



**NWU**®

NORTH-WEST UNIVERSITY  
NOORDWES-UNIVERSITEIT  
YUNIBESITI YA BOKONE-BOPHIRIMA

## **NWU POLICY ON STUDENT DISCIPLINE**

<b>Reference number</b>	7P_7.3.8
<b>Accountable executive manager</b>	Registrar
<b>Policy Owner</b>	Registrar
<b>Responsible division</b>	Student Judicial Services
<b>Status</b>	Approved
<b>Approved by</b>	Council
<b>Date of approval</b>	13 March 2024
<b>Date of amendments</b>	
<b>Review date</b>	March 2027

## NWU POLICY ON STUDENT DISCIPLINE

The following Policy on Student Discipline is provided for in accordance with paragraph 72-77 of the Statute of the North-West University (NWU) and was adopted by the council of the University on 14 March 2024.

### 1 Interpretation and application

- 1.1 This policy 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;
  - 1.1.3 Promotion of Administrative Justice Act, 3 of 2000;
  - 1.1.4 Statute of the North-West University, as published from time to time (hereafter referred to as “the Statute”); and
  - 1.1.5 Other relevant policies and rules of the university.
- 1.2 All rules relating to student discipline made by competent authorities of the NWU must be interpreted and applied in a manner consistent with this policy:

### 2 Definitions

In this policy –

	Term	Definition
1.	<b>Academic misconduct</b>	Refers to student misconduct of an academic nature as contemplated in paragraph 73(c) of the Statute and further defined and regulated by the NWU Policy on Academic Integrity. Academic misconduct is first considered in terms of the Policy on Academic Integrity, and where relevant can be referred for further disciplinary action through the Policy and Manual on Student Discipline.
2.	<b>Non-academic misconduct</b>	Refers to student conduct contemplated in paragraph 73 (a), (b), (d) or (e) of the Statute, and as further indicated in the Manual on Student Discipline.

### 3 Purpose and scope

- 3.1 This policy gives effect to paragraphs 72-77 of the Statute.
- 3.2 All disciplinary rules and procedures relating to student conduct, as well as that provided for through the Manual on Student Discipline, must conform to and be applied in accordance with the paragraphs 72(1) and 74(2) of the Statute and provisions of this policy.
- 3.3 With regards to the nature of student discipline and disciplinary action:
- 3.3.1 The university’s institutional culture and values, aimed at fostering engaged and caring staff and students, must be promoted and protected when taking disciplinary action.
  - 3.3.2 As an educational institution, the university must exercise and enforce discipline in a manner consistent with educational goals.
  - 3.3.3 The university community being diverse, multi-dimensional and complex, the maintenance of sound discipline is an essential responsibility of the management of the NWU.

## **4 Policy statement**

It is the policy of the University that –

- 4.1 the procedures related to the maintenance of student discipline must be fair, transparent and effective;
- 4.2 the behaviour and conduct of every student and the student community as a whole must reflect the values of the NWU and promote the goals of engaged scholarship and social responsiveness;
- 4.3 all disciplinary procedures must conform to the requirements of natural justice;
- 4.4 student discipline must be implemented with a view to educate, to deter, to correct, to reconcile where possible, to maintain good order, and to promote stability within the university community; and
- 4.5 disciplinary action must be fair, compassionate, consistent and must ensure an appropriate balance of all parties involved to the matter, including the rights of implicated students, complainants, the rights of the University and the wider community.

## **5 Manual on Student Discipline**

- 5.1 The vice-chancellor must publish a Manual on Student Discipline (hereafter referred to as the Manual) after consultation with the Senate and the SRC.
- 5.2 In accordance with paragraph 74 of the Statute, the vice-chancellor must establish the following disciplinary bodies to deal with student conduct, with the authority, composition and procedures of each provided in the Manual:
  - 5.2.1 University Disciplinary Hearing Committees;
  - 5.2.2 Disciplinary Hearing Committees of the SRC, the SCCs and the subordinate student leadership structures;
  - 5.2.3 Residence Life Disciplinary Hearing Committees; and
  - 5.2.4 Student life Disciplinary Hearing Committees.
- 5.3 In circumstances where disciplinary action is required that does not clearly fall within the remit of a body established in terms of paragraph 5.2, or falls within the remit of two or more of those bodies, the vice-chancellor may establish an ad hoc disciplinary hearing committee to deal with the particular disciplinary matter.
- 5.4 The Manual must provide for the composition of five (05) review and appeal committees for each of the categories of disciplinary committees established in terms of paragraphs 5.2 and 5.3 of the Policy. A student found guilty of misconduct may, in terms of paragraph 77 of the Statute, appeal or submit a request for a review to the relevant committee, of the finding and or sanction of the disciplinary body concerned.
- 5.5 The Manual must provide clear guidelines and principles regarding:
  - 5.5.1 the requirements of natural justice;
  - 5.5.2 the purpose and nature of student discipline;
  - 5.5.3 the appropriate procedure that the disciplinary body must follow in order to obtain and evaluate the relevant facts;
  - 5.5.4 the burden and standard of proof required for making a finding;
  - 5.5.5 the sanctions imposed by a disciplinary body that on a student found guilty of misconduct; and
  - 5.5.6 The review or appeal procedure relevant to the particular disciplinary hearing committee.

- 5.6 The manual must make provision of predetermined disciplinary mechanisms that:
- 5.6.1 enable the maintenance of order and discipline within the Residence Life, Student Life, and SRC and subordinate student leadership environment;
  - 5.6.2 identify instances of non-compliance to relevant rules that would not necessitate a formal disciplinary hearing procedure;
  - 5.6.3 identify appropriate penalties associated to instances of non-compliance; and
  - 5.6.4 provide for a process for dispute resolution related to alleged non-compliance and penalties.

## **6 Sanctions for misconduct**

- 6.1 Where a disciplinary body considers it advisable that a sanction greater than that which it may impose in terms of paragraph 5.5.5 should be considered, the body may submit a motivated recommendation to the vice-chancellor, who may then appoint an ad hoc disciplinary body to finalise the matter.
- 6.2 A student on whom a sanction is imposed in accordance with this policy is bound to comply therewith, failing which the student's admission to the university and registration as a student may be terminated by the vice-chancellor.
- 6.3 In instances where discipline is exercised through the disciplinary mechanisms contemplated in paragraph 5.6, such acts of non-compliance must be associated with predetermined penalties developed and approved by the:
  - 6.3.1 University Management Committee for matters related to Student Life and Residence Life; and
  - 6.3.2 SRC for matters concerning the SRC, SCCs and subordinate student leadership structures.

## **7 Academic misconduct**

- 7.1 The Council must provide for appropriate rules and mechanisms for matters relating to academic integrity as governed by the NWU Policy on Academic Integrity.
- 7.2 The rules and mechanisms provided for in paragraph 7.1 must be overseen by the Senate, and may provide for further disciplinary action on identified acts of academic misconduct in terms of the Policy and Manual on Student Discipline.