose decision has been set aside, and to the next meeting of the Senate Executive Committee.
- NOTE: A person who believes that there has been a procedural irregularity and who wishes a decision to be reviewed in terms of this rule must do so by making a written submission to the Registrar's Office.*

## **Rules relating to examinations**

### **Examination sessions and class tests**

- G20.1 The University examination sessions are held towards the end of the first and second semesters in each year. Supplementary and deferred examinations are normally held in January but may, in certain cases, be held at another time agreed to by the departments concerned. *examination dates*
- NOTE: Students who have religious objections to writing class tests on particular days during the year should notify the lecturers concerned of the days in question as soon as possible after the beginning of the academic year. In the case of this occurring in relation to formal examinations see G28.2. Senate does not*

## 12 RULES FOR DEGREES, DIPLOMAS AND CERTIFICATES

	<i>undertake to reschedule tests to accommodate religious observances. See also "Rules on Conduct for Students" in this handbook.</i>	
G20.2	All tests and other forms of assessment, whether written or oral, where the result of the test or assessment contributes to the final result, are examinations for the purposes of these rules with the exception of rule G27 (Deferred final examinations) which applies only to final examinations.	<i>definition of examination</i>
G20.3	For every examination or other qualifying test for a degree, diploma or certificate, Senate must appoint such examiner or examiners as it deems necessary.	<i>appointment of examiners</i>
G20.4	Senate may deny students permission to write examinations where they have not paid all fees and other monies due and payable to the University.	<i>payment of fees</i>
G20.5	Senate must determine the form of each examination (whether written or oral or both, whether individual or group work or both, and whether it will include practical work or clinical work, or both).	<i>form of exam</i>
G20.6	Candidates for examination in any course may be required to present themselves for an oral test and the examiners may take the result of such a test into consideration in determining the result.	<i>oral test</i>
G20.7	In deciding the result of an examination Senate may, in addition to the report of the examiners, take into consideration the reports of teachers on the student's class work in such course.	<i>class work/ teachers' report</i>
G20.8	Where a provisional examination timetable is published, all students must consult it and report to the Examinations Office by the set date any clash of examination for courses for which they are registered.	<i>exam clashes</i>
G20.9	Misreading of the examination timetable will not be condoned or accepted.	<i>misreading timetable</i>
G20.10	Except by the permission of the Senate all examinations must be written at the University. Senate has authorised: (a) Faculties to schedule examinations outside of Cape Town in the case of: (i) distance-mode courses; (ii) block-release mode courses where a significant proportion of a class is ordinarily resident elsewhere; and (iii) blended-mode courses. (b) Deans to allow international <b>semester study abroad</b> students to write supplementary or deferred examinations at their home institutions; and (c) The Vice-Chancellor to permit exceptions to this rule in exceptional circumstances.	<i>exam venues off campus permission to write at alternatives venue</i>
G20.11	Students found guilty by a University disciplinary court of dishonest conduct in relation to examinations may be disqualified.	<i>dishonest conduct</i>
<i>NOTE:</i>	<i>This rule must be read in conjunction with DP5.12.</i>	
G20.12	Dishonesty, including plagiarism or the submission by students of other people's work as their own, in an examination or any other form of assessment will be dealt with in terms of the disciplinary rules.	<i>plagiarism and dishonesty</i>

G20.13	Students must produce their registration cards to be admitted to examination venues and to be allowed to take the examinations. Where a student does not do so, examination invigilators may not allow the student to take the examination, or may use their discretion to allow such students to take the examination if they can produce another acceptable form of photo identification. If the latter occurs, students must present their registration card to the examining department within <b>five working days</b> of the examination. If they do not do so, their result for that examination must be cancelled.	<i>student cards</i>  <i>failure to produce proof of identity</i>
<i>NOTE:</i>	<i>Students whose results are cancelled in terms of Rule G20.13 above may apply to the Registrar in writing by not later than 28 February next (for summer examinations) or 31 July next (for winter examinations) for reinstatement of their results. Such application must be accompanied by the prescribed fee, which is non-refundable. The result will be reinstated if such students can prove to the satisfaction of the Registrar that they are the person who wrote the examination in question.</i>	
G20.14	No late comers may be admitted to the venue after an hour has elapsed. No extra time is to be given to late comers.	<i>late arrival</i>
G20.15	Students may not leave an examination venue during the first sixty or the last twenty minutes of the examination.	<i>leaving an exam</i>
G20.16	Students who are representing the University, province or country in a sporting event may be granted a deferment of a test, or submission date for course work, where the student applies to the course convener in advance for such deferment.	
G21	The form of the assessment included in the final result for a course shall be as decided by Senate in each case, but may include one or more of the following: (a) written, practical, clinical and oral class tests; (b) written assignments, including essays and projects; (c) written, practical, clinical and oral tests taken under invigilation conditions (commonly referred to as formal or final examinations); and (d) any further test, as may be considered appropriate in the case of each candidate, or course, to determine borderline cases.	<i>form of examination</i>
G22.1	If a student fails to obtain a duly performed certificate, the result is DPR.	<i>duly performed</i>
G22.2	Students who have a duly performed certificate, but do not write the examination in a course for which they are registered, will be recorded as having been absent from the examination.	<i>absence from examination</i>

### **Supplementary examinations**

G23.1	Where supplementary examinations are allowed in the rules for a degree, diploma or certificate: (a) a supplementary examination shall be the re-assessment of candidates who have failed the course, but who are allowed to present themselves for re-examination without having to repeat the course; (b) the form of supplementary examination shall be as decided by Senate in each case, or in respect of a given course;	<i>definition</i>  <i>form of exam</i>
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## 14 RULES FOR DEGREES, DIPLOMAS AND CERTIFICATES

- (c) Senate may take into account the results of the candidate's original examination in the subject, as well as class work which did not form part of the examination, in deciding the result of a candidate who has taken a supplementary examination; *determining the result*
- (d) a supplementary examination may not be deferred for any reason;
- (e) a student who is writing a deferred examination is not eligible for a supplementary exam.
- NOTES:*
- (1) *No supplementary examinations are granted on an examination without attendance (EWA).*
- (2) *All students are responsible for establishing whether they have been awarded a supplementary examination for any courses failed; and if so, for confirming the date, time and venue of the examination.*
- G23.2 A student who has been granted a supplementary examination in a first semester course and who registers for the same course in the second semester prior to writing the supplementary examination, forfeits the supplementary examination. If the student fails the second semester course, the decision to grant a supplementary examination would be made on the basis of the second semester result. The supplementary examination previously awarded on the basis of the failed attempt in the first semester, will not be reinstated. *registration for a course that has a supplementary result for a supplementary exam*
- G23.3 The result for a course where a supplementary examination was granted will be recorded as:  
UP SP (unclassified pass, supplementary exam) in the case where a student wrote and passed the supplementary exam;  
nanA SF ('nan' is the percentage in the original exam, 'A' denotes absent from supplementary examination) in the case where a student was granted a supplementary exam but did not write it;  
Nun SF ('nun' is the percentage in the final result, and F denotes a failure in the supplementary examination) in the case where a student wrote the supplementary examination and nonetheless failed the course.

### **Access to examined material, examination scripts and checking of examination results**

- G24.1 Where work is examined under invigilation conditions, the script will be retained by the department concerned until 31 March of the following year and will not be returned to the student. Students may, by 30 September for first semester examinations whose results have been formally confirmed by the Faculty Examination Committee (FEC), or by 31 March of the following year for second semester examinations or first semester examinations whose results were only confirmed by the FEC in December. *access to scripts*
- (a) apply to the department for a copy of the script(s) which must be made available on payment of the prescribed fee; and/or

- (b) apply to the department to be allowed to see their script(s).

*NOTE:*

(1) *If an error is discovered the department must follow the standard procedure and obtain authorisation to change the mark on the student's record.*

G24.2

A department:

- (a) must provide a copy of a student's script(s) to the student on receipt of the prescribed fee if application is made by the due date; and
- (b) may choose how to give supervised access by a student to the script(s).

G24.3

In general all other examined work is returned to the student after it has been marked; where it is retained (for example, to be made available to an external examiner) a student has the same rights of access to it as set out in G24.1 above. (This does not apply to copies of theses, dissertations, master's degree research reports, or honours long essays/research reports submitted by students for examination and library purposes. Copies supplied to examiners are ordinarily retained by examiners.)

### **Specific learning and physical disabilities and extra time in examinations**

G25.1

Senate recognises that students with specific learning or physical disabilities may require extra time in examinations. Senate will consider applications from students for extra time in examinations and may in its absolute discretion grant extra time to a student who has a learning or physical disability.  
*(An examination includes class tests that contribute to the final result in a course.)*

*extra time*

G25.2

A specific learning disability, for the purpose of this rule, is a disability that affects one or more of the basic processes involved in the use of written or spoken language in a manner that constitutes a significant impairment of that process/function.  
*(A psychological disorder which may manifest itself in the form of anxiety and/or depression will not form grounds for an application for extra time in examinations.)*

*definition of learning disability*

G25.3

Students who apply for extra time on the grounds of a specific learning disability must:

*extra time for learning disabilities*

- (a) register with the Disability Service by 20 March in semester 1 or by 20 August in semester 2;
- (b) apply to the Disability Service on a prescribed form (obtainable at an interview with the Disability Service Psychologist) not later than 23 April in the first semester or 24 September in the second semester; (late applications will only be accepted if students provide reasons satisfactory to the Senate);
- (c) provide with the application all papers, assessments and reports relevant to the disability;
- (d) if prescribed, present themselves to a health professional for further assessment or examination, at their own cost.

## 16 RULES FOR DEGREES, DIPLOMAS AND CERTIFICATES

- G25.4 A physical disability, for the purpose of this rule, is a disability, whether long-term or short-term, that seriously impedes a student's ability to write. *definition of physical disability*
- G25.5 Students who apply for extra time on the grounds of a physical disability must apply on the prescribed form obtainable from the Registrar and must: *extra time for physical disabilities*
- (a) register with the Disability Service by 20 March in semester 1 or by 20 August in semester 2;
  - (b) apply, via the Disability Service, to a medical practitioner at the Student Wellness Service (on a prescribed form obtainable from the Disability Service) not later than 23 April in the first semester or 24 September in the second semester; (late applications will only be accepted if students provide reasons satisfactory to the Senate);
  - (c) provide with the application all papers, assessments and reports they have relevant to their disability;
  - (d) if required to do so by the Student Wellness Service, refer themselves for assessment by an appropriately qualified professional, at their own cost.
- NOTE: In the case of a short-term disability, it is not necessary to register with the Disability Service; and a late application may be accepted on good cause shown.*
- G25.6 Each application together with reports from the Student Wellness Service and any professional referred to in terms of G25.3(d) or G25.5(d) above must be submitted to the Senate which may: *Senate to consider*
- (a) grant such extra time, not exceeding a third of the time set for the examination, or refuse the application;
  - (b) specify a different venue, or venues at which students must sit any examination for which they have been granted extra time; *extra time venue*
  - (c) prescribe alternative accommodations, e.g. computer, scribe. *other accommodation*
- NOTE: Where the Senate grants extra time on the grounds of a specific learning disability or a long-term physical disability this will apply for all examinations taken by the student while registered for a specific degree, diploma or certificate, provided that Senate may withdraw any grant of extra time following a review of the concession, and provided also that if the Dean of the faculty concerned, on the basis of the performance of the student, requests that this case must be reviewed.*
- G25.7 Students who change faculty before completing a degree or diploma must, at the time of registration, notify the Dean of their new faculty of any concession they have been granted allowing extra time in examinations on the grounds of a specific learning disability or a physical disability. *change of faculty*



## Classification of results in courses

G26.1 Results are classified and published as follows in all courses for bachelor and honours degrees and for diplomas and certificates:

75% to 100%	First Class
70 - 74%	Second Class (Division One)
60 – 69%	Second Class (Division Two)
50 – 59%	Third Class

Where a percentage result is not obtained, a student's status may be reflected as:

AB	Absent from the course or examination
A/SF	Failed, absent from supplementary examination
ATT	Course attended
DE	Permitted to write a deferred exam in this course
DPR	Duly performed certificate refused (not permitted to write the exam)
EXA	Excluded from Assessment
F	0-49% Fail
FS	0-49% Failed but permitted to write supplementary
GIP	Course still in progress, result expected in a subsequent year
INC	Incomplete: course not completed
LoA	Leave of absence
OS	Result not yet available
OSS	Subminima failed, supplementary awarded
PA	Pass
SF	Supplementary examination failed
SP	Pass result obtained via a supplementary examination
UF SM	Unclassified fail, sub minimum not met.
UP	Unclassified Pass. A condoned pass or a supplementary examination written on academic grounds is graded as an Unclassified Pass.

**NOTE:** DPR, AB and INC are fail results.

G26.2 Where the rules for a degree or diploma (advanced diploma, or postgraduate diploma) provide for this,

- an undergraduate degree or any diploma may be awarded *with distinction* in the degree or diploma (exceptionally, in the LLB, *cum laude* or *magna cum laude*) and/or in a major subject and/or a specialisation;
- a degree of at least four years duration may be awarded with honours or first class honours;
- an honours bachelor degree must be awarded in a class (1<sup>st</sup>, 2+, 2- or 3<sup>rd</sup>);
- a master's degree may be awarded with distinction in the degree, or if by coursework and a minor dissertation, then in the degree, and/or the minor dissertation and/or the coursework.

*distinction*

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- G26.3 A Grade Point Average (GPA) shall be determined for each student qualifying with a certificate, diploma, advanced diploma, bachelor degree or postgraduate diploma which shall be the cumulative weighted score the student achieves for all graded courses taken towards that qualification. *grade point average*

### Deferred final examinations

- G27.1 Senate may allow students to write a deferred examination where they are unable to write a final examination for medical reasons, or where they have religious objections, or political objections, or other good cause for not writing on the scheduled day or days. *Senate discretion*  
The granting of this permission is entirely at the discretion of Senate, irrespective of the grounds (including medical) on which the application is made.  
No deferred examination may be granted for a supplementary examination or examination without attendance. If a student is unable to sit the supplementary examination for any reason, the supplementary examination is forfeited and the original result stands. If a student is unable to sit the deferred examination on the appointed day, the result will be AB. The examination cannot again be deferred.
- G27.2 Senate:  
(a) will accept that, where students have obtained a duly performed certificate for a course, they have met the test for having performed adequately for their application to be considered on the grounds advanced, without further consideration of their academic performance. *academic performance*  
(b) will not grant permission to students to write a deferred examination in courses in which they have been refused a duly performed certificate. If permission is granted and a duly performed certificate is subsequently refused, the permission will lapse. *DP certificate requirements*  
(c) may refuse permission to a student who has shown unsatisfactory progress in a course for which no duly performed requirement is set.
- G27.3 Students who have not heard the decision on their application by the date of the examination: *awaiting decision on application for deferment*  
(a) should take the examination;  
(b) shall, if they take the examination, retain the result if the deferment is refused; and shall lose the result if the deferment is granted.
- NOTE:* *Where students write the examination and hear after writing that they are granted the deferment, the grant of the deferred examination stands and the result of the examination written may not be substituted. A pass result for an examination written will not be considered grounds for an appeal against the decision to grant the deferment.*
- G27.4 Students who are granted a deferred examination and have been informed of this before the examination may nonetheless elect to take the examination. If they take the examination they must lose the grant of the deferred examination. *loss of grant of deferred exam*

## Deferred examinations for reasons of illness or other good cause

- G28.1 The following rules apply:
- (a) A student who by reason of illness before, at the time of, or during an examination, or a recurring medical complaint, or a history of illness, or a physical disability, or other good cause has been, or will be, unable to take an examination, may apply for permission to take a deferred examination. *application procedure*
  - (b) Any such application must be submitted to the Student Records Office, on the prescribed form (obtainable from the Student Records Office or the website), not later than seven days after the day scheduled for the examination concerned, supported by a medical certificate or other documentary evidence. *deadline*
- NOTE: Students who attended the scheduled examination cannot apply for a deferred examination after the scheduled examination except in the circumstances detailed in G28.1(d).*
- (c) The production of a medical certificate will not necessarily be sufficient to secure the granting of a deferred examination. *medical certificate*
  - (d) Illness during an examination will only be considered if such students show that they reported this to the invigilator for recording before leaving the venue and went directly from the examination venue to the Student Wellness Service to report the illness; or that they were unable to do so. *illness during an exam*
  - (e) A recurring medical complaint or a history of illness, or a physical disability will only be considered if the student has reported the complaint, the history, or the disability to a medical practitioner of their choice (private practitioner or the Student Wellness Services) at least three weeks before the scheduled date of the examination concerned and is able to show the medical practitioner is satisfied that every effort is being made to avert a recurrence of the complaint or illness, or overcome the disability. *recurrent illness/disability*
  - (f) Illness, or unfitness to take an examination, caused by taking drugs of any kind except on the advice of a medical practitioner, may be rejected as grounds for the granting of a deferred examination. *drugs*
  - (g) A serious illness or the death of a near relative at the time of an examination may be accepted as good cause. *illness/death of a relative*
  - (h) A period of suspension, resulting from an order by the Vice-Chancellor or Vice-Chancellor's nominee in terms of rule DJP3, may be accepted as good cause if:
    - (i) Senate finds that the student's preparation for, or the writing of, the examination has been materially hindered by the suspension; and
    - (ii) the student is not charged with any offence; or
    - (iii) the student is charged and is acquitted, or found guilty of a lesser offence than charged*grounds accepted as good cause in cases of suspension*

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for which, in the view of Senate, a suspension order would not have been justified. (In deciding whether the suspension order would have been justified Senate may consult the presiding officer of any court which dealt with the matter.)

### Deferred examinations on grounds of religious objections

- G28.2 The following rules exist:
- (a) Students who objects on religious grounds to taking an examination on the day specified in the examination timetable, may apply for permission to take a deferred examination. *application procedure*
  - (b) Any such application must be submitted on the prescribed form (obtainable at the Student Records Office/UCT website), not later than seven days after the final examination timetable is published. *certificate from the minister of religion*
  - (c) Applications of this nature must be supported by: a certificate from such students' minister of religion confirming that they are an observing member of the minister's congregation and that their religious convictions prevent them from taking an examination on the day, or days, in question; and a certificate from the head of department that the head of department has been consulted and informed of the application. *certificate from the head of department*

### Deferred examinations on grounds of political objections

- G28.3 The following rules exist:
- (a) Students who, in exceptional circumstances, object on grounds of political conviction or conscience to taking an examination on the day specified in the examination timetable may apply for permission to take a deferred examination. *political conviction or conscience*
  - (b) Any such application must be submitted on the prescribed form (obtainable from the Student Records Office/UCT website) not later than ten days before the examination. *application procedure*
  - (c) Any applications must be supported by a statement showing why the students believe there are exceptional circumstances, and why they object to taking the examination on the day, or days, in question.

### Requirements for award of degrees

- G29 The law allows UCT to award honorary degrees of doctor. Except in these cases, no degree may be conferred by the University on any person who has not: *minimum requirements for awarding degrees*
- (a) registered for such period as is prescribed, and under such conditions, as a student of the University;
  - (b) completed the courses and passed in the examinations prescribed by the Senate.  
*(See the UCT statute)*

## Secrecy restrictions

- G30 A thesis or dissertation of sixty credits or more, submitted for examination or accepted in part or complete fulfilment of the requirements for a degree, may not be subject to a secrecy restriction and will be published on the OpenUCT access repository immediately after graduation unless:
- (a) this publication has been deferred to allow preparation of work arising from the thesis or dissertation for publication; or
  - (b) this publication has been deferred to enable intellectual property protection under Rule GM11 or Rule GP6.10; or
  - (c) the Senate Executive Committee has for good cause shown, and at the request of the student, and mindful of Senate's view that research findings should be in the public domain, agrees that the thesis or dissertation should be deposited on the OpenUCT access repository with access to the thesis or dissertation (but not the abstract or metadata) blocked for a defined period or indefinitely.

NOTES: (1) See Rule GM11  
(2) See Rule GP6.10

## Deviation from rules in specific circumstances

- |             |   |  |
|-------------|---|--|
| G31.1breach | Senate may, on the recommendation of the Dean of the faculty after consultation with the head of the department concerned, permit a deviation from the rules governing the curriculum of a student.   | <i>curriculum concessions</i>                |
| G31.2       | Senate may at any time revise any rule; and any amendment of or addition to a rule, whether general or particular, shall, if Senate so decides, become binding on all candidates affected by it from the date of publication or such other date as may be specified. Where a student is prejudiced as a result of a change in rule, an application for a concession will be considered sympathetically. | <i>revision/addition to rules</i>            |
| G31.3       | Where candidates resume their registration after a lapse of time, Senate shall determine which, if any, credits they have previously obtained, will be recognised as credits towards the degree, or diploma, or certificate for which they are registered. Senate may rule that any such credits shall not be recognised towards the degree, or diploma, or certificate for which they are registered.  | <i>lapsing of credits towards the degree</i> |

## General rules for Bachelor, Master's and Doctoral degrees

### Bachelor degree

- |       |  |                            |
|-------|--|----------------------------|
| GB1.1 | Persons shall not be admitted as a candidate for a bachelor degree unless they hold: | <i>minimum requirement</i> |
|       | (a) a matriculation certificate issued by the Joint Matriculation Board; or          |                            |

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- (b) a senior or school leaving certificate with a matriculation exemption issued by the Joint Matriculation Board; or
  - (c) a senior certificate with a matriculation or university admission endorsement issued by the South African Certification Council or by the General and Further Education Quality Assurance Council (Umalusi); or
  - (d) a National Senior Certificate (NSC) endorsed for degree admission;
  - (e) a certificate of full or conditional exemption from the matriculation examination issued by the Joint Matriculation Board; or
  - (f) a certificate of exemption or a certificate of conditional exemption issued by the Matriculation Board.
- GB1.2 A candidate for a bachelor degree shall attend approved courses for such period as the rules for the degree concerned provide. *period of attendance*

### Attendance and/or work at other recognised institutions

- GB2.1 Subject to the provisions of the statute, the Senate may accept a period, or periods, of attendance at an institution recognised by the Senate for the purpose as part of the prescribed period of attendance for a degree of bachelor, other than an honours degree of bachelor; and/or grant credit for, and/or grant exemption from, a course or courses prescribed or recognised for a degree of bachelor, where a candidate has completed a course, or courses, accepted by the Senate as equivalent at an institution recognised by the Senate for the purpose. *Senate recognition*  
*credit/exemption*
- Provided that students may not graduate unless they have:
- (a) for a three-year degree: registered for at least two years and while so registered, completed at least one half of the courses prescribed for the degree including the final course/s in their major subject; *minimum requirements*
  - (b) for a four-year degree: registered for at least the final two years;
  - (c) for a five or six-year degree: registered for at least the final three years; and
- Provided that Senate shall not grant credit for a major course, or the major courses, prescribed for a degree of bachelor on the grounds of work completed at another institution. *credit for a major course*
- GB2.2 Students shall not graduate with a degree of bachelor unless the sum of any period, or periods, of attendance at another institution accepted by the Senate and their periods of attendance at the University are not less than the minimum period provided for in the rules for the degree, or the statute. *minimum period/s of attendance*

### Attendance and/or work completed at the University (for one degree toward another degree)

- GB3.1 Subject to the statute, where students have attended for a period, and completed a course or courses while so registered, for a degree, or degrees of bachelor, but have not taken a degree, the Senate may *attendance and transfer of credits towards*

	accept all or part of this period as part of the prescribed period of attendance for any other degree of bachelor, and/or recognise any course or courses completed by the candidates as a qualifying course or courses prescribed or recognised for such other degree.	<i>completion of a bachelor degree</i>
GB3.2	Subject to the statute, where students have attended for a period, completed courses and have graduated, the Senate may accept part of this period as part of the prescribed period of attendance for any other degree of bachelor, other than an honours degree of bachelor; and/or grant credit for, and/or exemption from, a course or courses prescribed or recognised for such other degree where they have completed this course or these courses, or where they have completed an equivalent course, or equivalent courses. Provided that students shall:	<i>transfer of credits towards completion of another bachelor degree</i>
	(a) for a three-year degree, register for at least two full years for that degree and while so registered, complete at least one half of the courses prescribed for the degree including the final course/s in their major subject;	<i>minimum registration requirements</i>
	(b) for a four-year degree; register for at least the final two years for that degree; and	
	(c) for a five or six-year degree; register for at least the final three years for that degree; and	
	Provided that the Senate may, in a case it considers to be exceptional, and on the recommendation of the board of the faculty concerned, permit students to graduate who have only partly complied with the requirements of clause (a), (b), or (c) as the case may be.	

### **Admission to courses and completing a course**

GB4	Except with the permission of the lecturer concerned, persons shall not attend any class until they have registered for that course and have had their curricula approved by Senate.	<i>registration</i>
<i>NOTE:</i>	<i>A lecturer may allow a person to sit in at a specified lecture and must notify his or her head of department when doing so. A lecturer may not allow a person who is not registered for the course in regular or audit mode to take part in the course, or be given access to course readings or other material, or be examined on its work. This applies to material in currently taught courses and material under library licencing agreements, but does hinder the sharing of open source material or old course material.</i>	
GB5	An approved curriculum may only be modified with the approval of Senate.	<i>change of curriculum</i>
GB6	Students obtain credit for a course when they have completed it. A student completes a course by passing the examinations in the course.	<i>credit for a course</i>
GB7	Except as otherwise provided for in the rules for a course, or specifically allowed by Senate, students shall not be registered for the second or more advanced course in a subject unless they have:	<i>registration for a second advanced course</i>
	(a) obtained credit for, or been given exemption by Senate from, the immediately preceding course; and	
	(b) Attained such standard of proficiency in the immediately preceding course as has been prescribed by the Senate.	

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- GB8 Except by permission of the Senate, students shall not register for a course unless they:
- (a) have obtained credit for, or have been given exemption from, such course or courses that Senate has set as a prerequisite course or courses for that course; and *prerequisites*
  - (b) register concurrently for such course or courses that Senate has set as an auxiliary course or courses for that course. *auxiliary courses*

### Duly performed (DP) certificates

- GB9.1 Senate may prescribe minimum requirements of attendance and performance in the work of a class which students must meet in order to be allowed to take the examination in the course. *minimum attendance/performance DP certificate*
- GB9.2 Where Senate prescribes such minimum requirements, and where students meet these requirements, the head of department shall issue duly performed certificates.
- GB9.3 Where Senate prescribes such minimum requirements the head of department must publish the list of those awarded and those refused duly performed certificates on or before the last teaching day of term.
- GB9.4 Where Senate prescribes such minimum requirements, and where students do not meet these requirements: *failure to meet minimum requirements*
- (a) such students may not take the examination of the course;
  - (b) such students shall be given the result Duly Performed Certificate Refused (DPR) for that course; and
  - (c) Senate will each student to repeat the course or any part of it before being present for examination in it.
- NOTE: DP lists are to be published before or on the last teaching day of the semester.*

### Re-examination

- GB10 Students failing a course must re-attend the course before they are again admitted to the examination: provided that Senate may permit a student to take the examination without re-attendance, under special circumstances and on the recommendation of the head of department concerned, on condition that there is no clash on the examination timetables. *examination without re-attendance*  
*(See also Rule G16.2: Examination without attendance.)*
- GB11 The rules for a degree may allow Senate to permit students who fail in one or more courses to present themselves for a supplementary examination in one or more than one course. *supplementary examination*

### Distinction

- GB12 The rules for a degree may provide that the degree be awarded: with distinction; or with distinction in one or more individual subjects; or both; or in a degree of at least four years in duration, with honours or first class honours; or in the case of the degree of Bachelor of Laws, *cum laude* or *magna cum laude*. *distinction/honours/cum laude*



## General provisions

GB13	Senate as a matter of policy does not permit a person who has a first bachelor degree to register again for that degree, or to be admitted a second time to the same first bachelor degree. Where graduates wish to take further courses, they should seek registration as an occasional student. (For example a BA graduate who wishes to take further BA qualifying courses should seek admission as an occasional student.)	<i>registration for the same degree</i>  <i>further courses after graduation</i>
GB14	The general rules for bachelor degrees apply <i>mutatis mutandis</i> to candidates for diplomas and certificates.	<i>diplomas/certificates</i>

## Honours Bachelor

GH1	Persons shall not be admitted as candidates for an honours bachelor degree unless they have: <ul style="list-style-type: none"> <li>(a) satisfied the requirements for a degree of this University or any other university recognised by the Senate for the purpose; or</li> <li>(b) passed at any university or institution such examinations as in Senate's opinion is equivalent to or higher than examinations prescribed for a bachelor degree of the University that is a prerequisite for admission as a candidate for the degree; or</li> <li>(c) in any other manner attained a level of competence which, in the opinion of Senate, is adequate for the purpose of admission as a candidate for the degree.</li> </ul>	<i>minimum admission requirements</i>
GH2	A candidate shall attend and complete an honours programme in a field of study specified in the rules for the degree concerned.	<i>fields of study</i>
GH3	Except as may be otherwise provided by statute or joint statute, honours degree candidates shall not graduate in any faculty until at least one year after they have been graduated bachelor. Senate may exempt candidates from this requirement if they have attended approved courses as a student of the University for a period of at least three years and have satisfied the requirements for the honours programme concerned.	<i>duration of course</i>
GH4	When presenting any form of written work for examination, a candidate shall by so doing grant a free licence to the University to publish it in whole or in part in any format that the University deems fit.	<i>publication of work</i>
GH5	Except with the permission of the lecturer concerned, persons shall not attend any class until they have registered for that course and have had their curricula approved by Senate.	
NOTE	<i>A lecturer may allow a person to sit in at a specified lecture but must notify their head of department when doing this. A lecturer may not allow a person who is not registered for the course on a regular or audit mode, or formally taking a module in that course as part of an approved multidisciplinary curriculum to take part in the course, or be given access to course readings or other material, or be examined on its work.</i>	

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*This applies to material in currently taught courses and material under library licencing agreements, but does not hinder the sharing of open source material or old course material.*

### Master's degrees

The degree of a Master is undertaken either as a research project (dissertation) under the guidance of a supervisor, or as a taught coursework and research project under the guidance of a supervisor, or as a professional programme of taught coursework and a research component.

GM1	Faculty rules may provide for the award of a degree of Master of Philosophy.	
GM2	Persons shall not be admitted as candidates for a degree of master unless they: (a) are graduates of the University or any other university recognised by Senate for the purpose; or (b) have passed at any university or at any institution recognised by the Senate for the purpose, such examinations as are, in the opinion of the Senate, equivalent to the examinations prescribed for a degree at the University; or (c) have in any other manner attained a level of competence which in the opinion of the Senate, is adequate for the purpose of admission as a candidate for the degree.	<i>minimum admission requirements</i>
NOTE:	<i>Ordinarily graduates admitted to a master's degree are expected to hold a four year bachelor or honours degree.</i>	
GM3	Candidates shall not graduate in any faculty unless they have been registered for the degree for at least one year.	<i>period of registration</i>
GM3.1	Candidates must maintain unbroken registration between admission and graduation unless granted leave of absence by the Senate.	
GM4	Candidates shall undertake advanced study, or an approved research project, or both, under the guidance of a supervisor appointed by Senate.	<i>study/research project</i>
GM5	The examination shall consist of a dissertation showing acquaintance with the methods of research, or of written papers, or both, as Senate may prescribe; or such other forms of examination as faculty rules may provide. In the case of the MMed and MPhil (sub-specialities) dissertation may be submitted as a published (or accepted for publication) paper format, and may be in the form of a clinical audit (with or without a repeat data collection cycle); a systematic review of the literature on its own with extraction and extrapolation of data; a research study (pro/retrospective lab or clinical database review); description and analysis of a case series or cohort; or other as per the faculty rule.	<i>form of examination</i>
NOTE:	<i>Supplementary examinations are not awarded to candidates for the degree of master.</i>	
GM6	The examiners may in addition require candidates to present themselves for an oral examination.	<i>oral examination</i>
GM7	Senate may refuse to permit candidates whose progress is unsatisfactory to renew their registration.	<i>re-registration</i>

GM8	The rules of a particular faculty may provide that the degree may be awarded with distinction.	<i>distinction</i>
GM9	When presenting any written work for examination, a candidate shall by so doing grant a free licence to the University to publish it in whole or in part in any format that the University deems fit.	<i>publication</i>
GM10	Candidates may, subject to the prior written approval of their supervisor and subject to the provisions of the rule GM11, publish a part or the whole of the work done by them under supervision for the degree before presenting their dissertation for examination.	
GM11	<p>Publication of dissertations on the <u>OpenUCT</u> repository and deferral of publication of a dissertation to allow for publication or to allow intellectual property protection:</p> <p>(a) Publication of a dissertation of 60 NQF credits or more, together with the abstract and dissertation metadata, on the <u>OpenUCT</u> access repository immediately after graduation will be the default position.</p> <p>(b) A supervisor must defer this publication of the dissertation (but neither the abstract nor metadata) for 24 months from the date of graduation to allow the submission of work, arising from the dissertation, for publication where the student has agreed to this; where the findings/data/conclusions have not been submitted for publication prior to the date of the graduation; and where the student declares an intention to prepare work for publication either in monograph form or in journals; or</p> <p>(c) The Deputy Vice-Chancellor with responsibility for research may defer this publication of the dissertation (but neither the abstract nor metadata) for 24 months from the date of graduation to allow the submission of work, arising from the dissertation, for publication where the student has agreed to this; where the findings/data/conclusions have not been submitted for publication prior to the date of the graduation; and where the student declares an intention to prepare work for publication either in monograph form or in journals.</p> <p><i>(See G30 for "Secrecy restrictions" on theses and dissertations.)</i></p>	

### **Registration and residence**

GM12	During their period of registration candidates will normally be required to attend the University for a period of at least one year. By "attend the University" Senate understands that candidates shall, within reason, be readily available for discussion at the University.	<i>applicability</i>
GM13	Senate may accept, as part of the period of registration required, a period of registration at another university or institution where a formal agreement exists between the University and (an) other institution(s).	

## 28 RULES FOR DEGREES, DIPLOMAS AND CERTIFICATES

- GM14 Except with the permission of the lecturer concerned, persons shall not attend any class until they have registered for that course and have had their curricula approved by Senate.
- NOTE* A lecturer may allow a person to sit in at a specified lecture but must notify their head of department when doing this. A lecturer may not allow a person who is not registered for the course on a regular or audit mode, or formally taking a module in that course as part of an approved multidisciplinary curriculum to take part in the course, or be given access to course readings or other material, or be examined on its work. This applies to material in currently taught courses and material under library licencing agreements, but does not hinder the sharing of open source material or old course material.

### Obtaining the degree

- GM15 A candidate shall undertake research, and such advanced study as may be required, under the guidance of a supervisor or supervisors appointed by Senate, for the minimum period of one year.
- GM16 At the conclusion of their supervised research candidates shall submit a dissertation, minor dissertation or research project for examination. Before doing so they must inform the Faculty Office in writing to this effect and submit a signed statement from their supervisor indicating whether or not the supervisors support, the submission for examination. Candidates will not, however, be debarred from submitting for examination if their supervisor does not support the submission of the dissertation or research project.
- GM17 Where a candidate intends to submit a dissertation or research project for examination the student must inform the Faculty Office in writing of their intention to do so six weeks before submitting the dissertation for examination. It is recommended that the dissertation be submitted for examination five months before the graduation ceremony to allow time for the examination process to run its course. The University does not however undertake to reach a decision on the award of the degree by any specific date.
- NOTE:* To avoid re-registration students are required to submit by 12h00 on the last day of the year (31 December). Students may be granted a grace period until 12h00 on the first day of the new academic year in February to submit. After the first day of the new academic year, students who have not submitted will be required to re-register.
- GM18 After the examination of the dissertation or research project:
- (a) a student required to make minor corrections to the dissertation or research project before being allowed to graduate must, except with permission from Senate, submit these corrections within six months from the date of notification from the Faculty Office or;
  - (b) a student required to make revisions to the dissertation or research project for re-submission for re-examination, before being allowed to graduate, must,

except with permission from Senate, submit these changes within one year from the date of notification from the Faculty Office.

Students failing to do so will not be permitted to renew their registration for the degree.

## **The Dissertation**

- GM19 A dissertation or master's research project must be submitted:
- (a) in English; or
  - (b) in a language and literature department, in English or in the language of the department concerned; or
  - (c) if the approval of Senate has been obtained by candidates at the time of their original admission, as candidates in another language.
- GM20 Candidates must submit:
- (a) for examination an electronic copy in the format specified plus up to two copies of the dissertation in temporary binding for submission to examiners;
  - (b) for graduation an electronic copy of the final corrected version of the dissertation in the format specified for the Library; and
  - (c) one copy of the final corrected version in temporary binding for each of the candidate's supervisors, unless the candidate indicates that the supervisors have copies of the dissertation.

## **Doctoral degrees (other than PhD)**

- GD1 Senate may admit as a candidate for a doctor's degree any persons who have given satisfactory evidence of their candidature. Only in exceptional circumstances can persons be admitted as candidates for a doctor's degree if they have not had a significant involvement with UCT. *admission requirements*
- GD2 Doctoral candidates shall not graduate in:
- (a) the Sciences, Engineering or Law until at least four years after they have been admitted to a degree of bachelor at this or another university recognised for the purpose by the Senate, and
  - (b) the Faculty of Health Science until at least two years after they have been admitted to the degree of Bachelor of Medicine in the faculty or a faculty of Medicine of any other university recognised for the purpose by the Senate, or until at least four years after they have been admitted to a degree of bachelor in this or another university recognised for the purpose by the Senate.
- GD3 A degree of doctor shall not be conferred unless the candidate submits for examination original work which in the opinion of Senate constitutes a noteworthy contribution to knowledge. *original work*
- GD4 Candidates may be required to present themselves for a written or oral examination. *examination*
- GD5 When presenting any work for examination, a candidate shall by so doing grant a free licence to the University to publish it in whole or in part in any format that the University deems fit. *publication*

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NOTE *A doctoral degree may be awarded as an honorary degree (See G29.)*

#### **Doctor of Philosophy**

The degree of Doctor of Philosophy is a research degree undertaken under the guidance of a supervisor for the minimum period of two years. A candidate may proceed through any of the faculties of the University in accordance with these rules and those of the faculty concerned. It is not essential for candidates to proceed through the faculty in which they have obtained their bachelor or master's degree. When considering an application for registration for the degree for PhD, Senate will be guided by the following as being appropriate admission requirements:

*guidelines for admission*

- (a) a recognised master's degree; or
- (b) a recognised honours bachelor degree, or a recognised four-year bachelor degree, plus at least one year's registration for an approved master's degree; or
- (c) a recognised three-year bachelor degree plus at least two years registration for an approved master's degree; or
- (d) a recognised MBChB, LLB, BProc or BArch degree or any qualification recognised by Senate as being equivalent; or
- (e) in special circumstances an approved bachelor degree or qualifications recognised by the Senate as equivalent.

Master's candidates may apply to upgrade their candidature to PhD candidature at any time before submitting their dissertation for examination for the master's degree for which they have registered; once a submitted dissertation has been sent by the University to examiners, it may not be withdrawn, nor may such candidates apply to upgrade their candidature to PhD candidature. PhD candidates may apply to downgrade their candidature for a master's degree at any time before submitting their thesis; once a submitted thesis has been sent by the University to examiners, it may not be withdrawn, nor may such candidates apply to downgrade their candidature to candidature for a master's degree. A PhD candidate who fails the PhD examination may not submit the work for any other degree at this University.

GP1.1 Persons shall not be admitted as a candidate for the degree unless they:

*admission to PhD candidature*

- (a) are graduates of the University or of any other university recognised by the Senate for the purpose; or
- (b) have passed at any university or at any institution recognised by the Senate for the purpose, such examinations as are, in the opinion of Senate, equivalent to the examinations prescribed for a degree at the University; or
- (c) have in any other manner attained a level of competence which in the opinion of Senate, on the recommendation of the faculty concerned, is adequate for the purposes of admission as a candidate for the degree.

GP1.2 Senate may admit to the degree any candidate who has been admitted three years previously to a degree of bachelor, or any candidate who has been admitted at least two years previously

*holders of bachelor degrees*

to a bachelor degree where a minimum period of study prescribed for such bachelor degrees was not less than four years.

### Registration and residence

GP2.1	During their period of registration candidates will normally be required to attend at the University for a period of at least one year. By “attend at the University” Senate understands that candidates shall, within reason, be readily available for discussion at the University.	<i>attendance</i>
GP3.1	Candidates must be registered for at least two years. Senate may permit candidates registered for a master’s degree, by virtue of the quality and development of their work, to change their candidature to that for a PhD degree but retrospective registration for the PhD degree will not be allowed, except by special permission of Senate.	<i>minimum period</i>
GP3.2	Senate may accept, as part of the period of registration required, a period of registration not exceeding one year at another university or institution.	<i>registration at another university</i>
GP3.3	Candidates must maintain unbroken registration between admission and graduation unless granted leave of absence by the Senate.	<i>absence</i>
GP3.4	Senate may refuse to permit candidates whose progress is unsatisfactory to renew their registration.	<i>renewal of registration</i>

### Application for admission

GP4	Before persons may be registered for the degree their candidature must be approved by the Senate on the recommendation of the board of the faculty and the head of the department concerned. An applicant must give such evidence of their qualifications and attainments and complete such preliminary work as Senate may require, and must satisfy Senate as to the suitability of their subject and programme of research and as to the conditions under which the work will be carried out.	<i>admission requirements</i>
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### Obtaining the degree

GP5.1	Candidates shall undertake research, and such advanced study as may be required, under the guidance of a supervisor or supervisors appointed by Senate for the minimum period of two years.	<i>supervisor</i>
GP5.2	At the conclusion of their supervised research candidates shall submit a thesis for examination. Before doing so they must inform the Doctoral Degrees Board Office in writing to this effect and submit a signed statement from their supervisor indicating whether or not the supervisor supports the submission of a thesis for examination. Candidates will not, however be debarred from submitting their theses for examination if their supervisors do not support the submission of the thesis.	<i>submission of thesis</i>

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- GP5.3 Where candidates intend to submit their thesis for examination they must inform the Doctoral Degrees Board Office in writing of their intention to do so before submitting the thesis for examination. It is recommended that the thesis be submitted for examination five months before the graduation ceremony to allow time for the examination process to run its course. The University does not however undertake to reach a decision on the award of the degree by any specific date.
- deadlines for graduation*
- duration of examination process*
- NOTE:** *To avoid re-registration students are required to submit by 12h00 on the last day of the year (31 December). Students may be granted a grace period until 12h00 on the first day of the new academic year in February to submit. After the first day of the new academic year, students who have not submitted will be required to re-register.*

### The thesis

- GP6.1 A thesis must be submitted:
- (a) in English; or
  - (b) in a language and literature department, in English or in the language of the department concerned; or
  - (c) if the approval of Senate has been obtained by candidates at the time of their original admission as PhD candidates, in another language.
- language of submission*
- GP6.2 Candidates must submit:
- (a) for examination an electronic copy in the format specified together with an abstract and the specified metadata; and
  - (b) for graduation an electronic copy of the final corrected version in the format specified together with (where necessary) corrected abstract and specified metadata, and a certificate from the supervisor or Committee of Assessors or Doctoral Degrees Board (DDB) that the required corrections have been made.
- GP6.3 A thesis must constitute a substantial contribution to knowledge in the chosen subject and may embody only the original work of the candidate with such acknowledged extracts from the work of others as may be pertinent. A thesis may incorporate creative work integral to the overall argument. (It must, on presentation, be accompanied by a declaration on the part of the candidate regarding the extent to which it represents, the candidate's own work, both in concept and execution.
- original work*
- NOTE:** *Any thesis, and in particular a thesis which incorporates the candidate's original creative work, must be such that it lends itself, in principle, to examination by international examiners, and to revision and re-submission. Where the thesis incorporates a creative component, this must be integral to the thesis and the thesis must be coherent. The creative component (exhibition or theatrical production for example) must be reviewable, and may have to be submitted in recorded or filmed or photographed form. Candidates wishing to include their own creative work as part of a thesis must indicate their plans for executing this work in their applications for admission as candidates as the Doctoral Degrees Board is required to scrutinise this rigorously to ensure that the thesis would be examinable. The Doctoral Degrees Board may*



*require local assessors to assess the work as a first step in the examination process, to evaluate the work and to submit a report, which would be sent to the examiners (for example in order to resolve any potential confusion or difficulties in examining the different elements of a drama or dance piece). The decision as to whether to do this will ordinarily be taken by the Doctoral Degrees Board at the time it accepts the candidate's thesis proposal.*

GP6.4	The text of the thesis must be prefaced by an abstract of it prepared in accordance with the guidelines approved by Senate and indicating in what way the thesis constitutes a contribution to knowledge.	<i>abstract</i>
GP6.5	The literary presentation of the contents and the statistical presentation, if statistical argument or material is included, must be satisfactory.	<i>presentation</i>
GP6.6	Candidates shall not be given credit for any work that has been accepted for another degree.	<i>credit for other degree work</i>
GP6.7	PhD candidates who contemplate including published papers in their theses must accept that approval to do so is not automatic. If candidates contemplate doing this, they must note this in their memorandum of understanding (MoU) with their supervisor each year. In addition they and their supervisor are advised to seek the advice of the Faculty's higher degrees committee about the plan to do so at an early stage (acting in accordance with any internal procedures and guidelines that a particular faculty may require). While the relevant faculty committee will not be able to give a binding answer, it will be able to indicate to the candidate and the supervisor whether: <ul style="list-style-type: none"> <li>(i) it is likely to support the proposal; where published papers are included, the thesis must nonetheless show acceptable academic style, scholarly content and coherence as a connected account with a satisfactory introduction, statement of thesis and conclusion: or</li> <li>(ii) it is unlikely to support submission according to the plan outlined and why. A binding decision can only be given by the DDB. It is accepted that this may not be possible until some time into the PhD work.</li> </ul> ( <i>A copy of the procedures of the Doctoral Degrees Board is available on request from the Doctoral Degrees Board Office.</i> ) <i>All students contemplating the use of published papers must read the guidelines at:</i> <a href="http://www.uct.ac.za/students/candidates/downloads/">http://www.uct.ac.za/students/candidates/downloads/</a>	<i>inclusion of published papers</i>
GP6.8	A PhD thesis may not be less than 40,000 words (in the case of a thesis incorporating creative work) or more than 80,000 in length, unless the Dean (acting after consultation with the supervisor) approves requests by candidates to exceed this limit. Where a Dean allows a longer thesis, the Dean may stipulate a maximum number of words for the thesis. Where Deans allow a longer thesis, they must inform the Doctoral Degrees Board of the fact and of the stipulation made.	<i>length of thesis</i>
GP6.9	After the examination of the thesis, a student required to do corrections to the thesis before being allowed to graduate, or revisions to the thesis for re-submission and re-examination,	<i>time limit for corrections</i>

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must, except with permission from Senate, submit these changes within one year from the date of notification from the Doctoral Degrees Board. Students who fail to do so will not be permitted to renew their registration for the degree.

*/revisions to  
thesis*

#### **Publication of theses on the OpenUCT repository and deferral of publication of a thesis to allow for publication or to allow IP protection**

- GP6.10 Publication of a thesis, the abstract and the thesis metadata on the OpenUCT access repository immediately after graduation will be the default position, provided that:
- (a) A supervisor must defer this publication of the thesis (but neither the abstract or metadata) for 24 months from the date of graduation to allow the submission of work, arising from the thesis, for publication where the student has agreed to this; where the findings/data/conclusions have not been submitted for publication prior to the date of the graduation; and where the student declares an intention to prepare work for publication either in monograph form or in journals; or
  - (b) The Doctoral Degrees Board may defer this publication of the thesis, and if necessary the abstract, but not the metadata, for up to 36 months from the date of graduation in order to allow intellectual property (IP) protection of work arising from the thesis where the necessary IP protection has not been secured and where the Director of the Research Contracts and intellectual property (IP) Services Office is of the view that there is case for or a requirement for IP protection, provided that the abstract will be published immediately following graduation unless the Doctoral Degrees Board determines that to do so would compromise IP protection, in which case an abridged abstract shall be provided by the student and shall be published for the period of deferral.

#### **Publication**

- |     |   |                                       |
|-----|---|---------------------------------------|
| GP7 | Candidates may, subject to the prior written approval of their supervisors and subject to the provisions of rule GP9, publish a part or the whole of the work done by them under supervision for the degree before presenting their theses for examination. | <i>supervisor's<br/>permission</i>    |
| GP8 | When presenting a thesis a candidate shall be deemed by so doing to grant free licence to the University to publish it in whole or in part in any format that the University deems fit.   | <i>free licence to<br/>University</i> |
| GP9 | No publication may, without the prior permission of Senate, contain a statement that the published material was or is to be submitted in part or in full for the degree.  | <i>Senate<br/>permission</i>          |

## Graduation

Degrees are conferred and diplomas and certificates are awarded at meetings of the University called congregations. Congregations are held at dates and times set by Council. The Chancellor, if present, presides. In his or her absence the Vice-Chancellor, or the Vice-Chancellor's nominee, in that order, presides. No graduands are entitled to any of the privileges conferred by a degree until they have been admitted to the degree at a graduation ceremony; admission to degrees takes place in person, or *in absentia*.

Students may not present themselves for graduation or diploma unless in the prescribed academic dress. Graduation and diploma award ceremonies are held in April and December.

## Academic dress

### Officers of the University

CHANCELLOR	The Chancellor wears a gown made from dark blue silk and having facings, down each side in front, of dark blue velvet embroidered with a gold floral design. The gown and sleeves are lined with pale blue silk and the sleeves are looped up in front with a gold cord and button. The yoke of the gown is edged with gold cord. With this gown is worn a square blue velvet hat with a soft crown and gold tassel.
VICE-CHANCELLOR	The Vice-Chancellor wears a gown made from bright blue silk and having facings, down each side in front, and sleeve-linings of pale blue silk. The sleeves are looped up in front with a gold cord and button and the yoke of the gown is edged with gold cord. With this gown is worn a black velvet bonnet with a silver cord.
DEPUTY VICE-CHANCELLOR	A Deputy Vice-Chancellor wears a gown made from dark blue silk and having closed sleeves with an inverted T-shaped opening at the level of the elbow to free the arms. The gown has facings, down each side in front, of light blue. The sleeves are lined with light blue and the yoke of the gown is edged with silver cord. With this gown is worn a black velvet bonnet with a silver cord.
CHAIR OF COUNCIL	The Chair of Council wears a gown, of the same pattern as that worn by the Vice-Chancellor, made from light blue silk and having facings, down each side in front, and a yoke of dark blue. The sleeves are lined with dark blue and the facings and yoke are trimmed with gold cord. The sleeves are looped up in front with a gold cord and button. With this gown is worn a black velvet bonnet with a gold tassel.
MEMBERS OF COUNCIL	Members of Council wear graduate-pattern gowns made from black silk, having 10cm wide light blue facings down each side in front trimmed with dark blue cord. With this gown is worn a black velvet bonnet with a blue cord.
REGISTRAR	The Registrar wears a gown made from black silk and having 10cm wide facings of blue silk, down each side in front. With this gown is worn a black velvet bonnet with a white cord.

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### PRESIDENT OF CONVOCATION

The President of Convocation wears a gown made from black silk and having long closed sleeves with an inverted T-shaped opening at the level of the elbow to free the arms. The gown has facings, down each side in front, and sleeves of blue silk. With this gown is worn a black velvet bonnet and a blue tassel.

### Undergraduates

A plain black gown; after the pattern of the Oxford scholar's gown.

### Diplomas

A black gown and black hood lined with white and edged for half the perimeter with the colour distinctive of the faculty with a width of approximately 14mm, and for the other half, in white to the same width.

### Graduates

#### BACHELOR

A black gown and black hood lined with white and edged with the colour distinctive of the faculty to a width of approximately 14mm. The edging of the hood for the BAS degree, the BSc (Med) degree and the first degrees in the Health and Rehabilitation disciplines is a single strip half this width.

#### HONOURS BACHELOR

A black gown and black hood; the hood for an honours degree of bachelor is the same as that for the bachelor degree except that the edging with the colour distinctive of the faculty is in two strips of equal width 20mm apart.

#### MASTER

A black gown and a black hood lined with the colour distinctive of the faculty and edged with white except in the case of the hood for the MMed degree, which is edged with red to a width of approximately 14mm.

#### DOCTOR

- (a) DLitt, DSc, DSc(Med), DSc(Eng), LLD, DMus, DSocSc, DEd, MD, DFA, DArch and DEconSc: a scarlet gown faced with the colour distinctive of the faculty and hood of the colour distinctive of the faculty and a black velvet bonnet with a cord of the colour distinctive of the faculty in which the degrees is awarded.
- (b) PhD: A scarlet gown without facings and hood of scarlet lined with black; and a black velvet bonnet, with a cord of the colour distinctive of the faculty in which the degree is awarded.

### Graduates

#### Distinctive colours

Faculty of Commerce	Yellow
Faculty of Engineering and the Built Environment	Green
Faculty of Health Sciences	Red
Faculty of Law	Old gold
Faculty of Humanities	Blue
Faculty of Science	Purple

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## DISCIPLINARY JURISDICTION AND PROCEDURES

These rules are institutional rules.

### Definitions

**Authorised member** is an employee of the University who is empowered to issue instructions to students in respect of a particular function of the University, and includes:

- (a) The Vice-Chancellor, Deputy Vice-Chancellors and the Registrar in respect of any function of the University;
- (b) Any person authorised by the Vice-Chancellor, a Deputy Vice-Chancellor or the Registrar;
- (c) Deans, head of departments, and staff of academic departments in respect of the work of academic departments and faculties;
- (d) Heads of **professional, administrative support and service departments**, or their nominees, in respect of the work of their departments.

**Complainant** is for the purposes of Disciplinary Jurisdiction and Procedures, a person alleging rape, sexual assault and sexual harassment by a student.

**Day** is a calendar day.

**Expulsion** is the immediate termination of registration and the prohibition of further registration imposed upon a student.

**Jurisdiction** The Tribunals provided for in the Rules on Disciplinary Jurisdiction and Procedures have jurisdiction over:

- (a) all **students; and**
- (b) any former **student** in respect of any breach of the student code that took place, or is alleged to have taken place while the former student was a **student**.

Without limiting the generality of this rule, or the powers of tribunals under these rules on jurisdiction, a tribunal shall have the power to withdraw a qualification (degree, diploma or certificate) or result from a former student where the tribunal finds that the qualification has been improperly obtained.

**No-contact order** is a protective measure issued in terms of these rules prohibiting the person against whom the order is issued from contact with one or more named person(s) either directly or indirectly.

**Proctor** is a person with a legal qualification and/or relevant experience who presides over a matter in the University Tribunal and is appointed by the University Council for such period as the Council may decide.

**Residences Committee** is the Residences Committee of Council.

**Right to be assisted** means an entitlement to engage a person of his or her choice to advise and assist him or her during a hearing before a Tribunal. Such a person is not permitted to represent a student so assisted.

**Right to be represented** means an entitlement to engage a person of his or her choice to act on his or her behalf in any matter before a Tribunal.

**Rustication** is the temporary dismissal of a student from the University or the temporary removal of a student from a student housing unit.

**Rusticated student** means a student rusticated in terms of these rules, who remains subject to these rules and to such conditions as may be attached to the rustication for the period of rustication.

**Senior Proctor** is a person with a legal qualification or experience, appointed by the Vice-Chancellor for such periods as the Vice-Chancellor may decide.

**Student** for the purposes of the DJP and RCS rules is a person who:

- (a) has been admitted as a student: or
- (b) is registered as a student, or is attending classes prior to registering as a student; or

## 38 DISCIPLINARY JURISDICTION AND PROCEDURES

- (c) is a postdoctoral research fellow; or
- (d) is a member of a University sports club or society (other than a person who is a staff member but not a student);

and remains a student until the first day of the academic year in the following calendar year, unless before that date he or she is expelled; or cancels his or her registration; or graduates and has not been accepted for a further course of study in the following semester or year.

**Student code** means the Rules on Conduct for Students, and all University rules.

**Student housing** means any housing or residence provided by the University for students, including catering student housing units, self-catering student housing units, houses and flats.

**Student housing unit** means a residence, provided by the University for housing students.

**Unit Committee** is a committee comprising elected student representatives and the warden of a particular student housing unit generally known as a House Committee.

**University** is the University of Cape Town

**University community** means all registered students, all other members of the University, all staff and all persons rendering services at the University.

**University rules** include: Rules on Disciplinary Jurisdiction and Procedures; Rules on Conduct for Students; Rules on Computer Software Copyright and Licensing; Rules relating to Meetings held on Campus or under the Aegis of the University; Rules on the Use of University Venues; Traffic Rules; The Code of Ethics for Student Publications; Library Rules; and Residences Rules, and such other rules as the Council may make from time to time.

**Warden** is a person in whom the authority of Council and the Residences Committee rests for the administration of a student housing unit.

**Year** is a calendar year.

### Breach of Student Code

- |        |   |  |
|--------|---|--|
| DJP1.1 | An allegation of a breach of the Student Code other than such allegations as contemplated in DJP1.2 must be reported direct to the Vice-Chancellor or nominee.  | <i>report to VC's nominee</i>              |
| DJP1.2 | An allegation of a breach of the Student Code by a student in a student housing unit must be reported to the warden.<br>(a) Where the allegation is of serious assault, behaviour of a potentially injurious nature, or serious harassment or where, in the opinion of the warden this referral is warranted, the warden must report the matter to the Vice-Chancellor.<br>(b) In all other circumstances, the warden must refer the matter to the applicable student housing tribunal. | <i>report to warden</i>                    |
| DJP1.3 | The Vice-Chancellor may delegate any function assigned to him or her in terms of these rules to any member of the University staff.   | <i>delegation of function</i>              |
| DJP1.4 | The Vice-Chancellor may refer any alleged breach of the Student Code to an appropriate tribunal.  |  |
| DJP1.5 | The Vice-Chancellor may refer a matter for a further investigation to an appropriate tribunal and must determine the membership, powers and terms of reference of the tribunal.   | <i>referral to an appropriate tribunal</i> |
| DJP1.6 | The Vice-Chancellor may at any time, withdraw any matter from any tribunal and may at his or her discretion:<br>(a) refer the matter to another tribunal; or<br>(b) elect not to continue with the matter; or<br>(c) refer the matter to the South African Police Services  | <i>withdrawal of matter by VC</i>          |

DJP1.7	The authority instituting a charge before any tribunal may, subject to any Rules of Procedure set in terms of DJP2.2, attach a certificate allowing the student so charged to admit guilt, to pay a fine if provided for, and/or to render community service.	<i>admission of guilt</i>
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### The Tribunal in general

DJP2.1	Any tribunal to which a matter has been referred, or a competent appeal made, must proceed to decide the matter, or the appeal, in terms of these rules.	
DJP2.2	A tribunal hearing a matter must determine rules of procedure, except where the Tribunal of Appeal has laid down generally applicable rules of procedure, which will be binding upon all tribunals constituted in terms of these rules.	<i>rules of procedure</i>
DJP2.3	The burden of proof in all tribunals is upon the University.	<i>burden of proof</i>
DJP2.4	The standard of proof in all tribunals is on a balance of probabilities.	<i>standard of proof</i>

### Powers of suspension and no-contact orders

DJP3.1	<p>If a member of the University staff or a student has reason to believe that:</p> <p>(a) the continued presence or participation in the activities of the University by a student against whom there is an allegation of a breach of the Student Code is likely to pose a threat to the maintenance of good order within the University; or</p> <p>(b) there are grounds for a non-contact order against a student in order to protect a complainant in a sexual harassment or sexual offences case;</p> <p>he and she must report the matter to the Vice-Chancellor</p>	<i>report to VC</i>
DJP3.2	<p>If the Vice-Chancellor has reason to believe that the matter justifies the execution of a suspension order he or she may make a provisional order prohibiting the student from:</p> <p>(a) attending lectures and classes; and/or</p> <p>(b) participating in specified activities of the University; and/or</p> <p>(c) entering the precincts of the University or any such part thereof as may be indicated by him or her; and/or</p> <p>(d) residing in a student housing unit; and/or</p> <p>(e) making contact, directly or indirectly, with one or more than one specified person/s while on campus; as may be appropriate for the elimination of a particular threat to good order and for a period not exceeding 72 hours.</p>	<i>terms of provisional suspension order</i>

*maximum period of provisional suspension order*

*Note: Where the 72 hours expires outside ordinary working hours or on a day which is not an ordinary working day, the 72 hours shall be automatically extended so as to expire at the end of the next working day.*

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- DJP3.3 The Vice-Chancellor may impose any further conditions at the time of issuing the preliminary order or at any time thereafter.
- DJP3.4 A suspension in terms of DJP3.2 is provisional. The student so suspended is entitled to a hearing before the Vice-Chancellor (or nominee) within two full working days of such provisional order being service on the student. The Vice-Chancellor (or nominee) must convene the hearing. The University Student Discipline Tribunal Procedures and Guidelines set out the procedure and who may be present at the hearing. Rules DJP8.4 and RCS16 apply to the suspension hearing.  
After hearing the representations (if any) of the provisionally suspended student, or at the expiry of the two day period, the Vice-Chancellor (or nominee) may:  
(a) make the provisional order final; or  
(b) make an amended final order; or  
(c) withdraw the provisional order in its entirety.  
Where the Vice-Chancellor or his or her nominee makes the provisional order final written reasons must be given timeously, and relate to the belief that the continued presence of or participation in activities by that student is likely to pose a threat to the maintenance of good order.  
A provisionally suspended student who is unable to attend the hearing may make written representations to the Vice-Chancellor (or nominee).  
The failure of the provisionally suspended student to attend the hearing or make representations shall not preclude the Vice-Chancellor (or nominee) from making such order, as she or he deems appropriate.
- DJP3.5 The Vice-Chancellor may, at any time during the operation of the suspension order, vary or revoke the suspension order in part or in whole. *powers of Vice-Chancellor*
- DJP3.6 Where the Vice-Chancellor acts in terms of DJP3.4 or 3.5 in making an order, he or she must inform the student:  
(a) that the student is entitled to appeal to the University Tribunal constituted by a proctor sitting with assessors for a reconsideration of the order; and  
(b) that notice to appear before the Student Disciplinary Tribunal will be served within a reasonable period. *appeal to University Tribunal*
- DJP3.7 The maximum period of operation of any order is 100 days provided that:  
(a) any such order will be discharged upon the acquittal of the student or the implementation of any sentence imposed upon the student by any Tribunal in respect of charges arising out of the allegations upon which the suspension order is based; and  
(b) the noting of an appeal will not suspend an order pending the outcome of the appeal. *maximum period of order*



- DJP3.8 Notwithstanding the above 100-day limitation, the period of operation may be extended by the Vice-Chancellor if the student against whom the order has been issued is accused in a criminal trial in a State court and if the criminal trial has not been concluded at the expiry of the 100-day period, until a finding and sentence has been delivered in the court or until any appeal process related to such finding and/or sentence in the court has been concluded. *extension of maximum period*
- DJP3.9 In the case of an appeal to the University Tribunal constituted by a proctor sitting with assessors, the Vice-Chancellor must submit to that tribunal his or her reasons for believing that the continued presence of or participation in activities by that student is likely to pose a threat to the maintenance of good order, and the Tribunal has the power to confirm, amend or set aside the order or an extension of such an order. *right of approval*
- DJP3.10 If the Vice-Chancellor (or nominee) has reason to believe that grounds exist for a no contact-order against a student in order to protect a complainant acting in terms of the sexual harassment and sexual offences policies, he or she:
- (a) may issue a provisional no-contact order that prohibits the student from making contact with the named person(s) for a period not exceeding 72 hours; and
  - (b) must allow the student subject to the no contact-order to be heard within 72 hours of such provisional no contact-order being served on him or her.
- The Vice-Chancellor (or nominee) must convene the hearing.
- After hearing representations (if any) from the student subject to the provisional no contact-order, but within the 72 hour period the Vice-Chancellor (or nominee) may:
- (a) make the provisional no contact-order final or;
  - (b) make an amended final no contact-order;
  - (c) withdraw the provisional no contact-order in its entirety.
- A provisional no-contact order may be made despite no allegation of a breach of the rules of conduct for students. A student subject to a provisional no contact-order who is unable to attend 72 hour hearing, may take written representations to the Vice-Chancellor (or nominee). The failure of a student to attend or to make representations shall not preclude the Vice-Chancellor (or nominee) from making such order as she or he deems appropriate.
- DJP3.11 Unless the Vice-Chancellor determines otherwise when issuing a no-contact order, the order shall constitute an absolute prohibition from making contact, directly or indirectly, with the named person(s) in any way including but not limited to contact in person, by mail, by telephone, through electronic media or by or through any other medium or person.

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- DJP3.12 The provisions of DJP3.5 to 3.9 apply *mutatis mutandis* to no-contact orders, save that the maximum period of a no-contact order is six months.

### The Student Housing Tribunals

- DJP4.1 A student housing tribunal is:
- (a) the tribunal constituted in terms of the approved constitution of the applicable student housing unit and has jurisdiction in that unit; or
  - (b) a tribunal constituted by a student housing proctor being a person appointed by the Vice-Chancellor, and has jurisdiction in all student housing units.
- constitution of housing tribunal*
- DJP4.2 A student housing tribunal must hear all matters referred to it by the warden of such student housing unit or by the Vice-Chancellor.
- DJP4.3 Upon conviction, this tribunal may refer the matter to the University Tribunal constituted by a proctor sitting without assessors for sentencing, or may impose any of the following sentences in respect of any one conviction:
- (a) a reprimand;
  - (b) a fine of up to R1000,00
  - (c) community service of up to 80 hours;
  - (d) a prohibition against holding office in that student housing unit for a period not exceeding one year;
  - (e) the payment of a sum of money as to permit compensation for damage caused by the student;
  - (f) rustication from the student housing unit in respect of which the tribunal has jurisdiction;
  - (g) expulsion from the student housing unit in respect of which the tribunal has jurisdiction.
- sentences of housing tribunals*
- DJP4.4 Any sentence imposed in terms of DJP4.3 may:
- (a) be suspended for any period of time up to a maximum of one year;
  - (b) may be a combination of any of the sentences listed in DJP4.3; and/or
  - (c) at the request of the Vice-Chancellor or a warden, be reviewed by the Senior Proctor, who may, if he or she is of the view that the sentence is inappropriately harsh or lenient, refer the charges for re-trial by the University Tribunal sitting without assessors in accordance with DJP5.3.
- suspension of sentence combined sentences review of sentence*
- DJP4.5 A student aggrieved by a conviction or sentence imposed by a student housing tribunal is entitled to have the matter re-tried by the University Tribunal as constituted in terms of DJP5.3.
- re-trial*
- DJP4.6 Where a conviction has been imposed by a student housing tribunal and the matter has been referred to the University Tribunal as constituted in terms of DJP5.3 for sentencing, a right of appeal exists to the University Tribunal constituted by a proctor sitting with assessors.

DJP4.7	The presiding officer of this tribunal may at any time, on his or her own initiative or at the request of the accused, summon any witness.	<i>witnesses</i>
DJP4.8	The proceedings of any such tribunal must be in private, save that the tribunal may agree to admit observers upon application. The tribunal may order that the final conviction and sentence and the name of the student found guilty of an offence and, if appropriate, the reasons for judgement, be promulgated on the student housing unit's notice boards or be communicated to any interested person or body.	<i>privacy of proceedings</i>
DJP4.9	No right to representation is permitted to any student summoned to appear before this tribunal. However, the accused student has the right to be assisted by any member of the University of his or her choice, and where exclusion from residence is a possible sanction, to apply to the University Tribunal for the right to legal representation and that Tribunal has a discretion to grant such application, taking into account: (a) the nature of the charges brought; (b) the degree of factual or legal complexity attendant upon considering them; (c) the potential seriousness of the consequences of an adverse finding; (d) the availability of suitable representatives among the University's student or staff body; (e) the fact of a student's right of appeal to the USDT; and (f) any other relevant factor. Where the right to legal representation is granted, and a date or dates has/have been set, having regard to this, the non-availability of a particular legal representative shall not be a ground for an application for postponement.	<i>right to representation</i>
DJP4.10	The presiding officer must keep a suitable record of the proceedings.	<i>record of proceedings</i>

**The University Student Discipline Tribunal**

DJP5.1	The University Student Discipline Tribunal (the University Tribunal) must be presided over by a proctor.	
DJP5.2	A proctor: (a) hears the matter with two assessors where the Senior Proctor, or in his or her absence the Vice-Chancellor's nominee, considers that the breach of conduct is serious enough to warrant a sentence allowed by DJP5.12; and (b) hears all other matters without assessors.	<i>proctor</i>
DJP5.3	The University Tribunal constituted by a proctor sitting without assessors has: (a) a jurisdiction of first instance; (b) a jurisdiction to rehear a student housing matter referred to it in terms of DJP4.5; and (c) a jurisdiction to impose a sentence in a student housing matter referred to it in terms of DJP4.3.	<i>jurisdiction</i>

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- DJP5.4 The University Tribunal constituted by a proctor sitting with assessors has:
- (a) a jurisdiction of first instance;
  - (b) a jurisdiction to hear appeals against decisions of the University Tribunal in terms DJP5.3(a) or DJP5.3(c); and
  - (c) a jurisdiction to hear appeals against suspension orders imposed by the Vice-Chancellor or by his or her nominee.
- DJP5.5 Where a proctor is to sit with assessors, the Senior Proctor, or his or her nominee, must select one assessor drawn from a list of not less than six names provided by the Vice-Chancellor and the other from a list of not less than six names provided by the SRC. *selection of assessors*
- DJP5.6 When a proctor sits with assessors, a verdict may be reached by a majority. If, for any reason, an assessor is unable to assume or continue with his or her duties as an assessor, a proctor has an ordinary and a deciding vote on matters of verdict. If both assessors are unable to continue with their duties as assessors, the matter must be heard afresh. *majority vote*
- DJP5.7 A proctor must pass sentence on his or her own but must consult the assessors.
- DJP5.8 Where a proctor is unable to continue with his or her duties as proctor, the case in progress must be heard afresh. *absence of proctor*
- DJP5.9 A student whose conduct is the subject of charge before the University Tribunal is entitled to be represented by another student or staff member of the University. *representation of student*
- A student may apply to the University Tribunal for the right to legal representation and the Tribunal has a discretion to grant such application, taking into account:
- (a) the nature of the charges brought;
  - (b) the degree of factual or legal complexity attendant upon considering them;
  - (c) the potential seriousness of the consequences of an adverse finding;
  - (d) the availability of suitable representatives among the University's student or staff body; and
  - (e) any other relevant factor.
- An application may not be refused where an adverse finding could lead to expulsion.
- Where the right to legal representation is granted:
- (i) the University shall give the student adequate opportunity to obtain legal representation; and
  - (ii) the University shall set a date or dates for the matter.
- Having regard to this and having done so the non-availability of a particular legal representative shall not be a ground for an application for postponement.
- NOTE: Where this right is granted and where the student is unable to afford a lawyer, the University will use its best endeavours to facilitate representation by a qualified staff member, candidate attorney or a lawyer willing to take the case pro bono.*
- DJP5.10 A record of proceedings must be kept to the satisfaction of the Senior Proctor. *record of proceedings*
- DJP5.11 A proctor may impose any one or any combination of the following sentences in respect of any one conviction: *tribunal sitting without assessors*
- (a) a reprimand;

- (b) a fine of up to R1000.00;
- (c) community service of up to 100 hours;
- (d) a prohibition against holding office in any University Committee or recognised University Student body for a period not exceeding one year;
- (e) the payment of a sum of money as compensation for damage caused by the student;
- (f) rustication from the student housing unit or the student housing system;
- (g) expulsion from the student housing unit or the student housing system;
- (h) rustication from the University for up to twelve months;
- (i) a prohibition against parking on campus for up to one year;
- (j) a prohibition against making use of specified University facilities for up to twelve months;
- (k) a no-contact order for a period of no more than twelve months;
- (l) attendance at a specified form of remedial treatment.

DJP5.12

A proctor sitting with assessors may impose any one or any combination of the following sentences in respect of any one conviction;

*sentences of tribunal sitting with assessors*

- (a) expulsion;
- (b) rustication;
- (c) a fine of up to R5000.00;
- (d) community service of up to 300 hours;
- (e) the withdrawal of any degree, diploma, certificate or examination or other result;
- (f) the payment of a sum of money as compensation for any damage caused by the student;
- (g) any other sentence which may be imposed by a tribunal in terms of DJP5.11 or which the proctor may competently impose by reason of any other rules framed by the University Council.

DJP5.13

1. Any sentence imposed in terms of DJP5.11 or 5.12 may be suspended for any period of time and on any condition.

*suspension of sentence*

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- DJP5.13      2.      Where
- (a) any tribunal (including a student housing tribunal) imposes a sanction but it suspends it on defined conditions that must be met by a specified date; and
  - (b) the Vice-Chancellor, or the Vice-Chancellor's nominee, believes that the condition(s) has (have) not been met by the specified date, the Vice-Chancellor, or the Vice-Chancellor's nominee, must
    - (i) apply in writing to the Senior Proctor (or a Proctor nominated by the Senior Proctor) for the imposition of the suspended sanction with the grounds for the application; and
    - (ii) simultaneously give notice to the student concerned inviting him or her to make written representations within a period of not more than 72 hours to the Senior Proctor (or the nominated Proctor) on receipt of which, or after the expiry of the period allowed for a reply, the Senior Proctor (or the nominated Proctor) must within seven days make a determination and
      - (aa) rule that the defined condition(s) have been met; or
      - (bb) rule that the defined condition(s) have not been met and impose the suspended sentence; or
      - (cc) if satisfied that the student concerned has through circumstances beyond his/her control been unable to comply with the relevant condition(s) or for any good and sufficient reason, further extend the suspension of the sanction subject to any existing condition(s)
    - (c) A decision in terms of this Rule is not subject to appeal.
- DJP5.14      A convicted student may appeal: *right of appeal*
- (a) to the University Tribunal constituted by a proctor sitting with assessors against any verdict and/or any sentence imposed by a Tribunal constituted by a proctor, other than where the proctor has reheard a student housing matter in terms of DJP5.3(b); and
  - (b) to the University Tribunal of Appeal against any verdict and/or any sentence imposed by a Tribunal constituted by proctor sitting with assessors, other than a decision in respect of a suspension order. *appeals*
- DJP5.15      Where the Vice-Chancellor is of the view that a penalty is inappropriate, he or she may, within two weeks of the imposition of the penalty, apply to the Senior Proctor for permission to appeal

- against a penalty. This must be done by way of a written submission to the Senior Proctor.
- DJP5.16 When the Senior Proctor receives a written submission from the Vice-Chancellor seeking leave to appeal against a penalty, the Senior Proctor must give the student, or students concerned, the opportunity to make written representation to the Senior Proctor about the Vice-Chancellor's submission. The Senior Proctor must do this by personal notice to the last residential term address notified by the student, or students concerned, to the Registrar. The Senior Proctor must give the student, or students concerned, ten working days in which to file representations in response.
- DJP5.17 The Senior Proctor, having considered the record, the submission by the Vice-Chancellor, and any submission by the student or students concerned must decide whether there is a reasonable prospect that the Vice-Chancellor's appeal will succeed. If so, he or she may grant leave to appeal; if not, he or she must refuse leave to appeal.
- DJP5.18 Where the Senior Proctor grants leave to appeal, the appeal must be heard by:
- (a) the Tribunal constituted by a proctor sitting with assessors where it is an appeal against a sentence imposed by a Tribunal constituted by a proctor; and
  - (b) the Tribunal of Appeal where it is an appeal against a sentence imposed by a Tribunal constituted by a proctor sitting with assessors.

### **Suspension of graduation**

- DJP5.19 Where a qualifying student (that is, a student who qualifies for the award of a degree, diploma or certificate) has been summoned to face a charge before the University Tribunal, the graduation of that student, or the award of a diploma or certificate to that student, as the case may be, is suspended until the case has been disposed of by the University Tribunal, unless the Vice-Chancellor, on written application by the student, decides otherwise.

### **Endorsement of record**

- DJP5.20 While a disciplinary case against a student is pending before a University Tribunal, the student's academic record must be endorsed to show this fact. When the case is concluded, the endorsement falls away.

### **Publication of sentence and sanction**

- DJP5.21 The Registrar must publish in summary form the finding and sanction imposed by a tribunal (including the tribunal of appeal) on campus notice boards.
- DJP5.22 A tribunal may order that the Registrar also publish the name of any student against whom a finding has been made.
- DJP5.23 The Registrar must not publish under 5.21 or 5.22 until any appeal has been disposed of, or until the time for noting of an appeal has lapsed.

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- DJP5.24 The Registrar must not publish the name of a minor before notifying the parents or guardian(s) of the minor student.

### Application for readmission by an expelled student

- DJP6.1 A person expelled in terms of these rules who believes that he or she can show that he or she has rehabilitated himself or herself and that the circumstances generally warrant a suspension of his or her expulsion, may after a period of not less than five years from the date of his or her expulsion, make application to the University Tribunal of Appeal for readmission as a student. *application*
- DJP6.2 Any such application must be considered as an application for the suspension of the operation of the sentence; and not as an application for the setting aside of any finding, or the setting aside of any sentence.
- DJP6.3 This application must establish to the satisfaction of the Tribunal of Appeal:
- (a) remorse
  - (b) evidence of rehabilitation; and
  - (c) that there is no significant risk of the recurrence of the conduct in question
- DJP6.4 Any such application must be in writing to the Registrar, and must set out in full the grounds on which the applicant bases his or her case. The Registrar must invite the Vice-Chancellor, or nominee, to file a reply to the application; and must similarly notify any affected third party of the application and invite such third party or parties to file replying submissions. The applicant is/will be entitled to receive any such replying submissions, and to respond to them in writing. Time limits for submissions, replies and responses must be determined by the Senior Proctor.
- DJP6.5 The University Tribunal of Appeal may decide the matter on the basis of the papers, and where it considers this necessary, may hold an oral enquiry. *decision of the University Tribunal of Appeal*
- DJP6.6 The University Tribunal of Appeal may:
- (a) dismiss the application; or
  - (b) grant the application with or without conditions, and
  - (c) impose such conditions on the person's readmission to the University as it may consider appropriate, including debarring such a person from readmission into a University residence or requiring compulsory involvement in community service.
- DJP6.7 If the University Tribunal of Appeal grants an application, the effect of its order will be to suspend the operation of the expulsion, allowing the person to seek readmission, on academic grounds, to one or more courses of study. *suspension of the expulsion*



- DJP6.8 If the University of Tribunal of Appeal dismisses the application, the person may after a further period of two years apply in writing to the Senior Proctor for leave to submit a further application, providing the reasons on which he or she believes the application should be considered. The Senior Proctor's decision on whether to allow a further application to be heard will be final, and must be communicated in writing with reasons.

### **The University Tribunal of Appeal**

- DJP7.1 The University Tribunal of Appeal is composed as follows: *composition of Tribunal*
- (a) a president who has legal qualifications, appointed by Council;
  - (b) a person appointed by the SRC;
  - (c) one member appointed by Senate;
  - (d) a person chosen by the president from a list of not less than 6 names submitted at the beginning of each year, by the SRC.
- DJP7.2 The persons appointed in terms of DJP7.1 (a), (b) and (c) must be appointed together with at least three alternates by the appointing body. *alternates*
- DJP7.3 Three of the members form a quorum. *quorum*
- DJP7.4 In the event of a tie in the voting, the president has a casting as well as a deliberative vote. *vote of presiding officer*
- DJP7.5 If an appeal is made to the University Tribunal of Appeal it may in its discretion: *powers of Tribunal of Appeal*
- (a) uphold the appeal in whole or in part;
  - (b) dismiss the appeal in whole or in part;
  - (c) alter the penalty imposed by the Tribunal, and in so doing, it has the same powers impose sentences as the University Tribunal in terms of DJP5.12.
- DJP7.6 A student is entitled to legal representation before the University Tribunal of Appeal.
- DJP7.7 The University Tribunal of Appeal may prescribe procedures in terms of DJP2.2. *prescription of procedures*
- DJP7.8 The University Tribunal of Appeal may set guidelines for sentences and for the equivalence between an amount of a fine and an alternate sentence (for example, hours of community service).

### **Rules of procedure in respect of University tribunals**

- DJP8.1 The presiding officer of any tribunal may at any time, on his or her own initiative or at the request of the defendant or the University, summon any witness(es) he or she may think appropriate for the just and speedy conclusion of the matter. *witnesses*
- DJP8.2 If an accused student or an appellant is absent at the commencement or at any stage of the hearing of any matter against him or her and has not shown good cause for his or her absence the tribunal may proceed in the absence of the accused or of his or her representative. *absence of accused/ representative*

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- DJP8.3 If an accused student hinders or obstructs any tribunal proceedings or fails to obey an instruction by a presiding officer, then the tribunal may order his or her withdrawal from the tribunal and proceed to the conclusion of the matter in his or her absence. *obstructive behaviour*
- DJP8.4 All matters before the University Tribunal or the University Tribunal of Appeal are open to any member of Council or to any staff member or student upon presentation of his or her student card: Provided that the presiding officer may, upon application from any party to the matter, order the matter, or part thereof:  
 (a) to be heard in *camera*; or  
 (b) to be heard in the presence of specified individuals only. *privacy of proceedings*
- DJP8.5 The presiding officer of the University Tribunal or the University Tribunal of Appeal may upon application by a parent or guardian of a student appearing before the tribunal, permit the student’s parents or guardians access to the hearing: Provided that, in the case of a student who has obtained the status of majority, the presiding officer must have regard to the student’s opinion. *presence of parents/guardian*
- DJP8.6 The presiding officer is charged with the responsibility of ensuring the rules contained in RCS 16 are observed. In this regard, the following powers are granted to such officers: *powers of presiding officer*  
 (a) The presiding officer of any tribunal is entitled to warn any witness to be truthful.  
 (b) The presiding officer of any tribunal has summary jurisdiction to fine any student, including the accused, whom he or she finds to be in breach of any rule contained in RCS 16 subject to the right of such student to appeal to the University Tribunal constituted by a proctor sitting with assessors for a formal re-hearing of the matter within 14 days of such fine being imposed. Any fine imposed in terms of this rule shall not be in excess of R1000.00 per offence. *maximum fine*  
 (c) The presiding officer of any tribunal constituted in terms of these rules has the power to have any person removed from any tribunal should he or she have reason to believe that such person is in breach of any rule contained in RCS 16.
- DJP8.7 Any student who wishes to appeal in terms of these rules must file with the Registrar his or her notice of appeal within seven days of his or her conviction and sentence, setting out his or her grounds of appeal. *notice of appeal*
- DJP8.8 The noting of an appeal under these procedures will suspend the execution of any sentence imposed by any disciplinary authority, unless such authority is satisfied that compelling reasons exist for the immediate execution of sentence. *suspension of sentence.*

**General provisions**

DJP9.1	In the event that the president of the SRC or the SRC does not act in terms of the powers or rights vested in him or her/it in terms of these rules, the chairperson of Council is, after granting the SRC an opportunity to explain its case, empowered to direct such departures from these rules as may be necessary to enable the tribunals to discharge their disciplinary functions, provided that such departures are well advertised on the campus.	<i>failure of SRC to act</i>
DJP9.2	In any case of proven breach of discipline or misconduct, the student concerned forfeits all claims to repayment or rebate of fees paid to the University, save that the presiding officer, in his or her discretion, may instruct otherwise.	<i>forfeiture or fees/rebate</i>
DJP9.3	Advice on these rules and the procedures contained in them is available to any student on request from the Registrar or his or her nominee(s).	<i>advice on rules</i>
DJP9.4	Procedural Rules approved by the University Tribunal of Appeal must be provided by the University's representative to any accused student.	

**Admission of guilt**

DJP10.1	The University Tribunal of Appeal may determine which offences may be dealt with by way of an admission of guilt fine and the upper and lower limits of fine in respect of each such offence.	<i>University Tribunal of Appeal</i>
DJP10.2	Instead of an admission of guilt fine, community service may be rendered at the equivalent of a rate per hour as decided by the Tribunal of Appeal.	<i>admission of guilt fine</i>

**Criminal convictions**

DJP11.1	Where a student is convicted in a State court of a criminal offence, and the facts at issue in a case against that student before any tribunal are the same, the Tribunal may, if the student admits the conviction and the facts to which it relates, take these facts as proven.
DJP11.2	The Tribunal may in any event take such conviction and the facts to which it relates as proven if these have been determined by a court of final jurisdiction.
DJP11.3	In any such case, the tribunal must proceed to hear evidence and argument, if any, on the question of sanction before imposing any sentence.

**Exclusion clause**

DJP12	Save in exceptional circumstances as a court of competent jurisdiction may determine, no decision in relation to a disciplinary matter made under these rules by any tribunal, nor any suspension order made under these rules may be the subject of any review proceedings, application or action to the ordinary courts, unless all domestic remedies have been fully and finally exhausted.
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## RULES ON CONDUCT FOR STUDENTS

### Student Rules

#### General clauses

- RCS1.1 Any breach by a student of these Rules on Conduct for Students or any other institutional rules framed by the Council is an offence subject to disciplinary action by the University.
- RCS1.2 Nothing in these rules shall be constructed as absolving any student from liability for any misconduct in which he or she is personally involved.
- RCS1.3 No student shall wilfully commit any unjustified act or omission which adversely affects the University or any member of the University.

#### Academic conduct

- |        |   |  |
|--------|---|--|
| RCS2.1 | A student must refrain from dishonest conduct in any examination, test or in respect of completion and/or submission of any other form of academic assessment. Dishonest conduct includes but is not limited to plagiarism. | <i>dishonest conduct</i>                   |
| RCS2.2 | Without limiting the generality of RCS2.1 as student:   |  |
|        | (a) must comply with any instruction of an invigilator of an examination;   | <i>exam instruction</i>                    |
|        | (b) must comply with all instructions printed on the cover of the answer book for that examination;   |  |
|        | (c) may not communicate or receive information relating to any examination during the examinations;   | <i>communication during an exam</i>        |
|        | (d) may not remove or attempt to remove from any examination venue an answer book supplied by the University for the purpose of answering questions in an examination;  |  |
|        | (e) may not write an examination under a false name and student number, or the name and student number of another student;  | <i>student details</i>                     |
|        | (f) may not be party, to any other person writing the examination for him or her;   |  |
|        | (g) may not take into an examination venue, or have or use any unauthorised material while sitting an examination;  | <i>unauthorised material at exam/tests</i> |
|        | (h) may not copy another student's work during an examination; or   |  |
|        | (i) may not allow or assist another student to copy during an examination.  |  |

	(j) must not help another student to engage in dishonest conduct; or	
	(k) may not procure for, sell to, or write an assignment for another student.	
	(l) may not use any academic material of another student, including a former student, to complete course requirements, representing that the work so produced is his or her own.	
RCS2.3	A student may not submit the work of any other person in any examination, test or in respect of the completion and/or submission of any other form of academic assessment without full and proper attribution and acknowledgement.	<i>dishonest conduct</i>
NOTE:	<i>Guidance on forms on referencing is available from academic staff, the staff of the UCT Libraries and from the Writing Centre.</i>	
RCS2.4	Where a rule makes an action an offence any attempt to carry out the act is automatically an offence.	<i>attempt</i>
RCS2.5	A student must acquaint himself or herself with the rules relevant to the faculty in which he or she is registered.	<i>faculty rules</i>
RCS2.6	No student shall make, distribute, reproduce, copy or make use of any material in which copyright resides, without the permission of the author or owner thereof. Included in this definition of material in which copyright resides are teaching materials, computer software, printed materials and audio or video recordings.	<i>violation of copyright</i>

### **Criminal conduct**

RCS3.1	Any criminal offence, in terms of the criminal law of South Africa, committed by a student of the University and which is prejudicial to the University or its staff and students is an offence subject to disciplinary action by the University.	<i>disciplinary action</i>
RC3.2	Any student convicted of any criminal offence by a South African court with criminal jurisdiction shall be guilty of an offence in terms of these rules.	<i>offences vis-à-vis these rules</i>

### **Sexual offences and misconduct**

RCS4.1	Without limiting the generality of RCS1.1, any breach by a student of the University's policy on sexual harassment is an offence subject to disciplinary action by the University.
RCS4.2	Without limiting the generality of RCS3.1, any act of sexual assault or rape by a student is an offence subject to disciplinary action by the University.

### **Conduct relating to the work of the University**

RCS5.1	A student must comply with any reasonable instruction of an authorised member of the University.	<i>reasonable instruction</i>
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RCS5.2	A student is required to be acquainted with the section entitled “Proper Channels for Student Complaints”.	<i>knowledge of procedures</i>
RCS5.3	A student must, at all times, have in his or her possession his or her student card and must produce this upon request by any authorised person.	<i>student card</i>
RCS5.4	A student must not supply false information to a University authority.	<i>false information</i>
RCS5.5	A student must not commit acts of forgery, falsification or alteration in respect of documents, records or instruments of identification.	<i>false information/ falsification</i>
RCS5.6	A student must not make unauthorised use of the name or badge of the University.	<i>UCT’s name/badge</i>
RCS5.7	A student must not disobey a Suspension Order on or a no-contact order made or issued in terms of the Rules on Disciplinary Jurisdiction and Procedure.	<i>suspension order</i>
RCS5.8	A student must comply with and is bound by the University’s rules and policies on copyright and on intellectual property.	
RCS5.9	A student must observe all ICTS (Information and Technology Service) rules, and in particular may not: share, distribute or sell the IP address/number issued to him or her; abuse or cause wilful damage to any hardware component; or infringe any Internet site’s copyright rule. ICTS may withdraw internet access from any student who is found to have breached any ICTS rule or policy.	

### Conduct relating to student bodies

RCS6	A student shall not make unauthorised use of the name or badge of the SRC or any other recognised student body at the University.	<i>SRC’s name/badge</i>
RCS6.1	A student shall not engage in any electoral misconduct. Such misconduct includes: (i) a breach of the Election Regulations which regulate elections; (ii) a breach of regulations contained in the Candidates’ Code of Conduct relating to SRC Elections; (iii) behaviour which constitutes a manipulation of electoral rules, voters and electoral administration.	
RCS6.2	The term ‘office bearer’ in RCS14.2 includes a campaign manager in a student election.	

### Conduct in general

RCS7.1	A student must not make unauthorised entry into or use of University facilities.	<i>University facilities</i>
RCS7.2	A student must not make use of any University facilities for illegal purposes or for purposes detrimental to the University.	

RCS7.3	A student must not commit acts of theft or damage in respect of University property or the property of any person on the University Campus. For the purposes of this rule, the possession of known stolen property shall be deemed to constitute an act of theft.	<i>theft/damage</i>
RCS7.4	A student may not bring onto the University any explosives or other dangerous weapons except by express permission of the Registrar. "Dangerous weapon" includes, but is not limited to, firearms, knives or daggers, martial arts equipment or switchblades, and a normally harmless instrument designed to resemble a firearm or any other dangerous weapon, or which is used by a student to inflict bodily harm upon any person.	<i>firearms/weapons/ explosives</i>
RCS7.5	A student must not commit the act of sale, distribution, use or possess any illegal drug, as defined by the Drug and Drug Trafficking Act 140 of 1992, on the campus of the University.	<i>drugs</i>
RCS7.6	A student must not act or threaten to act in a manner which interferes with the work or study of any member of staff or student in general and specifically in relation to the person's race, gender, beliefs or sexual orientation.	<i>race/sex/gender</i>
RCS7.7	A student must not abuse or otherwise interfere with any member of the University community in any manner which contributes to the creation of an intimidating, hostile or demeaning environment for staff or students in general and specifically in relation to the person's race, gender, beliefs or sexual orientation.	<i>hostile environment</i>
RCS7.8	A student must not prohibit entry or exit from the University campus or any building on the University campus.	
RCS7.9	A student must not obstruct, disrupt or interfere with the teaching, research, administrative, custodial or other functions of the University.	<i>disruption of work</i>
RCS7.10	A student must not obstruct the movement of any member of the University community.	<i>obstruction of movement</i>
RCS7.11	A student must notify the Registrar of any change in his or her term and/or permanent address immediately or within 5 working days of becoming aware of such a change.	<i>change of address</i>
RCS7.12	A student must make use of waste bins provided.	
RCS7.13	A student must not leave litter in any part of the campus (including any building or its grounds and gardens).	<i>litter</i>
RCS7.14	A student must not, nor must a student body affix any picture, poster or advertisement: (a) on any noticeboard, without the authority of the designated custodian of the precinct in which the noticeboard is; or (b) elsewhere on the campus.	<i>affixing pictures/ posters</i>
RCS7.15	Where the identity of the person who has affixed any picture, poster or advertisement; (a) on any noticeboard, without the authority of the designated custodian of the precinct in which the noticeboard is; or	

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	(b) elsewhere on the campus. has not been established, the student body issuing or originating it shall be presumed to have affixed it in contravention of this rule (for the purpose of this rule a <i>precinct</i> is that part of the University, whether building or ground, or both, identified as a Precinct by Council).	
RCS7.16	A student must not take part in any form of initiation.	<i>initiation</i>
RCS7.17	A student may not offer to any member of staff or any student or accept any reward or pecuniary consideration for any unlawful action or inaction benefitting him/her	<i>prevention of corruption</i>
RCS7.18	A student may not allow another person to use his or her student card and/or student number.	<i>use of student card and number</i>

### Conduct in respect of traffic rules

RCS8	A student must observe the Traffic Rules	<i>traffic rules</i>
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### Conduct relating to student housing

RCS9.1	A student must obey, all student housing rules including those for the student housing unit in which he or she is a resident. Rules for particular housing units are made available by the House Committees.	
RCS9.2	A student shall not organise or help to organise any gathering, function or party involving the consumption of alcohol in any student housing unit or in the name of any student housing unit without having obtained permission from designated University authorities. These authorities are: (a) in the case of gatherings, functions or parties held in a student housing unit which will be attended by less than 30 members of the unit and guests, the House Committee in consultation with the warden; (b) in the case of gatherings, functions or parties held in a student housing unit, which will be attended by more than 30 members of the unit and guests, the House Committee and the warden and; (c) in the case of gatherings, functions or parties held on campus in the name of a student housing unit but not in that student housing unit, the House Committee, the warden and the Director SH & RL or nominee; (d) in the case of gatherings, functions or parties held off campus in the name of a student housing unit, the House Committee and the Director SH & RL or nominee.	<i>permission for gatherings/ functions/parties at which alcohol is consumed</i>

*NOTE: The Residences Committee may determine and place annual limits on the number of gatherings, functions and parties involving the consumption of alcohol, which any student housing unit may organise, both on and off the campus.*

*limit on number of gatherings*



- (a) a function or gathering or party in residence; to the Director SH & RL or nominee seven days before it is due to be held;
- (b) a party or function or gathering not in the student housing unit (whether or not on campus); to the Director SH & RL or nominee fifteen days before it is due to be held.

The Director SH & RL or nominee will, when granting approval, specify the conditions under which a function, party or gathering may be held.

RCS9.3	A student must not organise or help to organise any gathering, function or party in any student housing unit for the financial benefit of any individual without the prior permission of the House Committee.	<i>fundraising</i>
RCS9.4	A student must not take liquor into, or keep or consume liquor in any student housing unit without the permission of the warden and the House Committee.	<i>alcohol in housing units</i>
RCS9.5	A student must not enter the room of another student without his or her permission, except under the authority of the warden.	<i>other students' rooms</i>
RCS9.6	A student may not make such noise as disturbs any other person.	<i>noise</i>
RCS9.7	A student must not sub-let any part of any student housing unit for financial considerations or otherwise.	<i>sub-letting</i>
RCS9.8	A resident student must not have any overnight visitor in his or her room or in any other part of the student housing unit without the consent of the warden.	<i>overnight visitors</i>
RCS9.9	A resident student must ensure that his or her visitors comply with domestic rules and all other University rules and shall be responsible for the behaviour of such visitors.	<i>behaviour of visitors</i>
RCS9.10	A student must not be in possession of a key or keys to any part of any student housing unit not issued to him or her by a student housing unit supervisor, a warden or a person authorised by a warden to do so.	<i>possession of keys</i>
RCS9.11	A student may not tamper with electrical installations of any part of the student housing unit.	<i>electrical installations</i>
RCS9.12	A student must not act or threaten to act in any manner which is abusive towards any student or any person employed at a student housing unit and which contributes to the creation of an intimidating hostile or demeaning living, working or study environment for staff or students in general and specifically in relation to the person's race, gender, beliefs or sexual orientation.	<i>intimidating behaviour</i>
RCS9.13	A student who requires specialised medical treatment must inform the warden of his or her condition before entering the residence.	
RCS9.14	A student must not take part in any inter-residence or inter-University raids.	<i>raids</i>
RCS9.15	A student must not bring into the residence any fireworks without the prior permission of the warden.	<i>fireworks</i>
RCS9.16	A student must not keep, without the prior permission of the warden, a pet of any kind in the residence or its immediate precincts.	<i>pets</i>

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RCS9.17	A student must make use of the waste bins provided in the residence. A student must not leave litter in any part of the building, its gardens or its immediate precincts.	<i>litter</i>
RCS9.18	A student: (a) must not affix any picture or poster in any part of a residence by the use of nails or tape or any other method which likely to cause damage to, or mark, University property;  (b) may affix pictures or posters in his or room (single rooms) or in that part of the residence set aside for his or her personal use (shared accommodation); and  (c) must not affix any picture or poster in any other part of the residence.	<i>pictures/posters</i>
RCS9.19	Students must not cook food in any area of the residence other than that allocated for that purpose.	<i>cooking</i>
RCS9.20	A student must give to the warden details of the addresses and telephone numbers of his or her parents or guardians or next-of-kin, and must inform the warden immediately of any change to these.	<i>important addresses</i>
RCS9.21	No student must move or remove any item of furniture belonging to the University or any fixture from its designated location to any other locations within or out of any residence without the express permission of the warden.	<i>removal of furniture</i>
RCS9.22	A student resident in a catering residence must not use in his/her room the following electrical appliances; a heater drawing more than 1 kilowatt of electricity, an immersion heater, a snackwich toaster, grilles, toasters, hot plates, microwave ovens, electric frying pans or any other cooking appliance.	
RCS9.23	Electric kettles and microwave ovens for the purpose of heating food must only be used in areas designated for this purpose such as kitchenettes, landings etc.	
RCS9.24	Only multi plugs which are SABS approved and have built in fuses or trip switches are permitted for use in rooms.	
RCS9.25	A student may have in her/his room a refrigerator not exceeding 120 cubic litres.	
RCS9.26	A resident student shall observe the ICTS policies and rules of the University at all times.	
RCS9.27	A student shall only make use of a network point to which he or she is entitled to.	
RCS9.28	A student shall not share, distribute or sell the IP address/number issued to him/her upon application.	
RCS9.29	A student shall not abuse or cause wilful damage to any hardware component related to the services of the information technology provided.	
RCS9.30	A student shall not infringe any copyright law as defined in the University's rules of copyright or that pertaining to sites on the Internet.	

- RCS9.31 The University reserves the right to withdraw at anytime, the privilege to the Internet, of any student whom it deems to have violated any of the information and communication technology rules and policies.

### Conduct in cafeterias and student housing dining halls

- RCS10.1 A student must not attempt to take food in a student housing dining hall before the official start of a meal or after the official ending of a meal. *meal times*
- RCS10.1.1 A student must not enter the hall bare-footed.
- RCS10.1.2 A student must not enter the dining hall wearing any form of sleepwear apparel.
- RCS10.1.3 A student having participated in any sporting activity which results in a build-up of body odour and heavy sweatiness must correct this before entering the dining hall.
- RCS10.2 A student must not take, or attempt to take, food in a student housing dining hall unless he or she is entitled to do so.
- RCS10.3 A student must not use, or attempt to use, any student housing dining hall card other than his or her own when obtaining a meal.
- RCS10.4 A resident student must not attempt to take a meal in a student housing dining hall without handing in his or her dining hall card to the catering supervisor on duty. *dining hall cards*
- RCS10.5 A resident student must not remove non-disposable containers, cutlery or crockery from a dining hall or cafeteria. *removal of equipment*
- RCS10.6 The times at which meals start and end are determined in consultation with the House Committee. A student must not attempt to have a meal before or after these meal times. *meal times*

### Rules relating to consumption of alcohol

- RCS11.1 A student must at all times abstain from drunken and disorderly behaviour. *drunken or disorderly behaviour*
- RCS11.2 A student shall not sell, serve or assist any other person to sell or serve liquor on the University campus unless the requirements of the Liquor Act have been met, and permission to sell or serve, as the case may be, has been granted by the Director SH & RL or his or her nominee. *sale/serving of alcohol*
- RCS11.3 A student must not wilfully cause or attempt to cause another student to be intoxicated on the University campus. *intoxicating another student*
- RCS11.4 A student must not have any alcoholic drink at, or bring any alcoholic drink to, any event where the University, or an authorised agent of the University, has prohibited the sale of serving of alcoholic drink. *prohibitions*
- RCS11.5 A student must not bring any alcoholic drink to an event where permission has been given for the sale of alcoholic drinks.

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### Conduct in respect of library rules and micro lab rules

RCS12.1	A student must obey all “Library Rules”.	<i>published rules</i>
RCS12.2	A student must comply with the rules laid down for the use of any micro lab.	<i>micro labs</i>

### Conduct in respect of rules relating to meetings

RCS13	No student body or group of students must arrange any meeting on the University campus to which non-University speakers have been invited in contravention of the “Rules relating to meetings on Campus or under the Aegis of the University” and “Rules for use of University venues”.	<i>published rules</i>
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### Conduct of student bodies

RCS14.1	Any office bearer of any University society, club or code must comply with any request by the Societies Council, the University Student Development and Services Committee, or a person or persons acting on behalf of either to give an account of the activities of the society, club or code, in regard to any alleged contravention of any rule, governing such activities, set by any competent authority within the University.	<i>accountability</i>
RCS14.2	The office-bearers of any recognised University student body must be personally liable for any breach of any University rule committed by members of that body in the name of that body, unless such office-bearers establish that they took all reasonable steps to prevent the breach of such rule(s).	<i>personal liability</i>

### Rules relating to safety

RCS15.1	A student on the University Campus must not connect any equipment or appliance to an electrical supply in contravention of normal and reasonable safety standards.	<i>electrical connections</i>
RCS15.2	A student must not use an immersion heater on the University campus.	<i>immersion heaters</i>
RCS15.3	A student in a student housing unit must not use any appliance which draws more than one kilowatt of electrical power.	<i>electrical power</i>
RCS15.4	A student must not interfere with or make unauthorised use of fire protection equipment.	<i>fire protection</i>
RCS15.5	A student in a student housing unit must only make use of an electric extension cord inside his or her own room.	<i>extension cords</i>
RCS15.6	A student in a student housing unit must, when leaving a room or going to sleep, switch off any heat-producing electrical appliance such as a heater, stove or iron.	<i>switching off appliances</i>
RCS15.7	A student in a student housing unit must not permit a naked flame, such as a gas lamp or candle, to burn in any room in the residence without the prior permission of the warden.	<i>naked flame</i>

RCS15.8	A student must not interfere with the normal operation of any access control mechanism or installation in any part of the housing unit.	<i>access control mechanisms</i>
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**Conduct in respect of University Tribunals and other disciplinary structures**

RCS16.1	A student attending any sitting of any disciplinary Tribunal must observe and obey any instruction of the presiding officer of the Tribunal concerned.	
RCS16.2	A student present at any tribunal hearing must not, in any circumstances, interfere with or in any manner disrupt or disturb the disciplinary process.	<i>disruption</i>
RCS16.3	A student summoned to appear before any Tribunal as a witness or as the accused must be present at all times specified in the summons or as specifically instructed by the presiding officer of any tribunal.	<i>specified times</i>
RCS16.4	A student giving evidence before any disciplinary tribunal at the University will be required to be truthful and honest at all times and must not make perjurious statements.	<i>truthfulness</i>
RCS16.5	No student observer in any matter before any disciplinary tribunal must divulge the identities of any person or persons party to such matter in any manner that may constitute publication without the prior permission of the presiding officer.	<i>privacy</i>
RCS16.6	A student may not interfere with, threaten or intimidate any person who will be required to appear before a Student Discipline Tribunal to give evidence.	<i>interference with witnesses</i>
RCS16.7	A student shall comply with an order made by any Student Discipline Tribunal.	<i>compliance with Tribunal orders</i>

**Student disciplinary records and student transcripts**

RCS17	Any conviction in a disciplinary matter is recorded, and an individual student’s disciplinary record is permanent. Any transcript of academic record issued to a student is a complete transcript, and includes a statement of conduct. If the student has no disciplinary record, the statement is “conduct satisfactory”. If he or she has one, the Vice-Chancellor or nominee reviews it, together with any submission made by the student, and makes a decision whether or not the record, taken as a whole and in context, allows a statement of “conduct satisfactory” or requires a listing of the transgression(s). Unless a student’s submission provides compelling reasons, or the circumstances do not, in the opinion of the Vice-Chancellor or nominee, require this, academic dishonesty will be endorsed; any record of theft on the campus of UCT or of peer property will be endorsed; and any conviction for violence, especially related to sexual harassment or aggravated by drunkenness, will be endorsed.	<i>statement of conduct on academic transcript</i>
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## 62 RULES ON CONDUCT FOR STUDENTS

### Proper channels for student complaints

Where the Students' Representative Council, any other student organisation, or any individual student, wishes to complain or make any representations concerning:

(a) any member or members of staff reflecting upon his, her or their morality, honesty, competence or any other matter which may expose him, her or them to contempt, ridicule or loss of esteem;

(b) any other University matters, including those relating to academic departments or University administration; It or he or she may proceed through the channels provided here.

1. Save in respect of matters concerning administration, which shall be reported to the Registrar, matters in the first instance shall be reported to the departmental or faculty student liaison officer. Should the organisation, student or student faculty council wish to proceed further it shall next report to the head of the department concerned, thereafter to the dean and finally to the Vice-Chancellor or his or her deputy charged with the administration of student affairs.

*route of complaint*

The Vice-Chancellor may appoint a committee of inquiry to investigate any matter referred to him or her or the Registrar and to report to him or her with such recommendations as it wishes.

*committee of inquiry*

The composition of the committee in each instance shall be determined by the Vice-Chancellor after consultation with the president of the Students' Representative Council or his or her nominee.

Once the Vice-Chancellor or his or her deputy, as the case may be, has dealt with the matter finally he or she shall advise the person and/or entity who made the complaint or representation of the action taken by him or her. The provisions of this paragraph are not intended to and do not exclude the rights of a student to consult with the Students' Representative Council in connection with any complaint/s or representation/s which he or she/it may wish to make.

*notice of action taken*

*right to consult SRC*

2. Before any matter referred to in paragraph 1(a) above is raised publicly within or outside the University, the Vice-Chancellor or his or her deputy, as the case may be, must be afforded an opportunity to resolve the matter. Should the Vice-Chancellor or his or her deputy, as the case may be, not be able to resolve the matter within a reasonable period and the Students' Representative Council, students' organisation or student then wishes to raise the matter publicly or where the Students' Representative Council, students' organisation or student wishes to raise publicly any other matter referred to in paragraph 1 (b) above, he or she/it shall afford a reasonable opportunity for simultaneous expression of contrary views or alternatively identify the organisation or person whose views are being expressed.

*placing the matter before the public*

The provisions of this paragraph do not apply in the following instances:

- (a) in respect of the canvassing of facts by the Students' Representative Council or other students' organisations in order to ascertain the gravity of any complaint made and the need to pursue it through the channels stipulated in paragraph 1 above; *canvassing of facts*
  - (b) in respect of any factual report back to students of the progress or result of any complaint or representations made in terms of paragraph 1 above.
3. The provisions set out above shall form part of the rules to which students are subject as a condition of registration. *general rules*

## Student Publications

### Code of ethics for student publications

1. It is accepted that the freedom of the press is indivisible from that of the individual, that is subject to the same legal and moral restraint as the individual, and that to preserve individual freedom intact it behoves all concerned with the press to observe the very highest standards is the performance of the duty of newspapers to inform the public truthfully and to comment fairly.
2. **In so far as news is concerned** it is specifically accepted that:
  - 2.1 In the presentation of news there should be no wilful departure from facts through either:
    - (a) distortion
    - (b) significant omissions; or
    - (c) the process of summarisation.
  - 2.2 Publications should publish as fact only what is reasonably believed to be true, having regard to the source, and such facts should be published fairly with due regard to context and importance.
  - 2.3 Where there is any reason to doubt the accuracy of a news item and where it can be checked within the limits of practicability, this should be done before publication.
  - 2.4 News reports should be free from colouring, slanting or emphasis which lead to the result that the provisions of Clauses 2.1 and 2.2 above are violated.
  - 2.5 Headlines should reflect fairly content of the news report or article over which they appear.
  - 2.6 Posters should not exaggerate and should reflect fairly the news report or article to which they refer.
  - 2.7 Excess in the reporting and presentation of sexual matter should be avoided whether reporting course cases or otherwise.
  - 2.8 The use of obscene, salacious and generally undesirable material (as well as offensive language and illustrations) should be avoided.
3. **In so far as comment is concerned** it is accepted that:
  - 3.1 Comment should be made on facts truly stated as indicated in Clause 2 above (and not on intuition and imputed motives).
  - 3.2 Comment should be the honest expression of such opinion, free from malice and not actuated by dishonest motive.
  - 3.3 Comment should be clearly distinguishable as such.

## 64 RULES ON CONDUCT FOR STUDENTS

- 3.4 Comment should take cognisance of the complex racial problems of South Africa, the general good and the safety of the country and its people.  
*(Taken from South African Press Board of Reference)*
4. “Any published information which is found to be harmfully inaccurate should be spontaneously and immediately rectified. Rumour and unconfirmed news should be identified and treated as such”.  
*(Taken from United Nations Draft International Code of Ethics and recommended by SA Press Board of Reference)*
5. “While entitled to exercise its right of independent and legitimate criticism, a student newspaper should take proper cognisance of and in particular should not wilfully and maliciously aim to damage the welfare, dignity and reputation of the University”.
  - 5.1 “In raising matters of importance relating to the academic and administrative aspects of the University, a student newspaper should take proper cognisance of the relevant channels as determined by the authorities”.
  - 5.2 “All those concerned with student applications are reminded that they should observe the rules applicable to students and members of the University and the established law of the land”.



## RULES ON MEETINGS

### *Preamble*

The basic academic freedoms are a constitutive part of a university. They were identified by TB Davie as the freedom of a university to determine for itself on academic grounds who may teach, what may be taught, how it shall be taught, and who may be taught.

A university has an ethical duty not only to defend academic freedom, but also to seek to defend and extend freedom of speech and freedom of assembly. Freedom of speech and freedom of assembly are necessary prerequisites for academic freedom.

An essential feature of academic freedom in its widest sense is the right not just of one view, but of those holding conflicting views, equally to be heard.

In striving to preserve and extend freedom of speech and academic freedom, the University needs scrupulously to ensure for its members and its guests the opportunity to speak freely and openly, implying exposure to free and open criticism. This must apply equally to speakers who are contentious, politically or in other ways, as it does to others. Members of the University and its guests must concede freedom of speech to others if they are to enjoy it themselves.

A university must have the right, on behalf of its members, to invite any person to speak at academic or other meetings or occasions. The University of Cape Town affirms this right. It is normally exercised by individuals, clubs, societies, or other groups.

There is a parallel right to the right to invite a speaker or convene a meeting: the right to dissent and to express this dissent. This right must never be exercised in a way that limits or denies freedom of speech or of expression to others.

The right to invite a speaker and the right to speak freely and openly must be exercised responsibly.

These rights must not be abused by the encouragement of racism or violence.

Academic freedom, freedom of speech – including the right to invite speakers – and freedom of assembly have previously been restricted and denied under apartheid South African law. The University must defend and seek to promote freedom when any agency places constraints on it. In order to promote freedom of speech and of assembly and academic freedom, the University Council has framed the following rules for conduct before, at or after meetings or other occasions.

*NOTE: For the purpose of these rules, academic programme is any programme (including a single meeting or occasion) under the aegis of a department, institute or other academic unit, or the University administration.*

### **Meetings or occasions which do not form part of an academic programme**

- |    |  |   |
|----|--|---|
| M1 | <p>The authority on matters relating to meetings or occasions that do not form part of an academic programme held on University premises or under the aegis of the University vests in a committee (hereinafter called the “Committee”), constituted as follows:</p> <ul style="list-style-type: none"> <li>* The Vice-Chancellor or his or her nominee as Chairperson;</li> <li>* Four members of the Academic Freedom Committee elected by that Committee</li> </ul> <p>The quorum for this Committee shall be two, one of whom must be the Vice-Chancellor or his or her nominee.</p> <p>If for any reason it is impossible to convene a meeting or consult members of the Committee, the Vice-Chancellor or his or her nominee, if possible after consultation with the Chairman of Council and the President of the SRC, may exercise this authority.</p> | <p><i>the Committee</i></p> <p><i>referral to Council</i></p> |
|----|--|---|

## 66 RULES ON MEETINGS

- The Committee or the Vice-Chancellor or his or her nominee, as the case may be, has the right to refer any matter to Council for decision.
- M2 Any person, department or other organisation wishing to arrange a meeting or other occasion at which a person who is not a member of staff or a student invited to speak, shall publish details of the meeting or occasion and the identity of the speaker(s) in a prominent position on appropriate notice-boards and to which staff and students have access. During the academic term, this publication shall be made available to the relevant staff and students as soon as the topic and, if possible, the name(s) of the speaker(s) is (are) known, and as far as possible at least seven clear working days before the scheduled time of the meeting or occasion. In the case of meetings scheduled during University vacations, such publication shall be made, whenever possible, seven clear working days during the term before the vacation in which the meeting is scheduled. Where this is impossible, the meeting should be publicised at least seven clear working days before it is scheduled to be held.
- M3 Should the person who is arranging the meeting or occasion have any reason to believe that the meeting, occasion, invited speaker(s) or the subject matter of any talk may cause protest by or resistance from any sector of the University community, (s)he shall forthwith report that fact to the chairperson of the Committee.
- M4 Any objection to a speaker or the subject matter of any talk shall be lodged with the chairperson of the Committee and the organiser of the meeting within three days of publication.
- M5 If a report is received in terms of M3 above, or if an objection is lodged, or if a member of the Committee so requests, the Committee shall meet as soon as possible to consider the matter.
- M6 After consideration of the matter and of any objections to it, as well as of any other representations, the Committee or the Vice-Chancellor or his or her nominee, as the case may be, shall, if it/(s)he regards the objection of as having sufficient merit, endeavour by negotiation with those representing different views to achieve a solution acceptable to those persons. If it is not possible to achieve such a solution, the Committee or the Vice-Chancellor or his or her nominee, as the case may be, shall determine whether the meeting may be held and, if so, what conditions (if any) shall be placed upon the holding of the meeting or occasion. The Committee or the Vice-Chancellor or his or her nominee, as the case may be, may only in very exceptional circumstances prohibit the speaker from speaking or the meeting or occasion from taking place. The Committee is required to report to Senate and the Council the reasons for disallowing a meeting and the implications thereof (with regard to the principle that differing views should be heard on campus), and to make recommendations in this regard.
- notice of meeting*
- time of notice: in academic term*
- in vacations*
- possibility of disturbance*
- lodging of objections*
- Committee's consideration of objections*

M7	In exercising its/his or her discretion, the Committee or the Vice-Chancellor or his or her nominee, as the case may be, shall be guided by the principles set out in the preamble above and may;	<i>guidelines</i>
M7.1	negotiate for a meeting where or occasion when alternative views may be expressed;	<i>alternative views</i>
M7.2	limit admission to the meeting or occasion to: (a) students carrying current registration cards issued in their own names; (b) University staff who can identify themselves; and (c) visitors showing proof of an invitation;	<i>restrictions on admission</i>
M7.3	prohibit or permit the carrying into the meeting of flags, banners or posters of a particular description;	<i>flags/banners/posters</i>
M7.4	prohibit the carrying or use of any instrument capable of creating a volume of noise which could disrupt or hamper the start or continuation of the meeting or occasion.	<i>disruption</i>
M7.5	authorise the stationing of personnel at named places or areas to enforce compliance with these rules. Personnel so authorised shall (whilst so stationed) carry and display at all times identity cards issued for this purpose by the chairperson of the Committee.	<i>law enforcement</i>

**Meetings or occasions which form part of an academic programme**

M8	Publication of an invitation to a speaker who is to speak at an academic occasion or as part of an academic programme, and who is not a member of staff or a student, shall be set out above.	<i>notice of meeting</i>
M9	Any objection to a speaker on an academic occasion or an academic programme shall be lodged, in the first instance, with the head of the department, institute or unit concerned and if (s)he is not able to resolve the matter to the satisfaction of the person(s) arranging the meeting or occasion and any objecting party(ies), (s)he shall refer it to the Vice-Chancellor or his or her nominee who may (a) make a final decision in the matter, or (b) refer the matter to the Committee referred to in M1 above for a decision.	<i>objections</i>
M10	In cases of urgency, or for other good reason, the Vice-Chancellor or his or her nominee may waive the requirements set out in M8 and M9, and grant authority for the proposed invitation to be extended to a speaker or speakers.	<i>urgent cases</i>
M11	The Vice-Chancellor or his or her nominee or the Committee, as the case may be, may impose any of the conditions set out in paragraphs M6 and M7 above.	<i>conditions imposed</i>
M12	The Vice-Chancellor or his or her nominee may grant to a head or dean authority to waive rule M8 in respect of any, or all, visitor(s) to a specific department or programme for a specified period.	<i>waiver of notice</i>

**Code of behaviour**

- |     |   |                          |
|-----|---|--------------------------|
| M13 | No person shall:  |                          |
|     | M13.1 fail to obey any condition imposed by the Committee or the Vice-Chancellor or his or her nominee, as the case may be, in terms of paragraphs M6 or M7 above;  |                          |
|     | M13.2 behave or attempt to behave or incite or encourage another to behave in a manner which goes beyond the limits of reasonable protest in that it has the effect of preventing an authorised meeting or occasion from being held or, when it has commenced, from continuing; | <i>limits on protest</i> |
|     | M13.3 take any weapon into a meeting or occasion, or use or throw any object in the course of the meeting or occasion, which may cause injury or damage or disruption;  | <i>weapons</i>           |
|     | M13.4 commit any act of intimidation in regard to or in connection with any such meeting or occasion;   | <i>intimidation</i>      |
|     | M13.5 engage in racially provocative conduct;   | <i>racism</i>            |
|     | M13.6 engage in sexist conduct.   | <i>sexism</i>            |

**The special case of elections for public office**

- |     |  |                                      |
|-----|--|--------------------------------------|
| M14 | The University does not allow its premises or facilities to be used for electioneering for public office. By electioneering the University understands a meeting or occasion organised for one candidate for public office, for the purpose of promoting his or her candidature; or a meeting or occasion organised to promote a candidate, or an election as a whole, or a group of candidates, or a party’s candidates; or a meeting or occasion organised to dissuade a course of action in regard to a candidate, candidates, party, parties, or an election as a whole. | <i>electioneering</i>                |
|     | Members of the University community on campus (currently registered students and current members of staff) are, however free to debate political questions on the campus, both in general and at the time of an election. In order to allow for the proper exercise of this right to debate political questions, and at the same time prevent the use of the premises and facilities of the University for electioneering:   | <i>freedom to debate</i>             |
|     | (a) no meeting shall be held after the gazetting of an election at which the election is to be debated, or at which a candidate for an election is to speak, unless the meeting has been considered by the Committee in terms of M6 and M7 above;  | <i>discretion of the Committee</i>   |
|     | (b) in exercising the discretion allowed in respect of M6 and M7, the Committee shall be guided by the preamble to these rules.  | <i>discretion of Vice-Chancellor</i> |
|     | If for any reason it is impossible to convene a meeting or consult members of the Committee, the Vice-Chancellor or his or her nominee, if possible after consultation with  |                                      |

the chairman of Council and the president of the SRC, may exercise this authority. In the case of meetings concerning the issue of an election as a whole, the intention of these rules is to allow debate but to make it possible for all opinions to be heard.

**Exclusions**

- M15            These rules do not apply to sporting events held on campus or under the aegis of the University.

**Breach of the rules**

- M16            Any breach of the above rules shall be an offence which may be dealt with in terms of the Rules on Disciplinary Jurisdiction and Procedures. If there has been an objection, but the meeting is allowed to proceed, it must be accepted that this has been done after careful consideration and with the approval of the University. Any speaker invited to speak on campus is a guest of the University and is entitled to the protection of the University. Any attempt to prevent a speaker from delivering his or her address, or from being heard, or from answering questions, is not acceptable and shall be deemed to be a breach of the rule.

**Rules on the use of UCT venues**

- V1              The University’s facilities (lecture theatres, halls, offices, residences, catering outlets and sports facilities) exist first for teaching, research and extension activities, and second, for the social and recreational activities of staff and of students. Teaching, research and extension activities, in particular teaching, will, therefore, always enjoy priorities over other activities in the booking of University venues; symposia, conferences and associated social and recreational activities come next. *priority of teaching, research, extension services*
- V2              That said, the University has many facilities which are not used twenty-four hours a day, or twelve months a year. The University allows these facilities to be used for other approved cultural, scientific, educational, recreational purposes for appropriate fees. *other purposes*
- V3              The University welcomes applications for the holding of conferences, symposia and seminars on the campus. Organisers of such events must seek permission to hold them at UCT, and should submit applications to the University’s Communication and Marketing Department. This must be done before venues can be confirmed. *conferences, symposia, seminars*

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- V4 Invitations to Ministers of State, Deputy Ministers, High Commissioners and Ambassadors to speak at UCT venues may be issued only by the office of the Vice-Chancellor. Any UCT organ wishing to invite any of the above to UCT must, for protocol reasons only, send the invitation via the Vice-Chancellor's office. *state invitations*
- V5 The University:
- V5.1 will in general allow private functions on the campus if they involve a staff member or a student; *private functions*
- V5.2 does not allow any functions of a racist or sexist nature, or one that excludes any individual by reason of his or her race, gender or religious belief, to be held on the campus. *race/sex/gender*

# RULES FOR RESIDENCES

## Authoritles

- |      |   |   |
|------|---|---|
| R1.1 | The authority of the University Council is vested in the warden of a residence and in the House Committee approved for this purpose under R1.8 below. The warden and the House Committee are responsible jointly and severally in term of these rules for discipline of the students, for their social and academic welfare, and for the general control of the residence.  | <i>wardens/House Committees</i>               |
| R1.2 | The warden is responsible to the Vice-Chancellor or nominee for the proper exercise of the responsibilities and duties delegated to them by Council for the proper exercise of responsibilities and duties delegated to them by that committee. The House Committee is responsible to the Residences Committee for the proper exercise of the responsibilities and duties delegated to it.  |   |
| R1.3 | An assistant warden is expected to engage in the major activities which constitute the responsibilities of a warden. An assistant warden engages in these activities under the direction of a warden, and is as such responsible to the warden for the proper exercise of their responsibilities.   | <i>assistant warden</i>                       |
| R1.4 | Subwardens are the deputies of the warden and are responsible to them for the proper exercise of the responsibilities and duties delegated to them by the warden. They share with the warden a general responsibility for discipline of the students, for their social and academic welfare, and for the general control of the residence.  | <i>sub-wardens</i>                            |
| R1.5 | If a residence has more than one warden, then the Vice-Chancellor or their nominee shall designate one of these wardens to be the warden for the purposes of these rules.   | <i>more than one warden</i>                   |
| R1.6 | If a warden wishes to be absent from the residences for more than 24 hours, they must submit an application for leave to the Director, Student Housing & Residence Life, or their nominee. If an assistant warden wishes to be absent from the residence for more than 24 hours but less than 72 hours, they must submit an application to the warden. If the period is 72 hours or more, the application must be submitted through the warden to the Director, Student Housing & Residence Life, or their nominee. | <i>absence of the warden/assistant warden</i> |
| R1.7 | If the warden is to be absent from the residence and out of contact for more than 24 hours, then an acting warden must be appointed as follows:   | <i>appointment of acting warden</i>           |
|      | R1.7.1 for an absence of seven days or less, by the Director, Student Housing & Residence Life  |   |
|      | R1.7.2 for an absence of more than seven days, by the Executive Director: Student Affairs, on the recommendation of the Director, Student Housing & Residence Life, who must consult,   |   |

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- if possible, the warden and the head student of the residence.
- R1.8 A House Committee for the purposes of these rules is anybody which has been set up in terms of a house constitution approved by the Council, and to which Council has delegated the responsibilities and powers described in R8 and R9 below. *House Committee*
- R1.9 If a residence for any reason does not have a House Committee, then the warden shall exercise the responsibilities and powers assigned by these rules to the House Committee.
- R1.10 If the warden is of the opinion that any resolution of the House Committee is a breach of the rules of the University or is likely prejudice to a material extent the discipline of the students in the residence, or their social and academic welfare, or the general control of the residence, then they must refer that resolution to the Residences Committee for decision. The House Committee may not act upon or implement any such resolution until the Residences Committee gives its formal approval. *breach of rules by House Committee*

### Wardens

- R2 The responsibilities of the warden are to: *warden's responsibilities*
- R2.1 act as adviser to students in the residence in the case of physical, emotional, academic or other needs;
- R2.2 ensure, together with the House Committee, that the academic and social needs and interests of students are served in the best possible way while they are in the residence;
- R2.3 ensure, together with the House Committee, that the rules of the residence and of the University are observed;
- R2.4 ensure, together with the House Committee, that the interests of the University are protected while students are in the residence;
- R2.5 ensure that the interests of the students in the residence and the interests of the University are protected when the residence is used by others during a vacation;
- R2.6 stand in *loco parentis*, in the strict legal sense, to all minor students in the residence and to act for them and for all other students in the residence in any emergency;
- R2.7 report to the Residences Committee if they believe that the House Committee is not exercising correctly or fully the responsibilities and duties delegated to it by Council;
- R2.8 appoint, in consultation with the House Committee, residence tutors and mentors;
- R2.9 control, together with the House Committee, the tutor and mentor programmes in the residence.



R3	<p>The powers of the warden are to:</p> <p>R3.1 deal with any matter delegated to them by the Vice-Chancellor or their nominee or the Residences Committee;</p> <p>R3.2 deal with breaches of discipline or misconduct of students in terms of the Rules on Disciplinary Jurisdiction and Procedures;</p> <p>R3.3 inspect, or nominate any person to inspect, any premises occupied by the student;</p> <p>R3.4 refer for decision to the Residences Committee any resolution of the House Committee which they believe will prejudice to a material extent, the discipline of students in the residence, the social and academic welfare of students, or the general control of the residence, or which they believe is a breach of the rules of the University;</p> <p>R3.5 appoint, in consultation with the House Committee, subwardens;</p> <p>R3.6 delegate to subwardens, in terms of these rules, duties and tasks to be undertaken;</p> <p>R3.7 delegate to assistant wardens various administrative tasks.</p>	<i>powers of the warden</i>
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### **Assistant wardens**

R4	<p>The main responsibilities which assistant wardens exercise under the direction of a warden are to:</p> <p>R4.1 act as adviser to students in the residence in the case of physical, emotional, academic and other needs;</p> <p>R4.2 ensure, together with the warden and the House Committee, that the academic and social needs and interests of the students are served in the best possible way while they are in the residence;</p> <p>R4.3 ensure, together with the warden and the House Committee, that the rules of the residence and of the University are observed;</p> <p>R4.4 ensure, together with the warden and the House Committee, that the interests of the University are protected while students are in the residence;</p> <p>R4.5 ensure that the interests of students in the residences and the interests of the University are protected when the residences is used by others during a vacation;</p> <p>R4.6 stand in <i>loco parentis</i>, in the strict legal sense, to all minor students in the residence and to act for them and for all other students in the residence in any emergency;</p> <p>R4.7 control, together with the warden and the House Committee, the tutor and mentor programmes in the residence;</p> <p>R4.8 undertake such administrative tasks as may reasonably be delegated to them by the warden.</p>	<i>assistant warden's responsibilities</i>
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- R5 The powers of assistant wardens are to: *powers of assistant wardens*
- R5.1 deal with any matter delegated to them by the warden;
  - R5.2 act as an adviser to students;
  - R5.3 assist any student in the residence in any emergency.

### Subwardens

- R6 The responsibilities of subwardens are to: *responsibilities of the sub-warden*
- R6.1 assist students in the residence in the case of physical, emotional, academic or other needs, and in particular to advise students of the proper channels to be followed in resolving these difficulties;
  - R6.2 serve the academic and social needs and interests of students in the best possible way while they are in the residence;
  - R6.3 ensure that the rules of the residence and of the University are observed;
  - R6.4 ensure the interests of the University are protected while students are in the residence;
  - R6.5 undertake such duties and tasks as are reasonably assigned to them by the warden of the residence.
- R7 The powers of the subwardens are to: deal with any matter delegated to them by the warden or their nominee. *powers of the sub-warden*

### House Committees

- R8 The responsibilities of the House Committee are to: *responsibilities of the House Committee*
- R8.1 ensure, together with the warden, that the academic and social needs and interests of students are served in the best possible way while they are in the residence;
  - R8.2 frame house rules, in consultation with the SRC to formulate recommendations to Residences Committee for final approval by the University Council;
  - R8.3 ensure, together with the warden, that the interests of the University are protected while students are in the residence;
  - R8.4 ensure, together with the warden, that the rules of the residence and of the University are observed;
  - R8.5 administer funds made available to the house by the Residences Committee;
  - R8.6 organise all social, sporting and other events affecting students in the residence;
  - R8.7 provide opportunities for debate and discussion on any matter of interest and concern to members of the residence;

- R8.8 control the use of equipment and amenities provided in public areas of the residence for the benefit of students;
  - R8.9 control, together with the warden, the tutor and mentor programmes in the residences;
  - R8.10 relate to the students in the residence through the structures that are elected in terms of the approved constitution of the residence.
- R9 The powers of the House Committee are to: *powers of the House Committee*
- R9.1 deal with any matter delegated to it by the Council;
  - R9.2 impose, subject to the approval of the Residences Committee, the University Finance Committee and Council financial levies upon student members of the residences.

### **Procedures to be followed when a warden refers a House Committee resolution to the Residences Committee**

- R10.1 When a warden decides to refer for final decision to the Residences Committee any resolution of the House Committee, then they must inform the Chair of the Residences Committee as soon as possible. The Chair of the Residences Committee must, if at all possible, meet the warden and the head student within 24 hours of the meeting of the House Committee at which the resolution was taken. If the warden and head student agree that it is not essential that the meeting be held within this period of 24 hours, then it may be postponed to a date and time agreed upon by the warden and the head student. *time period for decision*
- R10.2 The Chair of the Residences Committee must be at this meeting to hear the views of the warden and of the head student on the House Committee resolution which the warden has reserved for final decision by the Residences Committee. The Chair of the Residences Committee must, after hearing both views, determine both views, determine whether or not the warden was correct, in reserving the resolution for final decision by the Residences Committee. *views of warden and head student*
- R10.3 If the Chair of the Residences Committee rules that the warden *should not* have reserved the House Committee resolution for final decision by the Residences Committee and if the warden accepts this ruling, then the House Committee may act on that resolution. The ruling of the Chair of the Residences Committee shall be deemed to be the final decision of the Residences Committee. If the warden does not accept this ruling, then they may ask the matter to be considered by the Residences Committee. If the warden asks that the matter be referred to the Residences Committee, then the House Committee may not act on the resolution. *negative ruling by Chair of Residences Committee*
- R10.4 If the Chair of the Residences Committee rules that the warden acted correctly in reserving the House Committee resolution for final decision by the *affirmative ruling by Chair of Residences Committee*

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- Residences Committee, then the House Committee must not act on that resolution. If the head student accepts this ruling, then this shall be deemed to be the final decision of the Residences Committee. If the head student does not accept the ruling, then they must ask that the matter be considered by the Residences Committee.
- R10.5 If either the warden or the head student asks that the matter be considered further, then the Residences Committee shall, if at all possible, meet within 72 hours of the conclusion of the meeting between the Chair of the Residences Committee, the warden and the head student. The Residences Committee shall at this meeting hear the views of the warden and of the head student. Up to two additional members of the House Committee may attend (and speak at) this meeting. *request for further consideration*
- R10.6 The Residences Committee shall, after hearing the views of the warden and of the members of the House Committee present, determine whether or not the House Committee may act upon the resolution under discussion. The decision of the Residences Committee shall be deemed to be final. *final decision by Residences Committee*
- R10.7 All decisions taken by the Chair of the Residences Committee in terms of R10.3 to R10.6 above must be reported to the Residences Committee for information. *report to Residences Committee*

### **Admission and readmission to residences**

- R11.1 Residence places are allocated for an academic year or the balance of an academic year. Acceptance of an offer of a place in residence by a student constitutes acceptance of the place for the full academic year or the balance of the academic year. Residence places include places in self-catering accommodation. *period of admission to a residence*
- R11.2 Acceptance of the offer of a place renders a student liable for the fee for the full year, including meal option charges if applicable. A rebate shall not be granted to a student who leaves residence before the end of the academic year except in the circumstances set out below. *fee charges*
- R11.3 A student who enters a residence after the start of the academic year shall be liable for charges on a pro-rata basis determined from time to time by the Residences Committee. *admission after start of academic year*
- R11.4 Readmissions to a residence in a subsequent academic year shall be processed on the basis of application forms received before a published deadline. *readmission*
- R11.5 The warden of a residence may refuse an application for readmission to the residence on the grounds of misbehaviour, violations of rules or disciplinary findings against a student. The warden must provide the reasons for their refusal in writing to the student. In such cases, the student may request the Director, Student Housing & Residence Life, to review the warden's decision. *refusal of readmission by warden*
- R11.6 The warden of a residence may impose special conditions for the readmission of a student. In such cases the student *special conditions*

- may request the Director, Student Housing & Residence Life, to review the conditions imposed by the warden.
- R11.7 A student whose application for readmission to a specific residence or student accommodation unit has been refused may apply to the Director, Student Housing & Residence Life for permission to apply for admission to another residence or accommodation unit. If this permission is granted, the warden of the second residence must be informed of the grounds for readmission of the student having been refused. If such permission is denied the Director must provide reasons for their refusal in writing to the student. In such cases the student has the right of appeal to the Executive Director, Student Affairs, whose decision shall be final. *admission to another residence*
- R11.8 The offer of readmission will lapse when acceptance is not confirmed by the student before the stipulated date. *confirmation of acceptance*

### **Length of residence year**

- R12.1 The residence year for a student in a first-tier catering residence is as follows: *first-tier residences*
- (a) First Semester: A student may not move into their assigned accommodation before Saturday, 3 February 2018. Except with permission of the Warden, a student must vacate and clear his or her room and leave the residence no later than 72 hours after their last scheduled examination during June 2018. All catering residences will close at 10h00 on Sunday, 17 June 2018.
- (b) Second Semester: A student may not return to their residence before Sunday, 15 July 2018. Except with the permission of the Warden, a student must vacate and clear their room no later than 72 hours after their last scheduled examination in October/November. All catering residences, except Health Science residences will close at 10h00 on Saturday, 17 November 2018.
- (c) A student is not required to move out during the short vacations in March/ April 2018) and September.
- R12.2 The residence year for a student in second-tier (catering or self-catering) accommodation runs from 3 February to 17 November 2018, except Medres and Obz Square for Health Science students which run from 14 January to 25 November 2018. *second-tier residences*
- (a) A student is not required to move out during University vacations.
- R12.3 The residence year for a student in third-tier (self-catering) accommodation runs from Saturday, 3 February to 16 December 2018, (except family accommodation – JP Duminy Court – which runs from Sunday, 14 January 2018 until Sunday, 16 December 2018), and Obz Square third tier Health Science students which runs from Saturday 3 February 2018 to 16 December 2018. A student shall not move into their accommodation before the prescribed date and must vacate it by 10h00 on Sunday, 16 December 2018. A student is not required to move out during the university vacations. *third-tier residences*

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- R12.4 Students' resident at the UCT in 2018 must sign into their allocated residence by no later than Monday, 5 February 2018. Failure to sign in by this date will result in the cancellation of the residence place. *deadline for signing into residence*
- R12.5 A graduand may remain in a residence opened for this purpose until the day after his or her graduation ceremony. An additional pro-rata charge will be levied for the extended period. *graduands*
- R12.6 The following policies have been adopted regarding the year-end closure of residences and dining halls: *year-end closure of residence and dining halls*
- (a) Any residence may be closed before Saturday, 17 November 2018 if, after the completion of written examinations, 80% or more of the students have left.
  - (b) Those students remaining for *bona fide* reasons may be transferred to another catering residence.
  - (c) A Health Science student not allocated to a Health Science residence must adhere to the normal academic calendar and residence year. This applies to the mid-year and year-end arrangements.

### **Early return of students with official positions in their residences**

- R13.1 House Committee members from all residences are allowed to return from Thursday, 1 February 2018 and will be accommodated in their term residence. No room or meal charges will be made until the official opening of residence. Only applicable in February and not mid-year. *House Committee members*
- R13.2 Other students with official positions in their residences, and who are required for duty in the residence, will be allowed to return from Friday, 2 February 2018. If a House Committee believes that a pressing reason exists for a student with an official responsibility to return earlier than the above dates, it may make a special request to the Director, Student Housing & Residence Life, for an exception. *other students required for residence duty*

### **Annual residence fee**

- R14 For the purposes of determining the penalties and refunds referred to in the rules which follow, the annual residence fee is deemed to be the sum of room and catering overhead charges and meal option charges. The annual residence fee for these purposes does not include amenities fees or damage or laundry levies. *estimate of amount*

### **Withdrawals after start of academic year**

- R16.1 Any student who enters residence and withdraws during the first semester and before the commencement of second semester, shall be liable for a pro-rata charge of the residence fee which excludes levies, plus a residence cancellation fee of R500.00. *first semester withdrawals*

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| R16.2 | Any student completing their studies at the end of the first semester shall be eligible for a rebate equivalent to 50% of the annual fee (excluding levies).   | <i>fee rebates</i>                 |
| R16.3 | A postgraduate student who is required for the purposes of his/her research to move out of Cape Town shall be eligible for a rebate on a pro-rata basis (excluding levies).  | <i>completion of studies</i>       |
| R16.4 | Any student who withdraws during the second semester shall be liable for the full annual residence fee. The Director of Student Housing may, however, exercise their discretion in approving a rebate under special conditions pertaining to the reason for withdrawal.  | <i>postgraduate students</i>       |
| R16.5 | Any student who enters residence for the first time during the second semester and who withdraws from residence shall be liable for the full fee for that semester. The Director of Student Housing may, however exercise his/her discretion in approving a rebate under special conditions pertaining to the reason for withdrawal. | <i>exceptions made by Director</i> |

### **Vacation accommodation**

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| R17 | A student who for academic purposes or for other purposes deemed to be acceptable by the Director, Student Housing & Residence Life, has to be in Cape Town before their residence, house or flat opens or after their residence, house or flat has closed may be accommodated in a residence which has been opened for the purpose, provided that they have complied with the application procedures laid down by the Student Housing & Residence Life management. They must pay for this accommodation at a daily rate to be determined from time to time by the Student Housing & Residence Life management. | <i>accommodation in December, January and early February</i> |
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### **Rules for residence pubs**

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| R18.1 | A <i>residence pub</i> is defined, for the purposes of these rules, as a room or number of rooms in a residence in which liquor is served and consumed on a regular basis.  | <i>definitions</i> |
| R18.2 | A <i>residence</i> is a building or group of buildings under the control of a warden appointed by the University Council.   |                    |
| R19.1 | A residence may operate a pub only if it is granted permission to do so by Council on the recommendation of the Residences Committee. The conditions under which a pub shall operate shall be determined by Council.    |                    |
| R19.2 | No alcoholic beverages other than wine or beer may be served in a residence pub.  |                    |
| R19.3 | The operation of a residence pub shall at all times be subject to the constraints and requirements of the University's general rules for students, of the rules of each residence, and of the rules for residence pubs. | <i>rules</i>       |

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### Management and control of a pub

R20.1	The control of each residence pub is vested in the House Committee. The House Committee is responsible to the Residences Committee for the proper exercise of the responsibilities and duties delegated to it.	<i>House Committee</i>
R20.2	Each House Committee must set up a committee of residents (a pub committee) to operate and to manage the pub. This pub committee shall be responsible to the House Committee for the day-to-day operation of the pub.	<i>pub committee</i>
R20.3	At least one member of the pub committee must be in the pub whenever it is open.	
R20.4	The pub committee must submit a report on the operation of the pub to the House Committee at the end of each month. The books and records of the pub committee shall be audited at the end of March and at the end of September of each year. This audit shall be conducted by the auditor of the accounts of the House Committee.	<i>pub committee's report</i>
R20.5	The pub committee is responsible for cleaning the pub and its immediate environs at the end of each day, and is responsible for cleaning those parts of the residence used for an approved function.	<i>cleaning of pub</i>
R20.6	The House Committee must determine where in the residence wine and/or beer may be consumed.	<i>venue</i>
R20.7	The pub committee is responsible for ensuring that the behaviour of those present in the pub during normal operating times and of those present in the residence during an approved function conform to these pub rules, to the rules of the residence and to the general rules of the University.	<i>behaviour of students</i>
R20.8	The pub committee shall ensure that students do not behave in a drunken manner while in the pub. The pub committee must make particularly sure that no alcohol is served to persons who are drunk or who are behaving in a drunken manner.	
R20.9	The pub committee must ensure that the level of noise inside a residence pub and its immediate environs is kept within reasonable limits. On all occasions other than during a function approved in terms of provisions in the General Residence Rules, the level of noise and especially music played must not constitute a disturbance to other members of the residence.	<i>noise</i>

### Operation of a pub

R21.1	A residence may appoint an agent or agents who shall from time to time take orders for wine and beer from students in the residence. Those ordering wine and beer shall pay the agent in advance for their purchases.	<i>agents</i>
R21.2	The agent or agents must keep a record of wine and/or beer ordered by each student, and shall keep a record of all wine and/or beer consumed by that student in the residence pub. No wine and/or beer shall be served to	<i>records</i>



- that student after he or she has consumed an amount equivalent to the original order.
- R21.3 No wine and/or beer may be issued to students who have not made an advance order for a specific amount and paid in advance. Guests may be served in a pub only if a student who has paid in advance for an order is prepared to give part of his or her order to that guest. *advance orders*
- R21.4 The amount of wine and/or beer held in the pub must at all times equal the original order less the amount consumed and deducted from the student's account. No extra or spare stock shall be held in the residence pub. *stocks*
- R21.5 If the agent is paid for his or her services, this payment shall not be related in any way to the sale of wine/beer. The payment shall be derived from other sources of revenue available to the House Committee. *payment of agent*

### **Hours and conditions**

- R22.1 Admission to a residence pub is restricted to members of that residence and their invited guests. Under no circumstances shall alcohol be served to a non-resident who has not been invited to the pub as the guest of a member of the residence. The House Committee shall have the right to deny any person access to the pub facilities. *right of admission*
- R22.2 Except with the permission of the House Committee, a residence pub may not open before 19h00 each night from Monday to Saturday and shall close at 24h00. No alcohol shall be served after 23h30 unless the prior approval of the House Committee has been obtained. *opening and closing times*
- R22.3 A residence pub shall remain closed on all days during the Orientation and Registration period, except when sanctioned by the Vice-Chancellor or his or her nominee. *Orientation/Registration period*
- R22.4 Music played during an approved function shall also be kept within a reasonable limit. The noise shall at no time constitute a disturbance to any person living in the neighbourhood of the residence. *music*
- R22.5 A pub and its operations shall at all times other than during approved functions be subject to the silence rules of the residence. *silence rules*

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## TRAFFIC RULES

### Traffic rules for students

- T1 In these rules, unless the context indicates otherwise:
- T1.1 *Traffic Court* means a court consisting of a presiding officer appointed by the University Council;
- T1.2 *University Campus* means all immovable property owned by or under the control of the University;
- T1.3 *A vehicle* includes a motor car, motor cycle, motor scooter or motorised bicycle;
- T1.4 *Student* means any person registered at the University for any course of study who is not a member of staff;
- T1.5 *A visitor* means any person who is not a registered student or a staff member of the University of Cape Town, who is visiting the University Campus.

### Traffic Court

- T2.1 The Traffic Court is empowered to hear all cases involving traffic offences committed on the University campus, to hear evidence and make a finding, and impose a sentence prescribed by the rules. The Traffic Court may suspend any such sentence or part thereof or may simply give a warning to a convicted student. *powers of Traffic Court*
- T2.2 The Traffic Court must direct by what date a fine shall be paid. *payment of fines*
- T2.3 If the Traffic Court considers that the offence is of sufficient gravity, it may refer the matter to the Vice-Chancellor to be dealt with in terms of the Rules on Disciplinary Jurisdiction and Procedures. *reference by Traffic Court to Vice-Chancellor*

### Permission to park on campus

- T3.1 Every student wishing to bring a vehicle on to the University campus or park it thereon, must apply for a valid parking registration disc issued by the University under Rule T4 below and if such application is successful, must affix such disc to the front right hand side of the windscreen of a vehicle which is a motor car, or to some clearly visible part of any vehicle which is not a motor car. *display of discs*
- T3.2 Any student who, having been refused a parking registration disc, considers that valid reasons exist why such disc should be granted may appeal to the Executive Director: Properties and Services. The student must state in his or her notice of appeal what the grounds of his or her appeal are. *appeal against refusal of disc*

## Parking registration discs

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| T4.1 | Application for parking registration discs must be made to the Traffic Administration or at such other venues and at such times as may be notified from time to time. No assurance is given that parking space will be available to the holder of a disc at any time.  | <i>application<br/>for disc</i>     |
| T4.2 | Parking registration discs will be issued for a calendar year. The charges for discs will be as approved by the University Council from time to time and shall be payable before or against issue of the disc. Student discs issued for one calendar year will remain valid until 1 March of the next calendar year. | <i>validity and<br/>charges</i>     |
| T4.3 | Parking registration discs remain the property of the University at all times.   | <i>expired discs</i>                |
| T4.4 | A student parking registration disc will only be issued to a student for a vehicle registered in the name of the student, or the name of a member of his or her immediate family (father, mother, brother or sister) unless the Traffic Administration, on being shown good cause in writing, agrees otherwise.      | <i>types of discs</i>               |
| T5.1 | Each parking registration disc issued by the University will be a distinctive disc entitling the holder to park the car(s) for which it is issued in spaces marked out or otherwise indicated for holders of such discs.   |                                     |
| T5.2 | Vehicles other than motor cars will be entitled to park only in spaces specifically marked out for such vehicles.  | <i>vehicles other<br/>than cars</i> |

## Parking without a disc

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| T6.1 | Except as may otherwise be permitted by the Traffic Administration, no vehicle required under these rules to have a parking registration disc affixed to it may, in the absence of the affixation of such disc as provided for under the rules, be parked on any part of the University campus. Access of such vehicle to the University Campus may be refused if the required registration disc is not affixed thereto. | <i>affixation of disc</i> |
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## First-year students

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| T6.2 | Whilst registered for the first undergraduate year of study, a student must not bring, cause to be brought, or park on University property any vehicle other than a motor cycle. | <i>motor cycle</i> |
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### Parking areas

T7	All the parking rules made by the University authorities in regard to the reservation of red bays and staff bays apply throughout the year. Red bays are reserved at all times throughout the year; staff yellow-marked bays between the hours of 07h00 and 18h00 from Mondays to Fridays inclusive, and from 07h30 to 13h00 on Saturdays, and for such other periods as may be determined. Bays for people with disabilities are reserved for them at all times.	<i>red, disabled and staff bays</i>
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### Rules and prohibitions

T8.1	A student must not drive a vehicle on the University campuses: (a) in excess of the indicated speed limit; (b) in a reckless or negligent manner or without due care and attention; (c) while under the influence of intoxicating liquor or drugs to such an extent as to be incapable of exercising proper control of such vehicle.	<i>dangerous driving</i>
T8.2	A student must not park a vehicle: (a) so as to cause an obstruction; (b) in any area which is not marked out or otherwise indicated as a parking space for students, and without prejudice to the generality of the foregoing, shall, in particular, not park in any parking space reserved for University staff, for any University department or for any purpose or where parking is prohibited by yellow lines or by other means.	<i>illegal parking</i>
T8.3	A student must at all times, except as provided for in Rule T8.4 observe all traffic rules, signs and notices.	<i>traffic signs</i>
T8.4	A student must obey a lawful order given by a University Traffic or Campus Protection Officer or other authorised person to regulate traffic on the University campus, and shall give his or her name and address to such officer or person when requested.	<i>orders by a Traffic Officer</i>
T8.5	A student must carry his or her student identity card with him or her at all times and must show this to any Traffic Officer or other authorised person when requested to do so.	<i>identification</i>
T8.6	A student who gives a false name or address when requested to give his or her name and address shall be guilty of an offence.	<i>false name and address</i>
T8.7	No student shall damage or interfere with a wheel clamp or similar device. The vehicle may only be released on production of a valid student registration card and on payment of R100.00 release fee.	
T8.8	A student may not park in University Avenue at any time.	<i>University Ave</i>

T8.9	A student may not swear at or abuse a Traffic Officer.	<i>abuse</i>
T8.10	A student may not interfere with or damage any traffic boom, sign or equipment.	<i>interference with signs</i>

### Owner's risk

T9	Drivers bring vehicles onto the University campus at their own risk.
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### Change of vehicle

T10.1	When a student replaces the vehicle for which a parking disc has been issued with another vehicle, he or she shall apply to the Traffic Administration with the original parking disc for permission to transfer the disc to another vehicle.	<i>original disc</i>
T10.2	The vehicle registration number shown on a parking disc shall in no circumstances be altered other than by the Traffic Administration.	<i>registration number</i>

### Fraudulence in respect of discs

T11.1	A student may not use or display on any vehicle any parking registration disc falsely purporting to have been issued by the Traffic Office of the University.	<i>false discs</i>
T11.2	Any student who knowingly makes a false representation in relation to a parking disc, or in the course of an application for a parking disc, shall be guilty of an offence.	<i>false information</i>
T11.3	Any student who permits a parking disc issued to him or her to be used on a vehicle other than the vehicle in respect of which it was issued, shall be guilty of an offence.	<i>use of disc on another vehicle</i>
T11.4	A student may not use or display on any vehicle any parking disc which has been obtained for him or her by any other person in contravention of these Traffic Rules.	
T11.5	No facsimile of any disc may be displayed on any vehicle.	<i>other discs</i>

### Liability of disc holder

T12.1	Any contravention of these rules by any person using a vehicle in respect of which a parking registration disc has been issued, shall be deemed to be a contravention of the rules by the student to whom the disc was issued.	<i>use of vehicle by other than disc holder</i>
T12.2	A student shall be deemed to have committed an offence if: <ul style="list-style-type: none"> <li>(a) the vehicle is registered in the name of a person whose surname is the same as that of the student or whose address is the same as that on the student's application for admission form unless the said student is able to show to the satisfaction of the Traffic Court that on the occasion when the contravention occurred the vehicle in question was</li> </ul>	<i>ownership of vehicle</i>

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- used without his or her consent and that he or she was unable to prevent the said contravention;
- (b) he or she takes control of or drives a vehicle without a disc.
- T12.3 A student to whom a parking disc has been issued, including cases where a single parking disc has been issued for more than one vehicle, shall be responsible for any contravention of these rules by a person using the vehicle(s) for which the disc has been issued, unless he or she establishes to the satisfaction of the Traffic Court that he or she is not culpable for the contravention.
- culpability of disc holder*

### Breach of rules

- T13.1 Breach of these Traffic Rules is a disciplinary offence and shall be dealt with by the Traffic Court or under the Rules on Disciplinary Jurisdiction and Procedures. Any student who contravenes or fails to comply with any provision of these Rules shall be liable on conviction to any one or more of the following penalties:
- (a) a fine not exceeding R600.00 for each offence;
- (b) deprivation of the privilege of bringing a vehicle onto the University campus for a stated period or indefinitely.
- T13.2 A student appearing before the Traffic Court may be represented, legally or otherwise, and may lead evidence of witnesses.
- maximum fine*
- representation*

### Traffic Court

- T14.1 The presiding officer of the Traffic Court must record the following information:
- (a) the plea to the charge;
- (b) the finding of the Court; and
- (c) the sentence of the Court.
- T14.2 Where a plea of 'Not Guilty' is entered, the presiding officer must record the evidence submitted on the Court record.
- T15.1 A student charged with a breach of these rules, may, if he or she so prefers, pay an amount as an admission of guilt as laid down by the Traffic Appeal Court under Rule T15.3 below. On payment of such amount the student shall not unless the Traffic Court decides otherwise be required to appear before the said court. When a person is required by the Traffic Court to appear before it in terms of this rule, the court may, notwithstanding the payment of an admission of guilt, impose any of the penalties specified in Rule T13.1.
- T15.2 Where a student admits his or her guilt but considers there are extenuating circumstances, he or she may pay an admission of guilt fine and submit to the Traffic Court, in writing, his or her reasons for requesting mitigation of the fine.
- records of Traffic Court*
- admission of guilt fine*

- T15.3 An admission of guilt fine must be determined by the Traffic Appeal Court from time to time in respect of any contravention of the Traffic rules and may not exceed the amount of R600.00 for each and every contravention of the said Traffic Rules.
- T16.1 A summons or notice shall be deemed to have been effectively served, for the purpose of these Rules, where the summons or notice has been served personally on the student or where it has been sent by mail or e-mail to the student's last known address appearing on the University's records and accepted by an occupant of that address. *servicing of summons*
- T16.2 Any student failing to appear before the Traffic Court when summonsed to do so may, on due production of a return of service of such summons, be found guilty of contempt of court and fined in his or her absence for such contempt. The Traffic Court shall notify such student of its findings and sentence and inform him or her that should he or she not put forward an explanation in person to the Traffic Court justifying his or her absence within fourteen days of the receipt of such notice, the finding and sentence shall stand confirmed. *contempt of court*
- T16.3 Any student shall commit an offence who:  
 (a) fails to appear before the Traffic Court when duly required to do so; *failure to appear*  
 (b) commits any act of disrespect to the said court; or *disrespect*  
 (c) fails to comply with any order of the said court. *failure to comply*
- T17.1 The presiding officer may, at the same time as he or she imposes a fine for contempt of court, certify that the admission of guilt fine invited on the traffic ticket supporting the summons is apparently in accordance with true and substantial justice and thereupon the Traffic Court shall notify the student accordingly and inform him or her also that should he or she not put forward a defence to the charge written in the summons, or a reason for a reduction in the fine, in person to the Traffic Court within 14 days of the receipt of such notice, the fine as certified shall stand confirmed. *admission of guilt*
- T17.2 The presiding officer may, when exercising his or her discretion in relation to the certification of an admission of guilt fine, reduce the amount of the fine justice. *discretionary powers of presiding officer*
- T17.3 Upon proof that the notices mentioned in Rule T16.1 and Rule T16.2 have been sent to the student at the last known address appearing on the University's records and after the said 14 days have elapsed without due appearance in person before the Traffic Court by the student, the fine, as certified, together with any fine imposed for contempt of court, may be debited to the fees account of the student. *debit to fee account*
- T17.4 When a sworn or other statement is put before the Traffic Court purporting to have been made by a third party, the presiding officer may ignore such statement should the third party fail to appear before the court if requested to do so by the presiding officer. *third party statement*

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- T18 In respect of any decision given by the Traffic Court, a student shall have the right to appeal to the Traffic Appeal Court. Any such appeal must be lodged with the Registrar, in writing, within five days of notification to the student of the decision of the Traffic Court. The student must state, in his or her notice of appeal, what the grounds of his or her appeal are. The student shall have the right to argue his or her appeal before the Traffic Appeal Court personally or through a representative.
- appeal procedure:  
general*

### Traffic Appeal Court

- T19.1 When an appeal has been lodged in terms of Rule T21 the Court shall submit to the Traffic Appeal Court:
- records to be submitted*
- (a) a copy of the Court record;
  - (b) the notice of appeal;
  - (c) the facts found to be proved; and
  - (d) the reasons for judgement.
- T19.2 The student may request the presiding officer of the Traffic Court to provide him or her with a copy of the reasons for judgement.
- T20.1 On appeal the Traffic Appeal Court may:
- powers of Traffic Appeal Court*
- (a) confirm or set aside the conviction, or may substitute any competent finding therefor;
  - (b) confirm or set aside the sentence or impose any other competent sentence.
- T20.2 The Traffic Appeal Court may sentence a student to pay an additional fine should that court be of the opinion that the appeal is frivolous or vexatious or has been made for the purpose of delay.
- T20.3 Notice of the finding of the Traffic Appeal Court shall be given to the student.
- notice to student*
- T20.4 If the Traffic Appeal Court considers that the offence is of sufficient gravity, the court may refer it to the Vice-Chancellor to be dealt with in terms of the Rules on Disciplinary Jurisdiction and Procedures.
- referral to Vice-Chancellor*
- T21 The Traffic Appeal Court must be drawn from the following members of the University:
- members of Traffic Appeal Court*
- (a) All permanent staff members of the Law Faculty, one of whom shall be selected by the Chair of the Traffic Appeal Court for each and every sitting of such Court;
  - (b) A senior member of the Administrative Staff to be nominated by the Registrar;
  - (c) One other person nominated from time to time by Council;
  - (d) Two members of the SRC nominated annually by the Vice-Chancellor for the purpose.
- T22.1 In the event of there being a tie in the voting, the person presiding shall have casting vote.



- T22.2 The Vice-Chancellor must appoint a chair and a deputy chair of the Court. In the absence of both from any session of the Court, the chair shall appoint a presiding officer for that session who shall be a staff member of the Law Faculty. *appointment of chair/deputy chair*
- T22.3 A court shall comprise two members chosen from categories (a) to (d) above by the chair of the court or his or her deputy.

## Suspension of Rules

- T26 Nothing in the foregoing rules contained shall be deemed to deprive the Vice-Chancellor or the head of any residence of any jurisdiction or powers with which he or she is vested under the Statute or Rules on Disciplinary Jurisdiction and Procedures.
- T27 The above rules may be suspended in whole or in part by the Vice-Chancellor for special purposes or occasions.
- NOTE: Should an offender elect to appear before the Traffic Court it must be pointed out that, notwithstanding the normal court fine quoted above, any offender who contravenes or fails to comply with any provision of the Traffic Rules: Students may on conviction be fined up to a maximum of R600.00 for each offence. The Traffic Court sits 09h30 to 15h30 from mid-March to mid-November, vacations excluded.*

## Traffic rules for staff

- T1 In these rules, unless the context indicates otherwise: *definitions*
- T1.1 University campus means all immovable property owned by or under the control of the University.
- T1.2 A *vehicle* includes a motor car, motor cycle, motor scooter or motorised bicycle.
- T1.3 A *member of staff* means any member of the University's permanent full-time or part-time staff; or any other member of staff who is not a student.
- T1.4 *Student* means any person registered at the University for any course of study who is not a permanent member of staff.
- T1.5 A *visitor* is a person other than a student or a staff member.
- T2.1 Every member of staff wishing to bring a motor vehicle on to the University campuses or park it thereon, must apply for a valid parking registration disc issued by the University under Rule T3.1 and if such application is successful must affix such disc to the front right hand side of the windscreen of a vehicle which is a motor car, or to some clearly visible part of any other vehicle which is not a motor car. *permission to park where to affix disc*

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- T2.2 Any member of staff who, having been refused a parking registration disc, considers that valid reasons exist why such a disc should be granted may appeal to the Traffic Administration Committee. The member of staff must state in his or her notice of appeal what the grounds of his or her appeal are. *appeal against refusal to issue disc*
- T3.1 Application for parking registration discs must be made to the University Traffic Administration. The number of such discs issued will be limited. No assurance is given that parking space will be available to the holder of a disc at any time. *application for and issue of parking discs*
- T3.2 Parking registration discs will be issued according to the provision of Rule T4.1 below for a calendar year. The charges will be as approved by the University Council from time to time and shall be payable before or against issue of the disc. *charges/validity*
- T3.3 Parking registration discs remain the property of the University at all times and expired discs must be returned to the University Traffic Office on request. *disc: property of University*
- T3.4 On receipt of the parking disc: Such a disc must be affixed to the front right hand side of the windscreen of a vehicle which is a motor car or to some clearly visible part of any other vehicle which is not a motor car.
- T4.1 Each parking registration disc issued by the University will be a distinctive disc entitling the holder to park only in spaces marked out or otherwise indicated for holders of such discs. *parking areas*
- T4.2 Vehicles other than motor cars will only be entitled to park in spaces specifically marked out for such vehicles.
- T5 No vehicle required under these rules to have a parking registration disc affixed thereto shall, in the absence of the affixation of such disc as under the rules provided for, be parked on any part of the University campus. Access of such vehicle to the University campus shall be refused if the required registration disc is not affixed thereto. *refusal of entry to campuses*
- T6 All the parking rules made by the University authorities in regard to the reservation of red bays and staff bays apply throughout the year. Red bays are reserved at all times throughout the year. Staff yellow marked bays are reserved between 07h00 and 18h00 from Mondays to Fridays inclusive, and from 07h00 to 13h00 on Saturdays, and for such other periods as may be determined. Bays for people with disabilities are reserved for them at all times. *numbered or red and staff marked bays*
- T7.1 A member of staff must not drive a vehicle on the University campuses: *dangerous driving*
- (a) in excess of the indicated speed limit;
  - (b) in a reckless or negligent manner or without the due care and attention;
  - (c) while under the influence of intoxicating liquor or drugs to such an extent as not be exercising proper control of such vehicle.

T7.2	<p>A member of staff must not park a vehicle:</p> <p>(a) so as to cause an obstruction;</p> <p>(b) in any area which is not marked out or otherwise indicated as a parking space for staff, and without prejudice to the generality of the foregoing, shall in particular, not park in any parking space reserved for specific staff members, or for any University department or for any purpose or where parking is prohibited by yellow/red lines or by other means.</p>	<i>illegal parking</i>
T7.3	<p>A member of staff must at all times, observe all traffic rules, signs and notices.</p>	<i>traffic signs</i>
T7.4	<p>A member of staff shall obey a lawful order given by a University Traffic Officer or other person authorised by the Council to regulate traffic on the University campuses, shall give his or her name and address to such officer or person when requested.</p>	<i>lawful order by Traffic Officer</i>
T7.5	<p>Every member of staff shall carry his or her staff card or other means of identification with him or her at all times and shall show this to any Traffic Officer or Campus Protection Officer or other authorised person when requested to do so.</p>	<i>identification</i>
T7.6	<p>A member of staff who gives a false name or address when requested to give his or her name and address shall be guilty of an offence.</p>	<i>false name and address</i>
T7.7	<p>A member of staff must not damage or interfere with a wheel clamp or similar device. The vehicle may be released only on production of valid identification and on payment of a R100.00 release fee.</p>	<i>wheel clamp</i>
T8	<p>A member of staff brings vehicles onto the University campus at his or her own risk.</p>	<i>owner's risk</i>
T9.1	<p>When a member of staff replaces the vehicle for which a parking disc has been issued with another vehicle, he or she shall apply to the traffic administration with the original parking disc.</p>	<i>change of vehicle</i>
T9.2	<p>The vehicle registration number shown on a parking disc shall in no circumstances be altered.</p>	
T10.1	<p>No member of staff may use or display on any vehicle any parking registration disc falsely purporting to have been issued by the Traffic Office of the University.</p>	<i>fraudulent use of disc</i>
T10.2	<p>Any member of staff who knowingly makes a false representation in relation to a parking disc, or in the course of an application for a parking disc shall be guilty of an offence.</p>	
T10.3	<p>Any member of staff who permits a parking disc issued to him or her to be used on a vehicle other than the vehicle in respect of which it was issued shall be guilty of an offence.</p>	
T10.4	<p>No staff member shall purchase a parking disc for a student.</p>	
T10.5	<p>No facsimile/scanning of any disc may be displayed on any vehicle.</p>	<i>facsimile</i>

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- T11.1 Any contravention of these rules by any person using a vehicle in respect of which a parking registration disc has been issued, shall be deemed to be a contravention of the rules by the member of staff to whom the disc has been issued. *culpability of disc holder*
- T11.2 A member of staff may be allocated a parking disc for a vehicle not registered in his or her name.  
(a) if he or she discloses the name of the owner on his or her parking disc application form; and  
(b) if he or she, rather than the registered owner, is to use the vehicle on campus.  
A member of staff shall be deemed to have committed an offence in contravention of Rule T3 if the vehicle is registered in a name other than that shown on his or her parking disc application form.
- T12 When three or more offences are committed in any year, the member of staff concerned will have the option of paying the fines applicable to the offences, or of removing his/or her motor vehicle from the University campus for the remainder of the year in question. In subsequent years the member of staff concerned will not be eligible for a parking disc until such outstanding fines have been paid to the University. *payment of fines*
- T13 A member of staff whose vehicle parking registration disc has been withdrawn in terms of Rule 12, and who thereafter again brings a vehicle onto campus in contravention of the rules, shall be referred to the Vice-Chancellor or his or her nominee to be dealt with in terms of these rules, including the power to impose fines. *continued use of vehicle on campus*
- T14 The member of staff shall have the right to appeal to the Vice-Chancellor, or his or her nominee.
- T15 Nothing in the foregoing sections contained shall be deemed to deprive the Vice-Chancellor of any jurisdiction or powers with which he or she is vested. *exclusions*
- T16 No member of staff who is the holder of a red/yellow disc shall permit a student to utilize a red/yellow bay other than a student bay.
- T17 The above rules may be suspended in whole or in part by the University authorities for special purposes or occasions.

## LIBRARY RULES

*The library rules may be revised by Council from time to time*

### Who may or may not use UCT libraries

- |      |  |   |
|------|--|---|
| L1.1 | <p>Authorised library users include UCT staff, students, members of Council, others with specific university affiliation, and subscribers.</p> <p>For a current list of categories of library patrons and their privileges, please see the Libraries' web page at <a href="http://www.lib.uct.ac.za/access-and-membership/">http://www.lib.uct.ac.za/access-and-membership/</a></p> <p>Electronic resources may be used ONLY by current UCT staff and currently registered UCT students.</p> |   |
| L1.2 | <p>The Research Commons in the Chancellor Oppenheimer Library Complex (COLC) is for the use of UCT master's and doctoral students and academic staff.</p>  | <i>Research Commons</i>                       |
| L1.3 | <p>Academic staff and postgraduates from CALICO institutions are allowed to use some UCT libraries on production of the required letter of introduction.</p>   | <i>CALICO staff and postgraduates</i>         |
| L1.4 | <p>Undergraduates from CALICO institutions are allowed to use some UCT libraries during specified periods of the academic terms but may not borrow material nor become library subscribers. (refer to the website for specific rules).</p>   | <i>CALICO undergraduates</i>                  |
| L1.5 | <p>Undergraduates from other tertiary institutions and students from private educational institutions and distance learning educational institutions are not allowed to use the Libraries, nor are they allowed to become library subscribers.</p>   | <i>undergraduates from other institutions</i> |
| L1.6 | <p>School learners may not use the UCT Libraries.</p>  | <i>school learners</i>                        |
| L1.7 | <p>Animals, with the exception of guide dogs, are not allowed in the Libraries.</p>  | <i>animals</i>                                |
| L1.8 | <p>Access to UCT Libraries is controlled. UCT staff and currently registered students can enter by swiping their valid staff/student cards at the electronically controlled entrance gates. All other individuals must check in with the staff member at the reception desk, and proper identification is always required. Library users must produce a valid card on request in any library location.</p>   | <i>controlled access</i>                      |
| L1.9 | <p>Any user attempting to enter the Libraries with an ID other than their own, or any UCT user who lends their cards to another person, may have their library privileges withdrawn.</p>   | <i>fraudulent access</i>                      |

### Conduct within UCT Libraries

- |      |  |                    |
|------|--|--------------------|
| L2.1 | <p>A person shall not make a noise, cause a disturbance, make or take mobile calls, hold public meetings or demonstrations, within the Libraries, or behave in such a manner that would interfere with or impact negatively on study and research activities of library users.</p> | <i>disturbance</i> |
|------|--|--------------------|

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- L2.2 Food may not be consumed in the Libraries. Drinks are permitted only in special library-approved spill-proof containers. Smoking, including electronic cigarettes is not permitted. *food/drink*
- L2.3 All mobile phones must be on silent mode. Making or taking mobile phone calls in the Libraries is prohibited. *cell phones*
- L2.4 Any person infringing the rules of conduct may be required to leave the library and/or have library privileges suspended or withdrawn and/or face disciplinary proceedings. *infringement*

### Advertising In UCT Libraries

- L3 No notices may be displayed or any items distributed within the Libraries without the prior approval of the Executive Director, Libraries

### Filming In UCT Libraries

- L4 No filming or photographing is allowed within the Libraries without the prior approval of the Executive Director, Libraries.

### Use of electronic resources and equipment

- L5.1 Electronic resources may be used ONLY by current UCT staff and currently registered UCT students.
- L5.2 PCs, scanners, AV- viewing and all other electronic equipment are for academic use ONLY.

## Rules for borrowing

### General

- L6.1 A person shall not remove a book or any other matter from the University Libraries other than in terms of the rules and procedures set by the Libraries. The Executive Director, Libraries has the authority to shorten periods of loan.
- L6.2 A borrower will be held responsible for all material that is taken out in his or her name, and may not lend such material to other people. Borrower privileges are not transferable. Lost staff or student cards must be reported immediately to the Libraries. Borrowers are also responsible for updating their contact details at the Libraries, and outdated contact details will not be a basis on which to dispute fines or fees owing. *responsibility of borrower*
- L6.3 A pattern of abuse of library privileges by a borrower may result in the withdrawal of library privileges, a reduction in the number of items which may be borrowed, and/or disciplinary action. *infringement*

L6.4	The number of items that may be borrowed is different for different categories of Library users. Please enquire at the loans desks or refer to the Libraries' web page at <a href="http://www.lib.uct.ac.za/lib/borrowing-information">http://www.lib.uct.ac.za/lib/borrowing-information</a>	<i>number of items</i>
L6.5	Loan periods may vary in each of the Libraries and according to the type of material.	<i>loan periods</i>
L6.6.	Bound periodicals may be borrowed ONLY by UCT staff, registered postgraduate students, and retired UCT staff. No one may borrow unbound periodicals.	<i>periodicals</i>
L6.7	Certain collections and items are restricted to reference use only.	<i>reference materials</i>
L6.8	Interlibrary loan services are available to students and staff currently registered at UCT and retired staff of UCT.	<i>interlibrary loans</i>

## Staff

L7.1	A member of staff who wishes to borrow books or other items from the Libraries must produce a University staff identification card valid for the current year.	<i>staff card</i>
L7.2	In general books may be borrowed for a period not exceeding three months. Provided that no other user has reserved the book, the loan period may be extended once, by letter, telephone, email or via the Internet.	<i>loan period</i>

## Retired UCT Staff

*NOTE: This section does not apply to emeritus professors who enjoy the same library privileges as professors.*

L8.1	A retired UCT staff member who wishes to borrow books or other items from the Libraries must produce a University Retired Staff card, complete the required forms at the Loans Desk, and then obtain a Library Subscriber Card from Access Control Administration, Basement, Robert Leslie Social Science Building, before registration can be completed at the Loans Desk.	<i>retired staff card and library subscriber card</i>
L8.2	Registration on the Library system is for the current year and membership will be updated annually by the Library for as long as the retired staff member continues to use the Library.	<i>renewal of membership</i>
L8.3	In general, books may be borrowed for a period not exceeding five weeks. Provided that no other user has reserved the book, the loan period may be extended twice, by letter, telephone, email or via the Internet, provided the book is not overdue. Thereafter the book must be returned to the open shelves before re-issue. The loan period for books in heavy demand may be reduced to three days, and any item may be recalled after seven days at the discretion of the Executive Director, Libraries. Bound periodicals may be borrowed for three days only and are not renewable.	<i>loan period  recalling books</i>

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### Students

- L9.1 SA students who wish to borrow material shall produce their University registration card for the current year. *registration card*
- L9.2 An undergraduate student may borrow a book for a period not exceeding seven days. A postgraduate student may borrow a book for a period not exceeding five weeks. The Libraries may, however, recall a book at any time and may reduce the loan period of books in demand. Provided that no other user has reserved the book, the loan period may be extended three times, by letter, telephone, email or via the Internet, provided that the book is not overdue. Thereafter the book must be returned to the open shelves before re-issue. Postgraduate students may borrow bound periodicals for three days only. No renewals of periodicals are allowed. *loan period*  
*recalling books*  
*reduced loan period*
- L9.3 Appointment as a tutor or research assistant does not entitle students to staff borrowing privileges. *employed students*
- L9.4 A postgraduate student wishing to borrow items for a longer period over the June and December vacations must apply in advance to the librarian in charge of the relevant section. *vacation loans*
- L9.5 All students who have outstanding library debts of R100 and above immediately before June and December graduation will have them added to their student fees accounts. *debts added to fees accounts*

### Health Sciences Library

- L10 Books on the open shelf may be borrowed for two weeks and can be renewed twice. Renewal of the loan is possible if the item has not been requested by another user. Books in high demand are available for 3 day loan and are not renewable. Short loan items may be borrowed for two hours at a time during the day. From 15h00 onwards short loan items are issued for overnight loans and may be removed from the Library. All overnight loans must be returned by 09h30 the following morning. An exception is made on Fridays, when short loan items may be retained until 09h30 on Mondays. *loan period*

### Music Library

- L11 CDs, DVDs, Records, audiotapes and videotapes primarily from the SA College of Music and the School of Dance, may be borrowed by staff and students as well as the wider campus community. In-house listening and viewing facilities are available to the staff and students of the SA College of Music and the School of Dance. *recorded music*



**Law Library**

- L12.1 Short loan materials may not be taken out of the Law Library, except as specifically authorised by the Law Librarian. *loan period*
- L12.2 Reference materials, law reports, and periodicals may not be borrowed, with the exception of those on short loan. Certain short loan items may not be borrowed overnight. *loan restrictions*

**Short Loans**

- L13.1 Only UCT staff and students may borrow short loan items. *who may borrow*
- L13.2 Most items may be borrowed or taken out of the library for three hours at a time during the day. However, items marked “not for overnight loan” may NOT be removed from the Libraries. Some material may be in such heavy demand that the loan period is restricted to one hour. From 15h00 onwards, eligible items are issued for overnight loan. *loan period*
- L13.3 All overnight loan items must be returned to the desk from which they were loaned by 09h30 the following morning. An exception is made on Fridays, when items may be retained until 09h30 on the following Monday. *returning items*
- L13.4 Videos and DVDs in Short Loans are study aids for specific courses and may be borrowed only for this purpose. *videos and DVDs*

**Penalties**

- L14.1 Any borrower who fails to return or renew items by the due date will incur a fine. Fines are set by the Executive Director, Libraries and vary according to the type of material. *finest*
- L14.2 Any borrower who fails to return items to UCT Libraries or to any library with which UCT has a co-operative borrowing or access agreement, or who fails to pay fines or costs owing, may have borrowing privileges withdrawn or suspended by the Executive Director, Libraries. A borrower who incurs a fine of R50.00 or more will automatically have borrowing privileges suspended until the debt is cleared. *failure to return/renew*
- L14.3 Any user losing or irreparably damaging a book or other item borrowed through or belonging to the University Libraries is liable for the replacement cost of the item plus the cost of processing the replacement. Any user or borrower damaging an item which is repairable shall be liable for the cost of the repair. *replacement/repair*
- L14.4 Mutilation of library books and other library materials is an offence. Mutilation includes underlining, through-lining in transparent colour, writing of comments in a book, removal of a page, pages or pictures, or any other damage. A user who has been found to have mutilated *mutilation*

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- any library item will also be liable for the cost of replacing or repairing the damaged material.
- L14.5 A user who fails to comply with the University and Libraries policy or licensing agreements concerning the use of electronic resources and computers may have library privileges curtailed or suspended by the Executive Director, Libraries. *electronic resources and computers*
- L14.6 Any transgression of these rules may result in suspension or withdrawal of use and borrowing privileges or other penalties at the discretion of the Executive Director, Libraries.
- L14.7 Any breach of these rules by a student may be reported by the UCT Libraries to the Vice-Chancellor or the Vice-Chancellor's Nominee, to be dealt with under the rules on disciplinary jurisdiction and procedures.
- L14.8 Any breach of these rules by a staff member may be referred by the UCT Libraries to the staff member's line manager for disciplinary action.

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## UNIVERSITY POLICIES

The policies on the following subjects are set out below:

- **Classroom support services**
- **Computer hacking**
- **Computing microlabs**
- **Copyright, and the special use of copyright in computer software**
- **Disability Services**
- **Guidelines for Campus Protection Service for dealing with people who are drunk or under influence of drugs**
- **Health and safety, First Aid and Emergencies on campus**
- **HIV infection and AIDS**
- **Insurance for students**
- **Internet and Email use**
- **Language**
- **Racism and racial harassment**
- **Referencing conventions and declaration regarding plagiarism**
- **Serving or selling alcohol on campus by students**
- **Sexual harassment**
- **Sexual offences**
- **Sexual orientation policy**
- **Special relationships between staff and students**
- **Special relationships between staff members and between staff and applicants for UCT posts**
- **Teaching and learning charter**
- **UCT Smoking Policy**
- **Work environment**
- **UCT Values**

Other policies may be found on the Internet at <http://www.uct.ac.za>, or requested from the Registrar's Office. Any violation of these policies, or the rules they contain, by any member of the University, whether staff or student, will be grounds for disciplinary actions.

### **Classroom support services**

Classroom Support Services (CSS) is responsible for Audio-visual (AV) and IT provisioning and support in centrally bookable UCT Classrooms.

#### **Access to AV/IT equipment cabinets and safes**

1. An *authorised user* is defined as an individual who has been granted swipe card and key access to AV/IT safes and equipment cabinets in centrally-bookable classrooms.
2. Authorised users include
  - a. All UCT academic staff members who are automatically granted swipe card access to equipment cabinets and/or safes in centrally-bookable classrooms;
  - b. UCT PASS/students who have been manually granted access by CSS after written approval is received from their Head of Department;
  - c. Guest lecturers or guest speakers;

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- d. CSS staff.
3. Any PASS UCT staff member or student requiring access to the equipment cabinets and safe needs to contact the CSS Helpdesk with written approval from his/her Head of Department when requesting swipe card or key access. The written approval needs to state the name of the person requiring access, his/her staff or student number, the reason access is needed, the venue for which access is needed, and the duration for which access must be enabled.
4. If access is required for a guest lecturer or guest speaker, this also needs to be emailed to CSS by the Head of Department who has invited the guest lecturer, the guest's UCT staff or T-number and the duration of their guest lecture series.
5. Access to the safes or equipment cabinets is not transferable. This means that an authorised user may not lend his/her card to anyone (not even another authorised user) for the purpose of opening a safe or equipment cabinet. Any authorised user found to be doing so will be held liable for any repair work or equipment replacement that may arise as a result.
6. Authorised users who habitually leave safes or equipment cabinets unlocked may, at the discretion of the Executive Director: ICTS, find their access suspended or revoked.
7. If an equipment cabinet or safe does not yet have an access control module, the keys can be obtained via the CSS Helpdesk by emailing [icts-css@uct.ac.za](mailto:icts-css@uct.ac.za) or calling X4500, option 2.

### **Rules for the use of AV/IT equipment in centrally-bookable classrooms**

1. Only authorised users may use CSS AV/IT equipment.
2. An authorised user who notes missing or damaged equipment in a centrally-bookable classroom at the start of the class must notify CSS immediately.
3. An authorised user must return equipment located in the equipment cabinets and safes to the equipment cabinet or safe after having used it.
4. Access to the equipment in the safes, equipment cabinets and mobile AV equipment is not transferable. This means that an authorised user may not hand CSS-owned equipment to anyone other than CSS staff, or allow anyone else to access this equipment using his/her swipe card or a key issued to him/her. Authorised users and/or their departments will be held financially liable for any loss or any repair work or equipment replacement that arises from the authorised user allowing anyone else to access this equipment or handing this equipment to anyone else.
6. An authorised user making use of equipment located in an equipment cabinet or safe does so on the understanding that he or she is responsible for the care and safekeeping of the said equipment.
7. Authorised users and/or their departments will be held financially responsible for any loss or damage to equipment as a result of negligence. Any incident of damage or theft must be reported to CSS immediately.
8. Authorised users signing for safe keys do so with the understanding that they will be held responsible for the care and safekeeping of equipment located in the safes to which they hold keys. They will also be held financially responsible for any equipment loss or damage due to negligence.
9. Authorised users failing to return CSS-owned AV/IT equipment at the mutually agreed upon time may incur a daily rental cost for the equipment if they are found to have been responsible for the mutually agreed upon handover time being missed.
10. CSS will charge third parties for the use of AV/IT equipment in centrally-bookable classrooms.
11. CSS will charge UCT staff or students for the use of AV/IT equipment in centrally-bookable classrooms where the equipment is used for private work, for profit work or a third party activity.

Any transgression of these rules

- by a student will constitute a breach of discipline and will be dealt with under the DJP Rules;
- by a staff member will constitute a breach of discipline;
- may in addition result in suspension or withdrawal by CSS, at the discretion of the ED: ICTS of access to safes, equipment cabinets and AV/IT equipment in centrally-bookable classrooms.

Any staff member found to be in breach of these rules may be reported by ICTS to the staff member's line manager for disciplinary action.

Any student found to be in breach of these rules may be reported by ICTS to the Vice-Chancellor or the Vice-Chancellor's Nominee, to be dealt with under the rules on disciplinary jurisdiction and procedure.

## **Computer hacking**

*Unauthorised entry into any electronically held data, or network, or any other form of computer hacking, or the deliberate transport or creation of any form of computer virus, worm, trojan or keystroke logger are prohibited. Any staff member or student breaching this rule will be subject to University discipline and/or, where appropriate, criminal prosecution.*

## **Computing microlabs**

**Rules relating to the use of University computing microlabs and University Computer facilities:**

- |         |   |
|---------|---|
| SCM 1.1 | Access to microlabs is granted by the Dean or his/her nominee, in terms of the stated usage policy for that microlab.               |
| SCM 1.2 | The University's microlabs exist first for teaching and learning activities which will always enjoy priority over other activities. |

### **General rules:**

- |         |   |
|---------|---|
| SCM 2.1 | Neither food nor drink may be brought into a microlab.  |
| SCM 2.2 | Animals, with the exception of guide dogs, are not allowed in the microlabs.  |
| SCM 2.3 | A student may not make a noise, cause a disturbance, use a cellular telephone, hold meetings or demonstrations within a microlab, or behave in such a manner that would interfere with or impact negatively on study and research activities of microlab users. (See RCS7.14) |

### **Student accounts:**

- |         |  |
|---------|--|
| SCM 3.1 | A student is responsible for his or her account and its password, which must be kept secure, and is responsible for any actions that take place from a computer logged in with his or her account. |
| SCM 3.2 | A student must log out prior to leaving the lab.   |
| SCM 3.3 | A student may not give other people access to his or her account.  |
| SCM 3.4 | No student may make use of any user account other than those they have been issued with by the University.   |
| SCM 3.5 | Student accounts are not transferable.   |

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### Use of student microlabs

- SCM 4.1 A student may not send a broadcast message.
- SCM 4.2 A student may not send unsolicited bulk email. The definition of unsolicited bulk email (also referred to as “Unsolicited Commercial Email (UCB) or “Spam”) is to mass-mail unrequested identical or nearly identical email messages. This shall exclude all messages sent for the purposes of legitimate research, teaching and learning activities.
- SCM 4.3 Tampering with the lab facilities is not permitted and specifically;
- SCM 4.3.1 A student may not install or run any computer virus, worm or program on a microlab computer that may adversely affect the academic process.
- SCM 4.3.2 A student may not tamper with microlab hardware, CMOS settings, software, the network, data or any UCT server.
- SCM 4.3.3 A student may not attempt to open computers, access their components, or remove any part of a computer from a microlab.
- SCM 4.3.4 Tampering with or circumventing access control and security systems are strictly forbidden.
- SCM 4.4 Use of the computer facilities by a student for financial gain, whether directly or indirectly, is prohibited.
- SCM 4.5 Playing of computer games is not permitted.

### Penalties:

- SCM 5.1 Should a student contravene these rules, the Lab Administrator or his or her nominee may at his or her discretion apply the penalties listed below, or refer the case to the Vice-Chancellor to be dealt with under the Rule on Disciplinary Jurisdiction and Procedures.
- SCM 5.2 A student may appeal in writing against the decision of a Lab Administrator to the Dean of the Faculty or the Head of the Section responsible for the microlab.
- SCM 5.3 The Dean or his or her nominee may revoke a student’s authorisation to use a microlab.

**Penalties that a Lab Administrator or Dean may apply for to transgression of microlab rules.**

Category	1 <sup>st</sup> offence	2 <sup>nd</sup> offence	3 <sup>rd</sup> offence	Rules
1.	Account disabled for 3 days*	Account disabled for 14 days	Account disabled and offence escalated to the Dean**	2.1; 2.2; 2.3; 3.2; 4.1; 4.5
2.	Account disabled for 7 days*	Account disabled and offence escalated to the Dean**		3.3; 3.4
3.	Account disabled for 1 day for every 5 mails to a maximum of 7 days*	Account disabled and offence escalated to the Dean**		4.2
Category	1 <sup>st</sup> offence	2 <sup>nd</sup> offence	3 <sup>rd</sup> offence	Rules
4.	Account disabled and offence escalated to the Dean**			4.4.; 4.3.2; 4.3.4
5.	Account disabled and escalated to the University Discipline Tribunal			4.3.1; 4.3.3
*	<i>The period for which accounts are disabled is measured in elapsed days.</i>			
**	<i>Offences are escalated to the Dean or his or her designate and the student is required to state their case in writing.</i>			

**Faculty microlab rules:**

SCM 6.1 The rules listed above apply to all UCT microlabs and computer facilities. Additional rules for the use of a specific microlab may be laid down by the Dean of the Faculty who is responsible for the microlab. These must be displayed in the microlab.

*NOTE: Microlab users are referred to the following relevant UCT policies published elsewhere in this handbook:*

Rules on the use of UCT venues (p66)  
 Copyright, and the special use of copyright in computer software (p100)  
 Racism and racial harassment (p118)  
 Sexual harassment (p130)  
 Computer hacking (p98)

**Copyright, and the special use of copyright in computer software**

The University, as a matter of policy, recognises the rights of those who have ownership of copyright, and reminds its members that they are personally liable for breaches of copyright, and that these may lead to criminal and civil actions against them. Members of the University are explicitly prohibited from infringing copyright.

Copyright exists if an idea has been put in writing, or forms the subject of a drawing or painting, or has been given tangible form in a model. The author of a work is the holder of the copyright of that work, (unless the author was employed under a contract of service and the work was made in the course of that employment, in which case the employer holds the copyright in the absence of an agreement to the contrary). Copyright holds for the author's life and, in some cases, for fifty years after the author's death, in respect of published work. Copyright, in unpublished material, remains forever. For example, copyright remains in unpublished letter of whatever age. Copyright is protected under international conventions, and South African law.

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Copyright is not infringed where a literary work is:

- (a) used for research or private study, subject to the fair dealing requirements of the law;
- (b) used for criticism, again subject to the fair dealing requirements;
- (c) quoted: where the quotation is compatible with fair dealing, is not excessively long and is attributed to the author and to the work;
- (d) used by way of illustration for the purposes of teaching, again subject to the fair practice or fair dealing test.

Making a copy of computer software infringes copyright. Using unlicensed copied software is a breach of copyright. Acquiring an unauthorised copy of computer software is an infringement of copyright, and acquisition, in this sense includes loading a copy of a programme into the random access memory, or any other temporary storage device of a computer or into any form of permanent storage medium.

Some software developers recognise the position of educational institutions and offer site licensing, or bulk licensing. Under bulk licensing, the institution pays an annual fee and may make a specified number of copies, while site licences allows an unlimited number of copies. Where such arrangements exist, the software may be used only by those members of the University specified in the applicable agreement, and may not be distributed outside of it.

Where software is made accessible to multiple users through file servers, the software must be used in terms of the licence, and may not be copied to any other storage device except as allowed in the licence agreement.

The higher education institutions in the Western Cape have established a Publishing Liaison Office under the Cape Higher Education Consortium (CHEC). This office, which is housed at the CHEC offices at House Vincent, Wynberg Mews, 10 Brodie Road, Wynberg, 7700, Cape Town, operates a copyright clearance centre on behalf of the four public universities in the Western Cape. It will provide services to members of these institutions relating to copyright clearance and related matters for teaching and learning materials used by students and staff. The office handles all requests for copyright permission, which should be routed through this office. It also handles the payment of copyright fees where the copying is not covered by the University's blanket licence. *If you have any doubts regarding the legality of copying or using software, contact Help Desk at telephone (021)650-4500 or send email to [helpdesk@icts.uct.ac.za](mailto:helpdesk@icts.uct.ac.za). If you have queries about the University's blanket copying licence please contact Dr Karen van Heerden (021)650-2201 in the Registrar's Office.*

## Disability Policy

### Preamble

The University of Cape Town (hereafter "the University") is committed to redressing past and present inequalities resulting from the legacy of our country's past. In this regard it endorses fully the United Nations Convention on the Rights of Persons with Disabilities signed into South African law in June 2007. The University consequently recognises:

- that disabled people have been and continue to be subject to multiple forms of marginalization and exclusion;
- that as a result, the majority of persons with disabilities live in conditions of relative social cultural and economic disadvantage; and
- the need to lend its full support to measures and programmes which provide for the social, educational, economic and cultural integration of persons with disabilities in our society.



## 1. PURPOSE

The purpose of this policy is:

- to state the role of the University in regard to disability;
- to clarify the rights of staff, students and visitors;
- to define concepts in relation to disability;
- to clarify the role of the Disability Service

## 2. DEFINITIONS

### 2.1 **Disability**

The UN Convention on the Rights of Persons with Disabilities (2007) recognises that disability results from the interaction between persons with impairments and attitudinal and environmental barriers. It recognises persons with disabilities who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

### 2.2 **Discrimination on the basis of disability**

Discrimination on the basis of disability refers to imposing any distinction, exclusion or restriction of persons on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, on all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It encompasses all forms of unfair discrimination, whether direct or indirect, including denial of reasonable accommodation.

### 2.3 **Reasonable Accommodation**

Reasonable Accommodation refers to necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.

### 2.4 **Universal Design**

Universal Design means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialised design.

### 2.5 **Staff Member**

Staff Member means an employee of the University and includes an applicant for employment at the University.

### 2.6 **Student**

Student means a registered student of the University and includes an applicant for study at the University.

### 2.7 **Visitor**

A visitor is any member of the public present on University property who is not a member of staff or a student, including persons with contractual relationships with the University and persons otherwise legitimately commercially active or employed within the University environment.

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### 3. REASONABLE ACCOMMODATION

- 3.1 The University recognises the right of staff and students with disabilities to request accommodations that will facilitate their full and equal participation in the services and facilities of the University.
- 3.2 The Disability Service will play a facilitative role in the fulfilment of this responsibility.
- 3.3 The University will seek medical confirmation of an impairment where a request for the provision of accommodation warrants this. In such cases supporting documentation will be provided to the Disability Service from a registered medical doctor in the case of physical and sensory impairments, and from a clinical or educational psychologist or psychiatrist in the case of cognitive and psychological impairments. In the case of scarce facilities and resources the Disability Service will have the right to request a second opinion regarding the need for an accommodation at its own cost.

Where accommodation provision is made in respect of temporary disabilities this will be done for the calendar year and will be reviewed annually by the head of the Disability Service. He/she will require up-to-date documentation in order to assess the continued necessity of this provision.

### 4. DISCLOSURE OF DISABILITY, RECORD KEEPING AND DATA MANAGEMENT

The University is committed to creating an institutional climate in which disclosure of disability would be both advantageous and safe. Disclosure of disability is necessary where a student/staff member/visitor requests support and/or accommodation provision. Disclosure will be made to the Disability Service. Information about an individual's impairment will be made available to persons tasked with facilitating or providing specific accommodations to the extent that this information is necessary to facilitate the accommodation.

Disclosed information will be treated as private and confidential. It will be used to monitor progress in employment and student equity, to comply with the reporting requirements of the Employment Equity Act, for strategic planning and to maximise levels of service provision.

### 5. ACCESS TO THE BUILT ENVIRONMENT

- 5.1 The University faces particular challenges providing access to the built environment for people with disabilities. These include the location of the main campus on the slopes of Devil's Peak, the spread of its facilities over four campuses, and the heritage status of many older buildings and built structures.
- 5.2 The University will identify, and where possible, address barriers to facilities and services at the University. In order to do this, the University will budget each year for retrofitting of access solutions. Improved access to students and staff with disabilities will be formally included as a performance objective of the relevant members of the University of Cape Town.
- 5.3 The University endorses the principle of Universal Design as a feature of all new infra-structure development, and will formulate and implement standards

and guidelines which ensure that Universal Design Principles are applied in the design and construction and/or maintenance of all buildings, thoroughfares, facilities, security systems, information technology and all other infrastructures for which the University is responsible.

## 6. HEALTH AND SAFETY

- 6.1 The University recognises the importance of the application of principles of Universal Design in improving aspects of well-being, safety and security for all present on University campuses.
- 6.2 The University will therefore develop and implement a comprehensive campus-wide strategy for addressing deficiencies in effective lighting in and outside buildings; the presence of balustrades, handrails, stair markers and effective signage (including tactile signage); the presence of reachable controls/buttons and auto cues. The University will put in place emergency evacuation procedures for persons with disabilities. It will ensure that all relevant personnel receive the necessary training including building curators, building health and safety officers, campus protection services, wardens and other relevant personnel in all sectors of the university.

## 7. ACCESS TO TERTIARY EDUCATION FOR PEOPLE WITH DISABILITIES

The University acknowledges that inequalities of access to education throughout the education system for persons with disabilities mean that learners with disabilities have in the past been – and continue to be – especially vulnerable to exclusion from higher education. Consequently the University commits itself to developing admission, recruitment and retention practices and policies for persons with disabilities which will maximise participation in higher education at UCT.

## TEACHING AND LEARNING SUPPORT FOR STUDENTS WITH DISABILITIES

The University will provide for the learning needs of students with disabilities, and recognises that this may in some cases entail modifying, substituting or supplementing curricula and course work requirements, including alternative but equivalent assessment modes, ensuring at all times that academic standards are not compromised and that students will graduate with the requisite skills and competencies.

Any modification of course requirements or assessment methods will be discussed and agreed on by the Dean of the Faculty (or nominee), the Head of the Disability Service and the student. If, after due consideration, the view is that a certain discipline or course teaching methods and specific teaching environments pose insurmountable obstacles relating to a student's level of impairment, and a genuine attempt has been made by all role players to seek solutions, the Head of the Disability Service in consultation with the Dean of the faculty may advise the student to register for a course with fewer access impediments. Should a student still feel that his/her rights have been violated, he/she would follow the procedure as set out in Section 12 of this policy.

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The University undertakes to encourage and support wherever possible:

- Universal Design Principles in new course offerings; and
- Educating academic staff with regard to the range of reasonable accommodations, and alternative assessment modes.

### 8. EMPLOYMENT EQUITY AND EMPLOYEE SUPPORT

The University must include disability in its employment equity plan and targets. It must put in place measures to facilitate the recruitment, retention and career advancement of people with disabilities, including such reasonable accommodations as will optimize their ability to meet the requirements of their job.

### 9. COMMUNICATION

The University will undertake to ensure access to information and communication services to staff, students and visitors with disabilities, including where appropriate, tactile signage; high contrast signage on noticeboards; circulars, library databases, learning materials, and electronic media. It will strive to maximise, through appropriate dissemination of information, opportunities for staff and students with disabilities to participate in all University wide consultation and debate and in grievance mechanisms and decision making processes.

### 10. RESEARCH, TEACHING AND LEARNING

The University recognises the value of research and teaching in disability-related fields and acknowledges the growing stature of Disability Studies as a relevant academic discipline along with other social justice disciplines.

The University acknowledges the need to include where appropriate perspectives on disability in relevant undergraduate and graduate programs e.g. Social Development Studies, aspects of Engineering and the Built Environment, Urban Planning, Transport Studies, Film and Media, Sociology, Psychology and the MBChB program to name a few.

### 11. EXTENSION SERVICES/SOCIAL RESPONSIVENESS

The University recognises its obligation to the broader community including disabled people not currently working or studying at the institution. It recognises too that it is in a position to play a leadership role to support and encourage initiatives that will contribute to the improvement of the quality of their lives in all spheres. Through, inter alia the Disability Service and disability advocates in the broader University community, it will work to establish linkages:

- with professionals in other higher education institutions who work in the area of disability and with organisations for and of disabled people;
- with schools catering for disabled learners;
- with schools involved in inclusive education and mainstreaming of disabled learners, and with Government with specific reference to education.

## **PROCEDURE FOR CHANNELLING AND MONITORING COMPLAINTS OF DISCRIMINATION ON GROUNDS OF DISABILITY**

Complaints should be lodged with the Discrimination and Harassment Office. The Office will institute the standard procedure for investigating complaints of equivalent forms of discrimination as for instance on the grounds of race, gender or sexual orientation. The Relevant Office (RO) will seek advice from the Disability Service (DS), except in cases where

- (a) the DS itself is the subject of the grievance, in which case the RO will consult an independent recognised authority on disability discrimination; or
- (b) the DS has agreed to represent the individual bringing the complaint.

### **12. PERFORMANCE MANAGEMENT AND APPRAISAL**

Where it is necessary, a new staff member who has a disability will have a conversation with his or her line manager, the manager of the Disability Service or his/her nominee, and an HR representative to: determine the nature of the accommodations he/she will need; identify areas of the job which may pose challenges; and agree on a way to address these. This may entail the purchase of technology or equipment; adjustments to the physical workspace, or minor adjustments to job descriptions.

### **13. ADVOCACY, AWARENESS AND EDUCATION**

The University undertakes:

To support, and make resources available for, initiatives to raise awareness throughout its community of staff and students in order to foster respect for the rights and dignity of people with disabilities;

To promote positive perceptions and greater social awareness; and

To promote recognition of the skills and abilities of people with disabilities.

#### **Disability Unit**

**Tel: (021)650-5088**

#### **Manager: Disability Service (Vacant)**

**Tel: (021)650-5090**

**Fax: (021)650-3974**

## **Guidelines for Campus Protection Service for dealing with people who are drunk or under the influence of drugs**

The following guidelines are for the assistance of CPS staff:

1. A person in authority at a particular function may ask CPS to remove a person because he or she is in danger to himself or herself or others. A CPS officer who considers that a person is a danger to other may act without a request to do so.
2. The Campus Protection Service will attempt to reason with the person and try to persuade him or her to leave peacefully. At this stage, the assistance of friends and organizers is welcome.
3. The person will be warned that if he or she fails to leave peacefully force may be used.
4. The person will, if required, be removed from the area as rapidly as possible, with minimum force applicable, to the situation at all times.
5. If necessary, the person will be handcuffed and searched for weapons.

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6. The person will be removed to a place of safety where a decision can be made regarding his or her immediate future.
7. Details of what transpired must be recorded, including any injuries sustained by the person and the Campus Protection Services persons involved. It may be necessary to have the persons medically examined.
8. A pepper spray may be used only when all other means fail.

### **Health and Safety Environment Policy Statement**

- The University of Cape Town is dedicated to maintain a safe and healthy environment for all its staff, student, visitors and contractors on all its campuses by putting measures in place to mitigate all the identified risks in the teaching and research environment.
- The University of Cape Town subscribes to a safety, health and environment management standard based on the OHSAS18001 Occupational Health and Safety standard. The University of Cape Town will, as is reasonably practical, strive to comply with all the requirements of the Occupational Health and Safety Act No 85 of 1993 and any other safety, health and environmental legislation that is applicable to its environment.
- The established safety, health and environment structures at the University of Cape Town are committed to promoting and communicating the best safety, health and environment practices to all its staff and students, contractors and interested parties. It also commits to implement the safety, health and environment practices in all its teaching and research environments. It will identify, eliminate or control any unsafe act or condition by making everybody aware of their individual responsibility in practicing safety, health and environment principles to minimise risks.
- The management of the University of Cape Town commits itself to measure its safety, health and environment practices annually against set objectives and to rectify and control any deviations identified in a set period and will continually strive for improvement.

#### **Objectives**

- Keep the University of Cape Town community informed of all legislation affecting the University environment.
- Assess the identified risks on a regular basis.
- Formulate policies and procedures for the management of identified risks.
- Put documented control procedures in place to facilitate auditing processes.
- Minimize the risk of injury or illness to all staff and students by making sure that they receive appropriate training and that they supplied with the necessary resources.
- Make sure that emergency measures and procedures are in place for all buildings to manage any potential emergency situation.
- Empower the managers of contractors to eliminate the risks that are brought onto the university campuses by their employees.
- Make sure that safety, health and environment legislation aspects are taken into consideration in any new research or building projects.

## First Aid Policy

### 1. Purpose

To ensure that a minimum of 5% of employees are trained in First Aid annually, and that an adequate number of effective and trained First Aiders are available to assist in emergency situations.

### 2. Scope

This standard applies to all University of Cape Town buildings and staff and students working in training hospitals.

### 3. References

Occupational Health and Safety Act 85/1993 Basic  
Conditions of Employment Section 13.9 COID Act.  
UCT Needle stick policy HIV/Aids.

### 4. Definitions

#### 4.1. First Aider

Possession of a current certificate of competency in first aid issued by S.A. Red Cross Society, St Johns Ambulance, SA First Aid league or a person/organization approved by the Chief Inspector, Dept of Labour.

### 5. Requirements

#### 5.1 Responsibilities

5.1.1. It is the responsibility of the Safety, Health and Environment to arrange and co-ordinate First Aid and refresher training in liaison with the Health and Safety Manager.

5.1.2. It is the responsibility of the Department Heads to ensure that employees are trained in terms of the legal requirements i.e. 5% trained per annum.

5.1.3. The Department Heads are responsible for the replenishing of all the First Aid kits.

#### 5.2 Implementation

5.2.1. In liaison with the First Aid Training Co-ordinator, a training needs analysis will be done and scheduled training will be worked out as per requirements. Only department of Labour approved organizations shall be utilized for training or those specified in the legislation.

5.2.2. All security and emergency/fire team members shall be in possession of a valid First Aid certificate.

5.2.3. A minimum of 5% of employees will be trained or retrained in First Aid every year.

5.2.4. The First Aider Co-ordinator in the building will conduct quarterly audits to make sure that all first aid boxes comply with legislated requirements. A copy of this audit will be forwarded to the First Aid and Fire Prevention's Officer.

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### 5.3 First Aider

- 5.3.1. The names of the First Aiders for a specific area will be clearly indicated at the first aid box.
- 5.3.2. Trained First Aiders are to be available on each shift from security and traffic.

### 5.4 Demarcation

The location of First Aid boxes should be clearly indicated by symbolic signs and it should be accessible at all times.

### 5.5 Incentives

- 5.5.1. The First Aiders will receive a First Aid certificate that is valid for three years, a copy must be kept on file by the Health and Safety Department.

### 5.6 Minimum requirements for a First Aid Kit

As per General Safety Regulations:

- Item 1: Wound cleaner/antiseptic (100ml)
- Item 2: Swabs for cleaning wounds
- Item 3: Cotton wool for padding
- Item 4: Sterile gauze (minimum quantity 10)
- Item 5: 1 Pair of forceps (for splinters)
- Item 6: 1 Pair of scissors (minimum of 100mm)
- Item 7: 1 Set of safety pins
- Item 8: 4 Triangular bandages
- Item 9: 4 Roller bandages (75mm x 5m)
- Item 10: 4 Roller bandages (100mm x 5m)
- Item 11: 1 Roll of elastic adhesive (25mm x 3m)
- Item 12: 1 Non-allergic adhesive dressing strip (25 x 3m)
- Item 13: 1 Packet of adhesive dressing strip (minimum quantities, 10 assorted sizes)
- Item 14: 4 First aid dressings (75m x 100mm)
- Item 15: 4 First aid dressings (150mm x 200mm)
- Item 16: 2 Straight splints
- Item 17: 2 pairs of large and 2 pairs of medium disposable gloves
- Item 18: 2 CPR mouthpiece or similar devices
- Item 19: 1 Plastic Bag

**In offices, the quantities stated under items 1, 8, 9, 10, 14, 15, 17 and 18 may be reduced by half. In larger areas the quantity will increase. Areas such as laboratories will require additional items to the above list. The University's First Aid Officer should clear any additional items.**

#### **Universal Blood precautions:**

#### **IMPORTANT:**

1. Handle all persons as if they are HIV positive.
2. Adequate precautions must be taken to avoid direct contact with blood or body fluids from any person.



**PROCEDURE:**

1. Wear gloves in the following situations:  
When touching blood and body fluids, mucous membranes or person with broken skin.  
When handling items or surfaces soiled with blood or body fluids.
2. Change gloves after contact with each person.
3. Wash your hands and other skin surfaces immediately and thoroughly if they become contaminated with blood or body fluids, wash with soap and water.
4. Wash your hands immediately after using gloves.
5. Place all blood and body fluid specimens in sturdy, leak proof containers with a secure lid. Avoid contaminating the outside of the container – if contaminated clean with bleach.
6. Blood spills:  
Wear disposable gloves.  
Wipe the area using paper towel and remove as much blood as possible. Discard the paper towel into a plastic bag. Wipe the area with bleach solution if available.

**EMERGENCIES ON CAMPUS****Types of Emergencies at UCT:**

- (i) Fire
- (ii) Medical
- (iii) Chemical Spill
- (iv) Radiation Spill
- (v) Floods
- (vi) Power Failure
- (vii) Unrest
- (viii) Bomb threats
- (ix) Persons trapped in a lift

**All emergencies must be directed to Campus Protection Services (021)650-2222/3 with the following information:**

- (1) Type of emergency
- (2) Number of persons involved
- (3) Type of assistance required e.g. ambulance
- (4) Type of hazards (threat to life or property)
- (5) Exact location of incident

**Campus Protection Services (021)650-2222/3 will:**

- (1) Send officers to assist
- (2) Call emergency services
- (3) Assist in managing the emergency
- (4) Assist with the First Aid requirement
- (5) Assist with Fire Fighting if required
- (6) Direct emergency services to the location of the emergency
- (7) Inform senior Risk Management staff
- (8) Assist in whatever capacity required by the emergency controller of the building

**Contact the Health and Safety Department – [ohs@uct.ac.za](mailto:ohs@uct.ac.za) – for a copy of the University of Cape Town's emergency plan.**

## **HIV Infection and AIDS**

Acquired Immunodeficiency Syndrome (AIDS) is a disease caused by infection with the Human Immunodeficiency Virus (HIV). HIV is spread only when an adequate amount of infected body fluid enters the bloodstream of a non-infected person.

The dominant modes of transmission of the HIV are unprotected penetrative or oral sexual intercourse where the exchange of bodily fluids takes place, through the accidental or deliberate shared use of HIV-contaminated needles or skin cutting instruments (in and out of health care settings), from infected mothers to unborn infants, and through transfusion of infected blood or blood products.

### **Leadership and coordination:**

The Vice-Chancellor is accountable for the University's coordinated HIV/AIDS policy. Responsibility for the overall co-ordination of UCT's integrated policy for HIV/AIDS is the portfolio responsibility of a designated Deputy Vice-Chancellor.

All members of the University community are responsible for their own health, for avoiding harming the health of others where at all possible, and for contributing to the eradication of HIV/AIDS.

### **Rights of the individual:**

The University rejects all forms of unfair discrimination against those who are HIV positive, and those who have AIDS.

The University regards a person with AIDS as it does a person with any other chronic illness or disability.

### **Confidentiality:**

The University respects the individual's right to confidentiality.

Potential staff and students are not refused employment or entry to the University on the grounds that they test positive for HIV. The University does not therefore test for HIV prior to employment, during employment, as a condition of employment, on application as a student, or on admission as a student.

The University's medical evaluation of new staff requires the medical practitioner carrying out the evaluation to report all serious illnesses, including those that are AIDS-related.

The results of voluntary testing for HIV will be confidential, and testing will be accompanied by appropriate counselling.

### **Awareness:**

Most people are potentially susceptible to HIV infection, and prevention through education is attainable in many cases. The University therefore commits itself to education programmes that address HIV/AIDS and the issues associated with the academic.

### **Living with HIV/AIDS:**

Students and staff are not barred from attending lectures, living in residences, being on campus or involved in any campus activities on account of their HIV status.

Refusal to work with, study with or be taught by a person with HIV is not accepted as a valid excuse for non-compliance with academic or work requirement.

**First Aid:**

The University believes that all individuals likely to be involved in administering first aid should adopt universal precautions. The University undertakes to educate all first aid officials in universal precaution techniques and to equip all first-aid kits with the appropriate equipment.

**Teaching, Learning and Research:****Curriculum Development**

The University has a responsibility to combat HIV/AIDS through its curriculum, enhancing awareness and preparing students for careers that will be affected by a variety of ways by the epidemic. Accordingly, aspects of academic programmes that focus on the causes and consequences of the HIV/AIDS pandemic will be highlighted across the full breadth of UCT's teaching enterprise.

**Research**

HIV/AIDS is a major focus of research at UCT and the Department of Research Development will conduct an audit of current HIV/AIDS related research projects across all disciplines on a regular basis.

**Needle stick policy**

The University has a separate needle stick policy. This policy can be viewed at:

<http://www.uct.ac.za/downloads/uct.ac.za/about/policies/needlestick.pdf>

This policy is to be reviewed on an annual basis by the Health and Safety Co-ordinating Committee.

**Prevention and Care:****Prevention and care for students**

The University will provide, via the HIV/AIDS Unit, awareness, prevention and support workshops.

These will be available for all UCT students.

The University will offer HIV diagnostic services to students, with free voluntary counselling and testing available at the Student Wellness Services. CD4 cell count, VDRL tests and other necessary investigations will be offered for full time UCT students who are HIV positive, at the discretion of the Director of Student Health. These students will also be financially assisted with the non-ARV related clinical management of HIV at the discretion of the Director of Student Health.

Students who are clinically eligible for appropriate state health programmes will be referred to Groote Schuur hospital.

Support counselling for students living with HIV will be offered through the Student Development and Services Department.

**Prevention and care for staff**

Statutory medical assessment protocol will be applied for designated jobs as legally required. Line Managers must ensure that in the event of staff that are immune compromised being exposed to immune suppressants and/or infectious materials (e.g. agents which inhibit the immune system), normal risk management and placement procedures are followed.

Line managers are required to ensure that all visitors and outside contractors at UCT comply with the UCT Health and Safety policies and procedures, including the first aid policy.

All staff will be offered education and prevention programmes by the Human Resources Organizational Health Department, and every effort will be made to ensure that all staff is made aware of the dangers of HIV/AIDS, and appropriate preventative measures.

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Staff who are HIV positive, or who have AIDS will be offered care and support by the Human Resources Organizational Health Department. This support will include access to counselling support services and referral for treatment for staff. Permanent, T3 and T2 staff will be referred to UCT's Medical aid provider or the staff member's partner's medical aid for treatment as a prescribed minimum benefit. T1 and contract staff not on medical aid will be referred to state health services.

As it does in all cases of chronic illness where work is adversely affected and an objective medical assessment has been carried out, the University makes every reasonable effort to provide alternative, non-strenuous work, so as to maximise the earning capacity of the staff member concerned. If a staff member with AIDS is no longer able to work, and/or no suitable position can be found, the appropriate ill-health/disability income policies will be applied.

### **UCT Benefit Scheme for Students**

The University operates a scheme, which aims to supplement students' private medical aid or insurance schemes in the event of UCT-related accidental injury. The scheme also provides funeral benefits.

The maximum benefits are:

- Funeral Expenses: R10 000;
- Medical Expenses: R8000 or R25 000 where the student is involved in an official field trip for academic purposes. In both instances the first R100 of any claim is borne by the claimant;
- Physiotherapy at the UCT Sports Injuries Clinic: R700 per incident.

The scheme is effective from 48 hours prior to the start of term and expires 48 hours after the close of term. The scheme includes any sporting, cultural or academic activity under the auspices of the University outside this period. For example: The scheme covers a student who is required to participate in a sports tour, (provided the student is a member of a specific club), attend a conference or undertake academic work during the vacation in connection with his or her academic course, such as fieldwork or an engineering workshop practice.

Winter sports, mountaineering with the use of ropes, hang-gliding and motor-cycling are included (but excluding racing) provided the student is a member of the specific UCT club.

#### **Please note:**

- This is not a medical aid scheme or an insurance policy, but is designed as a contingency measure against unanticipated medical expenses arising out of personal injury resulting from UCT-related accidental injury. There is an added benefit for funeral expense.
- Students are expected to have adequate private medical aid or insurance cover, and this scheme should NOT be used instead of a medical savings account, nor where an individual has elected to not cover day to day medical costs.
- The Scheme is not adequate, on its own, in many cases. Students are expected to seek advice at the UCT Sports Injuries Clinic or the UCT Student Wellness Service in order to contain costs as much as possible.
- Students are liable for all expenses incurred even though the University administers the process whereby students are able to claim for those medical expenses which fall within the rules of the scheme. They may face prosecution by medical practitioners e.g. hospitals, doctors if they fail to pay for all expenses incurred.
- The University provides no cover for personal possessions, including motor vehicles, even when a student may be involved in compulsory academic activity.

- Students in residence should provide their own insurance of all personal possessions. The University does not accept liability for any personal items that may be stolen or damaged.
- Enquiries/claims: Medical Administrator, UCT Student Wellness Service, Rhodes Avenue, Mowbray, 7700. Tel.: (021)650-1020/1019.

#### **Exclusions from the scheme:**

The following exclusions apply:

Events consequent upon:

- war, invasions, act of foreign enemy;
- engaging in active military service;
- suicide or needles exposure to danger (except in an attempt to save human life);
- air travel other than as a passenger;
- underground mining, tunnelling or related activities;
- contributed to or caused by an pre-existing physical defect or infirmity;
- as a result of the influence of alcohol, drugs or narcotics upon the student (unless administered by a member of the medical profession);
- criminal acts;
- whilst on any maritime rig, platform or similar structure unless on University business;
- infection with HIV or AIDS or ARC or any related condition;
- pregnancy or childbirth;
- racing of any kind (other than on foot or under sail), professional sports, parachuting, sky-diving, mountaineering necessitating the use of ropes or guides and/or hang-gliding unless the insured student belongs to a specific club;
- physiotherapy costs unless following an accident and prescribed by a qualified medical practitioner.

#### **Additional rules:**

1. Notification of injury and intention to claim must be submitted within seven days of the injury being sustained, i.e. a Scheme Claim Form is to be correctly completed at either the UCT Sports Injuries Clinic (UCT Sports Centre) or the UCT Wellness Service (Rhodes Avenue, Mowbray, 7700). Should this be impossible, the Medical Administrator must be informed by phone: (021)650-1020/1019.
2. Receipted invoices must be submitted to the Medical Administrator, Student Wellness Services, 28 Rhodes Avenue, Mowbray, 7700.
3. Claims must be lodged within one month of injury date, unless the attending doctor certifies that continuing treatment is necessary and is a result of the original accident.
4. Only sporting activities which fall under the auspices of the University are covered by the scheme.
5. A student, playing for a non-University club, a provincial or national team is not covered. SATISU representative teams function under the auspices of South African universities and UCT participants are, therefore covered.

### **Internet and Email use**

1. **The laws on employment relationship and on electronic communications and the doctrine of vicarious liability entail risk for the University in that we allow our members (i.e. our staff and our students) access to the internet.**

The policy and rules that follow are intended:

- to manage this risk; and
- to guide members of the University, and others who have access to it, as to what is acceptable.

2. **We proceed from the following accepted points of departure:**

- (a) This policy and these rules recognize the constitutional right to privacy;
- (b) All staff, in particular academic and research staff, may, and should, use their UCT address and UCT designation when publishing the results of their research and scholarly work in scholarly and in popular media, and when doing so neither need, nor are presumed to have, institutional endorsement for their views, arguments and results.
- (c) Nobody may use a UCT facility (this includes email accounts, office phones, cellphones, or fax lines) for private work for which prior permission has not been obtained, and, unless payment is made for the facility. Nobody may use a UCT facility for excessive private or personal purposes. Use for personal or private work purposes is a privilege not a right and it follows that it may be withdrawn.
- (d) Officers (e.g. the Vice-Chancellor, DVCs, Registrar, Deans and Executive Directors) of the University have to have regard to the extent to whether, and if yes, which public communications could/can be divorced from their offices; i.e. the extent to which such officers can enter the public domain in their personal, as opposed to office-related, capacities.
- (e) Nobody may use:
  - any UCT letterhead;
  - or any UCT designation (including a UCT designation in an electronic signature) for private communication or for private work (even if approved private work).

3. **Policy and rules: privacy and access to electronic records:**

UCT reserves the right to interrogate electronic records held by UCT, but this right will not be exercised without the written permission of the Vice-Chancellor following due process involving consultation by the Vice-Chancellor, or the Vice-Chancellor's nominee, with at least two of the six non-decanal non-executive professors (i.e. the six professors who have held professional rank for the longest not including executive officers or deans) for good cause shown, or without a court order or summons, or in compliance with a request for a copy of a record made under the Promotion of Access to Information Act.

4. **General policy and rules on internet and email use:**

The following policies and rules on internet and email use do not in any way derogate from the imperative that staff and students play their part in ensuring that they do not do anything, or cause anything to be done that would jeopardize the integrity of the University's systems, and their use to support the University's work:

- (a) the computer equipment and resources provided by the University to its staff, student and associates remain University property at all times, including equipment acquired by the University from research funding and research contract funding;
- (b) private use of such equipment or resources is permitted to the extent that:
  - it is not excessive;
  - it is not for personal gain unless prior written permission has been obtained, and unless payment is made for the use;
  - if by a staff member it does not interfere with the performance of his or her duties as a staff member;
  - it does not expose the University to any legal liability; and
  - it does not impair the rights of other members of the University community.
- (c) the University retains the right to monitor traffic on all data lines owned or leased by the University;
- (d) the University reserves the right to restrict or otherwise control the use of any of the internet protocols (This right to restrict may include the right to set a limit on individual usage by volume for undergraduate students, postgraduate students and staff);

- (e) any act of publication by means of any internet protocol expressing a personal opinion must where relevant reflect this fact;
- (f) the following practices are prohibited:
  - (i) viewing, storing, downloading or forwarding images, moving images, sound files, texts or recordings that are sexually explicit or sexually suggestive, racist, harassing, intimidating or defamatory, except where this is both legal and there is demonstrable academic need to access or distribute such content;
  - (ii) hacking in any form, including gaining or attempting to gain access to restricted resources either inside or outside of the University's computer network;
  - (iii) impersonating another user or another person;
  - (iv) damaging or deleting files of another user;
  - (v) obtaining without authorization the access codes and/or passwords of another user;
  - (vi) software piracy, or other infringement of intellectual property rights in digital content;
  - (vii) the sending, whether in the internal mail system or externally, of bulk unsolicited mail, commercial advertising of other businesses, mail-flooding, or excessive cross postings on newsgroups (called spam);
  - (viii) the use of any computer resource to promote any business or enterprise, except that of the University, unless such use is permitted by an agreement between the employee and the University;
  - (ix) issuing of unsolicited email to indicate or gain support for any religious or political purposes;
  - (x) connecting a modem to the University telephone network without authorization from the Executive Director: ICTS or his or her nominee;
  - (xi) use of a PC connected to the University network without running virus detection software.
  - (xii) Unauthorised processing of another person's information, including but not limited to email addresses.
- 5. Staff and students alike have a duty not to load the University's internet connection in private traffic unnecessarily.
- 6. Violations of this policy will be handled in accordance with procedures established for staff or student discipline.

## Language

The University of Cape Town views language as a resource and recognises the personal, social and educational value of multilingualism, as well as the importance of promoting scholarship in all official South African languages.

The language policy of the University takes as its starting point the need to prepare students to participate fully in a multilingual society, where multilingual proficiency and awareness are essential.

The Language Policy has several objectives.

The first objective is the development of multilingual awareness on the one hand, and multilingual proficiency on the other.

The second objective is to contribute to the national goals of developing all South African languages so that they may in the medium to long term be able to be used in instruction, and of promoting scholarship in all our languages.

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While – given the location of the University in the Western Cape – English, isiXhosa and Afrikaans are all recognised by UCT as official languages, English is the primary medium of instruction and administration. However, although English is an international language, it is not the primary language for many of our students and staff. The third objective is, therefore, to ensure that our students acquire effective literacy in English, by which we understand the ability to communicate through the spoken and written word in a variety of contexts: academic, social and professional.

### **Teaching and Examinations**

English is both the primary medium of teaching and of examination except in language and literature departments where another language is taught and may be used. This applies at all levels, and to dissertations and theses for higher degrees.

All academic programme convenors and teachers are expected to explore and implement ways in which the objective of the promotion of multilingual awareness and proficiency can be achieved; and to contribute towards realising the national goals of developing all South African languages and their use, and to promoting scholarship in all our languages.

### **Administration:**

English is the primary language of internal governance and of administration. All English communication must be clear, concise and gender-sensitive. Where practical, communication will include at least the three official languages of the university: English, Afrikaans and isiXhosa.

The university management and all administrative heads of departments are expected to explore and implement ways in which the aims of multilingual awareness and proficiency can be achieved; and to promote the use of the three official languages in their internal and external communication, wherever practicable.

### **The UCT Language Plan**

The University's Language Plan proposes strategies, guidelines and structures for implementation in relation to teaching African languages to staff and students, promoting scholarship in all South African languages, and facilitating proficiency in English and promoting multilingualism in the environment.

### **The Language Policy Sub-Committee**

The Language Policy Sub-Committee is a Sub-Committee of the Senate Teaching & Learning Committee. Its purpose is to optimise all aspects of language development related to multilingualism at UCT, to consider annual and medium to longer term plans and policies in this area for approval by Senate (via the Teaching and Learning Committee), and to promote informed decisions about the shape, form and focus of programmes and activities designed to promote and achieve a multilingual environment at UCT. It is responsible for developing and monitoring overall policy on multilingualism for the University in the form of an institutional, Senate-approved Language Plan.



## Racism and racial harassment

### 1. Preamble

The University of Cape Town is committed to:

- The elimination of racism at every level of institutional governance;
- Engendering, through its policies, procedures, practices and structures, an anti-racist and rights-based culture, which includes respect for human dignity and diversity;
- Implementing measures to redress the disadvantages experienced by designated groups, in order to ensure their equitable representation and treatment in all spheres of university life.
- Ensuring that complainants do not feel that their grievances are ignored or trivialised, and that they will not suffer any retaliation or victimisation.
- Pursuing these commitments in ways that value all members of staff, students and the broader community who we serve and with whom we collaborate.

The University prohibits all forms of racism and racial harassment, and will act against both through staff and student procedures outlined in this policy and other disciplinary procedures.

### 2. The scope of the policy

All **employees, students** and **third parties** are subject to this policy and must comply with it.

Subject to the exhaustion of available internal remedies, all parties retain their rights relating to or arising from a complaint in a court of law.

### 3. Interpretation and definitions

In this policy, unless the context indicates otherwise, the following terms shall bear the meaning stated:

- **ADA** means Anti-discrimination Advisor.
- **Advisory Panel** means the panel appointed in terms of clause 9 of this policy.
- **Complainant** refers to the person alleging that conduct constituting **racism** or **racial harassment** has occurred. This person may or may not be the person directly affected by **racism** or **racial harassment** and is not necessarily a student or employee of the University.
- **Complaint** means a complaint brought in terms of this policy concerning allegations of **racism** or **racial harassment**.
- **Employee** means an employee of the University.
- **Director** means the Director of DISCHO.
- **DISCHO** means the Discrimination and Harassment Office at the University of Cape Town.
- **HOD and managers** refer to employees with line function responsibilities.
- **Mediation Policy** means the policy of the University dealing with the availability of mediation services.
- **Racism** means the advocacy or expression in any manner of the belief or attitude that any person by virtue of his or her skin colour or ethnicity is to be treated as inferior or superior to others.
- **Racist** means that which is characterised by **racism**.
- **Racial harassment** means conduct or expression which is **racist** in nature and which is calculated to demean, humiliate, distress, or create a hostile or intimidating environment.
- **'Respondent'** refers to the person against whom the complaint has been made.
- **'Student'** means a registered student of the University.
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- ‘**Third Party**’ refers to an individual or company who is neither a student nor an employee of the University but with whom the University has concluded a contractual arrangement in terms of which the binding nature of this Policy is accepted.
- ‘**University**’ means the University of Cape Town.
- ‘**University community**’ refers to staff, students, and Council members.

### 4. **The role of managers and staff with supervisory and line-management responsibilities**

University employees with supervisory managerial responsibilities must take all reasonable steps to create and maintain a working and learning environment free from racial harassment, discrimination and prejudice. In their respective areas of responsibility, managers are required to:

- 4.1 familiarise themselves with the terms of this policy;
- 4.2 attend training and educational sessions on this policy offered by the University;
- 4.3 act by example with respect to behaving in inclusive, affirming and enabling ways and refraining from committing acts of racial harassment;
- 4.4 take appropriate action in accordance with this policy when instances of racial harassment, prejudice and discrimination occur;
- 4.5 ensure that complaints of racial harassment remain confidential outside of appropriate channels of communication;
- 4.6 take measures, when appropriate, and in consultation with DISCHO, to prevent racism and racial harassment, from recurring by, for instance, altering workplace or student arrangements, whilst at the same time observing the rights of such employees and students;
- 4.7 report on issues arising from the above requirements when requested to do so by DISCHO and/or a more senior manager.

### 5. **Required conduct of the University employees and students**

In terms of the University’s Disciplinary Procedure a staff member is required to maintain good conduct, including not contravening this policy. In terms of this policy it is misconduct for any staff member to engage in racism or racial harassment. In terms of student disciplinary Rules RCS7.6, RCS7.7 and RCS9.12 racism and racial harassment is similarly prohibited.

### 6. **Dissemination**

6.1 The University, in meeting its legal requirements in terms of the Employment Equity Act 55 of 1998 to disseminate this policy effectively, must take all reasonable steps to communicate and create a continuing awareness of its contents to all employees and students. In order to achieve this, the University must allocate a website to this policy and related issues.

6.2 DISCHO shall have the following responsibilities:

- 6.2.1 To ensure that this policy and the seriousness of racism and racial harassment are effectively communicated throughout the University;
- 6.2.2 To ensure that those responsible for communicating information on the policy do so in an accurate and consistent manner;
- 6.2.3 To ensure that contact details of ADAs are easily accessible and disseminated to all sections of the University community;
- 6.2.4 To raise awareness about this policy through continuing education and training;

To monitor the implementation of this policy;

6.2.5 To ensure, facilitate and manage the effective functioning of investigations, informal and formal procedures;

6.2.5 To submit annual reports to the Institutional Forum, Council, Senate, the Vice-Chancellor and the relevant Deputy Vice-Chancellor on the implementation of this policy and cases of racism and racial harassment administered.

## **7. Anti-Discrimination Advisors**

- 7.1 DISCHO must appoint and train Anti-Discrimination Advisors (ADAs), drawn from academic and administrative employees and must take reasonable steps to ensure their availability.
- 7.2 The general task of the ADA is to provide support and advice for the complainant and respondent. The ADA is not tasked with psychological counselling but may inform the complainant about the availability of such devices.
- 7.3 ADAs must be formally contracted by DISCHO, and must reflect the University's diversity. An annual honorarium will be paid to all ADAs.
- 7.4 While the complainant will be entitled to ask, on reasonable grounds related to bias or the reasonable perception of bias only, that another ADA be assigned to the matter, every effort should be made to ensure that the same ADA deals with the matter throughout.
- 7.5 An ADA shall have the following responsibilities:
  - 7.5.1 To receive complaints of racism or racial harassment assigned by DISCHO;
  - 7.5.2 To support, consult and liaise with complainants, respondents, and/or those initiating complaints of racism or racial harassment throughout the process, in consultation with the Director or designated officer of DISCHO;
  - 7.5.3 To provide reports and records to DISCHO on all referred cases;
  - 7.5.4 To provide relevant information and represent the complainant (or respondent, if requested) at the Advisory Panel; established in terms of clause 9);
  - 7.5.5 In the event of the matter having been referred to the Advisory Panel by the Director, to provide feedback and advice from the Advisory Panel to the complainant within 10 working days of the complaint having been lodged with DISCHO;
  - 7.5.6 In the event of the matter not having been referred by the Director to the Advisory Panel, the ADA must provide the complainant with advice with respect to his/her options, including the pursuit of either the formal or informal route. This must be done within five working days of the complaint having been lodged with DISCHO;
  - 7.5.7 To advise, support and accompany the complainant at any formal disciplinary hearing;
  - 7.5.8 In consultation with DISCHO, liaise with the complainant, defendant and witnesses in relation to disciplinary hearings or the informal procedure, where necessary;
  - 7.5.9 To support the educational work of DISCHO where practical and reasonable.

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- 7.6 The Director of DISCHO, or a person delegated by the Director, must:
  - 7.6.1 provide general support and guidance to the ADAs;
  - 7.6.2 monitor cases;
  - 7.6.3 ensure that the ADAs are appropriately trained.

### Procedures

- 7.7 Complaints of racial harassment and/or discrimination must immediately be brought to the attention of DISCHO as soon as is reasonably possible in the circumstances.
- 7.8 A complainant (or person acting on behalf of the complainant) must report only instances where there is a bona fide belief that an act of racism or racial harassment has occurred.
- 7.9 Anonymous complaints will not be accepted.
- 7.10 The rights of both complainants and respondents must be protected.
- 7.11 DISCHO must follow the procedures indicated by this policy in a fair manner.
- 7.12 Complaints may be reported to DISCHO by the complainant, or by any other person aware of such racism or racial harassment acting at the request of the complainant.
- 7.13 Any complainant must be recorded in writing by DISCHO, and as soon as possible assigned to an ADA.
- 7.14 In instances where the complaint is brought to the attention of a supervisor or manager, that person must refer the complaint to DISCHO immediately.
- 7.15 When a complaint of racism or racial harassment has been brought to the attention of DISCHO, the Director must take all reasonable steps to ensure that such a complaint is dealt with expeditiously and appropriately.
- 7.16 The steps to be taken by DISCHO on receipt of a complaint must include, but are not limited to DISCHO (and/or the ADA assigned to assist) advising the complainant:
  - 7.16.1 of the formal and informal procedures, and that he/she can choose either;
  - 7.16.2 that the University may, in certain circumstances, be obliged to follow the formal procedure, even if the complainant does not wish to pursue this route;
  - 7.16.3 that the ADA assisting him/her may not be called as a witness during any formal procedure;
  - 7.16.4 that she/he retains the right to withdraw from any stage of the process;
  - 7.16.5 that she/he is not bound by the outcome/recommendation of the informal procedure, and retains the right to make an appeal directly to the Vice-Chancellor or his/her nominee, within 14 days of the conclusion of that process;
  - 7.16.6 that the matter shall, as far as is possible, be dealt with confidentially;
  - 7.16.7 that late reporting shall not necessarily have negative consequences for the process of decision-making relating to the merits of the complaint;
  - 7.16.8 of the availability of psychological, medical, legal or trauma counselling (including during any disciplinary enquiry that may be instituted) as well as how to access independent counselling services; and
  - 7.16.9 of his/her right to obtain his or her own legal advice outside of the University, should he or she wish to do so.
- 7.17 While the aim of this policy is to assist a complainant, a respondent may at any stage approach an ADA for advice. If the ADA is the same person as assigned to the complainant, the respondent shall be referred to another ADA. The ADA shall advise the respondent that:
  - 7.17.1 the matter shall be dealt with confidentially;
  - 7.17.2 there are formal and informal procedures which could be followed;

- 7.17.3 the complainant may choose the procedure to be followed, except in certain limited circumstances, where the University may choose to follow a formal procedure even if the complainant does not wish to do so;
- 7.17.4 the ADA assisting him/her and the complainant may not be called as witnesses during any formal procedure;
- 7.17.5 the procedures indicated by this policy shall be followed in a fair manner.

## 8. Advisory Panel

- 8.1 The Director may be assisted by an Advisory Panel, whose function will be to:
  - 8.1.1 consider the provision of information and expert advice to enable the complainant to make an informal decision;
  - 8.1.2 provide information and support for a complainant;
  - 8.1.3 participate in a process that is enabling, supportive and educational for the staff and structure of DISCHO;
  - 8.1.4 assist in the formulation of a memorandum of complain based on the written statement of the complainant);
  - 8.1.5 advise and assist, in general, DISCHO in taking the necessary steps to eliminate racism and racial harassment.
- 8.2 The Advisory Panel may consist of the following persons:
  - 8.2.1 the ADA representing the complainant;
  - 8.2.2 an ADA, if so requested, to represent the respondent;
  - 8.2.3 a person (who could be a staff member or student, depending on the choice of the complainant) representing the Department of Student Affairs, if the complainant or respondent is a student;
  - 8.2.4 any other person chosen by the complainant, other than his or her legal representative;
  - 8.2.5 an appropriately trained person representing the Human Resources Department, if the complainant or respondent is a staff member;
  - 8.2.6 a person (not necessarily a staff member of the University) with expert knowledge in the field, as deemed desirable by the Director.
- 8.3 The purpose of the Advisory Panel will not be to make decisions on behalf of the complainant, or to give advice in manner that may be construed as being prescriptive to, binding on, or unduly influencing the complainant. The choice to proceed with a complaint in either the formal or informal route remains the prerogative and choice of the complainant.
- 8.4 The Advisory Panel will meet at the request of the Director.
- 8.5 If a complainant, after consultation with the ADA, does not wish to pursue the matter at all, and the complaint appears to be of a serious nature, the Director must refer the matter to the Advisory Panel.
- 8.6 The Director, in consultation with the Advisory Panel, shall consider all relevant information, including but not limited to the following:
  - 8.6.1 the risk of retaliation or victimization of other persons in the University;
  - 8.6.2 the risk to the reputation of the University;
  - 8.6.3 the severity of the case;
  - 8.6.4 the history of the respondent with regard to previous cases/complaints of racial discrimination and harassment.
- 8.7 If it appears that there is a significant risk of harm, retaliation, victimization, or institutional damage, the Advisory Panel may advise the University to follow a formal procedure, irrespective of the wishes of the complainant, who must then be advised accordingly.
- 8.8 In such an event DISCHO, assisted by the Advisory Panel, shall prepare a written report and recommendation to the Vice-Chancellor or his/her nominee. The statement shall include (but not be limited to) the following:

- 8.8.1 The complainant’s reasons for choosing not to pursue the matter, and not to be called as a witness in the matter;
- 8.8.2 Compelling reasons in support of the pursuit of a formal procedure;
- 8.8.3 The likelihood of conviction in the absence of the complainant as a witness.
- 8.9 This report and recommendation shall be forwarded to the Vice-Chancellor or his/her nominee, as soon as is possible. A copy of the statement shall also be given to the complainant. The matter shall thereafter proceed in terms of clause 11 of this policy.

**9. Informal Procedures**

- 9.1 A complainant may wish to pursue the informal process as preferred intervention to resolve a complaint, provided that all parties have expressed consent.
- 9.2 The availability and appropriateness of the informal process shall be clearly and comprehensively explained to the complainant by the appointed ADA before proceeding with this process.
- 9.3 Preparatory interviews may be held with the respondent and with any other person or persons that may provide information to assist any mediator appointed in terms of the Mediation Policy with the informal process. These interviews may be conducted in the absence of the complainant, but require his/her consent.
- 9.4 The structure, procedure and facilitation of any informal procedure will normally be in accordance with the Mediation Policy but will be agreed upon beforehand by the complainant, respondent, ADA and the Director or his/her nominee.
- 9.5 Informal interventions may include one or more of the following:
  - 9.5.1 With the consent of the complainant, an appropriate person assigned by DISCHO, may approach the respondent/s to explain the context and nature of the complaint with a view to obtaining an amicable resolution. The identity of the complainant may or may not be disclosed to the respondent, depending on the wishes of the complainant.
  - 9.5.2 Where the respondent acknowledges responsibility for his/her conduct, a process will be facilitated to allow an opportunity for him/her to offer an apology. The terms, conditions and acceptance of such an apology will be facilitated, determined and agreed upon in a manner that is appropriate to the circumstances.
  - 9.5.3 Where the terms, conditions and acceptance of such an apology are of a more complex nature, a discussion may be facilitated by DISCHO. In this instance, the matter may be presented to a panel of not more than three persons to consider suggestions and discussions, and to make a recommendation(s). This panel will not in any way be construed as a disciplinary hearing, nor will its recommendations be binding. The aim of this process is to achieve a resolution based on agreement. The choice of panellists will be at the discretion of the Director or his/her delegate.
  - 9.5.4 Mediation may take place in terms of the Mediation Policy.
- 9.6 The complainant shall retain her/his right to pursue the formal route. This right will remain intact and available throughout the informal procedure. The complainant’s choice to pursue the informal route shall not in any way diminish her/his original complaint.
- 9.7 The respondent shall have the right to refuse participation in the informal route, and no adverse inference shall be drawn from such refusal in any subsequent procedures.

- 9.8 A written report containing a brief summary and outcome of the informal procedure shall be kept by the DISCHO, and shall not be made available except to the Vice-Chancellor or his/her nominee upon his/her request, should this become necessary in his/her consideration of the need for further action.
- 9.9 Every endeavour must be made to conduct the informal procedure within 14 days of the complaint being referred to the ADA.
- 9.10 Confidentiality regarding the process, participants and report will be maintained throughout this process or any other process that may have ensued as a result of the informal process.
- 9.11 No part of the informal procedure, whether verbal or written, may be adduced as evidence in a subsequent hearing.
- 9.12 At the end of the informal process, DISCHO should ascertain whether the complainant requires any further advice, counselling or support.

## **10. Formal procedures**

- 10.1 A complainant may choose to follow the formal route with or without having first followed an informal procedure. The purpose of formal proceedings is to ensure that appropriate disciplinary action is taken against any violation of this policy.
- 10.2 If the complainant wishes to proceed with a formal procedure, he or she must clearly advise the ADA of this, and prepare and sign a written statement providing full particulars of the alleged racial harassment.
- 10.3 An Advisory Panel will be convened by DISCHO to discuss all relevant information. This Advisory Panel should provide advice and support for the complainant, and assist in the formulation of a memorandum of complaint based on the written statement of the complainant. The memorandum of complaint shall be forwarded to the Vice-Chancellor or his/her nominee, for information, and to the Director of DISCHO.
- 10.4 The University shall take reasonable steps possible to ensure that all complaints of racism or racial harassment are considered seriously and dealt with in a manner that is fair, urgent, expeditious and consistent.
- 10.5 A violation of this policy, either through commission or omission, and failure of supervisory or managerial employees to observe and implement its terms, shall be regarded as serious misconduct.
- 10.6 Any person found guilty of serious racism or racial harassment may be discharged from employment (in the case of a staff member) or expelled from the University (in the case of a student). In the case of a third party, the termination of a contract may ensue.
- 10.7 Where the formal procedure is to be followed in respect of students DISCHO will report the matter to the Vice-Chancellor's nominee in terms of Rule DJP1.1 and the matter will be dealt with in terms of the DJP rules. DISCHO will provide such assistance to the Vice-Chancellor's nominee and the case officer appointed to present the case to the Tribunal as they may require. The Senior Proctor must ensure that proctors are trained to handle racial harassment matters and will not assign a case to a proctor who has not been so trained.
- 10.8 Where the formal procedure is to be followed in respect of employees the existing negotiated or approved disciplinary procedures for staff must be used. Management representatives are expected to consult DISCHO before instituting and during disciplinary proceedings.
- 10.9 The disciplinary procedures agreed between the University and the contracting-in third party must be used by the contracting-in third party. DISCHO must offer such assistance to the management of the third party concerned as may be required.

**11. Additional measures to be applied where a respondent is found to have contravened this policy**

All reasonable options for redressing harm suffered as a result of racism or racial harassment must be considered by the person(s) presiding over the disciplinary hearing.

**Referencing conventions and declaration regarding plagiarism**

A guideline on plagiarism can be found at <https://www.uct.ac.za/about/policies/>

A guideline on collaboration can be found at:

[http://www.uct.ac.za/downloads/uct.ac.za/about/policies/Collusion\\_Guideline\\_EandAC.pdf](http://www.uct.ac.za/downloads/uct.ac.za/about/policies/Collusion_Guideline_EandAC.pdf)

Senate requires:

- Academics for each course they teach, to prescribe a referencing convention, or to allow a student to choose from a set of referencing conventions prescribed by them (and, by implication, to teach this key academic literacy skill to junior students) when setting assignments; and
- all students to make and include a declaration each time they submit written work for assessment.

The three standard declarations are as follows:

**(i) For individual work**

**Declaration:**

1. I know that plagiarism is wrong. Plagiarism is to use another's work and pretend that it is one's own.
2. I have used the ..... convention for citation and referencing. Each contribution to, and quotation in, this essay/report/project/ ..... from the work(s) of other people has been attributed, and has been cited and referenced. Any section taken from an internet source has been referenced to that source.
3. This essay/report/project/..... is my own work, and is in my own words (except where I have attributed it to others).
4. I have not allowed, and will not allow, anyone to copy my work with the intention of passing it off as his or her own work.
5. I acknowledge that copying someone else's assignment or essay, or part of it, is wrong, and declare that this is my own work.

**Signature** \_\_\_\_\_



**(ii) For group work resulting in a single authored essay/report/project**

**(Where each member of the group submits his/her own essay/project/report and a separate declaration)**

**Declaration:**

1. I know that plagiarism is wrong. Plagiarism is to use another’s work and pretend that it is one’s own.
2. I have used the .....convention for citation and referencing.
3. The text of this essay/project/report is my own work, using my own words (except where attributed to others).

This essay/project/report uses the work of the group (list names).

.....

I have not allowed, and will not allow, anyone to copy my work with the intention of passing it off as his or her own work. Each group member has undertaken to submit his/her own essay/project/report and acknowledge the work of other group members.

I acknowledge that by copying someone else’s assignment or essay, or a part of it, is wrong, and declare that this essay/report/project is **my own work**, and is based on the work of the group.

**Signature** \_\_\_\_\_

**(iii) For group work resulting in a multiple-authored essay/project**

**(One declaration signed by all authors to be submitted with the essay/assignment/project)**

**Declaration:**

We (names) ..... are the authors of this work, using our own words (except where attributed to others)

We know that plagiarism is to use another’s work and pretend that it is one’s own, and that this is wrong.

We have used ..... convention for citation and referencing. We have provided citations and references in all cases where we have quoted from the work of others, or used other’s ideas or reasoning in this essay/project/report.

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The writer of each of the sections of this essay/report/project is listed below:

Name	Section(s) authored

**Signatures of all authors:** .....

### NOTES:

- (i) *Individual academics and departments may adapt this declaration to suit particular needs, and may apply the rule with discretion. Declarations submitted in the case of group work assignments must be suitably adapted.*
- (ii) *The declaration must be used for any substantial work that a student does unsupervised.*
- (iii) *The declaration is neither suitable for reports submitted at the end of a three-hour science laboratory session, nor required in such cases.*
- (iv) *A suitably altered version should be used for students in first-year (Foundation) courses submitting an assignment before having been taught about referencing conventions.*
- (v) *The declaration must be used regularly. It is not sufficient to require students to sign the declaration on annual basis. Students need to be constantly reminded. The onus is on academics to ensure that before work is marked, it is accompanied by signed declaration in the standard form, or if the lecturer has provided one, in a contextually altered form.*

## Serving or selling alcohol on the campus by students

1. The University Council reserves the right to control and limit the serving or selling of alcohol on the campus.
2. The serving or selling of alcohol on the campus by students is governed by Rule RCS11.2, Rules on Conduct for Students.
3. At functions at which alcoholic beverages are served or sold, equal quantities of non-alcoholic beverages must be available.
4. At functions at which alcohol is served or sold at a function on the campus, the serving or selling of alcohol must cease at midnight on Fridays, Saturdays or days before University holidays, and 23h00 on any other day, provided that, where permission is granted for the serving or selling of alcohol, an earlier time may be stipulated by the Deputy Vice-Chancellor responsible or his or her nominee; and provided that the Deputy Vice-Chancellor responsible may in special circumstances grant permission for a function to continue beyond these times and for alcoholic beverages to be served or sold beyond these times for a specific function.
5. The University Council has authorised the application for liquor licences in respect of various venues on the campus. Where a liquor licence has been granted, particular rules apply.
6. The operation of the residences pubs is governed by Rules R18 to R22 of the Residence Rules.

### Procedures:

7. Any student or any student organisation wishing to serve alcohol at a function on the campus must obtain permission in advance (a) to hold the function and (b) to serve or sell liquor at the function. In addition, any student or any student organisation wishing to sell alcohol at a function on the campus must obtain a valid liquor licence for the function, once such permission has been granted.

8. An application form for permission to hold a function at which alcohol is to be served or sold and to serve or sell alcohol at the function is available from the booking office in the Planning Unit, the Director of Student Housing & Residence Life or the Director of Student Development.
9. The Deputy Vice-Chancellor responsible has delegated authority to the following officers to grant permission to serve or sell alcohol at a function, or to hold a function at which alcohol is to be sold on the condition that a valid liquor licence is obtained, from:
  - (a) The warden of a residence in respect of:
    - (i) the semi-formal function of the residence concerned;
    - (ii) the formal function of the residence concerned; and
    - (iii) any function to be held in the residence concerned for fewer than 100 guests.
  - (b) The Deputy Chair of the Residences Committee in respect of:
    - (i) any function to be held in residence for more than 100 guests;
    - (ii) any function to be held entirely or in part in the grounds of or parking lots adjacent to residences;
  - (c) The Director: DSA in respect of any other function proposed by a student or a student organisation which is to take place on any part of the campus.
10. An application on the prescribed form should be submitted in writing in good time [preferably at least two weeks in advance] to the relevant officer indicated in 9 above.
11. In considering applications, the relevant officer will take into account arrangements made for the following:
  - (a) the proposed times for the function to begin and end;
  - (b) safety and security of persons and property of those who will be present;
  - (c) fire exits;
  - (d) booking of the venue;
  - (e) the need of Campus Protection Service officers and/or skilled sexual harassment monitors and counsellors to be present;
  - (f) determining admissions criteria;
  - (g) advertising on and/or off campus;
  - (h) the number of persons (students or non-students) expected to attend the function and the capacity of the venue to accommodate them;
  - (i) identifying students, those under the age of 18 and invited guests at the entrances to the function and at the place from which alcohol will be served or sold;
  - (j) proper financial control;
  - (k) preventing damage to property in the environs of the function venue;
  - (l) preventing excessive consumption of alcohol;
  - (m) maintaining reasonable PA and sound levels;
  - (n) restoring the venue and the environs to the state in which they were found.
12. In considering applications, the relevant officer will be guided by the following:
  - (a) The application must comply with the rules for times quoted in Section 4. The application must stipulate the hours of the party;
  - (b) The application must, where applicable, have made arrangements with Campus Protection Service, marshals should preferably be from the organisation or the residence concerned, and these marshals must be named;  
The numbers of each of these must comply with the following criteria:
 

<i>Expected attendance</i>	<i>Less than 200</i>	<i>200-500</i>	<i>Over 500</i>
Campus Protection Service	2	4	6
Marshalls	5	10	15
Gender Initiative	2	4	6
  - (c) Campus Protection Service should concentrate on the surveillance of the peripheries;
  - (d) The following venues require fences to be erected: Jameson Hall; Molly Blackburn Hall; Red and Yellow levels. It is strongly suggested that fences are erected at the

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- following residences: Glendower residence; Forest Hill, Varietas, and University House. This should be left to the discretion of the warden;
- (e) Where admission is open to all students, there should be a guest register. In residences, all entries in the register must be supervised by a Campus Protection Service officer. Individuals who are not UCT students must be identified by a card-bearing UCT student and their particulars must be recorded clearly. UCT students must produce their student cards on admittance, or be accompanied by a card-bearing student, and his or her particulars must be recorded in the register;
  - (f) The applicant must stipulate where the fire exits are at the particular venue or make arrangements for evacuation in the event of a fire emergency;
  - (g) Evidence of a confirmed booking must accompany the application;
  - (h) Student functions may not be advertised off UCT property;
  - (i) The applicant must stipulate clearly what the financial arrangements are;
  - (j) All precautions must be taken by the applicant to prevent damage to property;
  - (k) Drunk and disorderly revellers should be escorted out of the party and due attention should be given to their safe return to their sleeping abode;
  - (l) Reasonable sound levels must be maintained and consideration must be accorded to neighbours;
  - (m) The venue and the environment should be restored to their original state.
13. If the relevant officer is satisfied that appropriate arrangements have been proposed, he or she will grant permission for the function to be held under specified conditions and will appoint a monitor (who will usually be an appropriately trained senior student) to ensure compliance.
14. The relevant officer may withdraw permission to hold or continue the function if any or all the specified conditions have not been met or are unlikely to be met timeously.
15. All functions at which alcohol is to be sold may commence only after a valid liquor licence has been obtained. While the South African Police Services require the University authorities to indicate their support for the holding of such functions, a student or student organisation wishing to hold a function at which alcohol is to be sold may seek a letter of support from the relevant officer. If the relevant officer supports the holding of the function and the selling of alcohol at the function, the student or student organisation must then make application for a liquor licence to the South African Police Services (Western Cape) and the magistrate's court in Wynberg, with this letter of support. It is the responsibility of the applicant to obtain this liquor licence.
16. The decisions of the warden or the relevant officer shall be subject to appeal to a committee consisting of the Deputy Vice-Chancellor concerned and a student appointed by the SRC with no direct interest in the event in question.

### **Functions on campus at venues which have liquor licences:**

17. Some venues on the campus are licensed premises. The terms of the licence for each such venue are particular. The licence-holder is empowered to act within the limitations of the licence only. Should the licence holder wish to hold a function beyond the terms of the licence, or seek a temporary extension of the licence, and the licence-holder must submit an application to the Executive Director: DSA. The above provisions in respect of functions then apply.

### **Functions off-campus:**

18. Any student wishing to organise a function off campus in the name of a student organisation or an organisation associated with the University in any other way must obtain permission to hold this function if alcohol is to be served or sold.

**Liability:**

19. The organiser(s) of any function shall be jointly and severally liable for any damage caused as a result of the function.
20. The University shall not be liable for any:
  - (a) loss or expense incurred by any person resulting from the denial, withdrawal or modification of permission to host a function on the campus;
  - (b) loss or expense incurred by any person in making arrangements to host a function before permission is granted or denied; or
  - (c) any damage resulting from a function.

**Breach:**

21. Students are subject to disciplinary procedures. Breaches of rules and Council policy in relation to the serving or selling of alcohol will be referred to the responsible official for possible disciplinary action.

**Sexual Harassment****Preamble**

The University is committed to providing an institutional environment where all may pursue their studies, careers, duties and activities free from sexual harassment. Sexual harassment constitutes serious misconduct, and will result in disciplinary action, the University will not tolerate sexual harassment.

The focus of the Policy on Sexual Harassment is on the prevention and management of sexual harassment in the University; it should be understood in the context: of other University policies and statements, including the policies on race or racism, and on sexual offences; of constitutional protections against discrimination; and of specific laws governing equality and labour practice (Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000; Basic Conditions of Employment Act 75 of 1997; Labour Relations Act 66 of 1995).

The University is committed to ensuring that contractors providing services on the campus of the University adopt similar policies and make these binding on all their employees and agents; and to ensuring that all future contracts between UCT and third parties for the supply by the third party of services on campus will require this of contractors.

**1. DEFINITIONS**

- 1.1 **'Alleged perpetrator'** means a person alleged to have committed an act of sexual harassment;
- 1.2 **'Case Officer'** means the person assigned to present the University's case in formal internal disciplinary proceeding, who may also be the person assigned to investigate the case;
- 1.3 **'CCMA'** means the Commission of Conciliation, Mediation and Arbitration;
- 1.4 **'Complainant'** means a person who lodges a complaint under this policy, or a person against who an act or acts of sexual harassment is defined in the policy has or have allegedly been perpetrated;
- 1.5 **'Confidentiality'** means ensuring that information is accessible only to those authorised to have access to it;
- 1.6 **'Employee disciplinary procedure'** means the disciplinary procedure that applies to a category of staff;
- 1.7 **'Employee'** means an employee of the University or a person who has agreed to be bound by the rules and policies of the University relating to staff;
- 1.8 **'PASS Staff'** means Professional Administrative Service and Support staff of the University;

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- 1.9 **‘Manager’** means any employee of the university with managerial, supervisory or Warden’s responsibilities;
- 1.10 **‘RO’** means the Reporting Office, as may be designated by the Vice-Chancellor from time to time;
- 1.11 **‘Rules on conduct for students’** means the rules on the conduct of students adopted by the Council from time to time;
- 1.12 **‘Same-sex harassment’** means harassment where the alleged perpetrator and the victim are of the same sex;
- 1.13 **‘SAPS’** means South African Police Service;
- 1.14 **‘Serious misconduct’** means conduct as defined in the Employee Disciplinary Procedure and the Rules on Conduct for Students;
- 1.15 **‘Sexual assault’** means conduct as defined in the Sexual Offences Policy;
- 1.16 **‘Sexual harassment’ is unwelcome conduct of a sexual nature that violates the rights of a person. In determining whether the conduct constitutes sexual harassment the following factors are to be taken into account:**
  - (a) whether the harassment is on the grounds of sex and/or gender (regardless of the sexual orientation of either the complainant or the alleged perpetrator);
  - (b) the impact of the sexual conduct on the complainant;
  - (c) whether the sexual conduct is unwelcome;
  - (d) the nature and extent of the sexual conduct.

Unwelcome sexual conduct **includes behaviour that is perceived by the complainant as demeaning, compromising, embarrassing, threatening and/or offensive:**

- (a) the assessment of what is unwelcome should be informed by context, including culture and language;
- (b) previous consensual participation in sexual conduct does not mean that the conduct continues to be welcome;
- (c) when a victim has difficulty indicating to the alleged perpetrator that the conduct is unwelcome, the victim may seek the assistance and intervention of another person in order to make it clear that the conduct is unwelcome;
- (d) some forms of sexual harassment are such that the alleged perpetrator should have known that the behaviour would be unwelcome.

**Unwelcome sexual conduct** includes physical, verbal and non-verbal conduct. Such conduct may be direct or indirect and may include technological devices, images and weapons. A single incident of unwelcome sexual conduct can constitute sexual harassment.

**Unwelcome physical** conduct ranges from touching to sexual assault and rape;

**Unwelcome verbal conduct** includes innuendos, suggestions or hints of a sexual nature, sexual advances, sexual threats, comments with sexual overtones, sex-related jokes or insults, graphic comments about a person’s body, inappropriate enquiries about a person’s sex life, whistling of a sexual nature and the sending by electronic means or otherwise of sexually explicit text;

**Unwelcome non-verbal** conduct includes gestures, indecent exposure and the display or sending by electronic or other means sexually explicit pictures or objects.

Sexual harassment may take the form of special victimization, *quid pro quo* harassment and the creation of a hostile environment.

- (i) Special victimization occurs when a person is victimized or intimidated for failing to submit to sexual advances;

- (ii) *quid pro quo* harassment occurs when an alleged perpetrator influences or attempts to influence a person's employment circumstances by coercing or attempting to coerce that person to engage in sexual activities;
  - (iii) *quid pro quo* harassment occurs when an alleged perpetrator influences or attempts to influence the admission of a student to the University or to University residences by coercing or attempting to coerce that person to engage in sexual activities. *Quid pro quo* harassment also occurs when an alleged perpetrator influences or attempts to influence the access of a student to training, organizational or funding opportunities, or interferes in grading or evaluation, by coercing or attempting to coerce a student to engage in sexual activities;
  - (iv) creation of a hostile environment occurs where the purpose or effect is to interfere with another's performance at work or in study.
- 1.17 'SHA' means Sexual Harassment Adviser;
- 1.18 'Student' means a registered student of the University or a person who has agreed to be bound by the rules and policies of the University relating to students; and
- 1.19 'University' means the University of Cape Town.

## 2. THE ROLE OF MANAGERS

- 2.1 Every Manager shall take all reasonable steps to create and maintain an environment that is free from sexual harassment. In this regard managers are required to:
- (a) exercise leadership by knowing and understanding the terms of this policy, and by assuming responsibility for implementing the policy;
  - (b) attend training and educational sessions on this policy offered by the RO;
  - (c) communicate the policy to all employees, students and third parties in their respective areas of responsibility;
  - (d) ensure that all new staff, students and third parties have been informed about the policy and given the opportunity to discuss its implications.
- 2.2 Every Manager shall take appropriate action when instances of sexual harassment occur and act in accordance with the reporting and disciplinary processes laid down in this policy. In this regard managers are required to:
- (a) treat all complaints as confidential and all concerned with dignity and respect;
  - (b) refer all complaints to the RO;
  - (c) when conduct in breach of this policy is observed but no complaint is lodged, report the matter to the RO;
  - (d) when appropriate, take steps in consultation with the RO to prevent sexual harassment from occurring.

## 3. COMMUNICATION

- 3.1 The University shall take all reasonable steps to communicate this policy to all employees, students and third parties on a regular basis and to raise awareness about the need to prevent sexual harassment.
- 3.2 The University shall make this policy available on its Web pages, and provide regular and current information on its implementation via its Web pages.
- 3.3 The Vice-Chancellor shall ensure that 3.1 and 3.2 occur.
- 3.4 The Deans shall:
- (a) communicate regularly by written and oral means the seriousness of the issue and the existence of this policy and its salient features to employees, students and third parties within their Faculties;

- (b) communicate regularly with Heads of Departments (HODs) and all other managers in the Faculty concerning their responsibilities in the implementation of this policy.
- 3.5 The Executive Director, Student Affairs shall:
  - (a) communicate regularly by written and oral means the seriousness of the issue and the existence of this policy and its salient features to employees, students and third parties within the residences of the University;
  - (b) communicate by written and oral means the contents of this policy to the Students' Representative Council (SRC).
- 3.6 The RO shall:
  - (a) provide the Communication and Marketing Department with information that will enable the University community to be informed regularly about the implementation of this policy;
  - (b) send an email to all employees, students and third parties at least once a year informing them about this policy;
  - (c) report annually to the Vice-Chancellor about the effectiveness of communication of this policy.

#### 4. EDUCATION AND TRAINING

- 4.1 Continuing education and training are necessary to ensure that employees, students and third parties are aware of the contents of this policy and are able, as appropriate, to implement it and to prevent sexual harassment.
- 4.2 Within three months of the adoption of this policy, all existing staff of the RO shall be trained appropriately.
- 4.3 Within three months of the adoption of this policy, the RO shall appoint and train SHAs. This training shall be repeated for new SHAs and new members of the staff of the RO within the first three months of each calendar year.
- 4.4 In addition to initial training, all SHAs shall attend update training sessions at least annually.
- 4.5 Within six months of the adoption of this policy the RO shall present workshops on this policy that will be available for the senior leadership of the University, head of academic and PASS departments, staff in the Human Resources Department, and Campus Protection Services. Staff representatives' bodies and the SRC shall be entitled to nominate representatives to attend workshops offered by the RO. The RO shall repeat the programme of workshops annually. The RO shall integrate this policy into staff induction and student orientation programmes.

#### 5. THIRD PARTIES

**While the University has no jurisdiction over third parties who are neither students nor** employees of the University, the University intends that this and related policies will be upheld and respected by all who work at, or visit, the University or who take part in the University's activities at any location. Visitors who are neither registered at the University as students nor employed by the University may be invited to and may agree to abide by the rules and conditions for students and staff. Any individual agreeing to abide by student and staff rules and conditions will be deemed to have consented to be subject to the University's disciplinary jurisdiction. Where such parties are not subject either to the rules or procedures for staff or students, or the provisions of the Code of Conduct, the RO will keep a record of complaints and reported violations of this and related policies, and will report these to appropriate procurement offices so that the information can be taken into account in considering whether to continue to contract for services.



**6. THE ROLE OF THE REPORTING OFFICE**

- 6.1 The RO's shall provide a comprehensive sexual harassment response for the University. This will include the provision of supportive and protective measures to complainant, whether or not disciplinary proceedings are instituted.
- 6.2 Supportive measures may include, but are not limited to:
- (a) crisis counselling;
  - (b) emergency medical services, paralegal advice and other relevant services;
  - (c) measures to mitigate the impact of sexual harassment or the reporting thereof upon the complainant.
- 6.3 Protective measures may include, but are not limited to:
- (a) no-contact orders, where appropriate;
  - (b) change of University student residence, where appropriate;
  - (c) change of academic classes and academic concessions, where appropriate;
  - (d) special leave (staff) or leave of absence (students), where appropriate.
- 6.4 While the primary aim of this policy is to assist complainants who allege sexual harassment, an alleged perpetrator may at any stage approach the RO for advice on the application and interpretation of this policy. In such instances the RO shall:
- (a) provide the alleged perpetrator with a copy of this policy and of the University's disciplinary rules;
  - (b) advise the alleged perpetrator of her/his right to obtain legal representation and of the availability of counselling;
  - (c) advise the alleged perpetrator that the University may choose to follow the University disciplinary rules even if the complainant does not wish to do so;
  - (d) explain to the alleged perpetrator the protective measures available to the complainant.

**7. SEXUAL HARASSMENT ADVISORS**

- 7.1 The RO shall appoint and train SHAs, drawn from employees of the University,
- 7.2 A SHA shall have the following responsibilities:
- (a) to receive complaints of sexual harassment from the RO;
  - (b) in consultation with the Case Officer, to assist, support, consult and liaise with complainants, alleged perpetrators and those initiating complaints into sexual harassment;
  - (c) to provide reports and records to the RO on all referred cases;
  - (d) to represent the best interests of a complainant, or alleged perpetrator in formal communications with the RO where such representation is required;
  - (e) to liaise with the case officer in relation to responsibilities that may arise from disciplinary hearings;
  - (f) to support the educational work of the RO where practical and reasonable.
- 7.3 The SHAs should, as a group, be diverse in terms of gender, race and background.
- 7.4 While a complainant will be entitled to ask that another SHA be assigned to his or her case every effort should be made to ensure that the same SHA deals with the case throughout.
- 7.5 The RO shall:
- (a) Provide general support and guidance to the SHAs;
  - (b) Monitor cases;
  - (c) Ensure that the SHAs are appropriately trained.

**8. ADVISORY PANEL**

- 8.1 With respect to any report of sexual harassment made under this policy, or in general the RO may appoint an Advisory Panel to assist the RO with information, suggestions and expertise.
- 8.2 An Advisory Panel may consist of the following persons:
- (a) the SHA representing a complainant or victim;
  - (b) the Case Officer assigned to the complainant or victim;
  - (c) a representative of the Dean of Student Affairs, if the complainant or alleged perpetrator is a student;
  - (d) a representative of the Executive Director Human Resources, if the complainant or alleged perpetrator is a staff member;
  - (e) a person, not necessarily a staff member of the University, with expert knowledge in the field.
- 8.3 The Advisory Panel may not make decisions on behalf of a complainant nor give advice in a manner that might be construed as prescriptive or unduly influencing by the complainant.

**9. RESPONSE TO A COMPLAINT**

- 9.1 Complaints of sexual harassment must be brought to the attention of the RO as soon as is reasonably possible.
- 9.2 If a complaint is brought to the attention of a manager, the manager shall notify the RO immediately.
- 9.3 Sexual harassment may be brought to the attention of the RO by the complainant or any other person aware of the sexual harassment. However, if the incident is of a serious nature, the complainant is encouraged to inform the RO in person.
- 9.4 Any complaint of sexual harassment will be recorded in writing by the RO and will be assigned to a case officer. The case officer will manage the complaint.
- 9.5 The RO will also assign an appropriate and available SHA to the case.
- 9.6 The steps to be taken by the case officer on receipt of a complaint should include, but are not limited to, the following:
- (a) advise the complainant that there are formal and informal procedures which can be followed;
  - (b) explain the formal and informal procedures to the complainant;
  - (c) advise the complainant that he/she may choose which procedure should be followed by the University;
  - (d) advise the complainant that the SHA assisting him or her may not be called as a witness during any formal procedure;
  - (e) reassure the complainant that she or he will not face any adverse consequences in choosing to follow either the formal or informal procedure;
  - (f) advise the complainant that he or she is not bound by the outcome of the informal procedure and will have the right to appeal directly to the VC within seven days of the conclusion of this process;
  - (g) advise the complainant that the matter will be dealt with confidentially;
  - (h) if applicable, advise the complainant that no negative inference on his/her credibility will follow as a result of late reporting;
  - (i) provide the complainant with information about counselling available as well as information on how to access independent counselling services;
  - (j) in appropriate circumstances, advise the complainant of her or his right to refer the matter to the SAPS and obtain further legal advice outside the University.

- 9.7 If a complainant, after the consultation with the SHA, does not wish to pursue the matter, and the complaint is judged by the RO to be of a serious nature, the RO must refer the matter to an Advisory Panel. The RO, in consultation with an Advisory Panel, shall consider all relevant information, including but not limited to the following:
- (a) the risk of other persons in the University;
  - (b) the severity of the sexual harassment;
  - (c) the history of the alleged perpetrator with regard to previous cases and complaints of sexual harassment.
- 9.8 If it appears to the RO and the Advisory Panel that there is a significant risk of harm to other persons, they may advise the Case Officer to follow a formal procedure, irrespective of the wishes of the complainant. In such an event the complainant must be advised accordingly and the RO, in consultation with the Advisory Panel, must prepare a written recommendation to the Vice-Chancellor. The recommendation shall include (but not be limited) to the following:
- (a) a description of the alleged sexual harassment or assault;
  - (b) the complainant's reasons for his/her unwillingness to pursue the matter further or to be called as a witness;
  - (c) compelling reasons in support of a formal procedure.

## 10. INFORMAL PROCEDURES

- 10.1 An informal procedure is a process, managed by the RO, in which relationships between complainant and alleged perpetrator(s) are explored with the consent of both, the aim of which is to reach resolution of a complaint in a manner that is satisfactory to all complainants and alleged perpetrator(s).
- 10.2 The complainant has the right to pursue formal proceedings after the conclusion of informal proceedings. The choice to pursue informal proceedings shall not in any way diminish the force of the original complaint.
- 10.3 The alleged perpetrator has the right to refuse participation in informal proceedings, and may exercise this right during any stage of the informal process. No negative inference shall be drawn from refusal to consider, participate to withdraw from the informal process.
- 10.4 An informal procedure may be followed by a formal procedure if the RO in consultation with an Advisory Panel believes that there are compelling reasons for this as specified in paragraph 9.
- 10.5 In an informal procedure only the following information is recorded:
- (a) the fact that the informal procedure took place;
  - (b) the names of the participants;
  - (c) the date, time and location of the alleged incident;
  - (d) the outcome of the informal procedure.
- 10.6 Informal proceedings require the written consent of both the complainant and the alleged perpetrator, and
- (a) the availability and implications of informal proceedings shall be explained to the complainant by the appointed SHA, before such proceedings;
  - (b) with the consent of the complainant preparatory interviews with the alleged perpetrator may be held in the absence of the complainant and with any other person or persons that may provide information to assist with the informal process;
  - (c) the structure, procedure and facilitation of any informal procedure will be agreed upon beforehand by the case officer, complainant, alleged perpetrator and SHA.

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- 10.7 The informal procedure may include:
- (a) an approach to the alleged perpetrator with or without revealing the identity of the complainant (depending on the choice of the complainant) with information that certain forms of conduct constitute sexual harassment;
  - (b) a discussion where the objective is to give the alleged perpetrator an opportunity to apologise. The terms, conditions and acceptance of such an apology will be facilitated by the case officer and SHA;
  - (c) the presentation of the case in confidence to a group of not more than four persons (including the case facilitator), to consider suggestions and to make recommendations that may achieve a resolution based on agreement between the alleged perpetrator and the complainant. The choice of participants in the discussion will be at the discretion of the case officer in consultation with the SHA.
- 10.8 Every endeavour must be made to conclude the informal procedure within fourteen days of the incident being reported to the RO.
- 10.9 Strict confidentiality regarding the process, participants and report will be maintained throughout this process.
- 10.10 No part of the informal procedure may be used as evidence in a subsequent hearing following the outcome of this process.

### 11. FORMAL PROCEDURES

- 11.1 A complainant may choose to initiate formal proceedings, either with or without first following an informal procedure. The purpose of formal proceedings is to test the complainant's allegations through the disciplinary process.
- 11.2 If a complainant, following an informal procedure that does not result in a mutually acceptable outcome, does not wish to follow a formal procedure, the case officer will establish whether the complainant requires any further advice or support as contemplated in (the section dealing with the RO).
- 11.3 If the complainant wishes to proceed with a formal procedure, he or she shall advise the case officer of this, and prepare and sign a written statement providing full particulars of the alleged sexual harassment.
- 11.4 The formal processes for the presentation of the complainant with University Disciplinary Processes for staff and for students will be initiated through the RO.

### 12. NO-CONTACT ORDERS

- 12.1 A no-contact order is intended to protect a complainant from sexual harassment, or the possibility of sexual harassment, whether or not a formal disciplinary process is instituted or contemplated.
- 12.2 A no-contact order (a) for staff is issued by the Vice-Chancellor or nominee after considering the recommendation of the RO, following the procedures laid down for this; (b) for students, by the Vice-Chancellor or his or her nominee in terms of the provisions of the rules on Disciplinary Jurisdiction and Procedures (DJP). Rule DJP3.1 is hereby amended to allow such an order where there are grounds for an order to protect a complainant from sexual harassment whether or not there is an allegation of a breach of the student code, and to allow for such a no-contact order to be valid for an initial period of up to six months and (c) for an employee of a contracted-in third parties is issued by line management of the contractor following the procedure laid down for this by the third party.
- 12.3 The issuing of the no-contact order does not, in itself, imply guilt on the part of an alleged perpetrator.

- 12.4 A no-contact order (a) for staff is valid for an initial period of not more than six months and may be renewed by the Vice-Chancellor or nominee, after consultation with the RO and after consultation with the complainant, and after hearing the alleged perpetrator, until the Vice-Chancellor or nominee deems it is no longer necessary or any disciplinary hearing has been concluded; (b) for students is for period or periods as is determined under the DJP rules.
- 12.5 The terms of a no-contact order may vary depending on the circumstances of the case. The terms of a staff no-contact order may be varied by Vice-Chancellor or nominee either after appeal by the staff member or after a recommendation by the RO.
- 12.6 Violation of a no-contact order constitutes serious misconduct and may be subject to disciplinary action.

### 13. FORMAL PROCEDURES

#### 13.1 Students

Where the formal procedure is to be followed by RO will report the matter to the Vice-Chancellor's nominee in terms of Rule DJP1.1 and the matter will be dealt with in terms of the DJP rules. The RO will provide such assistance to the Vice-Chancellor's nominee and the case officer appointed to present the case to the Tribunal as they may require. The Powers of the Tribunal are hereby extended to permit University Student Disciplinary Tribunal acting in terms of Rule DJP5 to include in any sanction a no-contact order of such duration as it may decide.

The Senior Proctor will ensure that proctors are trained to handle sexual harassment matters and will not assign a case to a proctor who has not been so trained.

#### 13.2 Staff

Where the formal procedure is to be followed the existing negotiated or approved disciplinary procedures for staff will be used. The procedures for academic staff are under revision, but will be used until revised. Revisions to the negotiated procedures may be proposed in the near future, but until any negotiations on these have been completed the existing procedures will be used. Management representatives must consult the RO before instituting disciplinary action for sexual harassment. The RO shall assist the management representative where this assistance is required. For PASS staff Line Managers shall ensure that the line manager appointed to chair the disciplinary committee has been trained to handle sexual harassment matters.

#### 13.3 Employees or agents of contracted-in Third parties

Where the formal procedure is to be followed the disciplinary procedures agreed between the University and the contracting-in third party will be used by the contracting-in third party. The RO will offer such assistance to the management of the third party concerned as may be required.

#### Contact details for the Discrimination & Harassment Office:

The Cottage  
 Lover's Walk  
 Telephone: (021)650-3530  
 Cell: 072 142 3830  
 Email: [francois.botha@uct.ac.za](mailto:francois.botha@uct.ac.za)

## **Sexual Offences**

### **Preamble**

The University is committed to providing an institutional environment where all may pursue their studies, careers, duties and activities in an atmosphere free of any threat of unwelcome sexual attention. Rape and sexual assault constitute serious misconduct and will result in disciplinary action. The University will not tolerate rape or sexual assault.

The University is committed to ensuring that contractors providing services on the campus of the University adopt similar policies and make these binding to all their employees and agents; and to ensuring that all future contracts between UCT and third parties for the supply by the third party of services on campus require this of contractors.

### **The University recognises:**

- the spirit of South African law relating to sexual offences;
- that women are particularly vulnerable to rape and sexual assault;
- the high incidence of rape in South Africa and the higher risk of acquaintance – rape in a university context;
- the connection between the transmission of HIV and rape;
- that the University's role is to ensure a safe learning and working environment for its community, while the criminal justice system aims to protect society generally;
- the reluctance of complainants of sexual assault and rape to lay criminal charges;
- that the University has a positive duty to respond to reports of sexual assault or rape which come from or relate to its members;
- that whether or not a complainant chooses to lay charges with the criminal justice system relating to rape or sexual assault, the University has the right to take action, among other reasons because of the substantive difference between the criminal justice system and the procedures created under this policy.

### **It is the purpose of this policy to:**

- deter rape and sexual assault;
- encourage the reporting of such incidents;
- provide for a comprehensive complainant-centred rape and sexual assault response;
- regulate procedures for addressing violations of this policy; and
- better inform the University community about rape and other forms of sexual assault.

To this end the University is committed to applying systems and structures through which rape or any other form of sexual assault may be reported and dealt with sensitively, to working with the criminal justice system and to following the procedures set out in this policy fairly and consistently.

In this context the University's highest concern is for the emotional and physical well-being of rape and sexual assault complainants and victims.

The focus of this policy is the management of rape and sexual assault; it should be understood and implemented in the context of other relevant University policies and statements, including those related to sexual harassment and racism; and it should be understood that one act may be in conflict with more than one University policy or rule, may constitute more than one disciplinary offence and may be dealt with accordingly.

In accordance with our commitment to deal decisively with rape and sexual assault occurring in the University community, any such act will be met with the strongest available sanctions, following due process which ensures fairness to all involved.

## 1. DEFINITIONS

- 1.1 **‘CJS’** means the criminal justice system.
- 1.2 **‘Case officer’** means the person assigned to present the University’s case in formal internal disciplinary proceedings, who may also be the person assigned to investigate the case;
- 1.3 **‘Complainant’** means any person alleging a rape or sexual assault, whether her or she is a member of the University or not;
- 1.4 **‘Consent’** means free and informed agreement between the parties to participate in a sexual act. In deciding whether such agreement was present at the time of the alleged violation of this policy the University will be guided by considerations, which may include, but are not limited, the following:
- (a) Parties must be able to communicate and agree on the type of sexual activities that will be shared. Either party has the right to change her/his mind, at any time, and is responsible for communicating that change.
  - (b) It is the responsibility of the person who initiates any type of sexual activity to obtain the other person’s consent.
  - (c) Consent to one type of sexual act does not necessarily imply consent to other forms of sexual activities.
  - (d) Silence does not imply consent.
  - (e) A previous or present sexual or other relationship between the parties does not imply consent.
  - (f) Consent is not implicit in a person’s manner of dress.
  - (g) Accepting a social invitation is not consent, nor does it imply consent.
  - (h) Consent will not be effective when it is obtained, or perceived to be obtained, from a person whose capacity to consent is diminished;
- 1.5 **‘CPS’** means Campus Protection Services;
- 1.6 **‘No-Contact Order’** means a protective measure issued by the University to prohibit the alleged perpetrator from coming into contact with the complainant;
- 1.7 **‘Alleged Perpetrator’** means a person alleged to have committed a rape or sexual assault;
- 1.8 **‘Sexual assault’** means an unlawful and intentional act of sexual contact with another person without that person’s consent;
- 1.9 **‘Rape’** means an unlawful and intentional act of sexual penetration with another person without that person’s consent, specifically including:
- (i) acquaintance, spousal or date rape;
  - (ii) where the complainant submits or is subjected to an act of sexual penetration as a result of:
    1. the use of force or intimidation by the alleged perpetrator against the complainant, another person or the property of these persons;
    2. a threat of harm, real or perceived, by the alleged perpetrator against the complainant, another person or the property of these persons;
    3. an abuse of power or authority such that the complainant is inhibited from expressing her/his resistance or unwillingness to participate in the act;
    4. false pretences or by fraudulent means;
    5. the inability of the complainant to appreciate the nature of the act of sexual penetration, including where the complainant is at the time of the commission
      - (i) asleep or unconscious;
      - (ii) in an altered state of consciousness, including, but not limited to, under the influence of any medicine, drug, alcohol or other substance, to the extent that her/his ability to consent is adversely affected;

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- (iii) mentally disabled;
- (iv) a child below the age of 12 years.

- 1.10 **‘The RO’** means the Reporting Office, as may be designated by the Vice-Chancellor time to time;
- 1.11 **‘SAPS’** means the South African Police Service;
- 1.12 **‘Sexual penetration’** means an act which causes penetration to any extent by the penis or an object used by the alleged perpetrator into the anus, mouth or vagina of the victim;
- 1.13 **‘SRC’** means the Students’ Representative Council;
- 1.14 **‘Staff’** means an employee of the University or a person who has agreed to be bound by the rules and policies of the University relating to staff;
- 1.15 **‘Student’** means a registered student of the University or a person who has agreed to be bound by the rules and policies of the University relating to students; and
- 1.16 **‘The University’** means the University of Cape Town.

### 2. JURISDICTION

This policy applies to staff and students and to any act of rape or sexual assault by a staff member or student on or off the campus of the University.

This policy applies to any complainant alleging rape or sexual assault by a staff member or a student, whether the complainant is a staff member or student or not.

While the University has no jurisdiction over third parties (those who are neither students nor employees of the University) the University intends that this and related policies will be upheld and respected by all who work at, or visit, the University or who take part in the University’s activities at any other location. Visitors who are neither registered at the University as students nor employed by the University may be invited to and may agree to abide by the rules and conditions for students and staff. Any individual agreeing to abide by student and staff rules and conditions will be deemed to have consented to be subject to the University’s disciplinary jurisdiction. Where such third parties are not subject to the rules or procedures for staff or students, or the provisions of the Code of Conduct, the RO will keep a record of complaints and reported violations of this and related policies, and will report these to appropriate procurement office so that the information can be taken into account in considering whether to contract for services.

### 3. GENERAL PROVISIONS

- 3.1 A student or staff member of the University who commits rape or sexual assault is in violation of this policy.
- 3.2 The University will treat all reports of rape as confidential and all complainants and victims with respect and dignity.
- 3.3 The University will endeavour to ensure the safety, health, dignity and well-being of any complainant.
- 3.4 Complainants are not required to pursue a public prosecution or a University disciplinary process solely on the basis that they have reported an incident of rape to SAPS or the University.
- 3.5 University action upon a complaint will be independent of the initiation or outcome of criminal proceedings.
- 3.6 The University will deal with all cases expeditiously.
- 3.7 The University will record all decisions taken under this policy and will keep comprehensive, updated and accurate information on all reported incidents of rape and sexual assault.



- 3.8 The University will ensure that the RO remains accessible to all in need of support services.
- 3.9 This policy prohibits retaliation against individuals for bringing a rape complaint.
- 3.10 A rape or sexual assault may also constitute an act of sexual harassment. In such cases the complaint may be dealt with under both policies. Under no circumstances, however, will a complaint of rape or sexual assault be dealt with solely under the sexual harassment policy.
- 3.11 The University shall conduct appropriate rape response training.
- 3.12 The University shall review this policy regularly and ensure its wide distribution to members of the University community.

#### **4. REPORTING AND FIRST RESPONSE**

- 4.1 A complaint of rape or sexual assault made to any member of the University must be brought to the attention of the RO, as soon as is reasonably possible to do so. A Case Officer to whom a complaint is made must consult the RO before proceeding with the complaint.
- 4.2 Such complaint may be made in person, through a third party or anonymously.
- 4.3 Any member of staff must, at the scene of the rape or as soon thereafter as is reasonably possible, or when an incident of rape is reported, render such assistance to the victim as may be required in the circumstances, and immediately notify the RO.
- 4.4 When an incident of rape has been reported, the complainant must be informed of the necessity of receiving immediate medical attention, including post-exposure prophylaxis (PEP) for HIV, sexually transmitted infections and pregnancy. All reasonable efforts must be made to transport the complainant promptly to the Groote Schuur Hospital or other appropriate medical facility as determined by the RO.
- 4.5 Such immediate medical attention does not obligate the complainant to initiate criminal or disciplinary proceedings.
- 4.6 Delayed reporting by a complainant may not detract from the duty of the University to deal with the complaint in terms of this policy.
- 4.7 The RO will encourage and support the complainant in reporting all incidents of rape to SAPS.

#### **5. FURTHER ADVICE AND ASSISTANCE**

- 5.1 Once the RO has been informed of a report of rape or sexual assault, it must establish contact with the complainant and
  - (a) assign an appropriate support person to the complainant;
  - (b) ensure that he/she has received medical attention as stated in 4.4;
  - (c) ensure that he/she has been informed of available crisis counselling;
  - (d) ascertain whether he/she has made a complaint to SAPS and if not, encourage and assist him/her to do so;
  - (e) provide an appropriate environment for the complainant to make her/his statement if such statement is necessary, and offer assistance in making the statement;
  - (f) provide information on the criminal justice process and explain the support role that can be fulfilled by the support person of the RO;
  - (g) inform the complainant about the differences between the criminal justice process and the University disciplinary process;
  - (h) inform the complainant of her/his right to legal representation in disciplinary proceedings, and where requested, provide the victim with a list of appropriate legal representatives obtained by the RO from the Cape Law Society or Cape Bar Council;

- (i) inform the complainant of the possibility of University disciplinary proceedings and assure him/her that the support person or the RO may not be called as a witness during any such proceedings;
- (j) inform the complainant of the supportive and protective measures available to him/her;
- (k) provide a referral for the complainant to receive longer term counselling;
- (l) offer to maintain regular contact with the complainant through a schedule of regular meetings/email correspondence;
- (m) reassure the complainant that he/she will not face job loss (in the case of employees and part-time student employees) or any adverse consequences if he/she chooses to participate in disciplinary proceedings;
- (n) advise the complainant that he/she retains the right to decline to testify or otherwise participate in disciplinary proceedings initiated under this policy;
- (o) advise the complainant that the ultimate decision whether to institute disciplinary proceedings lies with the University, which may choose to follow a formal University procedure even if he/she does not wish to do so.

5.2 While the primary aim of this policy is to assist alleged victims of rape or sexual assault, an alleged perpetrator may at any stage approach the RO for advice on the application and interpretation of this policy. In such instances the RO shall;

- (a) provide the alleged perpetrator with a copy of this policy and of the University's disciplinary rules;
- (b) advise the alleged perpetrator of his/her right to obtain legal representation and the availability of counselling;
- (c) advise the alleged perpetrator that the University may choose to follow the University disciplinary rules even if the complainant does not wish to do so; and
- (d) explain to the alleged perpetrator the protective measures available to the complainant.

## 6. COMPREHENSIVE RAPE RESPONSE

6.1 The University, through the RO, will provide a comprehensive rape response to members of the University community. This response will include access to:

- (a) advice and assistance;
- (b) supportive measures, including crisis counselling, emergency medical services, paralegal advice and other relevant services;
- (c) protective measures to mitigate the impact of rape or the reporting thereof upon the complainant.

6.2 The University's supportive and protective measures will be available to the complainant regardless of the institution of criminal or disciplinary proceedings.

6.3 Protective measures may include, but are not limited to:

- (a) No-contact orders:
  - (i) which are valid for an initial period of six months; and
  - (ii) which may be reviewed until such a time as:
    - 1. the RO, after consultation with the complainant, no longer deems it necessary; or
    - 2. any disciplinary hearing has concluded;
  - (iii) the precise terms of which may vary depending on the individual circumstances of the case;
  - (iv) where violation of a no-contact order constitutes serious misconduct subject to disciplinary action.

- (b) Change of University student residence, where appropriate;
- (c) Change of academic classes and academic relief, where appropriate; and/or
- (d) Special leave (staff) or leave of absence (students), where appropriate.

## 7. THE REPORTING OFFICE

- 7.1 In order to provide the maximum response, protection and support services, the RO will maintain its neutrality in all cases of rape.
- 7.2 The RO shall:
- (a) establish protocol-based relationships with all relevant agencies which may include SAPS, the National Prosecuting Authority, Department of Social Development, Groote Schuur Hospital and the UCT Law Clinic;
  - (b) maintain at the RO updated referral lists and information on support groups and services active in the area, make these available on the UCT website and disseminate them on campus;
  - (c) make and maintain a record of every reported case of rape or sexual assault;
  - (d) make and maintain a record of all decisions taken under this policy;
  - (e) ensure effective communication and dissemination of this policy.
- 7.3 With respect to the any rape report made under this policy, the RO may appoint an Advisory Panel that may consist of the following persons:
- (a) The RO support person assisting the complainant;
  - (b) The Case Officer assigned to the matter;
  - (c) A person representing the Executive Director, Student Affairs, if either the complainant or alleged perpetrator is a student;
  - (d) A person representing the Executive Director, Human Resources, if either the complainant or alleged perpetrator is a staff member;
  - (e) A person, not necessarily a staff member of the University, with expert knowledge in the field.
- 7.4 The RO shall encourage rape and sexual assault complainants to make an official report to the South African Police Service, but respect their right not to do so. Where the victim chooses to make an official report to SAPS, the RO will assist her/him in this respect, by:
- (a) where possible, arranging for an investigating officer from the relevant police station to come to the RO to take the victim's statement; or
  - (b) arranging University transport for the victim and a maximum of two support persons to go to the appropriate police station;
  - (c) liaising with the police, prosecution services and victims to ensure that the case is, as far as is practicable, dealt with expeditiously;
  - (d) with the consent of the victim, keeping duplicates of all important documents, including the victim's statement and the J88 (medico-legal report);
  - (e) providing and referring the complainant to a suitable organisation for court preparation and support;
  - (f) monitoring the progress of criminal proceedings and keep the complainant informed thereof.

## 8. UNIVERSITY DISCIPLINARY PROCEDURE

### 8.1 Students

The RO will report the matter to the Vice-Chancellor's nominee in terms of Rule DJP1.1 and the matter will be dealt with in terms of the DJP rules. The RO will provide such assistance to the Vice-Chancellor's nominee and the officer appointed to present the case to the Tribunal as they may require.

The Senior Proctor will ensure that proctors are trained to handle sexual offences matters and will not assign a case to a proctor who has not been so trained.

8.2 **Staff**

The existing (negotiated or Council-approved) disciplinary procedures for staff will be used. The procedures for staff are under revision, but will be used until revised. The RO must be consulted by the Case Officer. The RO will assist the Case Office (the management representative) where this assistance is required. For PASS staff Line Managers shall ensure that the line managers appointed to chair the disciplinary committee have been trained to handle sexual offences matters. For PICs and Committees of Inquiry, the Vice-Chancellor or nominee will where possible ensure that in constituting the panel that the panel contains at least one person who has been trained to handle sexual offences matters.

8.3 **Employees or agents of contracted-in Third parties**

The disciplinary procedures agreed between the University and the contracting-in third party will be used by the contracting-in third party. The RO will offer such assistance to the management of the third party concerned as may be required.

**Telephone Numbers:**

*Campus Protection Service: (021)650-2222*

*Student Wellness Service: (021)650-3662/3000*

*Guidance and Counselling Centre: (021)650-3533/6*

*Sexual Harassment Prevention and Support Service (SHARPSS): (021)650-3530*

*Discrimination & Harassment Office (DISCHO) (021)650-3530*

*EMERGENCIES*

*GSH Medical Casualty: (021)404-4141*

*GSH Trauma Unit: (021)404-4112*

*Victoria Hospital: (021)797-8131*

**Sexual Orientation Policy**

1.1 **Purpose**

The purpose of this policy is to ensure that UCT’s institutional response reflects the principles enshrined in *The Constitution of the Republic of South Africa of 1996*, specifically section 9 of the Bill of Rights, which states that “everyone [as] equal before the law” and prohibits “unfair” discrimination on the basis of sex, gender and sexual orientation. The legal obligations imposed by section 9 of the Constitution is are operationalised by the various provisions of the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA).

This policy contains the minimum standards and guidelines that govern interaction by the University of Cape Town entities, staff and students in relation to the diversity and fluidity of sexual orientation. It aims to both 1) ensure consistent engagement between students and staff and 2) create an environment that respects and celebrates differences regardless of an individual’s self-identified sexual orientation. The policy recognizes the potential negative, exclusionary and marginalizing impact of rules, practices, traditions, attitudes and (known or unknown) assumptions prevalent in the institution and accepts that these may purport that some staff and students do not count equally because they identify themselves – or are identified by others – as part of a sexuality/gender minority. This policy sets out guidelines to be followed by the University’s institutions when they adopt or review rules, plans and practices. The guidelines also aim to inform and educate UCT staff and students to assist them in making the appropriate choices when deciding on what terminology to use in teaching practice; communication, health care and administrative services.

The policy encourages the best practice in order to ensure that UCT complies with its constitutional and legal obligations and – in so doing – hopes to work towards the creation of an environment in which all individuals can flourish regardless of their sexual orientation differences. Good practice guidelines are detailed in the following four sections, namely: teaching practice (language use and teaching delivery); communication and media; institutional culture and service provision (training and development).

## 1.2 **Applicable to**

This policy applies to all UCT staff and students, governance structures, societies, clubs and all other third parties rendering services to/at the university.

## 1.3 **Legal framework**

The University of Cape Town has a constitutional and legal duty to take positive steps towards the creation of an environment in which staff and students will flourish and will be able to reach their full potential, regardless their race, sex, class, ability status, gender, sexual orientation or other relevant attributes or characteristics. Section 9(3) of the Constitution of the Republic of South Africa, 1996 prohibits the state and any person (including a juristic person) from unfairly discriminating, either directly or indirectly, against anyone on one or more grounds, including “race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth”. This is not a closed list of grounds on which discrimination can occur. Any discrimination on any ground similar to those listed will be recognised by a court; discrimination on the ground of HIV status has been recognised as one such a ground. South Africa’s Constitutional Court held in *National Coalition for Gay and Lesbian Equality and Another v Minister of Justice and Others* (CCT11/98) [1998] ZACC 15; 1999 (1) SA 6; 1998 (12) BCLR 1517 (9 October 1998) at para 21) that the concept “sexual orientation” as used in section 9(3) of the 1996 Constitution must be given “a generous interpretation”.

The constitutional obligation contained in section 9(3) is also contained in the relevant provisions of the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA). PEPUDA binds UCT as well as all staff and students who work or study at UCT. The provisions of the Act also trump other legislative obligations imposed on UCT and its staff and students (section 5(2)). Section 6 of PEPUDA prohibits the State and any person from unfairly discriminating against any person. Discrimination is defined in section 1 as any act or omission, including a policy, law, rule, practice, condition or situation which directly or indirectly imposes burdens, obligations or disadvantage on; or withholds benefits, opportunities or advantages from, any person on one or more of the prohibited grounds. The prohibited grounds include sexual orientation. Thus any policy, act or any failure to act by UCT which *either directly or indirectly* imposes burdens or disadvantages on someone because of their sexual orientation – or withholds benefits, opportunities and advantages from them – will constitute discrimination. Rules, practices, habits or attitudes which might appear to be neutral but which will impact disproportionately on individuals because of their sexual orientation will constitute indirect discrimination (*City Council of Pretoria v Walker* (CCT8/97) [1998] ZACC 1; 1998 (2) SA 363; 1998 (3) BCLR 257 (17 February 1998)). Section 13(2) of PEPUDA states that when an individual shows that a person or institution has discriminated on one of the grounds listed (including on the ground of “sexual orientation”), the discrimination will be presumed to be unfair and thus unlawful. In such a case UCT would have to produce evidence to prove that the discrimination was justified and that it was not unfair to discriminate against non-heterosexual students, staff and visitors in this manner. Section 14 of PEPUDA lists various factors that a court will take into account to determine whether UCT has shown that the discrimination was not unfair. This is not a closed list of factors, but the factors often guide a general proportionality assessment to determine whether the discrimination is fair (and thus legally valid) or

unfair (and thus unlawful). These factors include: (a) whether the discrimination impairs or is likely to impair human dignity of the group being discriminated against; (b) the impact or likely impact of the discrimination on the complainant; (c) the position of the complainant in society and whether he or she suffers from patterns of disadvantage or belongs to a group that suffers from such patterns of disadvantage; (d) the nature and extent of the discrimination; (e) whether the discrimination is systemic in nature; (f) whether the discrimination has a legitimate purpose; (g) whether and to what extent the discrimination achieves its purpose; (h) whether there are less restrictive and less disadvantageous means to achieve the purpose; (i) whether and to what extent the respondent has taken such steps as being reasonable in the circumstances to accommodate diversity.

The negative feelings or prejudices harboured towards a discriminated group by some members of a community (whether animated by religious beliefs or not) will never constitute a valid reason to justify discrimination. In *Hoffmann v South African Airways* (CCT17/00) [2000] ZACC 17; 2001 (1) SA 1; 2000 (11) BCLR 1235; [2000] 12 BLLR 1365 (CC) (28 September 2000) at para 37) the Constitutional Court confirmed this principle stating that: “*Prejudice can never justify unfair discrimination.*” PEPUDA also imposes a positive obligation on an institution like UCT to take reasonable steps to accommodate the diverse needs that students - who are marginalised or vulnerable because of their sexual orientation - have. The Constitutional Court held in *MEC for Education: Kwazulu-Natal and Others v Pillay* ((CCT 51/06) [2007] ZACC 21; 2008 (1) SA 474 (CC); 2008 (2) BCLR 99 (CC) (5 October 2007) at para 72-73) that “failing to take steps to reasonably accommodate the needs” of people on the basis of their sexual orientation (or any other relevant ground) will amount to unfair discrimination. PEPUDA requires respect for difference and imposes a duty on institutions like UCT to implement fundamental changes in institutional policies, rules, practices and habits to ensure that seemingly neutral rules, practices or behaviours do not perpetuate the exclusion and marginalisation of sexual minorities.

The Constitutional Court defined the constitutional ideal which should guide the implementation of these positive measures (and hence also the sexual orientation policy) as follows (see *Minister of Home Affairs and Another v Fourie and Another* (CCT 60/04) [2005] ZACC 19; 2006 (3) BCLR 355 (CC); 2006 (1) SA 524 (CC) (1 December 2005) at para 60):

“A democratic, universalistic, caring and aspirationally egalitarian society embraces everyone and accepts people for who they are. To penalise people for being who and what they are is profoundly disrespectful of the human personality and violatory of equality. Equality means equal concern and respect across difference. It does not presuppose the elimination or suppression of difference. Respect for human rights requires the affirmation of self, not the denial of self. Equality therefore does not imply a levelling or homogenisation of behaviour or extolling one form as supreme, and another as inferior, but an acknowledgement and acceptance of difference. At the very least, it affirms that difference should not be the basis for exclusion, marginalisation and stigma. At best, it celebrates the vitality that difference brings to any society.... The acknowledgement and acceptance of difference is particularly important in our country where for centuries group membership based on supposed biological characteristics such as skin colour has been the express basis of advantage and disadvantage. South Africans come in all shapes and sizes. The development of an active rather than a purely formal sense of enjoying a common citizenship depends on recognising and accepting people with all their differences, as they are. The Constitution thus acknowledges the variability of human beings (genetic and socio-cultural), affirms the right to be different, and celebrates the diversity of the nation. Accordingly, what is at stake is not simply a question of removing an injustice experienced by a particular section of the community. At issue is a need to affirm the very character of our society as one based on tolerance and mutual respect. The test

of tolerance is not how one finds space for people with whom, and practices with which, one feels comfortable, but how one accommodates the expression of what is discomfiting.”

In implementing the positive measures required by the Constitution and the provisions of PEPUDA, the University is required to take cognizance of other Constitutional rights, including the right to freedom of religion. However, the right to freedom of religion cannot be used as a justification for discriminating against individuals on the basis of their sexual orientation. This means that a sexual orientation policy cannot interfere in the intensely private religious sphere, while the religious beliefs of some cannot be used as a justification for continuing to discriminate against sexual minorities. The Constitutional Court explained the need to accommodate both personal religious freedom and the duty not to discriminate as follows (*Minister of Home Affairs and Another v Fourie and Another* (CCT 60/04) [2005] ZACC 19; 2006 (3) BCLR 355 (CC); 2006 (1) SA 524 (CC) (1 December 2005) at para 94):

“In the open and democratic society contemplated by the Constitution there must be mutually respectful co-existence between the secular and the sacred. The function of the Court is to recognise the sphere which each inhabits, not to force the one into the sphere of the other. Provided there is no prejudice to the fundamental rights of any person or group, the law will legitimately acknowledge a diversity of strongly-held opinions on matters of great public controversy. I stress the qualification that there must be no prejudice to basic rights. Majoritarian opinion can often be harsh to minorities that exist outside the mainstream. It is precisely the function of the Constitution and the law to step in and counteract rather than reinforce unfair discrimination against a minority. The test, whether majoritarian or minoritarian positions are involved, must always be whether the measure under scrutiny promotes or retards the achievement of human dignity, equality and freedom.”

#### 1.4 Definitions

<b>Terms</b>	<b>Definition</b>
Asexual	A person who has low or no sexual desire, little or no sexual behaviour, and a concomitant lack of subjective distress. Identifying as asexual does not preclude the ability of the person to have a romantic or love relationship with someone of the same and/or different genders. <sup>1</sup>
Assigned pronouns	The common pronouns that are used to describe or refer to a person based on actual or perceived gender (Miller, 2015) <sup>2</sup>
Bisexual	A person who is attracted to two sexes (usually male and female) or two genders (usually men and women), but not necessarily at the same time or equally.
Gay	A label or identity a man/boy who is attracted to other men/boys may choose for himself. It is possible for a man/boy to have sexual and romantic feelings for other men/boys but not consider himself gay.
Heteronormative/ Heteronormativity	A culture and/or belief system that assumes that people fall into distinct and complementary sexes and genders and that heterosexuality is the normal sexual orientation. A heteronormative view is one that involves the alignment of biological sex, sexuality, gender identity, and gender roles (Miller, 2015). <sup>3</sup>

Heterosexism	The assumption that all people are/or should be heterosexual (Miller, 2015). <sup>4</sup> Those that identify as male or female may have a heterosexual orientation. Some male or female heterosexual groups may consciously or unknowingly assert heterosexist privilege, commonly referred to as heterosexism. Heterosexism excludes the needs, concerns, and life experiences of sexually diverse people while it gives unearned advantages to heterosexual people. It is often a subtle form of oppression that reinforces the silence and invisibility of the LGBTIAQ+.
Heterosexuality	A sexual orientation specific to male or female individuals who feel attracted to like-minded people that identify with the gender binary of male or female. This definition is specific to only male and females.
Homophobia	Also termed “homoprejudice”, it refers to an irrational fear of and/or hostility towards lesbian women and gay men, or same-sex sexuality more generally (Academy of Science of South Africa, 2015). <sup>5</sup>
Homosexuality	A sexual orientation in which a person feels attracted to people of the same gender.
Inclusive Language	Use of gender non-specific language to avoid imposing the limiting assumption of heterosexuality and to present an open social climate for non-heterosexuals. ( <a href="http://www.iranti.org.co.za/content/Glossary/01-Glossary.html">www.iranti.org.co.za/content/Glossary/01-Glossary.html</a> )
Lesbian	Lesbian - A label or identity that a woman/girl, who is attracted to other women/girls, may choose for herself. It is possible for a woman/girl to have sexual and romantic feelings for other women/girls but not consider herself lesbian.
Preferred or chosen pronouns	Self-selected preferred names and pronouns that correspond to the person’s gender identity (Gender DynamiX, 2013). <sup>6</sup>
Queer sexualities	An inclusive term that refers not only to lesbian and gay persons, but also to any person who feels marginalised because of her or his sexual practices, or who resists the heteronormative sex/gender/sexual identity system. (Academy of Science of South Africa, 2015). <sup>7</sup> The word originally meant odd, or unconventional. Previously only used as a slur referring to LGBTI people, who have reclaimed the word (Morgan, et.al, 2009). <sup>8</sup>
Safe Space	A non-judgemental space for dialogue and support for sexually diverse/self-identifying people.
Self-identifying	The Western biomedical terms of sexual identity categorization such as LGBTQIA+ or MSM or WSW have not been accepted into African discourse. <sup>9</sup> African scholars have written extensively on the possibility of further stigmatization that imposed terms have on populations that do not identify with the labels. <sup>10</sup> The agency located in the term ‘self-identifying’, shifts the power discourse to those persons who intend to define themselves “whilst rejecting an imposition to be externally controlled, defined, or regulated” (Miller, 2015b). <sup>11</sup>
Sexual orientation	A person’s lasting emotional, romantic, sexual or affectional attraction to others (heterosexual, homosexual/same-sex sexual orientation, bisexual or asexual) (Academy of Science of South Africa, 2015)



Structural Discrimination	Structural discrimination (also referred to as indirect discrimination) refers to practices, rules, norms and behaviours within institutions and social structures which may not explicitly refer to a person's sexual orientation or other characteristic, but nevertheless have the effect of denying rights or opportunities to members of marginalised groups, limiting the access to equal opportunities. Structural discrimination can occur both intentionally and unintentionally (Miller, 2015). <sup>12</sup>
UCT  UCT entity	<p>The term is also used in relation to more informal practices that have become embedded in everyday organisational life and effectively become part of the system. It is important to remember that the key element in structural discrimination is not the intent but the effect of keeping populations in marginalised and subordinate positions.</p> <p>University of Cape Town</p> <p>A faculty, department, school, centre, division, group, unit, office, service, centre, or other organisational entity; an official staff or student grouping.</p>

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### 2. **Policy Summary**

In support of UCT's transformation mandate, it is important that a holistic response be established to govern each functional area of the university. These areas are categorised into four sections.

1. Teaching Practice
2. Communication and Media
3. Institutional Culture
4. Service Provision
5. Policy Adherence
6. Roles and Responsibilities

### 3. **Policy guidelines**

Under the ambit of The Constitution of the Republic of South Africa Act 108 of 1996, the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA) and the United Nations *Yogyakarta Principles of 2006* and the human rights framework enunciated above in the context of sexual orientation, this policy articulates the positive obligations imposed on UCT to give effect to its legal duties and provides guidelines for engagement by UCT staff and students in order to create an enabling environment that is sensitive to and inclusive of all sexual orientations.

### 4. **Teaching Practice**

In order to comply with the legal obligations imposed by PEPUDA academic staff and tutors are strongly encouraged to review their language and lecture content to ensure that inclusive, neutral, non-discriminatory language is being used. Examples of inclusive teaching practice would be using generic terms that do not reinforce heterosexism. For example, instead of using language that assumes every household has a mother and a father, it would be more inclusive to refer parent/s; or talk about diverse families, which will signal that heterosexual relationships are not the norm and that queer relationships or families are equally valid.

Teaching content should, where reasonably possible, include literature that reflects sexual diversity in the academic curriculum in order to provide a holistic reflection of society. HAICU will collaborate with staff to share knowledge about inclusive teaching practice and related discourse. Where reasonably possible, efforts should be made in terms of integrating literature content that can represent more than one sexual orientation. HAICU will offer workshops to staff seeking to incorporate a diverse array of queer inclusive literature into their framework of engagement and teaching.

### 5. **Communication and Media**

Under the framework of this policy, communication and media, by UCT staff, students, entities and third parties, should, where possible, adopt appropriate language, and/or imagery to promote the inclusion of all sexual orientations and related partnerships.

### 6. **Institutional Culture**

This section seeks to ensure that within the UCT administrative structures the inclusion of all sexual orientations is respectfully managed. University management has the obligation to take positive steps to change the environment. Sensitization training should be included in the student leadership induction programme. Orientation handbooks and related workshops should share information about UCT's commitment towards the inclusion of all self-identifying students. HAICU will offer sensitization workshops to UCT student leaders, staff and third parties to promote the inclusion of all sexual orientations.

### 7. **Revision of policies, codes of conduct, rules and practices**

In order to comply with the provisions of PEPUDA, all codes of conduct, rules and practices applicable to students and staff at UCT must be reviewed to identify seemingly "neutral" codes, residence policies, rules or practices that discriminate indirectly against individuals because of their sexual orientation. Focusing on the possible impact or effect of seemingly neutral codes, rules or practices, such a review (under the auspices of the DVC Transformation portfolio) must be conducted with the aim of eradicating indirect

forms of discrimination by entities, staff and students at UCT in order to bring UCT into compliance with PEPUDA and to avoid future litigation and to create an inclusive environment in which codes, rules or practices do not marginalise, exclude or otherwise disadvantage individuals merely because their sexual orientation does not conform with a supposedly heterosexual norm.

8. **Service Provision**

A service area that has been identified as an important resource for students is health care and wellness. Lesbian, Gay Bisexual, Transgender and Queer (LGBTQ) students should be able to receive the same level of service provision as heterosexual and cisgender students. Thus, service provision at UCT, should continue to have a progressive stance in the management of LGBTQ students. In particular, the student wellness staff members are encouraged to stay abreast of health practitioner knowledge for self-identifying students on campus.

UCT should constantly strive to improve its health and wellness services in this regard to ensure that inclusive sexual health care is provided. Similarly, other services should be able to cater for the specific needs of LGBTQ students.

9. **Policy adherence**

Failure to adhere to this policy will be deemed non-compliant. When an individual or entity within the university feels that forms of communication, conduct and/or treatment are counter to this policy they may take appropriate measures to hold the relevant persons/ units accountable via the Discrimination and Sexual Harassment Office and the Ombud. HAICU will offer safe spaces and/or educational support to affected individuals and/or entities to increase inclusion, engagement and critical reflection about sexual diversity.

10. **Roles and responsibilities**

<b>Roles</b>	<b>Responsibilities</b>
HIV/Aids, Policy and Implementation Committee (HAPI)	This committee is convened each quarter to discuss student and staff health and wellness, inclusion and diversity. This committee will provide oversight of the policy implementation and monitoring.
HIV/AIDS, Inclusivity & Change Unit (UCT) in collaboration with stakeholders on campus	Programmatic implementation and research of UCT’s HIV/AIDS and Inclusivity response. Development, enhancement and monitoring the areas of UCT’s sexual diversity and institutional culture response. Sensitization Workshops conducted in collaboration with UCT stakeholders that serve as educational spaces to expand awareness and promote inclusivity on UCT’s campus. Consultative forums: administration and output management Policy implementation
Student Committees and Societies	Student committees and societies, through the Department of Student Affairs, may request workshops on sexual diversity, to ensure that student-student engagement, within these societies and/or committees is inclusive.

Orientation Coordinating Committee (OCC)	Orientation Coordinating Committee meetings to review first year programme to ensure that resources are appropriate and student leaders are sensitized
DVC Transformation	Policy oversight and governance

### **Special relationship between staff and students**

In formulating rules relating to relationships between staff and students, the University is concerned to protect the integrity of the academic process and to provide an environment in which all students may reach their full academic potential.

Special relationships (including, but not limited to romantic relationships, kinship and relationships with a history of serious interpersonal conflict) between students and staff may undermine, or be perceived to undermine this integrity, and they may compromise fairness or objectivity, or be perceived to do so. (For example, the relationship of a staff member to, or with, a student may influence objectivity in assessment, or be perceived to do so; this will have negative consequences for the parties involved and for other staff and students).

Members of staff should consider carefully the possible consequences for themselves and for the student before allowing a romantic relationship to develop.

#### **Rules:**

1. A member of the academic staff who has a special relationship to, or with, a student in the department of which he or she is a member shall disclose the relationship to the Head of Department; the Head shall keep a confidential written record of this, and report this to the Dean. A Head of Department who has a special relationship to, or with a student shall disclose this to the Dean, who shall keep a confidential written record of this.
2. Any member of staff who has a special relationship to, or with a student, which does or may involve a conflict of interests (i.e. that may compromise fairness and objectivity, or may lead to a perception that fairness and objectivity will be compromised) shall report it to the Dean of the Faculty in which the student is registered. The Dean shall keep a confidential written record of this.
3. The Head and/or the Dean shall take whatever steps are necessary to ensure that the academic process is not compromised, and that bias, or the perception of bias, in dealing with students, are avoided.
4. Failure to report such a special relationship to, or with a student in terms of these rules constitutes a breach of conduct and any member of staff who contravenes the rules is liable to disciplinary action.
5. A Dean in such a position would disclose this to the Deputy Vice-Chancellor responsible.

### **Special relationships between staff members and between staff and applicants for UCT posts**

Special relationships between members of staff, and members of staff and job participants, may undermine, or be perceived to undermine employment integrity, and may compromise fairness or objectivity, or be perceived to do so. Special relationships may include, but are not limited to: romantic relationships; husband/wife; kinship; contractual or financial (i.e. where some form of agreement exists between two parties which may, for example, include nomination of a beneficiary or evidence that the relationship is of a long term nature built upon mutual dependency and trust such as a joint bank account, joint ownership of property, or long term cohabitation); and relationships with a history of serious interpersonal conflict.

#### **Rules:**

1. A member of staff who has any special relationship to, or with, a member of staff or job applicant in the department or section of which he or she is a member shall disclose the

relationship to the Head of Department or Dean. In the case of a Head of Department who has a special relationship with a member of staff or job applicant the relationship must be reported to the relevant Dean, Director, Registrar, Deputy Vice-Chancellor, Vice-Chancellor or Council.

2. A member of staff who serves on a committee such as a selection committee, ad hominem promotions committee, or Preliminary Investigating Committee) and has any special relationship to, or with, a member of staff or job applicant who is the subject of discussion of the committee, shall disclose the relationship to the Chair of the committee. A Chair of a committee who has any special relationship to, or with, a member of staff or job applicant who is the subject of discussion of the committee shall disclose the information to the relevant senior authority.
3. The relevant authority, indicated in 1 or 2 above shall take whatever explicit steps are necessary to ensure that the integrity of the employment relationship is not compromised, and that bias and perceptions of bias in dealing with staff and job applicants, are avoided. Such steps may include requiring the staff member to withdraw from the committee, or refuse himself or herself.
4. Failure to report such a special relationship to, or with, a member of staff or job applicant in terms of these rules constitutes a breach of conduct and any member of staff who contravenes the rules is liable to disciplinary action.

## **UNIVERSITY SMOKING POLICY**

### **1. Smoking restrictions**

- 1.1 The University Smoking Policy applies to all University of Cape Town facilities and vehicles, owned or leased, regardless of location. Smoking shall not be permitted in any enclosed place, including private residential space within the University of Cape Town housing. Smoking shall not be prohibited from service areas and service lines, balconies, verandas, covered walkways and parking areas, and links to other buildings.
- 1.2 Smoking shall be prohibited from all areas (enclosed or not) where food and beverages are prepared/purchased/consumed and within ten metres of these areas. The areas in question include but are not limited to Cissie Gool Plaza, Health Sciences Quad, Quad between Kramer and All Africa House, University Avenue between Molecular and Cell Biology and NSLT block, and the area between Leslie Social Sciences and the Geological Sciences buildings.
- 1.3 Smoking shall be prohibited from within ten metres of any entrance/exit to buildings, air-conditioning intake, or operable windows.
- 1.4 Smoking shall also be prohibited from any outdoor area during an organised gathering for the purposes of musical, dance, theatre, drama, entertainment, education, sport, performance or fair, parade, market or event.
- 1.5 The Physical Planning Unit will provide plans of the University showing the restricted areas to inform and assist the University community.

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### 2. **Informing and involving the university community**

- 2.1 Copies of this policy shall be distributed to all faculties and staff and shall be included with information given to all admitted students. Announcements shall also be printed in campus newspapers to ensure that everyone understands the policy. No Smoking signs shall be posted at all points of entry to the University of Cape Town campuses and at all University of Cape Town building entrances.
- 2.2 This policy is being announced three (3) months prior to its implementation in order to give smokers time to adapt to its restrictions and to facilitate a smooth transition to the new University environment.
- 2.3 Questions and problems regarding this policy should be handled through existing departmental administrative channels and administrative procedures.

### 3. **Designated smoking areas**

- 3.1 In accordance with legislation and as per of the University's desire to promote a healthier working environment, the University has chosen not to promote/support smoking and has opted not to allocate designated smoking rooms or areas inside the restricted areas listed in Section 1. No ashtrays shall be provided at any location on campus where smoking is prohibited.

### 4. **The Individual: Cessation of Smoking**

- 4.1 The University acknowledges that smoking is addictive and smokers can find it difficult to stop. The current healthcare service provider to the University offers University members advice on smoking cessation and incentives through its *Vitality* healthy lifestyle initiatives. The University Student Wellness Service also provides advice and support to the student body on smoking cessation and any preventative measures to improve a student's health. Contact details for the Student Wellness Service: 28 Rhodes Avenue, Mowbray, 7700, Tel: (021)650-1017/1020.

### 5. **The selling of smoking related products on campus**

- 5.1 Cigarettes, including e-cigarettes, cigars, and pipes including hookah pipes, shall not be sold or distributed as samples on university grounds, either in vending machines, the student union, or any area on campus.

### 6. **In further recognition of the incompatibility of University of Cape Town's educational mission and the promotion of tobacco products, effective 13 March 2017.**

- 6.1 No tobacco-related advertising or sponsorship shall be permitted on University of Cape Town, at University of Cape Town – sponsored events, or in publications produced by the University of Cape Town, with the exception of advertising in a newspaper or magazine that is not produced by the University of Cape Town property. For the purposes of this policy, "tobacco related" applies to the use of a tobacco brand or corporate name, trademark, logo, symbol, or motto, selling message, recognizable pattern or colours, or any other indicia of product identical to or similar to, or identifiable with, those used for any brand of tobacco products or company which manufactures tobacco products.

**Policy violations**

Violations of the policy will be treated in accordance with general campus disciplinary procedures.

**Roles and responsibilities**

All students, faculty and staff share in the responsibility for adhering to and enforcing this policy.

## **UNIVERSITY OF CAPE TOWN TEACHING AND LEARNING CHARTER**

### **Overview**

This charter outlines the goals we have set for ourselves in Teaching and Learning at the University of Cape Town.

By accepting a place at the University each student accepts responsibility for his or her own learning. This requires a commitment to hard work, and to participate fully in academic activities. It also recognizes that if students approach their studies in an open-minded, questioning manner, they will enhance their own educational experience and that of their fellow students and the academic staff.

By taking up academic appointments at the University, academic staff accept responsibility to teach to the best of their ability, to provide all reasonable assistance to students to enable them to do as well as they can, and to endeavour to teach with enthusiasm, creativity and rigour, and in a manner which reflects and interprets the research-led identity of the institution.

The University community acknowledges that effective teaching is best encouraged in a constructive and supportive environment within broadly agreed principles of good practice. While heads of academic departments are formally responsible to Senate for teaching and learning in their departments, individual academic staff are accountable for their teaching contribution which is assessed according to agreed performance criteria.

### **Mutual commitment:**

#### **Students should undertake to:**

1. Treat staff and fellow students with dignity and respect, especially in lectures, tutorials, laboratories and libraries.
2. Prepare for and attend all classes, tutorials, practicals and other activities scheduled for the courses in which they are registered.
3. Complete all submissions and any other course requirements to the best of their ability, handing in work on time.
4. Take responsibility for their own learning, while also interacting constructively with their fellow students, lecturers and tutors.
5. Address personal issues that might reduce the chances of success in good time so that these do not limit learning opportunities.
6. Not cheat, and not submit work of others as their own.
7. Complete course and lecturer evaluations for each course they are registered for.

#### **Academic staff should undertake to:**

1. Treat students and fellow staff with respect and dignity, and without discrimination or favouritism.
2. Teach to the best of their ability, striving to achieve clarity and to create an environment where questions and enquiry are encouraged.
3. Provide all reasonable assistance to students to enable them to do as well as they can, and to be available in clearly advertised ways to respond to student queries (e.g. by face-to-face consultations, email or other online means within a reasonable period and/or at reasonable times).
4. With respect to courses that they teach:
  - a. Provide clear, written course outlines, stating what is expected of students, DP requirements, if any, and how performance in the course will be assessed;
  - b. Adhere to agreed and published timetables for the courses;



- c. Provide lists of required and recommended readings, in advance, and ensure that such materials are available to students on paper or online. The University Libraries, in line with their collection development policy, will endeavour to make relevant material available to students;
- d. Design and implement a system of assessment for each course, which is consistent with the course design, content and objectives;
- e. Return work submitted for assessment within a reasonable period of time, with appropriate and constructive comments and other forms of evaluation, and ahead of formal examinations, so that students learn from this;
- f. Ensure consistent marking and effective moderation of marking;
- g. Organize an evaluation for each course and use the feedback to improve the course.

Students registered for Master's and Doctoral degrees, and staff supervising these studies, should read this charter in conjunction with the Memorandum of Understanding (MOU) between supervisors and students, which guides supervisor – student interactions and timelines.

#### **The University strives to**

- Provide a safe and effective learning environment.
- Provide support and developmental opportunities for teaching
- Provide all reasonable facilities and structures to support student success.

#### **The University undertakes to**

- Provide secure and reliable processes in respect of assessment and certification procedures.

Postgraduate students have particular needs, and the relationship between postgraduate students and their supervisors is set out in a parallel policy, which should be read in conjunction with this Teaching and Learning Charter.

*Details of this policy and the MoU between a postgraduate and his/her supervisor may be obtained from the Postgraduate Centre, Otto Beit Building.*

### **The work environment**

As a University we strive to provide a safe environment in which all our members are able to reach their full academic or other work potential. We will not tolerate any threat or act that interferes with an individual's performance at work or in study, or that creates an intimidating, hostile or demeaning work or study environment because of an individual's race, gender, beliefs or sexual orientation.

### **UCT Values**

The University is a community of scholars, students and staff. A community implies the shared acceptance by its members of common values. The concept of value implies not only rights but also obligations, for the community itself and for its individual members.

This Statement of Values provides a framework that informs and governs what is considered by the University community to be appropriate and acceptable behaviour. The Statement also serves as the foundation for a range of University policies and guides the management of particular aspects of University life.

As a value-based community, we aspire to an encompassing ethos which:

- Promotes academic excellence and the attainment of the institutional goal of becoming a world-class African University.
- Preserves what is valuable in the history of the institution and of this country, and responds to the challenges posed by past injustices and unfair discrimination.

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- Achieves social transformation, empowerment and participative governance.
- Affirms and protects the fundamental human rights enshrined in the Constitution.
- Encourages the institution and all its members to accept responsibility for the welfare of the community and for behaving in accordance with these community values.

### **Values:**

We commit ourselves to:

- Truth, fairness, consistency, and integrity in both academic and other work, and in all personal and institutional relationships.
- Compassion, generosity and concern for the needs and aspirations of others, and in particular for the challenges faced by the less privileged in our society.
- Respect and tolerance for cultural, religious, political and other differences and acknowledge of the value of diversity in society.
- Respect for individual privacy, dignity and the right to personal choice.
- Intellectual honesty, vigour in debate, openness to alternative ideas and respect for other views, beliefs and opinions.
- Commitment to high standards, personal fulfilment and the pursuit of excellence.
- The protection and responsible use of the University's assets and resources.

### **Actions:**

In the context of our recent history, we recognize the importance of affirming this *ethos* and promoting these shared values. Accordingly, we undertake collectively and individually:

- To promote and protect academic freedom.
- To oppose and take steps to prevent racial, gender and other forms of unfair discrimination, harassment, violence or abuse.
- To actively promote social justice and equity.
- To nurture a culture of learning which is supportive of students, scholars and teachers.
- To refrain from speech or conduct that demeans or humiliates others.
- To encourage our members to enjoy life, to laugh, to love, to appreciate and take full advantage of the wealth of opportunities available to us in academic endeavour, in making friends, and in social, cultural and sporting activity.
- To advance the principle of open governance and to be fully accountable for our actions, decisions and the stewardship of the University's resources and mission.
- To nurture and empower our members.

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