

STUDENT DISCIPLINARY POLICY

Regulations and Procedures

STUDENT DISCIPLINARY POLICY, REGULATIONS AND PROCEDURES

Custodian	Pro-Vice Chancellor: Administration and Finance
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Contact officer	Director: Student Affairs
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Signature of Chairperson	

Related legislation, policies and regulations

Legislation and/or other regulatory obligations	Organizational policies, procedures, guidelines and regulations
<ul style="list-style-type: none"> • The University of Namibia Act (Act No. 18 of 1992) • Anti-Corruption Act, Act 8 of 2003 • Combating of Rape Act, Act 8 of 2000 • The Constitution of Namibia 	<ul style="list-style-type: none"> • Delegation of Authority Policy • Anti-Fraud, Anti-Corruption and Whistle Blowers Policy • General Information and Regulations Prospectus • Policy on Academic Integrity • Security Policy • Sexual Harassment Policy and Procedure • SRC By-laws • Student Accommodation Policy • Student Extracurricular Policy and Procedures • UNAM SRC Constitution

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1.0 ACRONYMS AND ABBREVIATIONS

Acronym/ Abbreviation	Explanation
PVC: AF	Pro-Vice Chancellor: Administration and Finance
PVC: AA	Pro-Vice Chancellor: Academic Affairs
CD	Campus Director
SDPRP	Student Disciplinary Policy, Regulations and Procedures
SDC	Student Disciplinary Committee
CADC	Campus Academic Disciplinary Committee
SDAC	Student Disciplinary Appeals Committee
UNAM	University of Namibia
VC	Vice-Chancellor

2.0 DEFINITIONS

Term / Acronym	Definition
Balance of Probabilities	Shall mean that the requisite standard of proof in a disciplinary hearing is based on the evidence presented that events or some of it had probably happened.
Campus Academic Disciplinary Committee	Shall mean the committee which has inherent jurisdiction over all forms of academic misconduct by a student in a school.
Complainant	Shall mean any person who has been aggrieved by the conduct of a student or a person who has witnessed a misconduct.
Conduct	Shall mean the manner in which a person behaves, especially in a particular place or situation.
Council of UNAM	Shall mean the Council as constituted in accordance with section 9 of the <i>University of Namibia Act No. 18 of 1992</i> .
Ethics and Code of Conduct for Students Policy and Regulations	Shall mean the document which set out the standard(s) that are expected from a student at the University of Namibia.
Initiator	Shall mean a person appointed to initiate a disciplinary hearing.
Investigation Officer	Shall mean a person appointed to investigate(s) a case. The Investigation Officer may be a UNAM employee or an external person.
Misconduct	Shall mean any act or omission by a student which contravenes this Policy, laws, UNAM rules, regulations, policies and procedures.

Preliminary Suspension	Shall mean a disciplinary measure that temporarily removes a student from regular school activities and environments due to a violation of rules or policies before a formal disciplinary hearing or investigation takes place.
Premises	Shall mean any building, land or property, or part of it, where the University of Namibia is conducting its operational activities or business-related activities or any other UNAM owned premises.
Property	Shall mean all fixed, movable, immovable, tangible and intangible assets belonging to the University of Namibia.
Pro-Vice Chancellor	Shall mean a person appointed as a Pro-Vice Chancellor in terms of Section 8 of the <i>University of Namibia Act No. 18 of 1992</i> .
Registrar	Shall mean a person appointed as the Registrar in terms of Section 13 (1) of the <i>University of Namibia Act No. 18 of 1992</i> .
Respondent	Shall mean any student who has been accused of an act prohibited under the Student Disciplinary Policy, Regulations and Procedures and other university rules and regulations.
Residence Hall Hearing Board	Shall mean the committee in charge of hearing violations of the Student Accommodation Policy.
Sanction hearing	Shall mean a hearing whereby the Accused student has pleaded guilty to the charge(s) he/she is charged with and the Chairperson only hears the accused student to determine and recommend an appropriate sanction.
Sports Board	Shall mean the board which has jurisdiction to deal with sport misconduct.
Student Disciplinary Committee	Shall mean the committee which has the inherent jurisdiction over all forms of misconduct by a university student, excluding academic misconduct as prescribed by the Student Disciplinary Policy, Regulations and Procedures.
Staff	Shall mean any person who is employed by the University of Namibia, other than an independent contractor.
Student Disciplinary Appeals Committee	Shall mean the committee which has jurisdiction to deal with all disciplinary appeals from students.
Student	Shall mean a person registered as a student at the University of Namibia whether part time or full time, as well as those not registered who have finished their qualifications but have not received their qualifications or have not graduated.
Student Ombudsman	Shall mean an impartial and confidential resource within the university that assists students in resolving disputes, conflicts, and concerns related to the institution.

Student Representative Council	Shall mean the Student Representative Council of the University established in terms of section 15 of the University of Namibia Act 18 of 1992.
Suspension	Shall mean a disciplinary measure that temporarily removes a student from regular school activities and environments due to a violation of rules or policies as a sanction.
University Community	Shall mean any student, academic and administrative staff, institutional workers that are under contracted companies at the University and all members of the University.
University of Namibia	Shall mean the University of Namibia as established in accordance with Section 2 of the <i>University of Namibia Act, Act No. 18 of 1992</i> .
Vice-Chancellor	Shall mean a person appointed as the Vice-Chancellor of the University of Namibia in terms of Section 7 (2) of the University of Namibia Act No. 18 of 1992.

3.0 INTRODUCTION

The Policy aims to maintain a system of accountability through disciplinary review and recording. The university recognizes that the quality of a student is not only reflected in their grades, but it is manifested in the manner in which they conduct their personal and academic affairs. Therefore, the Policy provides a framework for disciplinary and corrective action to guide students towards acceptable level of conduct and behaviour.

4.0 POLICY OBJECTIVES

The objectives of the policy are:

- 4.1 to set out actions which will be taken when laws, UNAM policies, rules, regulations and guidelines are not adhered to;
- 4.2 to be the main reference document for investigations, disciplinary action and penalties for all acts of alleged student misconduct;
- 4.3 to promote fairness, equity, reasonableness and consistency in dealing with disciplinary matters involving students; and
- 4.4 to encourage improvement in individual conduct.

5.0 SCOPE

- 5.1 The Policy applies to the on-campus conduct of all students, registered student organizations and sport clubs. The Student Disciplinary Policy, Regulations and Procedures also applies to the off-campus conduct of students, registered student organizations and sport clubs in direct connection with:

- 5.1.1 Academic course requirements or any credit-bearing experiences, such as, study abroad or exchange program, internships, field trips, or student teaching;

- 5.1.2 Any activity supporting the pursuit of a university qualification, such as research at another institution or a professional practice assignment;
- 5.1.3 Any activity sponsored, conducted, or authorized by the university or by registered student organizations or sport clubs;
- 5.1.4 Any activity that causes substantial destruction of property belonging to the university or members of the university community or causes serious harm to the health or safety of members of the university community; or
- 5.1.5 Any activity in which a police report has been filed, a summons or indictment has been issued, or an arrest has occurred for a crime of violence.

6.0 ACCOUNTABILITY AND RESPONSIBILITY

- 6.1 The PVC: AF shall be overall accountable for the implementation of this policy, and to oversee the planning, monitoring and evaluation of this policy.
- 6.2 The PVC: AA shall be responsible for reviewing and approving the suspension of any student due to academic misconduct, provided that the suggested suspension duration is less than four academic semesters.
- 6.3 The Director: Student Affairs shall be responsible for the planning, monitoring and evaluation of this policy through the Legal and Compliance Department.
- 6.4 The Chairperson of the Student Disciplinary Committee shall be responsible for presiding over disciplinary hearings, ensuring fair and impartial proceedings, making decisions on disciplinary actions and maintaining adherence to established policies and procedures.
- 6.5 All Staff and students shall be responsible for implementing this policy, and to ensure that where appropriate, the necessary corrective and disciplinary action is taken.
- 6.6 Students shall familiarise themselves with and adhere to the provisions of the Policy.
- 6.7 The Investigating Officers responsibility is to conduct investigations into reported misconduct as required.
- 6.8 The Security Officer is responsible for providing a safe and secure environment for all students, staff and stakeholders.

7.0 POLICY PRINCIPLES

The following principles underpin this policy, namely:

- 7.1 Equity and Justice.
- 7.2 Presumption of Innocence.
- 7.3 Personal and Professional Responsibility.
- 7.4 Integrity and Accountability.

8.0 POLICY STATEMENT

UNAM shall:

- 8.1 Recognize different categories of misconduct and prescribe appropriate sanctions.
- 8.2 Detail the steps and processes that must be adhered to in the event of misconduct.
- 8.3 Provide a clear delineation of the responsibilities assigned to various participants in the disciplinary proceedings.
- 8.4 Furnish a comprehensive outline of the procedures associated with the issuance of verbal and written warnings.

- 8.5 Thoroughly elucidate the various committees and their respective roles and responsibilities.
- 8.6 Appoint a Student Ombudsman to ensure that students are subjected to impartial and just treatment in their whole student experience at UNAM.

9.0 SANCTIONS

- 9.1 A student who acts in contravention of this Policy shall be subject to disciplinary action in terms of this Policy.
- 9.2 A list of possible sanctions for misconducts in this Policy, are found under section A, but is not an exhaustive list.

10.0 PROCEDURES

- 10.1 The regulations and procedures of this policy are included and form part of this Policy.

The following annexures are included:

- ANNEXURE A: Chairperson's Checklist
- ANNEXURE B: Template of a warning
- ANNEXURE C: Residence Board Hearing Board
- ANNEXURE D: Sport Board

REGULATIONS AND PROCEDURES

A. MISCONDUCTS AND SANCTIONS

A.1 MISCONDUCTS

- A.1.1 Misconduct shall include, but not limited to, the violation of this policy, specific Faculty Rules and Regulations, UNAM policies, rules, regulations and guidelines.
- A.1.2 Recognizing the legal difficulty in tabulating all conduct which may be apprehensible under this Policy, students who engage or who are deemed to have engaged, or attempted to engage, in prohibited conduct on University premises, or at University sponsored activities, or at activities involving University recognized organizations may be subject to disciplinary action.
- A.1.3 For the purposes of this policy, “attempt” shall be defined as conduct that, if successful, would constitute or result in the prohibited conduct.
- A.1.4 The lawful expression of a disagreement with an academic or administrative staff member is not in itself disruptive and punishable misconduct or behavior. A student who believes that he/she has been treated in an arbitrary manner in this regard should contact the Director: Student Affairs, his/her Faculty Executive Dean or the Student Ombudsman.

A.2 SANCTIONS

Sanctions for violations of polices, rules and regulations shall consist of: -

A.2.1 Warning

- a) Notice, orally or in writing, that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.
- b) Verbal and written warnings can be given to students by the Chairperson of a committee, Director: Student Affairs or his/her appointee, academic staff, Campus Directors and Student Support officers.
- c) Notice of this action may appear on the student's academic transcript for up to one year.

A.2.2 Restitution

- a) Repayment to the University or to an affected party for damages resulting from a violation of this Policy.
- b) Restitution can be ordered to students by the Chairperson of a committee, Director: Student Affairs or his/her appointee, Campus Directors and Student Support officers.

A.2.3 Disciplinary Probation

- a) The Chairperson of the Student Disciplinary Committee may recommend to the Director: Student Affairs that a student be put on Disciplinary probation for 2 academic semesters.
- b) A student who is placed on disciplinary probation may continue to participate in student activities but shall be ineligible to represent the university in any official function or leadership position, including but not limited to: university athletics, student leadership position, cheerleader, standing committee chairperson, university senator, officer of a student government association, or an elected office in any registered student organization.

- c) After at least one semester free of behavioral violations, the student may petition the Director: Student Affairs or Campus Director for the restriction on participation to be removed as a condition of the probation.

A.2.4 Suspension

- a) The Chairperson of the Student Disciplinary Committee may recommend to the PVC AA, PVC AF or the Vice Chancellor that a student be suspended from the University.
- b) Any recommended suspension for a period less than 4 academic semesters shall be made to the PVC AA (academic misconduct) or the PVC AF (all other misconduct) for consideration.
- c) Any recommended suspension for a period more than 4 academic semesters shall be made to the Vice Chancellor for consideration.
- d) Suspension is of two types, Semester and/or conditional.
- e) A Semester suspension shall be for a stipulated period after which the student may return to the University community at the commencement of a regular period of study for which he or she is eligible.
- f) A conditional suspension shall condition re-entry of the student into the University community upon fulfillment of specified requirements. A conditional suspension shall continue until the PVC AA, PVC AF or Vice Chancellor (as applicable) determines that the conditions have been satisfied
- g) Notice of the suspension shall appear on the student's academic transcript for the term of the suspension and may appear on the student's academic transcript for up to five years from the time the notice was given.

A.2.5 Expulsion

- a) The Chairperson of the Student Disciplinary Committee may recommend to the Vice Chancellor that a student be expelled from the University. Expulsion shall constitute permanent termination of student status, and exclusion from the University premises, privileges and activities.
- b) This action shall be permanently recorded on the student's academic transcript.

A.2.6 Other sanctions may include, but are not limited to:

- a) Removal from University housing;
- b) Restrictions upon or denials of University parking privileges;
- c) Loss of privileges for access to University computers or networks;
- d) Requirements to attend a specified University classes, seminars or workshop at his or her own expense;
- e) For academic violations penalties such as the null and void declaration of test or examination results and exclusion from examination of the module or programme for a period of no more than two months may also be applied.

A.3 CATEGORIES OF MISCONDUCT

The university recognizes the following categories of misconduct:

A.3.1 Minor misconduct (Level 1):

- a) Minor misconduct does not usually require the initiation of formal disciplinary action, unless repeated. Minor misconducts will be corrected by initiation of guidance and counselling sessions by the Director: Student Affairs or his/her appointee or by the issuing of warnings.
- b) The prescribed sanctions for minor misconduct may include: warning; restitution or disciplinary probation.
- c) Where a minor misconduct is repeated it shall be regarded as a serious misconduct.

A.3.2 Serious Misconduct (Level 2):

- a) Serious misconduct refers to conduct or actions that are in violation of established rules, policies, or ethical standards.
- b) The prescribed sanctions for serious misconduct may include: Final written warning; null and void declaration of test or examination results; exclusion from examination of the module or programme for a period of no more than two months; temporary termination of privileges.
- c) Where a serious misconduct is repeated it shall be regarded as a very serious misconduct.

A.3.3 Very Serious Misconduct (Level 3):

- a) Very serious misconduct goes beyond the level of seriousness of typical violations. It often involves actions that are more severe in nature and may have a more significant impact on individuals, UNAM, or the community.
- b) The prescribed sanctions for very serious misconduct may include: Expulsion from the University or University accommodation for at least one year. The expulsion may be suspended partially or in full.
- c) Where a very serious misconduct is repeated it shall be regarded as an extremely serious misconduct.

A.3.4 Extremely Serious Misconduct (Level 4):

- a) Extremely serious misconduct represents the most severe and egregious violations of rules, policies, or laws. These actions can have catastrophic consequences for individuals, UNAM, or society as a whole.
- b) The prescribed sanctions for extremely serious misconduct may include expulsion or suspension from the University for a period of at least 5 years.

A.4 TRANSGRESSIONS AND PRESCRIBED SANCTIONS

The following transgressions are considered as misconducts as per this Policy. The list hereunder is **not exhaustive** and serves as a guideline.

A.4.1 Academic Misconduct

Any activity that tends to compromise the academic integrity of the university or subvert the educational process. Examples of academic misconduct include, but are not limited to:

Transgression	Level (as per A.3)
Writing an assessment, test or examination on behalf of another student.	4
Enlisting another student or person to write an assessment, test or examination on your behalf.	4
Alteration of school and university records or certificates.	4
Unauthorized use of falsified school and university records or certificates.	4
Alteration of grades or marks by the student to change the earned grade or credit.	4-3
Plagiarism.	4-2
Engaging in activities that unfairly place other students at a disadvantage.	4-2
Altering a test or exam paper mark after it has undergone grading.	3
Knowingly providing or receiving information during examinations	3
Possession of unauthorized notes, devices or other prohibited items in an assessment, test or examination.	3
Use of unauthorized notes, devices or other prohibited items during an assessment, test or examination.	3
Falsification, fabrication, or dishonesty in creating or reporting laboratory results, research results, and/or any other assignments.	3-2
Knowingly providing or using assistance in the laboratory assessments, on field work assessments, in scholarship or on a course assignment.	3-2
Submitting substantially the same work to satisfy requirements for one course or academic requirement that has been submitted in satisfaction of requirements for another course or academic requirement, without permission of the instructor of the course for which the work is being submitted or supervising authority for the academic requirement.	3-2
Attempt to take unauthorized notes, devices or other prohibited items into a test or examination venues.	2
Violation of module or programme regulations.	2-1

A.4.2 Abuse of Authority and Power

Transgression	Level (as per A.3)
Using one's position to manipulate or influence someone to commit any act of dishonesty/indiscretion/unethical or unlawful act.	3-2
A superior taking advantage of his/her office/position and its powers against someone who is in a position of dependency or subordination for his/her own benefit/self-gratification at the expense of UNAM and/or the student.	3-2

A.4.3 Alcohol

Transgression	Level (as per A.3)
The selling of alcohol on UNAM premises without approval.	3-2
The consumption of alcohol on UNAM premises without approval.	3-2
The storage of alcohol on UNAM premises, including hostels without approval.	3-2

A.4.4 Bestiality

Transgression	Level (as per A.3)
A student who intentionally has sexual intercourse with an animal on UNAM premises.	4

A.4.5 Bringing the Name of UNAM into Disrepute

Transgression	Level (as per A.3)
The misconduct includes but not limited to offensive behavior towards clients, visitors, donors or partners of UNAM, slanderous, defaming and making untrue statements about UNAM.	3-2

A.4.6 Buying and keeping of stolen Goods/Property

Transgression	Level (as per A.3)
Knowingly buying stolen goods/properties. This includes property of other students, UNAM, clients, visitors or any other person within UNAM premises.	4

A.4.7 Corruption

Transgression	Level (as per A.3)
Corruption is a dishonest or fraudulent conduct by those in power, and typically involves bribery. This misconduct is committed when anybody accepts any gratification from anybody else or gives any gratification to anybody else in order to influence the receiver to conduct him/herself in a way which amounts to the unlawful exercise of any duties as further provided for in the Anti-Corruption Act, Act 8 of 2003.	4

A.4.8 Dangerous Weapons or Devices

Transgression	Level (as per A.3)
The use, storage, or possession of dangerous weapons or devices including, but not limited to, firearms, ammunition, or fireworks unless authorized by an appropriate university official or permitted by a university policy.	4-3

A.4.9 Destruction and/or Abuse of Property

Transgression	Level (as per A.3)
Actual damage to or destruction of university property or property of others, whether done intentionally or with reckless disregard.	4-3
Threatened damage to or destruction of university property or property of others, whether done intentionally or with reckless disregard.	4-3

A.4.10 Dishonest Conduct (Includes and is not limited to)

Transgression	Level (as per A.3)
Knowingly reporting a false emergency.	4-3
Knowingly making false accusation of misconduct.	4-3
Misuse or falsification of university documents by actions such as forgery, alteration, or improper transfer.	4-3
Submission to a university official of information known by the submitter to be false.	4-3
Fraud.	4-3

A.4.11 Disorderly or Disruptive Conduct

Transgression	Level (as per A.3)
Disorderly or disruptive conduct that unreasonably interferes with university activities or with the legitimate activities of any member of the university community.	4-3

A.4.12 Disorderly or Riotous Actions (Not limited to)

Transgression	Level (as per A.3)
Participation in a disturbance with the purpose to commit or incite any action that presents a clear and present danger to others, causes physical harm to others, or damages property.	4-3
Striking and or demonstrating without notifying and receiving approval from the necessary authority.	4-3
Knowingly engaging in conduct designed to incite another to engage in riotous behavior.	4-3
Actual or threatened damage to or destruction of university property or property of others, whether done intentionally or with reckless disregard.	4-3
Failing to comply with a directive to disperse by university officials, Security officers or emergency personnel.	4-3
Intimidating, impeding, hindering or obstructing a university official, Security official or emergency personnel in the performance of their duties.	4-3

- a) This rule shall not be interpreted as proscribing peaceful demonstrations, peaceful picketing, a call for a peaceful boycott, or other forms of peaceful dissent.

A.4.13 Disrespectfulness

Transgression	Level (as per A.3)
The use of abusive and insulting behaviour or words from students towards students, staff, visitors or clients of UNAM or any other person.	3-2
Insolent or arrogant behaviour towards students, staff and clients of UNAM or any other person.	3-2

A.4.14 Dress Code

Transgression	Level (as per A.3)
Students shall dress appropriate for a university environment.	2-1

A.4.15 Drugs

Transgression	Level (as per A.3)
Possession of dependency habit forming drugs of any kind on UNAM premises, hostels included.	4
Storage of dependency habit forming drugs of any kind on UNAM Premises, hostels included.	4
Use of dependency habit forming drugs of any kind on UNAM Premises, hostels included.	4

A.4.16 Extortion

Transgression	Level (as per A.3)
When a student unlawfully and intentionally obtains some advantage, which may be either in monetary or a non-monetary nature, from another person by subjecting such person to pressure which induces him or her to hand over the advantage.	4

A.4.17 Failure to comply with university or civil authority

Transgression	Level (as per A.3)
Failure to comply with legitimate directives of authorized university officials, law enforcement or emergency personnel, identified as such, in the performance of their duties.	3-2
Failure to identify oneself when so requested.	3-2
Violation of the terms of a disciplinary sanction.	3-2

A.4.18 Favouritism

Transgression	Level (as per A.3)
The practice of unfair preferential treatment to one person or group at the expense of another.	2-1

A.4.19 Hazing /Bullying/Cyberbullying/Blackmailing

Transgression	Level (as per A.3)
Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group that causes or creates a substantial risk of causing mental or physical harm or humiliation constitutes misconduct. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.	4

A.4.20 Health or safety misconduct

Transgression	Level (as per A.3)
Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action, whether intentionally or because of recklessness or gross negligence.	4
Engaging in a pattern of unwanted conduct directed at another person that threatens or endangers the safety, physical or mental health, or life or property of that person, or creates a reasonable fear of such a threat or action.	4

A.4.21 Misuse and Abuse of ICT Facilities (Not limited to)

Transgression	Level (as per A.3)
Use of computing facilities and resources in violation of copyright laws.	4-3
Unauthorized entry into a file for any purpose.	4-3
Unauthorized transfer of a file.	4-3
Unauthorized copying or distribution of copyrighted computer software or other digital content.	4-3
Use, or attempted use, of another person's identification and/or password.	4-3
Tampering with the communications of others.	4-3
Use of computing facilities to send obscene, abusive, harassing or threatening messages.	4-3
Use of computing facilities to interfere with the work of another student, faculty member, University official, or any other member of the University community.	4-3

Using personal web pages hosted on University computer network not primarily focused on the mission of the University.	4-3
Unauthorized use of computing facilities and network for personal financial or other commercial gain.	4-3
Attempt to damage or to degrade the performance of University computers and networks.	4-3

A.4.4.22 Nepotism

Transgression	Level (as per A.3)
Showing favouritism towards relatives or friends which benefits or may benefit them in any way.	4-3

- a) Students and student leaders must declare to UNAM any circumstances which may be regarded as being nepotistic in nature. Such declaration must be made prior to any decision being taken by a student or student leader which may benefit relatives or friends without regard to their merits.

A.4.4.23 Sexual Misconduct (Not limited to)

Transgression	Level (as per A.3)
Physical contact or other non-physical conduct of a sexual nature in the absence of clear, knowing and voluntary consent, or under coercive circumstances.	4
Non-consensual sexual intercourse, defined as any sexual penetration (anal, oral, or vaginal), however slight, with any body part or object, by any person upon any person without consent or under coercive circumstances.	4
Non-consensual sexual contact, defined as any intentional or reckless sexual touching, with any body part or object, by any person upon any person without consent or under coercive circumstances.	4
Use, demand and / or bartering of sexual favors for personal gratification or academic benefits.	4
Sexual exploitation, defined as taking non-consensual, unjust or abusive sexual advantage of another.	4
Sexual harassment, as defined in the applicable University Policy.	4
Indecent exposure, defined as the exposure of the private or intimate parts of the body, in a lewd manner, in public or in private premises, when the accused may be readily observed.	4
Any relationship between a lecturer and a student that interferes with and compromises the quality of the required professional academic and supervisory lecturer – student relationship. For the purposes of this rule, “consent” shall be defined as the act of knowingly and voluntarily agreeing verbally or non-verbally to engage in sexual activity.	4

- a) An individual cannot consent who is, but not limited to: -
- i. Substantially impaired by any drug or intoxicant; or

- ii. Has been purposely compelled by force, threat of force, or deception; or
- iii. Is unaware that the act is being committed; or
- iv. Whose ability to consent or resist is obviously impaired because of a mental or physical condition; or
- v. Who is coerced by supervisory or disciplinary authority.

A.4.24 Right to privacy (Not limited to)

Transgression	Level (as per A.3)
Recording of Images without knowledge using electronic or other means to make a video or photographic record of any person in a location where there is a reasonable expectation of privacy without the person's prior knowledge, when such a recording is likely to cause injury, distress, or damage to reputation constitutes misconduct.	4
Taking video or photographic images in shower/locker rooms, residence hall rooms, and restrooms.	4
The storing, sharing, and/or distributing of such unauthorized records.	4

A.4.25 Theft and/or unauthorized use of property

Transgression	Level (as per A.3)
Theft.	4-3
The unauthorized use of university property or services, or the property of others.	4-3
The unauthorized possession of university property or services, or the property of others.	4-3

A.4.26 Unauthorized Presence

Transgression	Level (as per A.3)
Unauthorized entrance to or presence in or on university premises.	4-3

- a) A student must, at all times have in his or her possession his or her student card and must produce this upon request by an authorized person.

A.4.27 Use of abusive/vulgar language

Transgression	Level (as per A.3)
Use of offensive and /or obscene language to other students, employees and UNAM clients.	2-1

A.4.28 Abuse of Process and Contempt (Not limited to)

Transgression	Level (as per A.3)
Failure to obey the summons or directives of a disciplinary committee/body or university official.	3-2

Falsification, distortion, or misrepresentation of information before a disciplinary Committee or body.	4-3
Disruption or interference with the orderly conduct of a judicial proceeding.	3-2
Institution of a judicial proceeding knowingly without cause.	3-2
Discouraging an individual's proper participation in, or use of, a university judicial system.	3-2
Influencing the impartiality of a member of a judicial body prior to, and/or during a judicial proceeding.	3-2
Harassment (verbal or physical) and/or intimidation of a member of a judicial body prior to, during, and/or after a judicial proceeding.	3-2
Failure to comply with one or more sanctions imposed under this policy or any other UNAM rules and regulations.	3-2
Influencing another person to commit an abuse of a university judicial system.	3

DISCIPLINARY PROCEDURES

B. DISCIPLINARY STEPS

B.1 CONSIDERATIONS WHEN TAKING DISCIPLINARY ACTION

- B.1.1 The Disciplinary Procedures are to ensure consistent, fair disciplinary action and to enable the initiator or chairperson of the disciplinary hearing to act procedurally fair.
- B.1.2 The university reserves the right to administer the Policy and proceed with the hearing process even if an accused student withdraws from the university, is no longer enrolled in classes, or subsequently fails to meet the definition of a student while a disciplinary matter is pending.
- B.1.3 The circumstances and merits of each case will determine to what extent it should be followed, provided that the rules of fairness and reasonableness of a disciplinary hearing are adhered to.
- B.1.4 The institution of a grievance with the student ombudsman shall not bar disciplinary proceedings from commencing or continuing.
- B.1.5 If deemed necessary to proceed with disciplinary action, then a student must be charged accordingly.
- B.1.6 In cases where the accused student or complainant is not resident on or at Main Campus, the University shall ensure that the accused student attends the hearing at the place of seating of the hearing of the Committee or board or that the Hearing Board or Committee seats at the Campus where the Student is attending classes. The decision will be based on which of the two options will have lessor cost implications towards the University.
- B.1.7 The university may proceed with university disciplinary action under the Policy independently of any criminal proceeding involving the same conduct and may impose sanctions for violation of the Policy even if such criminal proceeding is not yet resolved or is resolved in the student's favor.

B.2 PRELIMINARY CONSIDERATIONS PRECEDING A DISCIPLINARY HEARING RELATED TO NON-ACADEMIC MISCONDUCT

B.2.1 COMPLAINT

- B.2.1.1 All complaints of misconduct must be reported to the Directorate of Student Affairs or to the Campus Director. If a complaint is reported to the Campus Director, the latter shall submit the complaint to the Directorate of Student Affairs within 5 workdays/ without delay.
- B.2.1.2 Upon receipt of a complaint, the Directorate of Student Affairs shall assess the information and evidence received and if need be, refer the matter for investigations to the UNAM Investigation Unit which shall investigate to determine the facts, witnesses and extent of the incident thereby recording

the incident as precise as possible recording the full details of the witnesses when obtaining statements.

- B.2.1.3 Upon receiving a complaint, the Director: Student Affairs or his/her appointee will: -
- a) Establish whether to refer the complaint to the Student Ombudsman to deal with it; or
 - b) Refer the complaint to the Investigation Unit to investigate.
- B.2.1.4 The provisions of this section do not exclude the Director: Student Affairs from taking disciplinary action for transgressions or misconducts that come to his/her knowledge and are within his/her powers to deal with.

B.2.2 INVESTIGATION PROCESS

- B.2.2.1 The Campus Director/ DSA Staff member/ Investigator / Investigation Unit / any other person will investigate the facts, identify witnesses and may obtain the names and statements from witnesses.
- B.2.2.2 Further, the responsible Investigator will establish the extent of the incident with the aim to record the incident as precisely as possible.
- B.2.2.3 The Investigation Unit or any person or entity, may engage internal or external expertise to assist in the investigation should it be required.
- B.2.2.4 After the investigation is completed and it is established that the accused student did not commit the misconduct as alleged, such student should be informed in writing that it was found/established that a misconduct was not committed and be given reasons thereof.
- B.2.2.5 The university or the complainant is authorized to report a matter to the Namibian police at any stage.

B.2.3 PRELIMINARY SUSPENSION OF A STUDENT

- B.2.3.1 After due process, a student may be suspended based on the following instances:
- a) The good name, aim or purpose of UNAM prejudiced if the accused student is not suspended;
 - b) There is a possibility that the accused student can destroy evidence or information or influence witnesses;
 - c) If the life, health and/or safety of any student or staff is at risk; or
 - d) If it is deemed necessary under the circumstances.
- B.2.3.2 If it is deemed necessary under circumstances, The Director: Student Affairs may at any time before or after a student is charged with misconduct, suspend an accused student from the University.
- B.2.3.3 The said suspension may include, but not limited to be a suspension from partaking in academic course requirements or any credit-bearing experiences or a suspension from any activity sponsored, conducted, or authorized by the university or by registered student organizations.
- B.2.3.4 The Director: Student Affairs must issue a letter of intention to suspend a student suspected of a serious misconduct to which the student is expected to respond within 24 hours or earlier (as directed by the Director: Student Affairs or his assignee), stating the reasons why he/she should not be suspended. Upon receipt and consideration of the reasons submitted by the student, if the reasons are not deemed valid or the suspension is

necessary under the circumstances, then suspension will be confirmed. If the reasons provided by the student are found to be valid the suspension will not be confirmed. Where clear threats, harm to any individual or property of UNAM is imminent, the student may be barred entry to UNAM premises pending the finalisation of the disciplinary hearing.

- B.2.3.5 Despite the above, a student may be verbally suspended but must within forty-eight (48) hours at a specified time receive confirmation of the suspension in writing.
- B.2.3.6 A student may be transferred to another campus offering the same course pending the finalisation of an investigation and/or disciplinary action.
- B.2.3.7 If the investigation shows that the student has not committed a misconduct, the suspension must be lifted immediately after disclosing the information to the Director: Student Affairs. Provided suspension may be re-imposed if sufficient evidence comes to light on which the accused student may be charged.
- B.2.3.8 If the need arises and where security concerns exist, law enforcement may be requested to assist when a student is being suspended.
- B.2.3.9 Students on suspension shall not represent UNAM in any capacity internally or externally.

B.2.4 NOTICE AND CHARGES

- B.2.4.1 The Director: Student Affairs or his/her appointee shall appoint the initiator to draft the charges and or initiate the proceedings against the student.
- B.2.4.2 Upon receipt of the charge sheet, the Director: Student Affairs or his/her nominee shall draft the notice of the disciplinary hearing and send the notice attaching the charge sheet thereto to the accused student.
- B.2.4.3 The notice referred in section B.5.4.2 above, shall notify the accused student about the date of the hearing and such notice shall be given to the student at least five workdays in advance of the hearing, and shall be accorded the rights stipulated in Article 12 of the Namibian Constitution prior to and during the hearing.
- B.2.4.4 Notices will only be served at the student's residence known to UNAM if the student is not on UNAM Campuses. The notice can be attached to the gate of the known residence.
- B.2.4.5 Should the accused student not be available at the residence known by UNAM, the notice and charge sheet will be received and signed off by a person found at the known residence who is 16 years and above.
- B.2.4.6 The accused student is required to sign for receipt of the notice personally and his/her signature shall only be proof of receipt and shall not be deemed as an admission of any allegation. Should the accused student refuse and or fail to sign for receipt, such should be recorded on the copy of the notice.
- B.2.4.7 The student being charged is required to deliver/transmit a written admission or denial of the charge within 5 workdays from the date he/she signs for the receipt of the notice to the Directorate of Student Affairs and if he/she so desires, a written of the misconduct with which he/she is charged with.
- B.2.4.8 If the student being charged admits the charge or fails to comply with the direction as stated in section B.5.4.7 above, he/she shall be deemed to

have been found guilty of misconduct as charged and the Director: Student Affairs or his/her nominee shall constitute a disciplinary hearing for imposing a sanction within 30 work days from the date of receipt of the written admission or date of expiry of the five (5) work days period.

- B.2.4.9 If the student being charged denies the charge, the Director: Student Affairs or his or her appointee shall constitute a disciplinary hearing within 30 workdays from the date of the receipt of the written denial.
- B.2.4.10 The Director: Student Affairs shall appoint the Chairperson of the Student Disciplinary Committee and determine the date; place and time of the hearing which will be indicated in the notice.
- B.2.4.11 The Director: Student Affairs or his/her appointee, where applicable, must ensure that the Notice and Charge Sheet are handed to the student within a reasonable time after the investigation is completed.
- B.2.4.12 The purpose of the Notice and Charge sheet is to:
 - a) inform the student when and where the Disciplinary Hearing will be conducted;
 - b) ensure that the student understands and knows which incident the allegations refer to;
 - c) allow the student to prepare for his/her defense and arrange for his/her witnesses, if any;
 - d) ensure that the student is aware of his/her rights;
 - e) The student must sign for receipt of the notice with accompanying charge sheet. If he/she refuses, then the person handling the notice with the accompanying charge sheet to the student must indicate this on the notice and inform the accused student to be present at the Disciplinary Hearing, preferably in the presence of a witness; and
 - f) Refusal to sign receipt of the notice will not stay the disciplinary process.
 - g) The student is required to deliver/transmit within five (5) working days from receipt of the notice of the Disciplinary Hearing to the Director: Student Affairs or his/her appointee, where applicable, a written admittance or denial of the charge(s) and should the student so desire, provide a written explanation of the misconduct with which he/she is charged with;
 - h) If the student admits to the charge(s) against him/her a sanction hearing will be conducted on the date and venue as stated in the notice of the Disciplinary Hearing;
 - i) If the student fails to deliver/transmit the written admittance or denial as stated above, he/she will be deemed to have been found guilty.
 - j) If the student denies the charge(s), a Disciplinary Hearing will be conducted on the date and venue stated in the notice of the Disciplinary Hearing;

B.3 DISCIPLINARY HEARING

- B.3.1 The Student Disciplinary Hearing should take place in a procedurally fair manner and parties to the process should not be prejudiced. The circumstances and merits of each case will determine or dictate to what extent the procedures should be followed, provided that the rules of fairness and reasonableness of a Disciplinary Hearing are

taken into consideration. The burden of proof in Disciplinary Hearing is based on **balance of probabilities**.

- B.3.2 Any Disciplinary Hearing shall be preceded by an investigation into the facts.
- B.3.3 Hearings will be closed to the public, except that, in the discretion of the Chairperson, an open hearing may be held if requested by the accused student;
- B.3.4 In the case of related students, if any student in the group desires a closed hearing, the hearing shall be closed;
- B.3.5 The Chairperson shall exercise control over the hearing to avoid needless consumption of time and to prevent the harassment or intimidation of witnesses;
- B.3.6 Any person, including the student, who disrupts a hearing or who fails to adhere to the rulings of the Chairperson may be excluded from the proceedings;
- B.3.7 Hearings will normally be recorded. However, this policy does not require that hearings be recorded, and the failure to record all or part of a hearing, or the technical inadequacy or loss of any recording made, does not invalidate the hearing or the procedure;
- B.3.8 Whether or not a recording is made, the decision must include a summary of the testimony, and shall be sufficiently detailed to permit rational judgment at any warranted review or potential appeal;
- B.3.9 The Chairperson may mero motu or upon request by the accused student or the complainant exclude witnesses other than the complainant and the accused student from the hearing during the testimony of other witnesses;
- B.3.10 Formal rules of evidence shall not apply in disciplinary proceedings conducted pursuant to this policy;
- B.3.11 The Chairperson shall admit all matters into evidence which reasonable persons would accept as having persuasive value in the conduct of their affairs;
- B.3.12 Unduly repetitious or irrelevant evidence may be excluded;
- B.3.13 Affidavits shall not be admitted into evidence unless signed by the affiant and notarized, and shall not be admitted in any case unless the Chairperson finds that there is good cause to accept an affidavit instead of actual testimony;
- B.3.14 The Committee may be advised by a representative of the Directorate of Student Affairs, except that if the Directorate of Student Affairs shall have acted in the case as proponent of any party, then the Committee shall be advised by independent, outside counsel;
- B.3.15 Disciplinary action for Members of the SRC Shall be Completed within 30 days after the first day the Committee hears the matter, this may only be extended by the Director: Student Affairs in writing if there are reasonable grounds for an extension;
- B.3.16 The accused student must indicate his/her objection if any, to the Chairperson as indicated in the notice of Disciplinary Hearing and provide valid reasons for objection;
- B.3.17 The Chairperson of the Disciplinary Hearing may postpone the hearing at the request of either the initiator or the accused student after hearing and considering the reasons for the postponement.
- B.3.18 The postponement should be the exception than the rule as both parties are presumed to have been, given sufficient time to prepare their cases. The Chairperson of the Disciplinary Hearing may reject any request for postponement after taking into consideration all the circumstances surrounding the request. The Chairperson of Disciplinary Hearing may not postpone any case more than three (3) times unless there are compelling reasons advanced by the party making the request for a postponement.

In granting further postponements, the Chairperson must consider the period provided by the policy within which the Disciplinary Hearing must be finalized.

- B.3.19 At the completion of the presentation of all the facts on the charge(s), the Committee shall adjourn and retire to closed deliberations.
- a) Such Committee deliberations shall not be recorded or transcribed.
 - b) Each respondent shall be regarded as not personally responsible unless the Committee determines the contrary based on the facts adduced at the Hearing.
 - c) The decision shall be by majority vote.
 - d) Each Committee member shall vote and may not abstain.
 - e) After deliberations of the matter, the Committee shall make a well-reasoned and written ruling on the matter. The Committee Chairperson shall write the ruling and rationale of the decision or assign one senior member of the Committee to do so. If there is any member who does not concur, they may write a separate dissenting decision outlining their line of reasoning.
 - f) The majority decision or ruling shall stand as a judgment of the Committee and shall prescribe any sanction allowable under this Policy or any applicable laws of Namibia.
- B.3.20 The Directorate of Student Affairs which is responsible for executing the decision or recommendation of the Committee shall notify the convicted student of its intention to execute or give force to the decision or recommendation: -
- a) This notice shall include a brief explanation of the rationale for the committee's decision.
 - b) In cases of Suspension and Expulsion the Pro Vice Chancellor and the Vice Chancellor, in implementing the decision of the Committee, shall take cognizance of the rationality of the decision of the Committee.
 - c) Under no circumstances shall the office responsible for executing the decision be permitted to change the sanction prescribed by the Committee.
- B.3.21 In cases where a recommendation is made to expel a student from the University, the Vice Chancellor may, where he/she deems fit, refer the decision to the Student Appeals Committee before implementing such a decision.
- a) The Appeals Committee upon receipt of the referral may confirm the sanction; or
 - b) If it is of the opinion that the sanction is grossly disproportionate to the offense, it may change it and prescribe a lesser competent sanction.
- B.3.22 It is preferred that a Disciplinary Hearing should be finalised/concluded within ninety (90) workdays. The failure of a Disciplinary Hearing to be finalised within 90 days does not invalidate the charges or the disciplinary hearing;
- B.3.23 Where the student or if the complainant in the case is under the age of 18, he/she may be represented or assisted by his/her legal guardian.

B.4 SANCTION HEARING

- B.4.1 The chairperson shall possess the requisite competence to preside over sanction hearings independently.
- B.4.2 In the context of disciplinary proceedings, a critical phase that follows the determination of responsibility is the sanction hearing. This crucial stage serves as the platform for

deliberating and determining the appropriate consequences and measures to be applied to students who admit to misconduct when charged.

- B.4.3 Upon the student's admission to the charges, he/she will receive written notice of the sanction hearing, following the principles and procedures as per Section B.6 where applicable.
- B.4.4 The student is encouraged to participate in the hearing, where they can present information, express accountability, and provide context regarding the admitted misconduct. Their input is valued in determining the most suitable sanctions.
- B.4.5 Having heard and considered all arguments, facts and statements with regard to mitigating and aggravating circumstances, the Chairperson along with the committee members of the shall decide on an appropriate sanction.

B.5 APPEAL

- B.5.1 Appeals from the following shall lie with the Student Appeals Committee, in which case the Student Appeals Committee shall sit as a Committee of second instance on the matter.
 - a) Appeals from the Student Disciplinary Committee;
 - b) Appeals from the Student Academic Disciplinary Committee;
 - c) Appeals from the Residence Hall Hearing Board;
 - d) Appeals from Sports Boards.
- B.5.2 A student found to have been prosecuted or sanctioned by a Board or Committee has the right to appeal the original decision of the Committee or Board.
 - a) An appeal of a decision must be submitted in writing and postmarked or hand delivered to the Chairperson of the Student Disciplinary Committee and the Director: Student Affairs, within ten (10) working calendar days after the date on which written notice of the implementation of the decision is sent to the student.
 - b) The decision of the appeal Committee is final and binding.
- B.5.3 An appeal may be based only upon one or more of the following grounds:
 - a) Procedural error;
 - b) Misapplication or misinterpretation of the rule alleged to have been violated;
 - c) Findings of facts not supported by a preponderance of evidence;
 - d) Discovery of substantial new facts that were unavailable at the time of the hearing; and
 - e) That the disciplinary sanction imposed is grossly disproportionate to the violation committed.
- B.5.4 In any appeal, to any Committee, the original decision by a Committee shall not take effect or be enforced until the appeal is finalized.
- B.5.5 The Student Appeals Committee shall dismiss the appeal if the appeal is not based upon one or more of the grounds of appeal set forth in Section D.6.3 above.
- B.5.6 The Student Appeals Committee may decide the appeal based upon a review of the record only.
- B.5.7 The Student Appeals Committee may request additional written information or an oral presentation from any relevant person(s) and then decide the appeal based upon the enhanced record.

- B.5.8 The final sanction of the Vice Chancellor remains in force and can only be overturned by the Appeals Committee.
- B.5.9 The Student Appeals Committee may, after a consideration of the record:
- a) Uphold the appeal and set aside the decision of the initial disciplinary hearing, and find the accused student not guilty;
 - b) Dismiss the appeal and confirm the outcome of the initial disciplinary hearing;
 - c) Confirm the decision of the initial disciplinary hearing, but replace the sanction with another sanction; and / or apply more strenuous sanction;
 - d) Set aside the decision and replace the decision with another decision and issue an appropriate sanction.
- B.5.10 The Student Appeals Committee shall finalise the appeal hearing within thirty working days of the filing of the appeal by the respondent, this period may only be extended by the Registrar in writing and communicated to the accused student and all parties involved in the case.
- B.5.11 After deciding, the Student Appeals Committee shall send the notice of its decision to the accused student within ten working days of the finalisation of the appeal hearing.
- B.5.12 The student will be informed in writing of the outcome of the appeal. If the appeal is dismissed, i.e. confirm the outcome of the initial Disciplinary Hearing, the effective date of the sanction shall be the date of the decision of the initial Disciplinary Hearing. If the outcome of the appeal amends, revokes or sets aside the outcome of the initial Disciplinary Hearing, the effective date shall be the date of the decision of the Appeal Hearing.
- B.5.13 A copy shall be sent to the Vice Chancellor and Director: Student Affairs and the board or Committee which heard the matter in the first instance.
- B.5.14 In cases where a respondent is found to have violated the Academic misconduct by the Student Academic Committee, the Academic staff(s) of the affected course(s) will also be notified.
- B.5.15 Within ten working days of the decision of the Student Appeals Committee, the respondent may petition the Vice Chancellor of the University, in writing, to review the finding and/or sanction. The decision to review or not to review shall be solely within the discretion of the Vice Chancellor.
- B.5.16 Any accused student to whom all rights have clearly and fully been explained, together with the initiator may agree before the hearing on the merits to minor deviations from procedure.
- a) Such agreed deviations should be put on record in writing and shall not be subject to appeal.
 - b) Other minor deviations are acceptable if such deviations are not found upon appeal to be unreasonably harmful to the accused student.

B.6 DISCIPLINARY PROCESS

- B.6.1 The following procedure must be followed in Disciplinary Action against any student of UNAM. The procedure set below is the standard procedure to be followed by UNAM, except where circumstances dictate otherwise in case an alternative procedure may be followed:
- a) No student shall be expelled or suspended as a sanction from UNAM without a Disciplinary Hearing where she/he has the opportunity and right to state her/his

case in rebuttal of the allegations made against her/him unless he/she chooses not to do so.

- b) After determining the facts, the initiator(s) shall consult the Policy to select the most appropriate misconduct and the initiator(s) shall draft the charge(s). Where the misconduct is not listed in the Policy, the student will still be charged with an appropriate misconduct;
- c) The initiator will be appointed by the Director: Student Affairs.
- d) UNAM reserves the right to appoint any employee or external person as an initiator and will be appointed by the Director: Student Affairs or the PVC:AF to serve as an initiator (s) in a disciplinary hearing.

B.7 STUDENT GROUPS AND ORGANIZATIONS

- B.7.1 Any Student group(s) and organization(s) whether registered or not, may be charged with violations of this Policy.
- B.7.2 A student group or organization and its officers may be held collectively and individually responsible when violations of this Policy by those associated with the group or organization have received the consent or encouragement of the group or organization or of the group or organization's leaders or officers.
- B.7.3 The officers or leaders or any identifiable spokesman for a student group or organization may be directed by the Director: Student Affairs or an appointee to take appropriate action designed to prevent or end violations of this Policy by the group or organization. Failure to make reasonable efforts to comply with the Director: Student Affairs order shall be considered a violation of this Policy, both by the officers, leaders or spokesmen for the group or organization and by the group or organization itself.
- B.7.4 Sanctions for group or organization misconduct may include revocation or denial of registration or recognition, as well as other appropriate sanctions for individuals under this Policy.

B.8 INHERENT AUTHORITY

- B.8.1 The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community, including the right, in cases of a perceived threat of danger, to act to bar students from the campus without prior notice.

C. THE RESPONSIBILITIES OF PARTICIPANTS IN A DISCIPLINARY HEARING

- C.1 The Chairperson of the Student Disciplinary Committee and members of the Disciplinary committee shall either be:
 - C.1.1 employees of UNAM; and/or
 - C.1.2 external persons
- C.2 There shall be a minute secretary from the Directorate: Student Affairs to the Student Disciplinary Committee who will prepare the Disciplinary Hearing and record the proceedings and prepare minutes of the Student Disciplinary Hearing.

C.3 THE ROLE OF THE CHAIRPERSON OF THE DISCIPLINARY HEARING:

- C.3.1 A staff member may be appointed to serve as a Chairperson of a Disciplinary Hearing.
- C.3.2 UNAM reserves the right to appoint an external person to chair a Disciplinary Hearing, which decision will not affect the right of the student to internal representation.
- C.3.3 The Chairperson of the Disciplinary Hearing will also be responsible to rule on procedural issues during the hearing, such as but not limited to, sufficient opportunity to prepare, representation and postponements during the disciplinary hearing.
- C.3.4 The Chairperson will be in control of the proceedings and if any party is not satisfied with the process, such a party may request that an objection be considered and noted. It is then the duty of the Chairperson to take a decision on the matter and continue with the process.
- C.3.5 Having heard all the evidence, the Chairperson along with the committee members of the Disciplinary Hearing shall decide whether the accused student is guilty or not guilty and shall inform the student accordingly.
- C.3.6 Having heard and considered all arguments, facts and statements with regard to mitigating and aggravating circumstances, the Chairperson along with the committee members of the Disciplinary Hearing shall decide on an appropriate sanction.
- C.3.7 In cases of expulsion and/or Suspension, the Chairperson shall then recommend the verdict as well as the appropriate sanction to the Vice Chancellor for final consideration.
- C.3.8 The Chairperson of the Disciplinary and Appeals Committee gives the final verdict in a Disciplinary Hearing.
- C.3.9 The Chairperson and the committee, are responsible to decide, after consideration of the evidence, whether an accused student is guilty or not guilty on a particular charge; and if guilty or not guilty after consideration of mitigating and aggravating circumstances what the appropriate sanction will be. These must be two separate considerations. The Chairperson shall inform the accused student of his/her right to appeal, where applicable.
- C.3.10 The Chairperson must take final responsibility for the accuracy of all documents; sign the minutes, final verdict/decision and/ or recommendations.

C.4 THE ROLE OF THE INITIATOR:

- C.4.1 During the Disciplinary process the initiator is responsible to:
 - a) formulate the charges and forward same to the Director: Student Affairs or his/her appointee;
 - b) amend the charges, if required;
 - c) represent UNAM in the Disciplinary Hearing to the best of his/her ability;
 - d) arrange witnesses and evidence; and
 - e) present arguments as to why the Chairperson or the Committee should find the student guilty, and
 - f) present aggravating circumstances including a recommendation to the Chairperson or the Committee as to the appropriate sanction.

C.5 ACCUSED STUDENTS RIGHTS AT A DISCIPLINARY HEARING

- C.5.1 In any disciplinary hearing, the University shall respect the rights in Chapter 3 of the Namibian Constitution to the extent that they are relevant and applicable to the hearing. In addition, and in particular, in the administration of disciplinary measures:

- a) A student has a right to receive proper and timeous notice;
- b) The accused student shall be accorded procedural fairness in accordance with the procedures set in this Policy;
- c) In such situations, whether formal or informal, the fundamental principles of due process shall be recognized and followed;
- d) In proceedings wherein the Student Disciplinary Committee (SDC) convenes, any accused student shall have the right to information in the hands of the initiator for the purpose of the hearing and, shall be entitled to disclosure of same and shall be afforded adequate time for the preparation and presentation of their defence, before the commencement of and during the hearing, the accused student shall be entitled to be defended by senior law students or any individual of their choice.
- e) Should the student waive his/her right to representation, it will not render the proceedings to be unfair;
- f) A student has the right to be present at the hearing, if he/she refuses or fails to be present however, the hearing may continue in his/her absence;
- g) The Disciplinary Committee shall conduct a fair and impartial hearing and any hearing may not proceed without the accused student unless it is clear from the circumstances that the student is deliberately absconding with the intention to delay, frustrate or render the hearing difficult or impossible;
- h) The Committee shall scrutinize the facts in the circumstances in such a situation and use its discretion whether to try the student in his/her absence or not;
- i) A student has the right to state, defend and oppose the allegations against him/her;
- j) A student has the right to call witnesses, which he/she will have to arrange him/herself;
- k) The Director: Student Affairs may subpoena witnesses upon the request of either party or on his/her own motion.
- l) University employees are also bound by this provision and shall comply with subpoenas issued pursuant to this procedure, unless compliance would result in significant and unavoidable personal hardship or substantial interference with normal University activities;
- m) A student has a right to ask questions to witnesses testifying during the hearing;
- n) Any party may bring an advisor to the Hearing, provided that in order to be permitted to do so, the party must notify the Chairperson, in writing, of the name of the advisor or attorney at least 48 hours prior to the hearing;
- o) English shall be the medium of communication in any disciplinary hearing;
- p) The Chairperson may, in her/his discretion, permit participation by an interpreter or other assistant if, because of a language barrier, or impediment, or disability, or other special circumstance, such participation would improve the quality of the hearing or enhance the realization of any of the involved parties.
- q) The Chairperson may revoke his/her permission of the participation of the assistant or interpreter at any time if, in his/her judgment, it is not improving the quality of the hearing or is not enhancing the realization of any of the involved parties;
- r) The party who needs an interpreter must notify the Director: Student Affairs and the Chairperson, in writing, of the request for an interpreter or assistant at least 3 days prior to the hearing. The Director: Student Affairs shall assist the party so requesting in finding a competent and able interpreter.

C.6 THE ROLE OF THE STUDENT'S REPRESENTATIVE

C.6.1 The student's representative is responsible for the following:

- a) Provide advice and assistance to the accused student;
- b) Represent the accused student in his/her best interest;
- c) Execute instructions of the accused student;
- d) Talk on behalf of the accused student, except that all statements and evidence given must be made by the accused student in defending his/her case;
- e) Present and lead evidence for and on behalf of the accused student;
- f) Test the evidence and statements presented by witnesses for UNAM;
- g) Present arguments and mitigating factors for the accused student;
- h) Advise the accused student on appeal and the grounds of appeal;
- i) Assist in the orderly execution of the Disciplinary Hearing;
- j) A change in representation must not cause any undue delay to the Disciplinary process and
- k) Shall not request or receive any compensation from the accused student.

C.7 THE ROLE OF THE STUDENT DISCIPLINARY HEARING SECRETARY

C.7.1 The Disciplinary Hearing Secretary has the following functions, where applicable:

- a) To advise the Chairperson during the hearing on procedural and policy matters;
- b) To advise the Chairperson on precedence(s) on appropriate sanctions for consistency;
- c) Ensure that the Disciplinary Hearing proceedings are recorded and that the audio recording is in a working condition;
- d) Keep record of minutes and type such minutes/report;
- e) Keep track and record all documentation used as evidence; and
- f) Finalize the minutes / decision of the Disciplinary Hearing.

C.7.2 WRITING OF DISCIPLINARY MINUTES / DECISION

C.7.2.1 When the secretary of the Disciplinary Hearing is writing the minutes / decision of the Disciplinary Hearing, the following guidelines should be followed:

- Step 1:** State the misconduct, as contained in the charge sheet.
- Step 2:** Record preliminary issues (points in *limine*) as raised by both parties if any and the decision of the chairperson/committee on the points raised.
- Step 3:** Report on procedural fairness and whether the rights of the accused employee as stated in the Notice of Hearing was adhered to and whether the accused student was prejudiced during the Disciplinary Hearing processes or not.
- Step 4:** State how the accused student has pleaded to the charges levelled against him/her. Record opening statements of both parties, of what they are going to prove and how many witnesses they are going to call to prove their case.
- Step 5:** Summarise the facts / incident. A short summary of what each witness said. The truth and correctness of all evidence presented must be evaluated by the Chairperson of Disciplinary

- Hearing and if found to be untrue, reasons for such a finding must be recorded and given. This summary is for both parties.
- Step 6:** Record the final submissions submitted by both parties.
 - Step 7:** State the decision/verdict on what misconduct the accused student is found guilty of or not, after weighing and considering of all the facts and evidence presented to the Chairperson / committee, compare the findings to the charges. List reasons given for the findings.
 - Step 8:** Record the mitigating factors presented by the accused student/defense and the aggravating circumstances presented by the Initiator/employer which were considered.
 - Step 9:** State the sanction recommended / issued, where applicable.
 - Step 10:** State the right to appeal, where applicable.

D. ISSUING VERBAL AND WRITTEN WARNINGS

- D.1 Verbal and written warnings can be given to students by the Director: Student Affairs or his/her appointee, academic staff, Campus Directors and Student Support officers.
- D.2 When a verbal/written warning is issued the following procedures should be followed:
 - D.2.1 The student is confronted with the allegation or accusation;
 - D.2.2 The student is given the opportunity to respond;
 - D.2.3 If no valid justification is provided by the student, the warning is explained and issued by the responsible staff in the presence of a witness;
 - D.2.4 The responsible staff records the incident, the allegation/ accusation and the student's response to the allegation/accusation if any;
 - D.2.5 The student is warned to refrain from such conduct and instructed to improve/ correct his/her conduct. The details of the misconduct must be discussed to confirm whether everything is understood;
 - D.2.6 After the warning is issued and signed by all parties, it must be forwarded to the Director: Student Affairs and the Registrar immediately.
 - D.2.7 The warning is kept on the students personnel file for record purposes;
 - D.2.8 All warnings, whether given by a designated staff or in a disciplinary hearing remains on the personnel file of the employee even after such warning has lapsed warning has lapsed and may be used as aggravation in cases of recurrent misconduct.
 - D.2.9 If the warning has not lapsed and the student has committed a second misconduct, a more serious sanction must be issued;
 - D.2.10 The student, staff and a witness are required to sign the warning recorded in the presence of all parties;
 - D.2.11 If the student refuses to sign the warning recorded, it must be indicated as such by the designated staff on the notice of warning form and a student may indicate his/her reasons for refusing to sign;
 - D.2.12 If the student is issued with a (verbal/written) warning and he/she is not given an opportunity to be heard, he/she can appeal to the Director: Student Affairs or the Student ombudsman.

E. STUDENT DISCIPLINARY AND APPEALS COMMITTEES

E.1 The following Committees shall deal with the disciplinary hearings of academic and other forms of misconduct, or their appeal, and are prescribed in terms of the Regulations: UNAM Committee System:

E.1.1 The Student Disciplinary Committee, which shall have inherent jurisdiction over all forms of non-academic misconduct by a UNAM student as prescribed by the Student Disciplinary Policy and Procedures.

E.1.2 The Campus Academic Disciplinary Committee, which shall have inherent jurisdiction over all forms of academic misconduct by a student in a School.

E.1.3 The Student Appeals Committee, which shall deal with all appeals from the students, e.g., from residences, sporting boards, school boards and the Student Disciplinary Committee.

E.2 There shall further be the following boards to deal with disciplinary matters in the residences and for sport misconduct:

E.2.1 Residence Hall Hearing Board, which shall adjudicate matters regarding violations of the Student Accommodation Policy.

E.2.2 Sports Board, which shall adjudicate matters regarding Sports misconduct.

E.3 PROCEDURES TO FOLLOW FOR A CAMPUS ACADEMIC DISCIPLINARY COMMITTEE HEARING:

E.3.1 The relevant School will receive a complaint from any individual (a Student, Academic Staff, Office of the Assistant Registrar: Assessment and Certification and/or any other aggrieved or interested persons) who suspects that a student has violated a provision(s) in the any of the policies relating to Academia.

E.3.2 Only in matters where information and evidence is **not clear** and available to the School, matters will be forward to the University of Namibia Investigation Unit (IU) who will investigate the matter and make a recommendation to the School accordingly.

E.3.3 After a review of information and evidence and the determination is that there is sufficient ground to charge an accused, the Campus Academic Disciplinary Committee shall call for a sitting.

E.3.4 In cases of examination infringements, the Campus Academic Disciplinary Committee shall have standing weekly meetings (or more frequent as may be required).

E.3.5 During a Campus Academic Disciplinary Committee Hearing

E.3.5.1 On the day of the hearing, the Chairperson shall preside over the hearing in the presence of the other committee members.

E.3.5.2 The Chairperson shall conduct such hearings by following the Chairperson's Checklist as provided for in the Student Disciplinary Policy, Regulations and Procedures

NB: The Chairperson does not need to follow this checklist box by box but should ensure that each step is taken to fulfil the procedural fairness of the hearing. This is also to encourage timeliness.

E.3.5.3 After the hearing is conducted, the committee members, in the absence of the student, must deliberate on the matter and recommend the possible sanctions.

E.3.5.4 These sanctions are provided for in Section A.2.

E.3.6 After the Campus Academic Disciplinary Committee Hearing

E.3.6.1 After the Hearing, and if the sanction is one of suspension or expulsion, the Chairperson shall draft a recommendation letter to the PVC: AA or the Vice Chancellor depending on the sanction, for his/her approval or disapproval.

E.3.6.2 Recommendation letters shall be sent to the PVC: AA and the Vice Chancellor within two (2) workdays after the Committee has met and concluded the matter. The minutes of the hearing shall accompany the recommendation letter.

E.3.6.3 Once feedback is received from the PVC: AA or the Vice Chancellor on the recommended sanction, the Chairperson shall draft the verdict letter and serve the student with his/her final verdict within two (2) work days after such feedback is received.

E.3.6.4 The Campus Academic Disciplinary Committee shall notify the Directorate of Student Affairs and the Office of the Registrar of the outcome of any hearings for noting on student files.

E.4 RESIDENCE HALL HEARING BOARD PROCEDURES

E.4.1 The status, purpose, composition, and the terms of reference of the Residence Hall Hearing Board are included as Annexure C.

E.4.2 Before Residence Hall Hearing Board Meetings

E.4.2.1 The Directorate of Student Affairs (DSA) will receive a complaint from any individual (a Student, Hostel Matron, Student Support and Leadership Development Officer, Campus Security and/or any other aggrieved or interested persons) who suspects that a student has violated a provision(s) in the Student Accommodation Policy.

E.4.2.2 Only in matters where evidence is **not clear** and available to the DSA, the University of Namibia Investigation Unit (IU) will investigate the matter and make a recommendation to DSA.

E.4.2.3 After a review of information and evidence and the determination is that there is sufficient ground to charge an accused the Residence Hall Hearing Board shall sit to hear the matter.

E.4.2.4 The suspected student shall be served with a Residence Hall Hearing Board Notice to appear in front of the board for a Residence Hall hearing Board Meeting at least five work days before the hearing is scheduled to take place.

E.4.2.5 Attached to the Notice shall be a Charge Sheet which shall be prepared by the Initiator of the proceedings.

- E.4.2.6 In level 4-2 cases as per section A.3 of this policy, the Residence Hall Hearing Board shall, without hearing the matter, refer the matter to the Student Disciplinary Committee which shall exercise its inherent jurisdiction and hear the case as a case of first instance.

E.4.3 Residence Hall Hearing Board Meeting

- E.4.3.1 On the day of the Residence Hall Hearing Board Meeting, the Chairperson shall preside over the hearing in the presence of the other committee members and the Initiator.

- E.4.3.2 The Chairperson shall conduct such hearings by following the Chairperson's Checklist as provided for in the Student Disciplinary Policy, Regulations and Procedures.

NB: The Chairperson does not need to follow this checklist box by box but should ensure that each step is taken to fulfil the procedural fairness of the hearing. This is also to encourage timeliness.

- E.4.3.3 After the hearing is conducted, the committee members, in the absence of the Initiator and student, must deliberate on the matter and recommend the possible sanctions.

- E.4.3.4 These sanctions are provided for in the Student Accommodation Policy and the Student Disciplinary Policy, Regulations and Procedures.

E.4.4 After the Residence Hall Hearing Board Meeting

- E.4.4.1 After the Residence Hall Hearing Board has met; and if the sanction is one of suspension or expulsion from the hostel, the Chairperson shall draft a recommendation letter to the Director: Student Affairs, for his/her approval or disapproval. Recommendation letters shall be sent to the Director within ten (10) workdays after the Residence Hall Hearing Board has met and concluded the matter. The minutes of the Residence Hall Hearing Board meeting should accompany the recommendation letter.

- E.4.4.2 Once Feedback is received from the Director on the recommended sanction, the Chairperson shall draft the verdict letter and serve the student with his/her final verdict within five (5) work days after such feedback is received.

E.5 Sports Board Hearing

- E.5.1 The status, purpose, composition, and the terms of reference of the Sports Board are included as Annexure D.

E.5.2 Before the Sport Hearing Board Hearing

- E.5.2.1 The Directorate of Student Affairs (DSA) will receive a complaint from any individual (a Student, Registered Sport Club member, Coaches, Sport Officers, Student Support and Leadership Development Officer, Campus Security and/or any other aggrieved or interested persons) who suspects that a student has violated a provision(s) in University or Sport Club Rules and Regulations.

- E.5.2.2 Only in matters where evidence is **not clear** and available to the DSA, the University of Namibia Investigation Unit (IU) will investigate the matter and make a recommendation to DSA.
- E.5.2.3 After a review of information and evidence and the determination is that there is sufficient ground to charge an accused the Sport Hearing Board shall sit to hear the matter.
- E.5.2.4 The suspected student shall be served with a Sport Hearing Board Notice to appear in front of the board for a Sport Hearing Board Hearing at least five work days before the hearing is scheduled to take place.
- E.5.2.5 Attached to the Notice shall be a Charge Sheet which shall be prepared by the Initiator of the proceedings.

E.5.3 Sport Board Meeting

- E.5.3.1 On the day of the Sport Board Hearing, the Chairperson shall preside over the hearing in the presence of the other committee members and the Initiator.
- E.5.3.2 The Chairperson shall conduct such hearings by following the Chairperson's Checklist as provided for in the Student Disciplinary Policy, Regulations and Procedures.

NB: The Chairperson does not need to follow this checklist box by box but should ensure that each step is taken to fulfil the procedural fairness of the hearing. This is also to encourage timeliness.
- E.5.3.3 After the hearing is conducted, the committee members, in the absence of the Initiator and student, must deliberate on the matter and recommend the possible sanctions.
- E.5.3.4 These sanctions are provided for in the Student Disciplinary Policy, Regulations and Procedures and Sport Club Rules and Regulations.

E.5.4 After the Sport Board Hearing

- E.5.4.1 After the Sport Board Hearing has met; and if the sanction is one of suspension or expulsion, the Chairperson shall draft a recommendation letter to the Director: Student Affairs, for his/her approval or disapproval. Recommendation letters shall be sent to the Director within ten (10) work days after the Sport Hearing Board has met and concluded the matter. The minutes of the Sport Hearing Board meeting should accompany the recommendation letter.
- E.5.4.2 Once Feedback is received form the Director on the recommended sanction, the Chairperson shall draft the verdict letter and serve the student with his/her final verdict within five (5) work days after such feedback is received.

F. STUDENT OMBUDSMAN

- F.1 Students and Staff may approach the office of the Student Ombudsman with complaints or grievances within the purview of student related affairs.

- F.2 The Student Ombudsman can, but not limited to:
- F.2.1 assist students to clarify the outcome sought and to navigate the student grievance resolution process;
 - F.2.2 refer students to additional support services such as counselling, academic skills development or advocacy services;
 - F.2.3 provide procedural advice to staff members involved in handling student complaints, ensuring compliance with policies and procedures.

G. STUDENT LEADERS DISCIPLINARY TRIBUNAL

- G.1 The Student Leaders Disciplinary Tribunal shall be responsible for investigating and adjudicating cases involving actions that lead to misconduct, as outlined in the Student Representative Council Constitution, committed by individuals holding leadership positions within the student body.
- G.2 The administration and operation of the Student Leaders Disciplinary Tribunal shall adhere to the provisions set forth in the Student Representative Council Constitution. This constitution encompasses the status, purpose, composition, and terms of reference governing the tribunal.
- G.3 The tribunal is empowered, after convicting a member of the SRC of misconduct, to impose one or more of the following sanctions:
 - G.3.1 exclusion from participation in SRC functions or facilities for a period not exceeding one month;
 - G.3.2 suspend a student leader for a period not exceeding two months;
 - G.3.3 institute a vote of no confidence against the convicted student leader in the CSP;
 - G.3.4 make a recommendation to the DSA for the suspension of the remission of tuition fees accrued to the convicted student leader in terms of Article 45 below;
 - G.3.5 suspend the remission of tuition as last resort where other measures mentioned herein have failed and or are deemed to be ineffective by the tribunal.
 - G.3.6 through the DSA, make written recommendations to the Vice-Chancellor to declare any 'unruly' student leader as a "hostile" student leader.
 - G.3.7 refer a matter to the relevant Student Disciplinary Committee established in terms of the Regulations on the UNAM Committee System.

ANNEXURE A:

CHAIRPERSON'S CHECKLIST

It is recommended that the Chairperson follow each item listed below in a disciplinary hearing. If the item is not done, the Chairperson must indicate why the item was not followed. Any observations with regard to the procedure must be recorded on the checklist. The minutes or summary with regard to substantive fairness must be kept separately.

Please
tick box

1. Open the disciplinary hearing by greeting all present and introducing yourself.
2. Where the accused student is under the age of 18, inform such student that he/she may be assisted by his/her legal guardian.
3. Ask if an interpreter will be needed, and if so whether arrangements have been made.
4. Inform all parties that an audio tape recording of the disciplinary hearing will be made.
5. Explain that the role of the Chairperson of the disciplinary hearing is to determine the facts, whether a misconduct was committed and make a recommendation / final decision, where applicable.
6. Request each person present at the disciplinary hearing to identify himself/herself and to indicate their role.
7. Request all present to declare any conflict of interest.
8. Ask the parties if they have any issues to raise before the hearing commences.
9. The Chairperson should consider whether the preliminary issues raised require a stay of the hearing or whether the hearing can proceed.
10. Ask if the accused student has an objection against any person present. If so, determine whether the objection has merits and take a decision at that time.
Ask the accused student if he/she understands the charge i.e., of what he/she is accused of and which incident resulted in the disciplinary hearing.
If no representative is present:
11. Ask the accused student whether he/she understands his/ her rights;
12. Explain to the accused student that he/she has a right to use a representative to assist him/her in understanding the charge, the procedures and represent him/her in general during the proceedings.

- 13. Ask the accused student whether he/she would like to continue without a representative and whether the right to representation is waived.
If yes, please note as such
- 14. If no, inform the accused student that he/she will have to obtain a representative in such a timeframe as determined by the Chairperson.
- 15. If the Chairperson of the disciplinary hearing deems it necessary, a short postponement may be granted to allow the accused student to obtain necessary representation.
- 16. Determine whether witnesses will be called and if they are present.
- 17. Explain the procedure which will be followed during the disciplinary hearing.
- 18. Explain to the parties that should they wish to request for a postponement for any valid reason during the disciplinary process, the request should be done in person as the decision to postpone lies with the Chairperson of the disciplinary hearing.
- 19. Ask the accused student whether he/she had sufficient time to prepare. Determine when the notice of the hearing was handed to the student and the date and place of the disciplinary hearing.
- 20. Ask the Initiator to read the charges to the accused student.
- 21. Ask the accused student whether he/she pleads guilty or not guilty.
- 22. If the accused student pleaded not guilty:
- 23. Ask the Initiator to make an opening statement, if any and to indicate what he/she would like to prove.
- 24. Ask the accused student / representative to make an opening statement, if any, and to indicate which facts are in dispute.
- 25. Request the Initiator to lead evidence by calling witnesses.
- 26. Allow the accused student or his/her representative the opportunity to put questions to the witnesses.
- 27. Allow the Initiator to re-examine the witnesses.
- 28. The Chairperson of the disciplinary hearing may put questions to the witnesses to clarify issues.
- 29. Allow the initiator / representative / accused student to ask questions arising from the Chairperson's questions.
- 30. After the initiator presented all the evidence, the accused student or his/her representative will be allowed to make a statement and/or present evidence in defense.

- 31. Allow the initiator the opportunity to put questions to the witnesses.
- 32. Allow the accused student / representative to re-examine witnesses.
- 33. Request the initiator to present oral or written arguments on what charge the accused student must be found guilty, and why.
- 34. Request the accused student or his/her representative to present oral/written arguments on why the student must not be found guilty, and why.
- 35. Ask the accused student if he/she would like to add anything and if he/she is satisfied with the procedure so far, if not, take corrective steps taking into account any relevant recommendations.
If the accused student pleaded guilty:
- 36. Adjourn to decide whether the accused student is guilty or not of the charges presented. Determine the time/ date when the decision will be announced and inform every person to be present at that time and date.
- 37. Consider the facts behind closed doors (Chairperson / Committee and Secretariat alone) to determine the correct facts, the charge and the reason in support of the decision.
- 38. Reconvene the hearing and inform the accused student whether he/she is guilty or not guilty and on which charge (s).
- 39. If the accused student is found guilty, request him/her or the representative to present mitigating evidence.
- 40. Ask the initiator to present aggravating evidence.
- 41. Adjourn and decide which sanction/penalty will be issued and determine the reasons in support of the sanction.
- 42. Inform the accused student of the recommendation of the Chairperson of the Hearing/ decision of the Disciplinary and Appeals Committee, where applicable.
- 43. Inform the accused student of his/her right to appeal within five (5) work days from the date that he/she receives a written outcome of the Disciplinary Hearing from the Director: Student Affairs or his/her appointee.
- 44. Inform the accused student that UNAM does not provide transcriptions of the proceedings, however a copy of the audio recording of the proceedings may be provided on request. Should an accused student wish to have a transcribed record of such, he/she should do so at own cost.

ANNEXURE B:

NOTICE OF WARNING FORM



NOTICE OF WARNING FORM

FULL NAME: _____
CAMPUS: _____
STUDENT NUMBER: _____
FACULTY: _____
DATE: _____
TYPES OF WARNING: _____

(Clearly indicate verbal 1, 2 OR written 1, 2)

NATURE OF MISCONDUCT(S): (be specific, e.g. misconduct committed, dates, time, etc.):

You have therefore made yourself guilty of the above-stated misconduct(s) in contravention of the Student Disciplinary Policy, Regulations and Procedures of the University of Namibia.

You are herewith given a warning and urged not to make yourself guilty of a similar or any other offense, which is in contradiction to the rules and regulations of the University of Namibia.

Kindly be informed that you can only get maximum of two (2) warnings for the same misconduct otherwise you will be charged.

Remarks if any:

Name of Offender **Date** **Signature**

Name of issuing staff **Date** **Signature**

Name of Witness **Date** **Signature**

DIRECTORATE OF STUDENT AFFAIRS

Received & verified by:

Comment(s) if any:

SIGNATURE: _____

DATE: _____

ANNEXURE C:

RESIDENCE HALL HEARING BOARD

STATUS: *Ad-hoc* Committee

2. PURPOSE:

The Residence Hall Hearing Board shall have inherent jurisdiction over all forms of hostel misconduct by students on a particular campus.

3. COMPOSITION

3.1 The panel of the Residence Hall Hearing Board shall be constituted by the Assistant Director: Student Services and Residences or his/her appointee and as follows:

- (a) Chairperson
- (b) One staff member; and
- (c) One student representative.

4. CHAIRPERSON:

Chairperson: As appointed by the Assistant Director: Student Services and Residences or his/her appointee.

5. QUORUM RULES:

The quorum of the Residence Hall Hearing Board shall be three people.

5. TERMS OF REFERENCE

The Terms of Reference of the Residence Hall Hearing Board shall be:

- 5.1 To consider matters of alleged hostel misconduct.
- 5.2 To decide on appropriate sanctions.

6. MEETINGS AND PROCEDURES

The Hostel Hearing Board shall be constituted for a hearing as often as the need arises.

8. SECRETARIAT:

Secretarial support shall be provided by the Directorate of Student Affairs.

ANNEXURE D:

SPORT BOARD

STATUS: *Ad-hoc* Committee

2. PURPOSE:

The Sport Board shall have inherent jurisdiction over all forms of sport misconduct by students on a particular campus.

3. COMPOSITION

The panel of the Sport Board shall be constituted by the Assistant Director: Student Services and Residences or his/her appointee as follows:

- (a) Chairperson
- (b) One staff member; and
- (c) One student representative.

4. CHAIRPERSON:

Chairperson: As appointed by Assistant Director: Student Services and Residences or his/her appointee.

5. QUORUM RULES:

The quorum of the Sport Board shall be three people

5. TERMS OF REFERENCE

The Terms of Reference of the Sport Board shall be:

- 5.1 To consider matters of alleged sport misconduct of students;
- 5.2 To decide on appropriate sanctions according to the relevant student Disciplinary Policy Regulations and Procedure.

6. MEETINGS AND PROCEDURES

The Sport Board shall be constituted as often as the need arises.

7. SECRETARIAT:

Secretarial support shall be provided by the Directorate of Student Affairs.