



Institutional Rules on Student Governance

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INSTITUTIONAL RULES ON STUDENT GOVERNANCE

Preamble

Against the background of the dream to be an internationally recognised university in Africa, distinguished for engaged scholarship, social responsiveness and an ethic of care, the council of the North-West University (NWU) has, in terms of section 32 and 35 of the Higher Education Act, 101 of 1997 and paragraph 26 to 29 of the Statute of the NWU, approved the Institutional Rules on Student Governance on 9 September 2021.

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CHAPTER 1

INTRODUCTION

1 Interpretation, Scope and Application

- 1.1 These institutional rules on student governance (herein after referred to as the rules) must be interpreted and applied in a manner consistent with the –
- 1.1.1 constitution of the Republic of South Africa, 1996;
 - 1.1.2 Higher Education Act, 101 of 1997 (“the Act”);
 - 1.1.3 Statute of the NWU as promulgated from time to time (“the Statute”); and
 - 1.1.4 provisions of the constitution of the Students’ Representative Council (“SRC”) in respect of the functions and duties of the office-bearers of the SRC and the Students’ Campus Councils (“SCCs”) as well as the procedures, accountability and operation of the SRC and the SCCs.

2 Purpose

- 2.1 The purpose of the rules is to provide for –
- 2.1.1 the procedures for the manner of election and term of office, and the determination of the functions and privileges of the SRC;
 - 2.1.2 the designation of members of the SCCs to the SRC;
 - 2.1.3 the framework within which the constitution of the SRC must provide for the duties, procedures, accountability and operation of the SRC and SCCs;
 - 2.1.4 The rules required by paragraph 29 of the Statute to ensure the continued performance of the functions of the SRC and its constituent components, and for intervention in the event of such functions not being performed; and
 - 2.1.5 matters relating to student governance not regulated by the constitution of the SRC adopted in accordance with paragraph 28 of the Statute.
- 2.2 These rules take precedence over all rules relating to student governance, except for the regulation of the functions and duties of the office-bearers of the SRC and the SCCs, and the procedures, accountability and operation of the SRC and the SCCs as provided for in the constitution of the SRC.

3 Reporting

The registrar and the executive director student life must report twice annually the University Management Committee (UMC), and other institutional committees and forums on matters related to the effective and efficient implementation of these rules.

4 Review

The registrar must, after consultation with the SRC, submit these rules to the council for review at least once in every three-year cycle.

ELECTION OF THE STUDENT CAMPUS COUNCILS (SCCS) AND THE STUDENT REPRESENTATIVE COUNCIL (SRC) DISTANCE STUDENTS' OFFICER

5 Independent Students' Electoral Commission

5.1 Establishment

The Independent Students' Electoral Commission (ISEC) Is established for the purposes of overseeing the election of the SCCs in order to ensure the validity of the process.

5.2 Composition and term of office

ISEC is composed of –

1.	A chairperson appointed by the university management committee.
2.	Two persons appointed by the university management committee on account of their relevant expertise pertaining to elections and their independence.
3.	One person appointed by the council of the university not necessarily from among its ranks.
4.	<p>Four student representatives:</p> <ul style="list-style-type: none"> • One registered student from each campus appointed by the relevant SCC; and • One registered student enrolled for a programme in the Distance Learning environment appointed by the SRC. <p>These students may not:</p> <ul style="list-style-type: none"> • Be current serving members of an SCC or the SRC; • Be a candidate eligible for election as a member of an SCC or the SRC Distance Students' Officer; and • Intend to be nominated for election as a member of the SCC or SRC Distance Students' Officer <p>These students must be able to participate in the functions and engagements of the ISEC</p>

The members of ISEC serve for term of one year to oversee all elections and by-elections of members of the SCCs

Following the appointment of the members of the ISEC by the Council, UMC, SRC and SCC the UMC Must confirm the members appointed during a UMC-SRC meeting held for that purpose.

6 Campus election coordinating teams (CECTs)

6.1 For each campus a CECT is established comprising staff members of the Campus Student Life Department, two representatives of the outgoing SCC not currently nominated for election to the SCC, and other representatives as may be determined by the ISEC.

6.2 The CECTs function as operational teams to assist ISEC in the execution of its mandate to coordinate and administer the election process at the campus level in order to ensure the effective and efficient operation of the process on the campus concerned.

7 Eligibility of candidates

7.1 General eligibility criteria for election as a member of an SCC

A student may be nominated and elected to an SCC of the campus at which such student is registered for a programme leading to a qualification, if the candidate –

- 7.1.1 qualifies to vote in the election'
- 7.1.2 is a registered student of the NWU enrolled for a programme leading to a qualification;
- 7.1.3 complies with the academic conditions set out in paragraph 7.5;
- 7.1.4 has not been registered, or will require to be registered in the subsequent year for a period beyond the maximum duration of the study concerned as provided for in the academic rules of the university; and
- 7.1.5 has served for a full term, or is serving in the current term, in a leadership position of the SRC, an SCC or a subordinate student leadership structure of the SCC concerned.

7.2 Specific eligibility criteria for election to the position of chairperson of an SCC

To qualify for nomination and election to the position of chairperson of the SCC, the candidate must have served a full term or be currently serving a term as a member of the SCC concerned.

7.3 Eligibility criteria for election to the position of the SRC: Distance Students' Officer

In addition to the eligibility criteria provided for in paragraphs 7.1.1 to 7.1.4 and disqualification criteria provided for in paragraphs 7.4.1, 7.4.2, 7.4.4, to 7.4.6, a student may be nominated for the position of SRC Distance Students' Officer if the candidate –

- 7.3.1 is registered as a student of the NWU enrolled for a programme through the distance learning mode of the university; and
- 7.3.2 is available to fulfil all responsibilities associated with the position and participate in all the meetings and activities of the SRC.

7.4 Disqualification of candidates

A student is disqualified from being nominated as a candidate for election to an SCC or Distance Students' Officer if –

- 7.4.1 such person is a first-time entrant to the university;
- 7.4.2 such person has already served three terms as a member of an SCC, or as the SRC Distance Students' Officer, regardless of the duration or sequential order of such terms;
- 7.4.3 such a person is not a registered student at the campus where the SCC is elected;
- 7.4.4 s conflict of interest may arise if elected;
- 7.4.5 the NWU Disciplinary Hearing Committee Is established in terms of paragraph 3.1 of the NWU Manual for Student Discipline Has imposed a disciplinary sanction on such person; and
- 7.4.6 such person has a criminal record.

7.5 Academic conditions

ISEC must, in its discretion, determine whether the students nominated for election to an SCC or as the SRC Distance Students' Officer Have exemplary academic records and continuous academic engagement, assessed according to the following guidelines:

- 7.5.1 where A candidate is an undergraduate contact student, the candidate must have obtained at least 66% of the total credits that is required for the programme up to the previous historic year level for which the student is registered and has achieved at least similar results in the semester immediately preceding the election;
- 7.5.2 where a candidate is a distance student, the candidate must have obtained at least 66% of the total credits that is required for the curriculum up to the previous historic year level for which the student is registered and has achieved at least similar results in the semester immediately preceding the election; and
- 7.5.3 where a candidate has been admitted and registered for a postgraduate programme, The candidate must present official proof of satisfactory progress made in the current year of registration and obtained from the relevant faculty.

8 Qualification to vote

- 8.1 To qualify as a voter in the election of an SCC a person must be a registered full time contact student for any formal programme leading to a qualification on the campus where the SCC concerned is to be elected.
- 8.2 To qualify as a voter in the election of the SRC Distance Students' Officer, a person must be a registered student in a formal programme leading to a qualification offered by the university in the distance mode of delivery.
- 8.3 The list of registered students qualified to vote in the election of the SCCs and the SRC Distance Students' Officer must be drawn from the official student database maintained by the management information systems department on a date at least 10 working days prior to the commencement of the nomination.

9 Procedure for nomination

- 9.1 The nomination of candidates for election to the SCCs and SRC Distance Students' Officer By persons qualified to vote commences simultaneously on a date published in the annual university calendar determined by the registrar and the executive director student life after consultation with the SRC.
- 9.2 The format and procedure for the electronic nomination of candidates is determined by the executive director student life and the SRC following consultation with the registrar.
- 9.3 Following the close of nominations, the CECTs must analyse all nominations duly submitted for completeness.
- 9.4 The CECTs must allow for the correction of administrative shortcomings and omissions related to the completeness of the nominations within 48 hours after the close of nomination period, after which all nominations received are submitted to ISEC for confirmation of eligibility to be elected as members of an SCC, or SRC Distance Students' Officer.
- 9.5 Following the determination of the eligibility of the nominations received, ISEC must publish a preliminary list of candidates deemed eligible for election.
- 9.6 Following the publication of the preliminary candidates lists, ISEC must allow for a 48-hour period during which student voters can submit objections to the nominated candidates, based on the eligibility criteria provided in paragraph 7, using documentation provided by ISEC.
 - 9.6.1 ISEC must hereafter after promptly review any objections made against a candidate.
 - 9.6.2 The finding of ISEC with regards to an objection raised against a nominated candidate is final.
- 9.7 Upon completion of the objection process, ISEC must publish the final candidates list, following which the promotion of candidates and election campaigning process may commence.
- 9.8 A candidate may at any stage withdraw from the election by written notice to the chairperson of the CECT of the campus concerned, receipt of which must promptly be reported by the CECT to ISEC.
- 9.9 For the election of the SRC distance Students' Officer the registrar must perform the administrative functions required of the CECTs for the SCC Election with the necessary changes determined by the nature of the distance learning environment.

10 Promotion of candidates and election campaigning

- 10.1 The promotion of candidates eligible for election takes place in accordance with the SRC's code of conduct for candidates for SCC elections (the CoCC).
- 10.2 Outgoing SCCs, overseen by the SRC, must make practical arrangements to ensure free, fair and orderly conduct of the promotion and campaigning processes.
- 10.3 The SRC Must submit the plans for the practical arrangements regarding the promotion of candidates and election campaigning to ISEC prior to the commencement of the promotion and election campaigning processes.

- 10.4 Any transgression of the CoCC must be reported promptly to ISEC.
- 10.5 candidates may, within the confines of the CoCC, be assisted by subordinate student leadership structures of the relevant SCC in their campaign to rally support for their candidacy.
- 10.6 Candidates must, either individually or in cooperation with other candidates, persons or subordinate student leadership structures, utilise the resources made available by the registrar and by the respective SCCs for the promotion of their candidacy and their election campaigns.
- 10.7 Where candidate wishes to use resources external to the university in the election campaign, be it financial, organisational or endorsement of the candidacy in any form, prior written approval of the employment of such resources by the vice chancellor is required, with such approval being submitted to the SRC, the registrar, executive director student life and ISEC.
- 10.8 A candidate found by ISEC to have contravened any of the provisions provided for in paragraphs 10.1 to 10.7 prior to or during the voting period may be disqualified by ISEC from participating in the election.
- 10.9 In the event of a candidate being disqualified and where there are no other candidates available deemed eligible by ISEC –
- 10.9.1 The position is declared vacant;
- 10.9.2 the election process proceeds with respect to the remaining candidates who are eligible for election; and
- 10.9.3 the candidates elected in accordance with these rules proceed to constitute the SCC concerned, whereafter the vacancy must be filled in accordance with the rules applicable to the filling of vacancies.
- 10.10 Where an elected member of an SCC is found by ISEC To have contravened the provisions of paragraphs 10.1 to 10.7, ISEC must declare the position to be vacant.
- 10.11 In such an event the remaining members of the SCC are deemed to be duly elected.
- 10.12 After the constituting meeting of the SCC concerned the vacant position must be filled in accordance with the rules applicable to the filling of vacancies.
- 10.13 Upon the ratification by ISEC of the results of the election, no further complaints concerning suspected contravention of paragraphs 10.1 to 10.7 may be registered.
- 10.14 The promotion of candidates and election campaigning for the portfolio of SRC Distance Students' Officer is managed by the registrar in accordance with paragraphs 10.1 to 10.7 of these rules with the necessary changes.

11 Procedures for the election

11.1 The voting process

- 11.1.1 The election is conducted electronically by means of secure mechanisms and procedures determined by the registrar in consultation with the executive director student life.
- 11.1.2 The election might be conducted remotely and not necessarily on premises of the university.
- 11.1.3 The Mechanisms and procedures employed for the election must ensure the secrecy and security of all votes cast.
- 11.1.4 ISEC Must be given full access to all aspects of the election and related processes.
- 11.1.5 The timing, manner and duration of the election must, after consultation with the executive director student life and the SRC, be published by the registrar at least one month prior to the commencement of the voting period.
- 11.1.6 To cast a vote, every voter must be verified electronically by means of a secure login process requiring the student's university number.

11.2 Counting of votes

- 11.2.1 Votes must be counted electronically by the internal auditors of the university, overseen by ISEC.
- 11.2.2 The candidate who receives the majority of votes for the SCC portfolio concerned and SRC Distance Students' Officer portfolio, is elected.
- 11.2.3 In the event of an equal number of votes being cast for candidates competing for the same portfolio, the candidate whose academic performance is adjudged by ISEC to be the best of the competing candidates, is declared to be elected.
- 11.2.4 Following the outcome of the counting of votes, ISEC must publish a preliminary list of elected candidates.

12 Objections

- 12.1 Within 48 hours after the publication of the preliminary list of elected candidates, any voter may submit an objection to ISEC regarding the outcome of the election, using the documentation provided by ISEC, based on alleged non-compliance with these rules.
- 12.2 ISEC must promptly investigate duly submitted objections and may engage objectors during its investigations.
- 12.3 The findings of ISEC regarding an objection are final and binding.

13 Ratification and announcement

- 13.1 An external auditor appointed by the university audits the results of the election to verify its accuracy.
- 13.2 Upon receipt of a positive audit report by the external auditor and the announcement of the findings of ISEC regarding objections, ISEC may ratify the results of the election and declare it to have been free and fair.
- 13.3 Following ratification of the results of the election, the SCCs must promptly release and publish the names of the elected candidates, the number of votes won by each candidate, the voter turnout as a percentage, and the number of spoilt ballots cast.
- 13.4 The Outcome of the election must be published electronically, and the outcome of the election of the SCCs must also be published on the public notice boards of the relevant campus.

COMPOSITION OF THE SCCs AND THE SRC, DESIGNATION OF MEMBERS OF THE SCCs TO THE SRC, TERM OF OFFICE AND THE FILLING OF VACANCIES

14 Composition of the SCCs and the SRC

14.1 Composition of the SCCs

- 14.1.1 Each SCC comprises 15 positions to which members are elected.
- 14.1.2 Among the 15 members comprising each SCC, at least a chairperson, deputy chairperson, secretary, and a transformation and diversity officer must be designated.
- 14.1.3 the portfolios in respect of which SCC members take responsibility must be aligned across the three campuses in accordance with the provisions of the constitution of the SRC.

14.2 Composition of the SRC

- 14.2.1 In terms of the statute, the SRC comprises 15 members designated in terms of these rules.
- 14.2.2 In addition to the elected distance students' officer, at least a president, deputy-president, secretary-general, and a transformation and diversity officer must be designated from among the members of the SRC.
- 14.2.3 The constitution of the SRC must provide for portfolios in respect of which each of its members take responsibility.

14.3 Diversity targets and transformation

The council must inform the SRC and SCCs of the skills and diversity targets set by it to promote do sensitivity to race, gender and disability and request each of these bodies to demonstrate how the achievement of those targets was pursued pro-actively, transparently and inclusively within the student governance environment.

15 Rules for the designation of SCC members to the SRC

15.1 General principles applicable to the designation of SCC members to the SRC

- 15.1.1 Each SCC Receives a minimum of three positions on the SRC.
- 15.1.2 The chairperson, deputy-chairperson and secretary of each SCC serve in the SRC.
- 15.1.3 The chairpersons of the three SCCs Form the executive committee of the SRC.
- 15.1.4 The allocation of the positions of president, deputy-president, and secretary-general is rotated between the SCCs on an annual basis.
- 15.1.5 Each SCC Must determine which of its members are designated to the SRC in accordance with the number of positions to which it is entitled in terms of the formula provided for by paragraph 15.2.

15.2 Formula for the determination of the number of members of each SCC to be designated to the SRC

- 15.2.1 The quota for the allocation of SCCs members to the SRC (with 14 positions available) is calculated in accordance with the following formula:

$$\frac{a}{b} = c$$

Where –

- a* represents the total number of qualified voters on all three campuses;
- b* represents the total number of positions on the SRC to be filled by designation by the SCCs (14); and
- c* represents a number referred to as “the quota”.

- 15.2.2 the calculation of the number of positions on the SRC to be allocated to each SCC is calculated in accordance with the following formula:

$$\frac{d}{e} = f$$

Where –

- d* represents the total number of qualified voters on the campus concerned;
 - e* represents the quota; and
 - f* represents the number of positions (fractions to be disregarded, subject to paragraphs 15.2.3 to 15.2.5) allocated to the SCC concerned.
- 15.2.3 If the formula provided for in paragraph 15.2.2 does not lead to the allocation of all positions on the SRC, the remaining positions are allocated in sequence of the highest fractions obtained in the calculations in terms of paragraph 15.2.2, provided that at least three positions must be designated to each SCC in accordance with para. 15.1.1.
- 15.2.4 If *f* contemplated in paragraph- 15.2.2 is less than 3, and an additional position(s) on the SRC are allocated to the SCC concerned. The calculation contemplated in 15.2.3 is made only recording the other SCCs.
- 15.2.5 if the fractions referred to in paragraphs 15.2.2 and 15.2.3 for two or more SCCs is equal, and a position remains to be allocated, it is allocated to the SCC of the campus where *d* in the formula provided for in paragraph 15.2.2 is the largest.
- 15.2.6 the calculations for the allocation of the positions on the SRC must be made by the internal auditors of the university and must be ratified by ISEC.

16 Term of office of the SCCs and the SRC

- 16.1 The **term of office of an SCC** is one year and commences (or concludes as the case might be) upon the conclusion of the constituting meeting of the relevant SCC, which must take place within five working days following the ratification of the election results by ISEC.
- 16.2 The **term of office on an SRC** is one year and commences (or concludes as the case might be) upon conclusion of the constituting meeting of the SRC, which must take place within five working days following the last constituting meeting of the SCCs.
- 16.3 In the instance where the constituting meeting of an SCC is unreasonably and justifiably delayed for a period of more than five working days after the ratification of the results by the ISEC, the vice chancellor may convene at the constituting meeting for the SCC concerned, whereupon the term of the outgoing SCC ceases, and the term of the incumbent SCC commences.
- 16.4 In the instance where the constituting meeting of the SRC is unreasonably or and justifiably delayed for a period of more than five working days after the last constituting meeting of the SCCs, the vice chancellor may convene the constituting meeting for the SRC, whereupon the term of the outgoing SRC ceases, and the term of the incumbent SRC commences.
- 16.5 Under compelling circumstances the vice chancellor may, on the advice of the registrar, the executive director student life and the UMC, and after consultation with the SRC, extend or shorten the term of the SCCs or the SRC for a reasonable period.
- 16.6 In the event of the election of an SCC in accordance with paragraph 28.6.3.2, the provisions of paragraphs 16.1 and 16.3 to 16.5 apply, and the newly elected SCC must designate the relevant members to the SRC, which is then not required to constitute afresh.
- 16.7 the term of office for SCCs members elected and SRC members designated in accordance with paragraph 28.6.3.2 is regarded as a full term for the remainder of the current term, irrespective of its duration.

17 Termination of membership

17.1 Termination of membership of an SCC

- 17.1.1 a member resigns in writing to the chairperson of the SCC concerned, or the exco of the SCC concerned in the event of the resignation of the chairperson;
- 17.1.2 a member ceases to be a registered student of the campus from which the member was elected;
- 17.1.3 the member registers as a student in the distance learning environment;
- 17.1.4 the member ceases to be a registered student of the university;
- 17.1.5 the member is found guilty of misconduct by a NWU Disciplinary Hearing Committee as established in terms of paragraph 3.1 of the NWU Manual for Student Discipline;
- 17.1.6 a vote of no confidence in the member is adopted with the support of at least 12 members of the SCC concerned;
- 17.1.7 the member is convicted of a crime;
- 17.1.8 a conflict of interest or of commitment arises, which cannot reasonably be managed as determined by the executive director student life in consultation with the registrar and vice chancellor;
- 17.1.9 the member is declared insolvent by a court of law; or
- 17.1.10 the member becomes incapable of, or- disqualified to, Perform the official duties as a member of the SCC.

17.2 Termination of membership to the SRC

Membership of the SRC is terminated when –

- 17.2.1 a member ceases to be a member of the SCC to which the member was elected;
- 17.2.2 a vote of no confidence in the member is adopted with the support of at least 12 members of the SRC; or
- 17.2.3 A conflict of interest or of commitment arises, which cannot reasonably be managed as determined by the executive director student life in consultation with the registrar and vice chancellor.

17.3 Termination of membership as the SRC distance students' officer

Membership of the SRC distance students' officer ceases when –

- 17.3.1 the officer ceases to be a registered student in the distance learning environment;
- 17.3.2 the officer registers as a full-time contact student of the university; or
- 17.3.3 a conflict of interest all of commitment arises, which cannot reasonably be managed as determined by the executive director student life in consultation with the registrar and vice chancellor.

18 Filling of vacancies

- 18.1 A vacancy occurring in an SCC within five months of the commencement of its term must be filled for the remainder of the term by conducting a by-election in accordance with the procedure provided for in Chapter 2.
- 18.2 A vacancy occurring in an SCC after five months since the commencement of the current term has elapsed, is left vacant and the SCC must resolve by a two-thirds majority of the remaining members to add the functions of the vacated portfolio(s) to the responsibilities of another member of the SCC.
- 18.3 In the event of a vacancy occurring in a position of the SRC to which the member was designated by an SCC, the SCC concerned must resolve by a two-thirds majority two fill the vacancy from among its members to serve in the SRC for the reminder of the term.
- 18.4 A vacancy occurring in the position of the SRC distance students' officer Within five months of the commencement of the term, must be filled for the remainder of the term by conducting a by-election in accordance with the procedure provided for in Chapter 2.
- 18.5 A vacancy occurring in the position of the SRC distance students' officer after five months since the commencement of the current term has elapsed, is left vacant and the SRC must resolve by a two-thirds

majority of the remaining members to add the functions of the vacated portfolio to the responsibilities of another member of the SRC.

- 18.6 A member who filled a vacancy in accordance with paragraphs 18.1 to 18.5 is deemed to have served in the SRC or the SCC concerned for full term.

DESIGNATION OF SRC MEMBERS TO COUNCIL, SENATE, THE INSTITUTIONAL FORUM AND OTHER UNIVERSITY COMMITTEES

19 Notification

The registrar must, following the constituting meeting of the SRC provided for in paragraph 16, notify the president of the SRC in writing that the SRC is required to designate SRC members to serve in various governance structures of the university for the duration of their term of office, as follows:

- 19.1 three members to serve in the council of the university;
- 19.2 four members to serve in the senate;
- 19.3 six members to serve in the institutional forum; and
- 19.4 In the structures and committees of the university as determined by the UMC.

20 Designation

- 20.1 The president of the SRC must forthwith cause, in accordance with the procedural requirements of the constitution of the SRC, the designation of members referred to in the notice of the registrar and provide the registrar with the names of the designees.
- 20.2 Designated members of the SRC serve as members of the structures concerned for the duration of their term of office, but if such a member ceases to be a member of the SRC prior to the completion of the term, another member must forthwith be designated by the SRC to serve in the structure concerned for the remainder of the term.

REGULATORY FRAMEWORK ON THE FUNCTIONS, DUTIES, PRIVILEGES AND ACCOUNTABILITY

21 Framework on the functions of the SRC

Within this framework, the SRC is required to regulate their functioning in performing the following:

- 21.1 coordinating organised student life activities in the student community;
- 21.2 ensuring compliance by student leadership structures with the rules, procedures and mechanisms of the university;
- 21.3 actively participating and contributing to the activities of the committees and forums to which it designates members; and
- 21.4 establishing subordinate student leadership structures other than the SCC provided for in these rules.

22 Framework on the duties of the SRC

Within this framework, the SRC is required to regulate their functioning in performing the following duties:

- 22.1 To annually adopt a broad-based performance plan and framework within which it and the subordinate student leadership structures are to operate, incorporating the strategic directives of the university concerned with the coordination of student activities, including –
 - 22.1.1 the creation of a comparable student experience;
 - 22.1.2 the implementation of social justice, multilingualism and an ethic of care; and
 - 22.1.3 the creation of an inclusive and diverse student community.
- 22.2 To promote and maintain discipline within the student community.
- 22.3 To conduct itself in a manner that is consistent with the values, principles and codes of conduct of the NWU.
- 22.4 To act in the best interest of the university and the student community.
- 22.5 To refrain from acting in a manner that is detrimental to the business of the SRC or that of the university.
- 22.6 To comply in all respects with the university policies, rules and guidelines.

23 Framework on the procedures and operations of the SRC

- 23.1 Within the framework of these rules, the SRC must establish rules and procedures that inform the operational working of the SRC itself, the SCCs, and the sub-ordinate student leadership structures.
- 23.2 Such rules and procedures must provide for the day-to-day working and continued performance of the SRC, the SCCs, and the sub-ordinate student leadership structures including rules and procedures on:
 - 23.2.1 requesting and motivating that the university to enter into contracts on its behalf, Or on behalf of its sub-ordinate student leadership structures;
 - 23.2.2 drafting and distribution of publications and notices on matters pertaining to the SRC, SCCs, and sub-ordinate student leadership structures;
 - 23.2.3 coordination of meetings with students and student leaders for the purposes of discussing the business of the SRC, its sub-ordinate leadership structure and the student community;
 - 23.2.4 liaising with SRCs From other universities and higher education institutions;
 - 23.2.5 establishing task teams and subcommittees which assist in the furtherance of the functioning and operations of the SRC, consisting of members internal to the university; and
 - 23.2.6 requesting legal advice on matters pertaining to the business of the SRC, the SCCs and its sub-ordinate student leadership structures, through the office of the registrar.
- 23.3 the procedures must also provide for internal dispute resolution mechanism for the SRC, the SCC and the sub-ordinate student leadership structures.

24 Privileges of the SRC

- 24.1 The UMC must, on the advice of the executive director student life determine the privileges of the members of the SRC, which may include allowances, stipends, honorariums, and which must be aligned with that which is permissible in terms of other council policies and financial rules regarding, amongst others, subsistence, travel allowances and reimbursements.
- 24.2 The UMC must, on the advice of the executive director student life determine the privileges of the SRC as a body, which may include infrastructure and budget allocation, representation on committees and recognition of the status of the SRC as representative of the student community.

25 Accountability of the SRC, SCC and sub-ordinate student leadership structures

- 25.1 The SRC is accountable to the NWU student body, the vice chancellor and the council of the university.
- 25.2 The SCCs are each accountable to the student body of the respective campus, the SRC, the vice chancellor and the council.
- 25.3 The subordinate student leadership structures of each SCC are accountable to the student body of the relevant campus, their SCC, and the SRC.

REGULATORY FRAMEWORK FOR THE ADOPTION AND REVIEW OF AND AMENDMENTS TO THE SRC CONSTITUTION

26 Adoption and status of the constitution of the SRC

- 26.1 The SRC is responsible for the drafting and triennial revision of the constitution of the SRC (the constitution).
- 26.2 The constitution, duly adopted and approved in accordance with paragraph 28 of the Statute, forms an integral part of the institutional rules of the NWU contemplated in section 32(1)(b) of the Act.
- 26.3 The constitution must, within the provided frameworks, regulate the functions and duties of the office-bearers of the SRC and the SCCs and provide for the procedures, accountability and operation of the SRC and the SCCs, and sub-ordinate student leadership structures.
- 26.4 The provisions of the constitution are binding on the SRC, the SCCs and all other student leadership structures of the NWU.

27 Review and amendment of the constitution

- 27.1 The registrar must notify the SRC when a revision of the constitution is due.
- 27.2 The SRC may call on the executive director student life and the registrar for advice and assistance regarding the drafting and review of the constitution.
- 27.3 A Proposal for the amendment of the constitution may be made by an SCC with the support of 12 members, or maybe proposed by 12 members of the SRC.
- 27.4 A proposal for an amendment to the constitution must be submitted electronically to the SRC Exco, SRC Legal Officer, the registrar and executive director student life before it is tabled at a meeting of the SRC.
- 27.5 The SRC must consult with the executive director student life and the registrar before adopting an amendment of the constitution.
- 27.6 The SRC must inform the student body of proposed amendments and must allow a reasonable period of time for the submission of comments.
- 27.7 The constitution and any amendment thereof must be adopted by at least 12 members of the SRC before it might be submitted to Senate and council for approval.

ENSURING THE CONTINUED PERFORMANCE OF THE FUNCTIONS OF THE SRC

28 Ensuring continued performance

28.1 Monitoring of continued performance by the executive director student life (executive director)

The executive director provides for a process of regular reporting, analysis, evaluation, mentoring and improvement of the functioning of the SRC and its subordinate student leadership structures with reference to the performance plan and framework adopted by the SRC in terms of paragraph 22.1, and reports accordingly to the UMC and, twice per annum, to the Student Life Oversight Committee.

28.2 Remedial steps by the executive director

28.2.1 Where the performance of the SRC or any of its components deviates from the agreed-upon performance frameworks, objectives and plans, an internal remediation process must be followed and overseen by the executive director in collaboration with the relevant student leadership structures.

28.2.2 When an internal remediation process proves not to meet the requisite standards of improvement, a formal process of improvement must be devised and implemented by the executive director in collaboration with the relevant student leadership structures.

28.3 Dispute resolution

28.3.1 In the event that the dispute resolution mechanisms of the SRC fail to resolve a dispute within the SRC, an SCC, or any of its subordinate student leadership structures, the SRC may by means of a two-thirds majority vote request the assistance of the executive director to resolve the dispute.

28.3.2 Upon receipt of such a request, the executive director must, in collaboration with the relevant student leadership structures, initiate a suitable process of dispute resolution.

28.4 Monitoring of continued performance and remedial steps by the UMC

In the event that the desired functioning and performance is not achieved following the processes contemplated in paragraphs 28.2 and 28.3, the vice chancellor may, upon the advice of the executive director request the UMC to –

28.4.1 take additional measures deemed fit for the purpose of ensuring the desired functioning and performance of the relevant student leadership structures and to report the measures taken to the council; or

28.4.2 refer the matter to council for its intervention.

28.5 Remedial steps on dispute resolution by the UMC

In the event that a dispute is not resolved by means of the process contemplated in paragraph 28.3, or where a dispute arises between the SRC or an SCC and the management of the university, the vice chancellor may request the UMC to –

28.5.1 initiate measures deemed suitable to resolve the dispute; or

28.5.2 refer the matter to council for its intervention.

28.6 Intervention

28.6.1 Where the failure of the SRC or any of its components to perform its functions satisfactorily is referred to council for intervention according to paragraphs 28.4 and 28.5, intervention may take the forms of –

- Mediation;
- training or coaching;
- suspension of functions;
- suspension of members; or
- dissolution of the SRC, the SCC, or the leadership structure concerned.

- 28.6.2 The council must review an intervention taken in terms of paragraph 28.6.1 at least during every subsequent ordinary meeting with a view to the restoration as soon as possible of effective student governance.
- 28.6.3 Continued performance affected by a rising vacancies:
- 28.6.3.1 In accordance with the council's authority to ensure the continued performance of the SRC, the council might dissolve an SCC as a constituent component of the SRC in accordance with paragraph 28.6.3.2 and 28.6.3.3, if the occurring vacancies are determined to reasonable impact on the continued performance of the affected SRC, after consultation with the UMC and the SRC.
- 28.6.3.2 In the event of eight or more vacancies occurring simultaneously in an SCC within five months of the commencement of its term of office which reasonably impacts on the continued performance of the SCC concerned, the council may declare the SCC dissolved and cause the election of a new SCC to be conducted in accordance with the procedure provided for in Chapter 2.
- 28.6.3.3 in the event of eight or more vacancies occurring simultaneously in an SCC after five months since the commencement of the current term has elapsed which reasonably impacts on the continued performance of the SCC concerned, the council may for the purposes of efficient and effective student governance declare the SCC dissolved and, after consultation with the University Management Committee and SRC, appoint an SCC to serve the remainder of the current term.
- 28.6.3.4 In the event of an SCC being dissolved in accordance with paragraphs 28.6.3.2 and 28.6.3.3 –
- 28.6.3.4.1 the SRC continues to function until such time that the SCC concerned can again designate the relevant members; and
- 28.6.3.4.2 the SRC must, by means of a two-thirds majority of the remaining members, temporarily distribute the roles and responsibilities of the vacant SRC positions amongst the remaining SRC members.

STATUTORY PROVISIONS APPLICABLE TO THE SRC OF THE NWU

In accordance with section 35 of the *Higher Education Act, 101 of 1997*, the Statute of the NWU Provides for the establishment, composition, manner of election, functions and privileges in the paragraphs set out here for convenient reference

Student's representative council

Establishment and composition

26. (1) The North-West University Students' Representative Council (SRC) is established as a structure of the university in accordance with section 26(2)(e) of the Act.
 - (2) The SRC Is composed of 15 members designated in accordance with the rules.
 - (3) The rules must provide for the election of a Students' Campus Council (SCC) On each campus.
 - (4) The SCCs are accountable to the SRC.
 - (5) The SCCs are represented in the SRC in proportion to the number of students qualified to elect each SCC.
 - (6) The formula for determination of the proportion referred to in sub paragraph (5) must be provided for in the rules.

Functions

27. (1) The SRC coordinates organised student life at university.
 - (2) Members of the SRC are designated annually in terms of the SRC Constitution to serve on the council In accordance with paragraph 4(1)(f), and to serve on the senate in accordance with paragraph 13(1)(j).
 - (3) The SRC represents the interests of the students of the university as determined by the rules in consultations done in accordance with the requirements of sections 27(3) and 32(2)(c) and (d) of the Act and paragraph 73(2)(a) of the statute.

SRC Constitution

28. (1) Within the framework of the rules, the SRC must adopt a constitution in terms of which the functions and duties of the office bearers of the SRC and the SCCs, and the procedures, accountability and operation of the SRC and the SCCs are laid down.
 - (2) The constitution of the SRC must be approved by the council after consultation with the senate.

Intervention

29. (1) The council must make rules to ensure the continued performance of the functions of the SRC and its constituent components to regulate intervention, after consultation with the UMC and the SRC, if the SRC or any of its constituent components cannot or does not perform any of its functions provided for in the constitution of the SRC, the rules, this statute or the Act.
 - (2) The rules may prove appropriate intervention, including, but not limited to the suspension of the SRC or any of its constituent components or these functions or office bearers, subject to such conditions as the council may impose.
 - (3) The rules must provide for the regular review by the council of an intervention for the purposes of the normalisation of the performance of the functions of the SRC.

Provisions applicable to the SRC and other bodies

(Establishment and composition of the council of the NWU)

4. (1) The council of the university that governs the university, is composed of –
(f) three students designated by the SRC in accordance with paragraph 5;

(Functions and powers of the council of the NWU)

7. (8) The council, after consultation with the SRC, must provide for a suitable structure to advise the council on the policy for student support services within the NWU.

(Establishment and composition of the senate)

13. (1) There is a senate composed of –
(j) four students, whom one must be the SRC [chairperson] president, and one each from the respective SCCs.

(Executive committee of senate)

18. (1) there is an executive committee of the senate consisting of –
(g) the [chairperson] president, of the SRC

(Establishment and composition of the institutional forum)

22. (1) there is an institutional forum as contemplated in section 31 of the Act, known as the institutional forum of the North-West University, which consists of –
(g) six students designated for a term of one year from among the members of the SRC.

(Disciplinary bodies)

73. (1) The vice chancellor is the chief disciplinary officer of the university in respect of students.
(2) (a) The vice chancellor must, after the consultation with the senate, the SRC and the institutional forum, and in accordance with the statute and the rules, establish appropriate disciplinary bodies of the university and determine their authority, composition and procedures.