

RHODES UNIVERSITY

KIMBERLEY WEST HALL

CONSTITUTION

(As amended 2011)

Subject always to the authority of the Council of the University and the powers of the Senate to superintend and regulate the administration of the residences and the discipline of the students, the following Constitution has been duly approved for Kimberley West Hall.

1. **NAME**

The name of the Hall is "Kimberley West Hall", hereinafter referred to as "the Hall". It consists of Cullen Bowles House, De Beers House, Gold Fields House and Rosa Parks House.

2. **MEMBERSHIP**

The following shall be members of the Hall:

The Hall Warden

All other Wardens

All students resident in the Houses of the Hall

All duly appointed or elected Fellows of the Hall.

3. **WARDENS**

3.1 **HALL WARDENS**

The Hall Warden shall be appointed by the Council of the University to be the Chief Executive and Administrative Officer of the Hall. The Hall Warden shall be responsible to Senate and Council for the management of the Hall, the social and academic welfare of all students in the Hall, the expenditure of all funds in the Hall (including all Hall and House grants) and, subject to the provisions of the Student Disciplinary Code, for the discipline of all students in the Hall, and for the carrying out of any other duties as may be required of him/her from time to time.

3.2 **HOUSE WARDENS**

A House Warden shall be appointed by the Council of the University to be Chief Executive and Administrative Officer of a House. The House Warden shall be responsible to the Hall Warden, the Senate and the Council for the management of his/her House, the social and academic welfare of all the students in the House and, subject to the provisions of the Student Disciplinary Code, for the discipline of all students in the House and for the carrying out of any other duties as may be required of him/her from time to time.

3.3 **SUB-WARDENS**

Sub-Wardens may be appointed for any House. Their appointment shall be by the Council. They will be responsible through the House Warden to the Hall Warden, the Senate and the Council for the carrying out of such duties as may be required of them from time to time.

4. SENIOR STUDENT OF EACH HOUSE

- 4.1 The Senior Student of each House shall be elected by the students eligible to vote in the House from among the students of Senior standing in the House who are eligible to vote.
- 4.1.1 No student who has been found guilty of a University disciplinary offence by any disciplinary authority in the University and sentenced to a fine in excess of 20% of the Hall Warden's maximum fine jurisdiction (at the time the fine was imposed) or to any form of exclusion or to community service exceeding 15 hours (in each case whether suspended or not) shall be eligible to be nominated or elected to fill the post of Senior Student of the House. This disqualification will end three years after the sentence has been completed.
- 4.2 The Senior Student of each House shall be elected during the first two weeks of the first term of each year or, at the discretion of the House Warden, during the fourth term but no later than the week preceding "swot" week. If an election is held during the fourth term, the Senior Student shall assume office at the beginning of the following term i.e. the first term of the following year.
- 4.2.1 The House Warden or one of the Sub-Wardens of the House shall arrange a House meeting to call for nominations during the relevant week. At this meeting scrutineers shall be elected.
- 4.2.2 There shall be a period of 24 hours for late nominations.
- 4.2.3 If more than one nomination is received, voting shall be by secret ballot.
- 4.2.4 Voting shall commence immediately nominations close and shall last for a period of 24 hours.
- 4.2.5 If a 75% poll has not been achieved at the end of the specified voting period, voting shall continue for a further 12 hours. Voting shall cease after the expiring of this additional period. Thereafter the votes will be counted and the election will be valid even if the prescribed percentage poll has not been achieved.
- 4.2.6 To be elected, a candidate must have obtained at least a half plus one of the votes cast. If no candidate has such a majority, then a further election under the same rules as the first shall be held, except that the candidates who obtained the most votes in the first election will be the only candidates
- 4.3 If the Senior Student shall cease to be a member of the House, s/he shall cease to be Senior Student.
- 4.4 If the Senior Student shall resign or otherwise cease to be Senior Student, the vacancy shall be filled by an election following the procedure laid down in 4.2.1 to 4.2.6.

5. HEAD STUDENT OF THE HALL

- 5.1 The Head Student of the Hall shall be elected annually from amongst the "students of senior standing" in the Hall. The procedure for these elections shall be as set out in section 5.5 and 5.6 below.
- 5.2 The Head Student shall take precedence over all students other than sub-wardens, in room choice.
- 5.3 No student who has been found guilty of a University disciplinary offence by any disciplinary authority in the University and sentenced to a fine in excess of 20% of the Hall Warden's maximum fine jurisdiction (at the time the fine was imposed) or to any form of exclusion or to community service exceeding 15 hours (in each case whether suspended or not) shall be eligible to be nominated or elected to fill the post of Head Student of the Hall. The disqualification will end three years after the sentence has been completed.
- 5.4 No student who has failed more than two half credits or the equivalent in the preceding June examinations shall be eligible to be nominated or elected to fill the post of Head Student of the Hall. Under exceptional circumstances, the candidate may appeal to the Hall Warden prior to the holding of elections.
- 5.5 The election of the Head Student shall take place during the first two weeks or the first term of the year, or, at the discretion of the Hall Warden, during the fourth term of the year by no later than the end of the second week of the term. If the election is held during the fourth term the Head Student will assume office at the beginning of the following year.
- 5.6 The Head Student of the Hall shall be elected by an electoral college consisting of all the House Senior Students.
 - 5.6.1 For the purpose of this election the House Senior Students shall elect a chairperson to preside over the election.
 - 5.6.2 Any student who is in at least his/her second year of study and who is a student of senior standing shall be eligible to stand for election as Head Student.
 - 5.6.3 The Hall Warden shall call for nominations for the position of Head Student of the Hall.
 - 5.6.4 All nominations must be in writing signed by the nominee and two seconders.
 - 5.6.4.1 Attached to the nomination must be a written motivation from the candidate stating why s/he wants to be Head Student and what s/he proposes to do for the Hall during his/her term of office.
 - 5.6.5 In reaching their decision the House Senior Students shall have the right to interview all or any of the candidates.
 - 5.6.6 The candidate obtaining the majority of votes shall be the Head Student of the

Hall. In the event of an equality of votes the chairperson shall exercise a casting vote.

- 5.6.6.1 The Chairperson mentioned in Section 5.6.1 shall inform the Hall Warden of the name of the successful candidate. The Hall Warden will then publish this name.
- 5.6.7 Should the Head student not return for his/her term of office, there shall be a new election, to be carried out as detailed above.
- 5.6.8 No person shall be eligible to nominate a candidate until s/he has been in residence in one of the houses of the Hall for at least two terms.
- 5.6.9 The Hall Head student shall ex-officio be one of the members of the House Committee in his/her own house.
- 5.6.10 Should a student be elected Head Student, but subsequently fail more than two full credits or four half credits or the equivalent in the November examinations, he/she shall be deemed ineligible to take up the position. The candidate who secured the next highest number of votes at the elections, who is still willing to serve and who fulfils the criteria shall automatically be deemed to be elected and shall fill the vacancy.

6. **HALL SPORTS REPRESENTATIVE**

- 6.1 The Hall Sports Representative shall be responsible for organising all sports events among the residences in Kimberley Hall or events involving teams that represent Kimberley Hall.
- 6.2 The Hall Sports Representative shall be elected annually from amongst the “Students of senior standing” in the Hall. The procedure for these elections shall be as set out in section 6.5 and 6.6 below.
- 6.3 No student who has been found guilty of a University disciplinary offence by any disciplinary authority in the University and sentenced to a fine in excess of 20% of the Hall Warden’s maximum fine jurisdiction (at the time the fine was imposed) or to any form of exclusion or to community service exceeding 15 hours (in each case whether suspended or not) shall be eligible to be nominated or elected to fill the post of Hall Sports Representative. The disqualification will end three years after the sentence has been completed.
- 6.4 No student who has failed more than two half credits or the equivalent in the preceding June examinations shall be eligible to be nominated or elected to fill the post of Head Student of the Hall. Under exceptional circumstances, the candidate may appeal to the Hall Warden prior to the holding of elections.
- 6.5 The election of the Hall Sports Representative shall take place during the first two weeks or the first term of the year, or, at the discretion of the Hall Warden, during the fourth term of the year by no later than the end of the second week of the term. If the election is held during the fourth term the Hall Sports Representative will assume office at the beginning of the following year.

- 6.6 The Hall Sports Representative shall be elected by an electoral college consisting of all the House Sports Representatives.
 - 6.6.1 For the purpose of this election the House Sports Representatives shall elect a chairperson to preside over the election.
 - 6.6.2 Any student who is in at least his/her second year of study and who is a student of senior standing shall be eligible to stand for election as Hall Sports Representative.
 - 6.6.3 The Hall Warden shall call for nominations for the position of Hall Sports Representative.
 - 6.6.4 All nominations must be in writing signed by the nominee and two seconders.
 - 6.6.4.1 Attached to the nomination must be a written motivation from the candidate stating why s/he wants to be Hall Sports Representative and what s/he proposes to do for the Hall during his/her term of office.
 - 6.6.5 In reaching their decision the House Sports Representatives shall have the right to interview all or any of the candidates.
 - 6.6.6 The candidate obtaining the majority of votes shall be the Hall Sports Representative. In the event of an equality of votes the chairperson shall exercise the casting vote.
 - 6.6.6.1 The Chairperson mentioned in section 6.5.1 shall inform the Hall Warden of the name of the successful candidate. The Hall Warden will then publish this name.
 - 6.6.7 Should the Hall Sports Representative not return for his/her term of office, there shall be a new election, to be carried out as detailed above.
 - 6.6.8 No person shall be eligible to nominate a candidate until she has been in residence in one of the houses of the Hall for at least two terms.
 - 6.6.9 The Hall Sports Representative shall ex-officio be one of the members of the House Committee in his/her own house.
 - 6.6.10 Should a student be elected Hall Sports Representative but subsequently fail more than two full credits or four half credits or the equivalent in the November examinations, he/she shall be deemed ineligible to take up the position. The candidate who secured the next highest number of votes at the elections and who is still willing to serve and fulfils the criteria shall automatically be deemed to be elected and shall fill the vacancy.

7. HALL COMMUNITY ENGAGEMENT REPRESENTATIVE

- 7.1 The Hall Community Engagement Representative shall be responsible for organising all community engagement events among the residences in the Hall.

- 7.2 The Hall Community Engagement Representative shall be elected annually from amongst the “Students of senior standing” in the Hall. The procedure for these elections shall be as set out in section 7.5 and 7.6 below.
- 7.3 No student who has been found guilty of a University disciplinary offence by any disciplinary authority in the University and sentenced to a fine in excess of 20% of the Hall Warden’s maximum fine jurisdiction (at the time the fine was imposed) or to any form of exclusion or to community service exceeding 15 hours (in each case whether suspended or not) shall be eligible to be nominated or elected to fill the post of Hall Community Engagement Representative. The disqualification will end three years after the sentence has been completed.
- 7.4 No student who has failed more than two half credits or the equivalent in the preceding June examinations shall be eligible to be nominated or elected to fill the post of Hall Community Engagement Representative of the Hall. Under exceptional circumstances, the candidate may appeal to the Hall Warden prior to the holding of elections.
- 7.5 The election of the Hall Community Engagement Representative shall take place during the first two weeks or the first term of the year, or, at the discretion of the Hall Warden, during the fourth term of the year by no later than the end of the second week of the term. If the election is held during the fourth term the Hall Community Engagement Representative will assume office at the beginning of the following year.
- 7.6 The Hall Community Engagement Representative shall be elected by an electoral college consisting of all the House Community Engagement and Environmental Representatives.
- 7.6.1 For the purpose of this election the House Community Engagement and Environmental Representatives shall elect a chairperson to preside over the election.
- 7.6.2 Any student who is in at least his/her second year of study and who is a student of senior standing shall be eligible to stand for election as Hall Community Engagement Representative.
- 7.6.3 The Hall Warden shall call for nominations for the position of Hall Community Engagement Representative.
- 7.6.4 All nominations must be in writing signed by the nominee and two seconders.
- 7.6.4.1 Attached to the nomination must be a written motivation from the candidate stating why s/he wants to be Hall Community Engagement Representative and what s/he proposes to do for the Hall during his/her term of office.
- 7.6.5 In reaching their decision the House Community Engagement and Environmental Representatives shall have the right to interview all or any of the candidates.

- 7.6.6 The candidate obtaining the majority of votes shall be the Hall Community Engagement Representative. In the event of an equality of votes the chairperson shall exercise the casting vote.
- 7.6.6.1 The Chairperson mentioned in section 7.5.1 shall inform the Hall Warden of the name of the successful candidate. The Hall Warden will then publish this name.
- 7.6.7 Should the Hall Community Engagement Representative not return for his/her term of office, there shall be a new election, to be carried out as detailed above.
- 7.6.8 No person shall be eligible to nominate a candidate until he/she has been in residence in one of the houses of the Hall for at least two terms.
- 7.6.9 The Hall Community Engagement Representative shall ex-officio be one of the members of the House Committee in his/her own house.
- 7.6.10 Should a student be elected Hall Community Engagement Representative but subsequently fail more than two full credits or four half credits or the equivalent in the November examinations, he/she shall be deemed ineligible to take up the position. The candidate who secured the next highest number of votes at the elections and who is still willing to serve and fulfils the criteria shall automatically be deemed to be elected and shall fill the vacancy.

8. **SRC REPRESENTATIVE**

The SRC representative of Kimberley West Hall shall be an ex-officio member of the Hall Committee provided that s/he is resident in the Hall.

9. **FELLOWS**

Fellows shall be members of the Hall Committee and shall have dining rights in the Hall and such other rights and privileges as the Hall Warden, after consultation with the Hall Committee, shall from time to time determine.

Four Fellows shall be nominated by the Hall Warden after consultation with the Hall Committee, and appointed by Senate for a period of five years. They shall be eligible for re-appointment at the end of that period.

Functions and privileges of Fellows

Hall Fellows shall:

- 9.1 Serve as role models for the personal and academic growth and integration of the student members of the Hall;
- 9.2 Act as advisors and mentors to the members of the Hall;
- 9.3 Act as external consultants to the Hall Warden;

- 9.4 Where they are able, champion the Hall's needs to the relevant university authorities;
- 9.5 Be invited to actively participate in Hall academic, cultural and social activities;
- 9.6 Enjoy full dining rights as members of the Hall for the duration of their terms of office;
- 9.7 Serve as members of the Hall Committee;
- 9.8 Enjoy full voting rights on matters concerning the Hall.

10. **HALL COMMITTEE**

10.1 The Hall Committee shall operate as an advisory committee to the Hall Warden provided that:

10.1.1 the University disciplinary authorities shall have the right to refer a disciplinary matter to the Hall Disciplinary Committee in terms of the Student Disciplinary Code; and

10.1.2 the Hall Warden may delegate authority to the Hall committee to act in certain matters.

10.2 The Hall Committee shall consist of the following:

10.2.1 The Hall Warden, who shall ex-officio be Chairperson.

10.2.2 The House Wardens.

10.2.3 The Sub-Wardens.

10.2.4 The Head Student of the Hall.

10.2.5 The Senior Students of the constituted Houses.

10.2.6 The Hall Sports Representative.

10.2.7 The Fellows of the Hall.

10.2.8 The Hall Community Engagement Representative.

10.2.9 Not more than three co-opted members of the University.

10.2.10 The SRC representative, if resident in the Hall.

10.3 A quorum of the Hall Committee shall be ten members.

10.4 Meetings of the Hall Committee may be called at the Hall Warden's discretion. Where possible this should be at least once each term.

10.5 Meetings of the Hall may be called by the Hall Warden or, with the Hall Warden's approval, by the Head Student of the Hall.

11. HALL DISCIPLINARY COMMITTEE

11.1 In the event of a Hall disciplinary Committee being required to exercise disciplinary powers it shall consist of the person set out in the relevant section of the Student Disciplinary Code.

11.2 The Hall disciplinary Committee shall reach its decisions upon the verdict and penalty by a majority vote. In the event of an equality of votes the Chairperson shall exercise a casting vote in addition to his/her ordinary vote.

11.3 The Hall Disciplinary Committee may only deal with the offences set out in the relevant section of the Student Disciplinary Code and may impose the penalties set out in the relevant section of the Student Disciplinary Code.

12. RIGHT OF REVIEW TO PROCTOR OR DISCIPLINARY BOARD

Any student aggrieved by the verdict of or penalty imposed by the Hall Warden or the Hall Disciplinary Committee may exercise his/her right of review in terms of the relevant sections the Student Disciplinary Code.

13. HOUSE COMMITTEES

13.1 A House Committee shall operate as an advisory committee to the House Warden provided that:

13.1.1 the University disciplinary authorities shall have the right to refer a disciplinary matter to the House Disciplinary Committee in terms of the Student Disciplinary Code; and

13.1.2 the House Warden may delegate authority to the House Committee to act in certain matters.

13.2 A House Committee shall consist of the following:

13.2.1 House Warden, who shall ex-officio be Chairperson

13.2.2 the Senior Student of the House

13.2.3 the ResNet Representative

13.2.5 the Sub-Wardens

13.2.6 the Head Student of the Hall if s/he lives in the House concerned.

13.2.7 three other student members of the House.

- 13.2.8 No student who has been found guilty of a University disciplinary offence by any disciplinary authority in the University and sentenced to a fine in excess of 20% of the Hall Warden's maximum fine jurisdiction (at the time the fine was imposed) or to any form of exclusion or to community service exceeding 15 hours (in each case whether suspended or not) shall be eligible to be nominated or elected to fill any position on the House Committee. This disqualification will end three years after the sentence has been completed.
- 13.2.9 No student who has failed more than two half credits or the equivalent in the preceding June examinations shall be eligible to be nominated or elected to fill any post on the House Committee. Under exceptional circumstances, the candidate may appeal to the Hall Warden prior to the holding of elections.
- 13.3 The members referred to in 13.2.6 above shall be elected from among the senior students standing in the House by the students eligible to vote in the House in the following manner:
- 13.3.1 Immediately after his/her election, the Senior Student shall call a meeting of his/her House to call for nominations for the above posts.
- 13.3.2 There shall be a waiting period of 24 hours. The Senior Student shall then call a further meeting at which the House shall vote on the nominations received. The voting shall be by secret ballot if ten or more members of the House present at the meeting so request.
- 13.3.3 If any of the members referred to in 13.2.2 or 13.2.6 above ceases to be a member of the House or for any other reason ceases to be a member of the Committee the Senior Student shall arrange for an election in accordance with the above rules to fill the vacancy.
- 13.4 Should a student be elected to the House Committee but subsequently fail more than two full credits or four half credits or the equivalent in the November examinations, he/she shall be deemed ineligible to take up the position. The candidate who secured the next highest number of votes at the elections and who is still willing to serve and fulfils the criteria shall automatically be deemed to be elected and shall fill the vacancy.
- 13.5 A quorum of the House Committee shall be four members.
- 13.6 Meetings of the House Committee may be called at the Hall or House Warden's discretion. Where possible this should be at least twice each term.

14. **MEETINGS OF THE HOUSE**

Meetings of the House may be called by the Hall or House Warden or their delegates or, with the approval of the House Warden, the Head Student of the Hall or Senior Student of the House.

15. HOUSE DISCIPLINARY COMMITTEE

- 15.1 In the event of a House Disciplinary Committee being required to exercise disciplinary powers it shall consist of persons set out in the relevant section of the Student Disciplinary Code.
- 15.2 The House Disciplinary Committee shall reach its decision upon the verdict and penalty by a majority vote. In the event of an equality of votes the Chairperson shall exercise a casting vote in addition of his/her ordinary vote.
- 15.3 The House Disciplinary Committee may only deal with the offences set out in the relevant section of the Student Disciplinary Code and may impose the penalties set out in the relevant section of the Student Disciplinary Code.

16. REVIEW BY THE HALL WARDEN

- 16.1 Any student aggrieved by the verdict of or penalty imposed by a House Warden, a House Disciplinary Committee or any member of the House exercising delegated disciplinary powers shall have the right to take the matter on review before the Hall Warden on the grounds set out in the relevant rules of the Student Disciplinary Code.
- 16.2 Any student wishing to exercise the right of review set out in the relevant section of the Student Disciplinary Code shall within 24 hours of the imposition of the penalty advise the Hall Warden in writing of the reasons for requesting a review.
- 16.3 If it should come to the attention of the Hall Warden that the decision of a House Warden, a House Disciplinary Committee or any member of the House exercising disciplinary powers may be incorrect or has led to the imposition of a penalty which in his view may be unjust because it is either too harsh or too lenient, he shall be entitled to review the decision or penalty in question.
- 16.4 Where a review in terms of the relevant section of the Student Disciplinary Code is instituted the Hall Warden shall call for a written report from the disciplinary authority concerned in which the facts found proved and the reasons for penalty shall be stated. This report must be submitted to the Hall Warden within 48 hours of the date of the request.
- 16.5 The student concerned in any review shall have the right to be present and to be heard before any decision is made by the Hall Warden.
- 16.6 The Hall Warden shall have the powers on review set out in the Student Disciplinary Code.
- 16.7 Any student aggrieved by the Hall Warden's decision on review shall have the right of review set out in Section 10 above.

17. DEFINITIONS

- 17.1 "Student of Senior standing" shall mean a student member of the Hall who has been a student at Rhodes University for at least one academic year.
- 17.2 "Students eligible to vote" shall mean a student who has been a member of Kimberley Hall for at least two academic terms.
- 17.3 "The Council" shall mean the Council of Rhodes University.
- 17.4 "The Senate" shall mean the Senate of Rhodes University.

18. POWER TO MAKE RULES

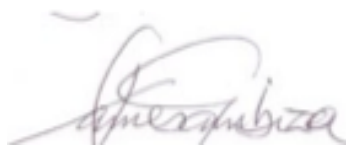
- 18.1 The Hall Warden shall have the power to formulate rules and regulations governing the life of the student members of the Hall. Whenever possible this should be after consultation with the Hall Committee.
- 18.2 If the Senate or the Council is of the opinion that the repeal or alteration of any of the rules made in terms of 18.1 is necessary they may, after giving the Hall Warden an opportunity to state his/her views, repeal or alter such rules.

19. AMENDMENTS TO THE CONSTITUTION

- 19.1 The Hall Warden may, after consultation with the Hall Committee, recommend to the Senate and the Council any amendments to the Constitution.
- 19.2 The Hall Constitution and any rules made in terms of Clause 18 above shall always be within the declared policy of the Senate or the Council.
- 19.3 If the Senate or the Council is of the opinion that the repeal or alteration of any of the provisions of this Constitution is necessary the Senate may, after giving the Hall Warden an opportunity to express his/her views, repeal or alter any such provision or provisions.

Dated at Grahamstown this 30th day of November 2011

Dr J Gambiza



Hall Warden
Kimberley West Hall
Rhodes University
