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## **THE RULES OF STUDENT CONDUCT AND DISCIPLINE ORDINANCE No. 5**

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In terms of section 27(1) of the Marondera University of Agricultural Sciences and Technology Act [Chapter 25:29] of 2015, the Council of the Marondera University of Agricultural Sciences and Technology, with the approval of the Minister of Higher and Tertiary Education, Innovation, Science and Technology, makes the following Ordinance:

1. This Ordinance may be cited as “The Rules of Student Conduct and Discipline Ordinance 5.
2. The Rules of Student Conduct and Discipline set out in the schedule to this Ordinance shall come into effect from May 2019.
3. In terms of Section 27(4) of the University Act, the Student Disciplinary Committee hereby delegates to the officials referred to in the Rules of Student Conduct and Discipline the power of investigating and exercising disciplinary authority in respect of misconduct by any student to the extent and in the manner set out in the Rules of Student Conduct and Discipline.
4. In terms of the Section 27(6)(c) of the University Act, the Student Disciplinary Committee may order a student to pay the University the amount of any financial loss caused to the University by such a student’s conduct (commission or omission)
  - 4.1 After reference to the Vice Chancellor, the Student Disciplinary Committee may impose any penalty on a student which in the circumstances of a particular case it deems appropriate.
  - 4.2 The Vice Chancellor may accept the Student Disciplinary Committee recommendations or aver his own penalty as the case may be.

### **1.0 SCHEDULE**

#### **Definition of Terms**

##### **1.1 INTERPRETATION**

In interpreting any word, phrase or sentence in this Ordinance, University officers charged with the administration of these rules must:

- 1.1.1 Assign any such meaning as assigned to the word, phrase or sentence by the University Act.

1.1.2 Thrive at all times, to promote the spirit and letter of the University Act and seek to implement the letter and spirit of the University Act and will in particular have regard to the following principles:

- 1.1.2.1 The University is a society in which high standards of communal life must be established and maintained for the benefit of both present and future members of the University.
- 1.1.2.2 A high level of personal integrity and a developed sense of responsibility towards others are as important to the University as outstanding scholastic achievement.
- 1.1.2.3 A proper concern for the reputation of the University and what it ought to stand for makes it incumbent upon its members to live decent and orderly lives.
- 1.1.2.4 Individual or collective action by members of the University student's body, which constitutes a breach of these rules, may require to be punished notwithstanding that the motive or goal of such action was commendable in the belief of such members.

## **2.0 UNDERTAKING AT REGISTRATION**

2.1 When registering as a member of the University, a student shall be given a copy of these rules and shall sign a statement in which he/she acknowledges that he/she had been furnished with the rules, and he/she undertakes to conduct himself/herself while a student of the University in accordance therewith and with any amendments duly made thereto.

## **3.0 STUDENT CONDUCT**

- 3.1** Contravention of any of the following rules constitutes an offence:
- 3.1.1 No student shall use the University premises contrary to University regulations, Faculty/ Institute or Department.
  - 3.1.2 No student shall intentionally or negligently misuse (abuse), damage, deface or destroy any property owned or controlled by the University or by any member of staff or by any student of the University.
  - 3.1.3 No student shall engage in conduct which disrupts or is likely to disrupt teaching, study, research or any administrative work.
  - 3.1.4 No student shall obstruct, or attempt to, any member of staff of the University, or of any contractor engaged by the University, in the performance of their duties.
  - 3.1.5 No student shall engage in any conduct or behave in any manner, on or off campus, which is indecent, improper or likely to be harmful to the interests of the University, members of the University staff or students.
  - 3.1.6 No student shall steal or attempt to steal any property belonging to the University, any member of staff or another student of the

University, or any property that is under the control of the University.

3.1.7 No student shall intentionally or negligently, engage in any act of misconduct, including fraud (making a false statement, declaration, representation) against the University, any member of staff or other students of the University.

3.2 The following would be regarded by the University as instances of breaches of the rule contained in 3.1 above:

3.2.1 Disrupting or seeking to disrupt any proper function of the University be it an official function, Council Meeting, Senate Meeting, whether it is Faculty or Committee Meeting, lecture, teaching session, the function of any University society or day-to-day administrative activity in Halls of Residence, Dining Hall, inclusive of sports and entertainment/events.

3.2.2 Seeking to prevent a speaker invited by any section of the University Community from lawfully expressing his/her views.

### **3.3.0 Students are informed that:**

If a group of students forms a common intention to commit certain acts and to assist each other in their conduct, and in due course a breach of these rules is committed by one or some of the group, then each member of the group may be held to have committed that breach of rules, who foresaw that the breach would occur, or who must, in the view of the Student Disciplinary Committee, have foreseen that it would occur.

3.3.1 A member of such a group can avoid this by taking clear and unequivocal steps before such a breach is committed to show that he/she dissociates himself/herself from the acts of the group with whom he/she has so far been associating,

3.3.2 Where a number of students have committed a breach of these rules and only one or more of these students can be identified, the University will not hesitate to take disciplinary action against those students who can be identified and against whom there is sufficient evidence to warrant investigation and disciplinary proceedings.

3.3.3 In the event that a contravention of these rules is conducted by members of a recognized society or club of students, its chairperson/president or secretary will be held accountable.

3.3.4 Where a student commits an act which is both an offence according to the laws of the country and one which after investigation appears to be a breach of the disciplinary rules of the University, the

university may punish such a student notwithstanding that he/she is prosecuted and / or punished by the courts of the country.

- 3.3.5 A student shall obey any rules made from time to time by the Vice Chancellor and shall further obey all instructions given by the Vice Chancellor, the Proctors, and all those persons whom the Vice Chancellor has charged to assist him in the maintenance of discipline and in this regard, any member of the gathering students which is committing or whose activities are likely to lead to a breach of rule 3 above to disperse and may further order any such member to furnish his/her full name or to accompany the staff member to an interview by the Vice Chancellor or Proctor or give both such orders.
- 3.3.6 If a student misbehaves in a lecture or teaching session, or interferes with the conduct of a lecture or teaching session, the member of staff may order the student to leave or to cease such interference. Failure to comply with any order given as above constitutes a serious offence.

### **3.4 ACTS OF VIOLENCE**

- 3.4.1 No student shall commit any act of violence by word or otherwise, towards any member of the University staff, other students of the University or a visitor thereto, or, if off campus, any member of the public.
- 3.4.2 No student shall unlawfully deprive any member of the University staff, student or visitor to the University of any of their Constitutional rights including freedom of movement.
- 3.4.3 A student who commits any act of violence on or off campus will be automatically suspended or expelled from the University.

### **3.5 PORNOGRAPHY**

- 3.5.1 For purposes of this Ordinance, Pornography shall be defined as any printed or visual material containing the explicit description or display of sexual organs or activity, that may stimulate sexual excitement. Subject to Marondera University of Agricultural Sciences and Technology's General Information and Communication Technology Policy for Computer Facilities, pornography is strictly prohibited and any student caught viewing, in use, producing or in possession of pornographic material will be brought before the Student Disciplinary Committee.

### **3.6 PROSTITUTION**

For purposes of this section, prostitution shall be defined to mean, but not limited to, any act involving sexual relations in exchange for payment or other benefits whether it is performed by a male or female student.

- 3.6.1. No student shall, on or off campus, engage in any activities which amount to prostitution.

### **3.7 INDECENT ASSAULT AND SEXUAL HARASSMENT**

- 3.7.1 No student shall, by act or threats, unlawfully assault or attempt to assault, any person in a manner calculated or intended to achieve sexual intercourse, or any other form of sexual gratification regardless of the degree or nature thereof;
- 3.7.2 indecently touch or assault any male or female person;
- 3.7.3 commit in respect of or upon the person of any other person, any act of physical indecency, or by words, conduct or writing, threaten to perform any act of physical indecency upon such a person;
- 3.7.4 by words, conduct or writing, propose, suggest or imply to another student, visitor, official or member of the University staff, any activity of a sexual nature if the student knows, or foresees, that the other person would consider such proposal, suggestion or implication is by reason of its sexual nature, offensive, demeaning or intimidating to the person to whom it is addressed.

### **3.8 GAMBLING**

- 3.8.1 No student shall, whilst on campus or any premises owned or controlled by the University, participate actively or otherwise, in any activity that constitutes or can be viewed as constituting gambling.

### **3.9 ALCOHOL AND DRUGS**

- 3.9.1 No student shall bring, possess, manufacture, use or supply any intoxicating substance, controlled substance or dangerous drugs whether on or off campus or any premise owned or controlled by the University.
- 3.9.2 A student contravening this provision shall be liable to a penalty of a fine (*schedule of fines*), a suspension or expulsion.

### **3.10 DANGEROUS OBJECTS AND WEAPONS**

- 3.10.1 The possession of any dangerous object on campus or any premise owned or controlled by the University is prohibited.

3.10.2 For purposes of this Ordinance, a dangerous object shall be taken to mean any object including a weapon, which ordinarily can inflict bodily or other forms of harm to another.

### **3.11 CYBER-CRIMES**

3.11.1 All forms of Cyber-crimes, that is, any unlawful conduct that is perpetrated through the use or involvement of a computer device and a network, are prohibited both on and off campus.

### **3.12 CONTRAVENING TRAFFIC REGULATIONS**

3.12.1 Students must familiarize themselves with the traffic rules contained in the Traffic and Parking Control Regulations.

3.12.2 Contravention of any rules contained in the afore-mentioned traffic rules shall constitute a punishable offence.

### **3.13 NOISE**

3.13.1 All forms of noise and rowdy behavior are prohibited on campus.

### **3.14 HAWKERS**

3.14.1 Unless authorized either as part of learning activities or legitimate activities of a recognized society or club, students are prohibited from engaging in any form of hawking, that is, vending activities be it in portable or any form of merchandise on campus.

3.14.2 Hawkers are not allowed on campus.

### **3.15 SMOKING**

3.15.1 Smoking in any building of the University or in any public gathering outside buildings where others might feel offended by the smoking or there is a reasonable belief that the smoking might affect others, is prohibited.

### **3.16 INDECENT DRESSING**

3.16.1 For purposes of this Ordinance, Indecent dressing shall be defined as the deliberate wearing of clothes that result in the exposure of one's body to the public and is usually contrary to the acceptable norms and values of the society. Indecent dressing shall not be allowed on campus. In certain laboratories, student dress will be expected to meet safety requirements.

## **4.0 ACADEMIC INTEGRITY**

- 4.1** The rules contained hereunder must be read in conjunction with the General Academic Regulations and the Assessment Policy.

## **4.2 CHEATING**

The University takes cheating very seriously as it is considered as an attempt to deceive the examiners into gaining higher marks than you may have normally achieved.

- 4.2.1 For the purposes of this Ordinance, examination includes every examination or test or assessment of a student's knowledge or performance that may be organized by the University or any department of the University or any member of the academic staff of the University.

- 4.2.2 No student shall cheat in any University examination or assessment task.

- 4.2.3 The regulations give the following examples:

- 4.2.3.1 Obtaining advance knowledge of the content of an examination;
- 4.2.3.2 Getting illegal access to information about the examination;
- 4.2.3.3 Copying from the examination script of another candidate;
- 4.2.3.4 Helping and assisting another candidate during an examination;
- 4.2.3.5 Impersonating another candidate or allowing yourself to be impersonated in an examination;
- 4.2.3.6 Having notes, text or programmable calculators or any other information during the examination;
- 4.2.3.7 Having in the examination room any gadget containing information on the examination;
- 4.2.3.8 Any candidate found in possession of any material related to the subject in the University examination room will be asked to write a report at the end of the examination.

## **4.3 PENALTIES FOR CHEATING**

The following penalties will be applied in accordance with the recommendation of the parent department and Faculty/Institute:

- 4.3.1 Nullification of the results of the course in which cheating has occurred.
- 4.3.2 Repeating semester (s) or the year,
- 4.3.3 Suspension for a semester or more,
- 4.3.4 Withdrawal from the programme and/or withdrawal from the University.
- 4.3.5 In addition, the Senate may approve the imposition of modifications to any of the above penalties as individual cases warrant.

## **4.4 PLAGIARISM**

This section is to be read in conjunction with the General Academic Regulations and the Assessment Policy.

- 4.4.1 Plagiarism is any form of dishonest presentation of other people's work as your own. Plagiarism is a serious offence and will thus not be tolerated at Marondera University of Agricultural Sciences and Technology. The General Academic Regulations (11.5.2) are explicit in their denunciation of plagiarism and the penalties it attracts.
- 4.4.2 At University level, whatever discipline one is pursuing, it basically involves engagement with ideas and thoughts. In this enterprise there is a growing problem of plagiarism. This is generally defined as the act of presenting someone else's ideas, thoughts, language or opinions without acknowledging the source. Such ideas are not confined to written material. They could be in form of facts in various forms, statistics, images, drawings, spoken word, and even material in electronic form.
- 4.4.3 Marondera University of Agricultural Sciences and Technology has a very clear policy which considers plagiarism as a disciplinary offence. All assignments, dissertations and theses produced at Marondera University of Agricultural Sciences and Technology will be subject to anti-plagiarism detection using as approved. The severity of the penalty for plagiarism is determined by the Departmental Board and categorised in the General Academic Regulations of the University.
- 4.4.4 It is the prerogative of the student to ensure that all work they submit for assessment is original. All citations from other sources should be adequately acknowledged. Marondera University of Agricultural Sciences and Technology upholds academic honesty and integrity.
- 4.4.5 A student must not knowingly assist any other student in cheating or plagiarism. This includes working together on a single draft of a piece of work unless expressly required to do so in group work or passing a partly or fully completed piece of work to a fellow student.

## **4.5 PENALTIES OF PLAGIARISM**

This section should be read in conjunction with Examination Rules and Regulations on cheating.

- 4.5.1 In the case of plagiarism being discovered in a piece of work such as an essay, a laboratory report or dissertation, the student shall get a Chairperson's warning but shall be given an opportunity to re-do and resubmit an acceptable piece of work which shall be given a mark of not more than 50%.
- 4.5.2 In the case of plagiarism being discovered in a piece of work as indicated in 4.5.1 for the second time and after a re-submission, the student shall get the Dean/Director's warning and shall be awarded a mark of 0%.



- 4.5.3** The Senate shall take disciplinary measures such as suspension or expulsion of the student who would have been awarded a mark of 0% for the offence.
- 4.5.4** In the case of more than the permissible percentage of plagiarism being discovered in a project at the end of the semester, that candidate shall be denied the opportunity to resubmit the project within that semester.
- 4.5.5** The new project shall be submitted not later than two consecutive semesters after discovery of the offence.
- 4.5.6** The new project shall be awarded a maximum mark of 50%.
- 4.5.7** In the case of plagiarism being discovered in a project for the second time and after re-submission, a mark of zero shall be awarded and recorded, and the Senate shall take disciplinary action either to suspend or expel the student.

## **5.0 MISREPRESENTATION OF FACTS**

- 5.1** No student shall intentionally or negligently make a false declaration to the University in any document signed by such student.
- 5.2** No student shall intentionally or negligently, by word or writing, make any representation to a member of the University which causes prejudice to any interest of the University such as administrative, financial or academic or which have the potential to cause harm to such interest.

## **6.0 THE POWERS OF UNIVERSITY PROCTORS**

- 6.1** The Vice Chancellor shall from time to time appoint as many Proctors as he/she deems necessary from among the academic staff who are not members of the student disciplinary panel or Wardens. One Proctor shall be known as the Senior Proctor with responsibility for organizing and supervising the work of the other Proctors. A Second Proctor shall be known as the Legal Proctor with a particular responsibility for the presentation of cases before the Student Disciplinary Committee.
  - 6.1.1** A Proctor shall be charged with ensuring the proper observance of these rules by students on or off the university site and to this end shall, in addition to his/her powers under rule 3.4, have the following powers: -
  - 6.1.2** To receive and investigate reports of student misconduct;
  - 6.1.3** To summon any student to appear before him/her either to answer a charge or complaint against him/her or to answer questions with regard to any matter under investigation by him/her; to proceed

with inquiry proceeding in the absence of a student who in the opinion of the proctor has been duly summoned but has failed to appear;

- 6.1.4 To recommend to the Registrar that a student be summoned to appear before the Student Disciplinary Committee to answer a charge or complaint against him/her or to answer questions with regard to any matter under investigation by the Student Disciplinary Committee or Proctors;
- 6.1.5 To reprimand a student and keep a record;
- 6.1.6 To impose a fine on a student not exceeding stipulated fines (*refer to schedule of fines*) and to order the student to pay such fine to the University;
- 6.1.7 To order a student to pay a fine as compensation, any amount of any financial loss caused to the University by such student;
- 6.1.8 To withdraw an existing student privilege, other than residence, for a period not exceeding one (1) academic semester;
- 6.1.9 When a resident of a Hall of Residence makes a report to a proctor of alleged misconduct, the proctor shall communicate such a report to the Warden of the Hall of Residence concerned before taking action against the student resident.

## **7.0 POWERS OF WARDENS**

- 7.1 A Warden shall have the power to investigate any breach of rules of Halls of Residence by a student and to make any of the following orders in respect of such student adjusted by him/her to have committed a breach of these rules:
  - 7.1.1 To reprimand a student;
  - 7.1.2 To withdraw any existing resident student's privilege;
  - 7.1.3 To impose a fine not exceeding stipulated fines (*refer to schedule of fines*);
  - 7.1.4 To order a student to pay the university the amount of any financial loss caused to the university;
    - 7.1.4.1 Such an order may be made on the person or persons who caused the loss; or
    - 7.1.4.2 Where identity cannot be established, such an order may be made on members of the residence in which the loss was sustained.

- 7.2 Where a Warden wishes to impose 7.1.4.1 or 7.1.4.2 above, he/she shall first furnish the Senior Proctor with a full report concerning the alleged offence and the proposed penalty. On receipt of this report, the Senior Proctor may either confirm the proposed penalty and order of the Warden and in the event of variation, order the Warden to execute such varied order, or
- 7.2.1 Institute a further investigation of the matter before making such order at the conclusion as he/she deems fit.
  - 7.2.2 Recommend to the Registrar that a Student Disciplinary Committee be convened to examine the case.
  - 7.2.3 A Warden of a hall shall have the power to report any matter of student conduct to the Proctor, Director On and Off Campus Life and Student Development Programmes or through the Registrar to the Student Disciplinary Committee.
  - 7.2.4 Where a Warden has imposed any of the penalties set out in section 6.1.1 to 6.1.4 above on a student, he/she shall submit a report to the Proctor, Director of On and Off Campus Life and Student Development Programmes, Registrar and Dean of Students.

## **8.0 RULES FOR HALLS OF RESIDENCE**

### **8.1 GENERAL**

A resident student shall obey all rules made and instructions given by the Warden and Sub-warden of the Residence and shall refrain from conduct which:

- 8.1.1 May bring discredit upon his/her hall of residence; or
- 8.1.2 Is prejudicial to the welfare of other residents of the hall of residence.

### **8.2 POWERS OF HALL COMMITTEE MEMBERS**

Members of the Hall Committee shall have the power to investigate and if necessary reprimand residents for any infringements of the rules contained in this section and report such investigation or reprimand to the Warden.

### **8.3 DAMAGE TO HALL PROPERTY**

A student shall be liable to compensate the university in full for any damage caused by him/her to University property. Damage caused to a student's

room shall be presumed to have been caused by the resident to whom such a room has been allocated unless the contrary is proved.

#### **8.4 FIRE AND ARSON**

A resident having knowledge of the outbreak of fire or arson in or adjacent to Hall premises shall as soon as possible:

8.4.1 Inform the Chief Security Officer, the Warden, or the Subwarden;

8.4.2 The Chief Security Officer shall summon the Municipal fire brigade;

8.4.3 Inform the Director of Works and Estates.

#### **8.5 VACATION RESIDENCE**

A resident may not occupy a room during University vacation save with the prior written authority of the accommodation officer on the recommendation of the Dean/Chairman of appropriate Faculty/Department and the Warden. A resident granted leave to reside in a hall of residence during vacation who no longer wishes to avail himself/herself of this privilege shall furnish the Director of On and Off-Campus Life and Student Development Programmes with at least 3 (three) days written notice of such a fact. Omission to do so will render such a resident liable to monetary penalty.

#### **8.6 VISITORS**

8.6.1 Resident students' visitors may visit them in their rooms. Male students may be entertained in rooms in female halls and female students may be entertained in male halls between the following hours:

Monday to Friday: 1200 to 2230 hours  
Saturday: 1200 to 0000 hours  
Sunday: 1200 to 2230 hours

8.6.1 Outside the prescribed visiting hours above, all parts to the halls are out of bounds to all visitors. Special arrangements may be made by application to the Warden of the hall concerned. These provisions apply to all students, both undergraduate and postgraduate.

8.6.2 No visitor or non-resident student may make unauthorized use of accommodation or dining facilities in halls of residence. Students introducing visitors or non-resident students to the Hall may be held responsible by the Warden for the conduct of such visitors and non-

resident students making unauthorized use of the Hall facilities shall be guilty of misconduct.

## **8.7 SUSPENSION, EXPULSION AND WITHDRAWAL FROM RESIDENCE**

8.7.1 If a student should be suspended, expelled, leave the University or withdraw from residence before the end of the session he or she has been admitted, fees for the session not yet paid become immediately payable, except that a student (who is not suspended or expelled) gives proper notice before the end of semester that he or she wishes to freely vacate residence for the remainder of the session may be refunded the balance of residence fees in respect of the remaining portion of the whole term of the session.

8.7.2 Further, should a student who has been suspended or expelled, be readmitted to repeat a semester on an academic year in respect of which fees had already been paid before the said suspension or expulsion, the same shall pay the current requisite fees for the entire semester or academic year afresh.

## **8.8 LOSS OF VALUABLES**

8.8.1 A resident shall report as soon as possible to the Chief Security Officer, Warden, Deputy or Sub warden the loss of any article from hall premises in circumstance raising any suspicion of theft.

## **8.9 RELATIONSHIPS OF RESIDENTS AND STAFF**

8.9.1 A resident student shall not require a member of the accommodation and catering services staff to perform a service outside the scope of his/her normal employment duties. *Students must not loiter around staff houses during or after hours.*

## **8.10 ILLNESS**

8.10.1 A student who is ill shall, so far as he/she is able, ensure that his/her illness is reported to the University Student Health Services.

## **9.0 RULES FOR THE USE OF VEHICLES**

9.1 A student wishing to keep or use a vehicle including a motor cycle, motor scooter or motorized bicycle within the boundaries of the University site shall notify the Registrar in writing on the prescribed form.

- 9.2 Save with the prior written permission of the Registrar, a student shall not within university grounds:
- 9.2.1 Park a vehicle in a parking place marked or allocated to staff;
  - 9.2.2 Park a vehicle in any place at which parking by any persons has been prohibited;
  - 9.2.3 Bring a vehicle within any University building;
  - 9.2.4 Ride or drive a vehicle on any part other than roads, tracks or parking places;
  - 9.2.5 Leave a vehicle in an unusable condition for period longer than is reasonably required to effect necessary repairs;
  - 9.2.6 Whenever a vehicle registered within the University is driven, hidden or parked in contravention of the rules set out in section 9.2, it shall be presumed that it was so driven, hidden or parked by the person in whose name the vehicle has been registered with the University unless the contrary is proved.

## **10.0 RULES OF PROCEDURE IN DISCIPLINARY PROCEEDINGS BEFORE THE STUDENT DISCIPLINARY COMMITTEE**

- 10.1 A student who is accused of having committed any act which violated the Rules of Student Conduct and Discipline is brought before the Warden(s) and the Proctor who shall conduct any proceedings in accordance with rules contained herein save for the matters governed under section 27(3) of the University Act.
- 10.2 In the event of the Senior Proctor conducting any proceedings, in line with the powers bestowed upon him/her in terms of rule 6, he/she can make such a determination as appropriate and forward such a determination to the Registrar for recording. The Senior Proctor can make the following determinations:
- 10.2.1 Reprimand or warn the student;
  - 10.2.2 Return the matter to the Campus Protection Services for further investigation;
  - 10.2.3 Determine whether the evidence available can warrant a Disciplinary Hearing;
  - 10.2.4 Forward the matter to the Student Disciplinary Committee.
- 10.3 In conducting an investigation in any alleged violation of the rules of student conduct and discipline, it shall be the duty of the Legal Proctor to elicit all evidence brought to his/her attention which is relevant to the

investigation and admissible, whether favorable to or prejudicial to the student whose conduct is the subject thereof.

10.3.1 The Legal Proctor shall further have the duty to advise the committee as to the issues which they have to decide and to any point of law or procedure so as to ensure that the conduct of the investigation is consistent with the principles of natural justice;

10.3.2 To be absent at all times from the deliberations of the committee upon its final judgment;

10.3.3 To summon or notify the student to appear before the committee for investigation of an alleged breach of the university Rules of Student Conduct and Discipline;

10.3.4 The summons or letter must be addressed to the student concerned and must advise the student of:

- (a) The place and time he/she is to attend the hearing;
- (b) The date and time at which he/she is to attend, provided that such date shall be not less than 3 days after the date which such notice is received the rule which he/she is alleged to have contravened full particulars thereof;
- (c) His/her alleged contravention;
- (d) His/her right to make any relevant statement;
- (e) His/her right to call a witness to attend and give any relevant testimony on his/her behalf before the Committee;
- (f) His/her right to be accompanied and represented before the committee by a legal practitioner of his/her own choice at his/her own expense;
- (g) His/her duty to furnish to the proctors in advance of the investigation any information which he/she deems relevant to the investigation and which he/she wishes to be given due consideration.

10.4 Before the Student Disciplinary Committee, the Chairperson of the Committee shall regulate proceedings in a manner which is as simple and flexible as possible:

10.4.1 The proceedings of the Committee shall be conducted in an informal manner, according to the rules and principles of natural justice;

10.4.2 No accused student shall suffer any disadvantage or prejudice by reason of any failure or omission on the part of the said accused student or his/her representative to comply with any technical rules, including rules of evidence, as may be applied in ordinary courts;

- 10.4.3 More particularly, a student charged with breach of the rules of student conduct and his/her legal representative shall be informed of the charges as referred to in 10.3.4.b.
- 10.4.3 In conducting any investigation into the alleged violation of any rules stipulated in this Ordinance, the Disciplinary Committee observe any rules and procedures including convening to deliberate on the appropriate;
- 10.4.4 The proceedings of the Committee shall not derogate from the provisions of section 27(3) of the University Act requiring the student to be furnished with a full and fair opportunity to meet such allegations if he/she so desires.
- 10.5 The proceedings of the Committee shall thrive to promote justice and fairness by, *inter alia*:
  - 10.5.1 Presuming that the accused student is innocent until proven guilty;
  - 10.5.2 Permitting the accused student to present any relevant facts or call any witness capable of giving testimony relevant to the investigation before the Disciplinary Committee;
  - 10.5.3 Allowing the accused student to conduct his/her defence in a manner consistent with the promotion of a fair trial including, being afforded an opportunity to pose questions to any witnesses;
  - 10.5.4 Affording the accused student the opportunity to be present at all times save when the committee is deliberating upon its decision of the matter;
  - 10.5.5 Advising the accused student in a full and clear manner, of its decision or recommendation and of its reasons for arriving at that decision or recommendation;
  - 10.5.6 Advising the accused student of his/her rights, including the right to seek recourse in formal courts if aggrieved by the decision of the university proceedings.
- 10.6 A member of the Committee who has acquired other than in the course of his/her university life, knowledge of evidence in an investigation of misconduct to be held before the Committee, shall not participate in such investigation.
- 10.7 The Committee shall only find a student to have committed a breach of the Rules of Student Conduct and Discipline when it is satisfied beyond reasonable doubt that the student has committed such breach.
- 10.8 In the event of the Committee finding a student to have committed a breach of the rules either on the student's own admission or at the conclusion of an investigation, it shall, before determining the punishment it should impose or the terms of its recommendations to the Vice Chancellor, permit such a student a full opportunity to make a statement or produce evidence which he/she wishes to be taken into consideration in mitigation of his/her punishment.
- 10.9 The Chairman of the Committee shall keep notes of any proceedings before it, but these need not be a verbatim record.
- 10.10 As soon as possible, after the conclusion of a student disciplinary committee



- hearing, the Chairman shall convey a full report to the Registrar who shall inform the student involved of the Committee's judgment.
- 10.11 Except under extraordinary circumstances, the accused must be brought before the Disciplinary Committee within 14 days of committing the alleged offence, failure of which he/she must be given a date of hearing within 30 days of the occurrence of the alleged violation.

## **11.0 PENALTIES FOR VIOLATION OF RULES OF STUDENT DISCIPLINE**

- 11.1 The Committee can only recommend to the Vice Chancellor of its verdict following a hearing.
- 11.2 The Vice Chancellor can confirm, alter or overturn the verdict of the Committee.
- 11.3 In considering the appropriate sentence upon conviction of a student for violation of any rules contained in this Ordinance, the Committee shall have regarded to:
- 11.3.1 The need to uphold justice;
  - 11.3.2 Determine each case upon its own merits having regard to its surrounding circumstances;
  - 11.3.3 Where necessary, base sentencing on precedent, unless circumstances demand a departure from the available precedent.
- 11.4 The following constitute the examples of sentences/ penalties that can be imposed if a student is convicted of violating any rules of discipline in terms of this Ordinance:
- 11.4.1 a written warning or reprimand;
  - 11.4.2 a fine not exceeding stipulated fine (*refer to schedule of fines*);
  - 11.4.3 ordering a student to pay a fine as compensation for any financial loss caused to the University;
  - 11.4.4 suspension, expulsion or withdrawal from halls of residence;
  - 11.4.5 suspension from the University for a specified period;
  - 11.4.6 nullification of the student's results of a course or courses;
  - 11.4.7 withdrawal from the programme and/or from the University.

**SIGNED: VICE CHANCELLOR** \_\_\_\_\_ **DATE** \_\_\_\_\_  
**PROFESSOR J. NYAMANGARA**

**APPROVED/NOT APPROVED** \_\_\_\_\_ **DATE** \_\_\_\_\_  
**MINISTER: PROFESSOR DR. A. MURWIRA**