

UNIVERSITY OF THE FREE STATE	Reference number	Date implemented
Document Name	STUDENTS' DISCIPLINARY CODE AND PROCEDURE	

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DISCIPLINARY CODE AND PROCEDURE

1. PREAMBLE

- 1.1. The University of the Free State (“UFS”) as an institution of higher learning has adopted disciplinary rules that establish the standard of conduct required of its students. The UFS rules must create certainty and consistency in the application of discipline. This requires that the standards of conduct are clear and made available to students in a manner that is easily understood.
- 1.2. Discipline must be applied in a manner that is fair and consistent. This is to create an environment in which students will have a meaningful opportunity to be heard in decisions that affect them.
- 1.3. All students of the UFS are subject to the UFS’s disciplinary and grievance procedures. UFS supports a progressive approach to discipline, and recognises that the primary aim of disciplinary action must be to correct the actions of students and to maintain standards of performance and conduct rather than to punish.
- 1.4. This Code and procedure are applicable to all students enrolled at UFS and no student may be victimised for exercising their rights in accordance with this Code or any right enshrined in any Code and/or Policy/Rules and Constitution.
- 1.5. The UFS requires that each enrolled student of the UFS commits him/herself to the following values:
 - 1.5.1. Uphold and promote the good name of the UFS and not bring the UFS’s name into disrepute.
 - 1.5.2. Strive towards building an inclusive community which embraces the diversity of the UFS and all its students and staff.
 - 1.5.3. Act in the best interest of the UFS and its students and staff.
 - 1.5.4. Protect and uphold the integrity of the UFS’s qualifications in all their dealings.

2. DEFINITIONS

For purposes of this Code, the following definitions shall apply:

“Act” shall mean the Higher Education Act 101 of 1997

as amended from time to time;

“Academic Misconduct”

shall mean any action aimed at gaining or attempting to gain an unfair academic advantage in a formal assessment, or any activity that has the potential to undermine the integrity and/or quality of the UFS’s academic programmes including but not limited to plagiarism, manipulation of data and any material, failing to comply with the examination or assessment instructions, the possession of unauthorised material during a formal assessment;

“Committee”

shall mean the appointed committee of the UFS from time to time;

“Council”

shall mean the governing body of the UFS, as defined in the UFS Institutional Statute as published in the Government Gazette and as amended from time to time;

“Code”

shall mean this disciplinary code and procedures, it will also include the legal convictions of the community and common law;

“Complainant”

shall mean a person who has raised an allegation of misconduct against a student of the UFS;

“Day”

shall mean any day excluding Saturday, Sunday, official public or University holiday;

“Dean”

shall mean the Head of any Faculty of the UFS appointed as such by the Council;

“Deputy Registrar”

Shall mean the employee appointed as such to assist the Registrar in the performance of his or her functions in terms of the Act.

“Faculty”

means all the recognised faculties forming part

of the UFS;

“Lecturer”

any lecturer employed as such by the UFS, including part-time lecturers;

“Initiator”

Shall mean any person, whether internal or external, duly appointed to bring charges and initiate a disciplinary hearing against a student and on behalf of the UFS;

“Legal Practitioner”

a person who has been admitted and enrolled as an attorney or advocate by a Court of Law in terms of the applicable provisions of the Legal Practice Act 28 of 2014;

“Legal Advisor”

means any employee of the UFS appointed as such by the UFS from time to time to assist the UFS with the resolution of various matters;

“Misconduct”

shall mean any conduct (including any act or omission) in contravention of this Code and/or any further UFS policies, rules of the applicable faculty or codes of conduct as may be applicable to the student; smoking in a place where smoking is prohibited by the University

“Serios Misconduct”

Destruction of property whether belonging to UFS or not, murder, culpable homicide, rape, drug dealing, arson, aggravated assault, possession of a deadly weapon, committing an act of violence in any form including carrying out threats and/or intimidation to UFS community whether inside or outside the UFS Campuses, discrimination on the basis of race, gender, religion, disability, sexual orientation, health status as defined in the Constitution. Serious misconduct will also include sexual harassment and bringing weapons or dangerous objects liquor and drugs into meetings and in the

university.

“Protection Services”

the Protection Services of the UFS as appointed from time to time, and tasked with the protection and safekeeping of students, Staff and UFS Property and Assets;

“Rector and Vice-Chancellor”

means the Rector and Chief Administrative Officer appointed as such by the UFS Council from time to time;

“Registrar”

shall mean the Registrar as defined in section 50 of the Higher Education Act 101 of 1997.

“SDMU”

Shall mean the Student Discipline and Mediation Unit of the UFS;

“student(s)”

shall mean any person who has enrolled or who has been duly registered and enrolled as such in accordance with the applicable regulations regulating the registration and enrolment of students in the UFS;

“SRC”

shall mean the students’ representative council as elected by students and approved by council; and

“UFS”

shall mean the University of the Free State, a university duly established under the Act, inclusive of the Bloemfontein, South and QwaQwa Campuses.

UFS Community

3. SCOPE AND APPLICATION

3.1. This Code shall apply to all students of the UFS.

- 3.2. The Code applies to all academic, non-academic and community engagement activities, including but not limited to social media platforms, online learning platforms, all communications, class attendance, submitting and writing of assignments, essays, theses, dissertations, research reports, reports or assessments, or interacting with fellow students.
- 3.3. The Code further applies to the students while on-campus or off-campus, irrespective of their geographical area provided that they are engaged in activities and/or services as students of the UFS, or where they represent, appear to represent the UFS or are otherwise identified or easily identifiable as students of the UFS. This further includes students who resides on campus in UFS accommodation and off-campus in UFS accredited accommodation.

4. DISCIPLINARY AUTHORITY

- 4.1. The general supervision and control of student discipline is the responsibility of the Rector and Vice Chancellor.
- 4.2. The Rector, by virtue of the powers vested in him/her, may delegate to the Deputy Registrar: Legal Services and Compliance or any officer including Student Discipline and Mediation Unit (“SDMU”) to assist in the execution of his/her duties, including the discipline of students.
- 4.3. Accordingly, the SDMU shall through the Office of the Registrar: Legal and Compliance be responsible for the enforcement of the Code in accordance with the powers delegated to it by these rules, the Rector and/or his/her nominee.

5. POWERS OF THE RECTOR OR HIS/HER NOMINEE

- 5.1. If the Rector is of the opinion that a student may be *prima facie* guilty of any misconduct, he/she shall have the competence, should he/she deem this to be in the best interest of UFS, to order the student to carry out one or more than one, or all of the following actions, for a period deemed fit by the Rector, but for no longer than the

time required for the finalisation of any disciplinary proceedings that may be brought against such a student in terms of these rules:

- 5.1.1. refraining from attending lectures and classes on any premises occupied or held by UFS at any locality;
- 5.1.2. refraining from participating in any activity of UFS;
- 5.1.3. refraining from entering any space belonging to UFS, any place under UFS's control, or any part of such a space or place;
- 5.1.4. vacating any UFS residence, or any part of any structure under the control of UFS;
- 5.1.5. refraining from entering any UFS residence, or any part of any structure under the control of UFS;
- 5.1.6. refraining from bringing any motor vehicle, motorcycle or any other mode of transport onto the premises of UFS, or any other place that may be under the control of UFS; and/or
- 5.1.7. refraining from committing any act specified by the Rector that is related to the nature of the charge.

- 5.2. The Rector shall issue an order as specified in paragraph 5.1 above when there is *prima facie* evidence to commission or omission of serious misconduct.
- 5.3. The notice of intention to place the student on precautionary suspension must be conveyed to the student, and, within three days after the notice had been conveyed, the student must provide written reasons to the Rector as to why the notice should not take effect.
- 5.4. The Rector must consider the representations made by the student if any before a final decision is taken. The Rector's decision to place or not to place a student on suspension will be final and binding.
- 5.5. Any decision taken in terms of paragraph 5.1 shall expire if disciplinary proceedings in terms of these rules have not commenced within three (3) months after the decision was taken, excluding the assessment period.
- 5.6. The Rector or his/her nominee shall, upon the recommendation from the SDMU through the office of Deputy Registrar: Legal and Compliance, authorise the

withdrawal of any charges and allegations against the student and uplift any sanction upon good cause being shown.

6. GENERAL RULES FOR STUDENTS

No student of the UFS may or attempt to:

- 6.1. contravene any lawful instruction, regulation, rule or directive of the UFS;
- 6.2. refuse to obey any lawful instruction or request by any Council Member, Lecturer, Contractor, Staff member or Protection Services of the UFS, or any other person who is by law in a position of authority or to whom authority is delegated by the UFS, or acts contrary to such instruction or request;
- 6.3. Threaten and/or intimidate any UFS community
- 6.4. bring the good name of the UFS into disrepute;
- 6.5. prejudice or compromise the maintenance of order and discipline at the UFS;
- 6.6. prejudice or interfere with the proper course of teaching, research, and/or community service at the UFS;
- 6.7. engage in online social media platforms including but not limited to WhatsApp, Facebook, TikTok, Instagram, Twitter, LinkedIn or any other online platform in a manner or in activities that infringes on the rights of the UFS, its students or staff, including but not limited their rights to a good name, privacy, dignity, safety and security;
- 6.8. perform an act which is an offence in terms of South African Law, Common Law or International Law and such an act is prejudicial to the UFS or its staff, guests, contractors or student's copyright or any other intellectual property right, including but not limited to plagiarism;
- 6.9. perform an act which is an offence in terms of any country's law, where the student is representing the UFS and such an act is prejudicial to the UFS or its staff, guests, contractors or student's copyright or any other intellectual property right;
- 6.10. perform acts in a dishonest manner, which includes any form of conduct involving deception, for example theft, unauthorised possession of property, bribery, fraud,

forgery or giving false or misleading statements. (These acts do not constitute a closed list of possible transgressions involving dishonesty for purposes of this Code)

- 6.11. intimidate, assault, harass any person or engage in fighting;
- 6.12. make any misrepresentation with regard to any administrative process, which includes but is not limited to the following:
 - 6.12.1. misrepresentations regarding academic and other records, including degree and diploma certificates and other documents;
 - 6.12.2. misrepresentations regarding illness;
 - 6.12.3. misrepresentations made to persuade or attempt to persuade the UFS to administratively act in a way that the UFS would not or probably would not have acted in the absence of such misrepresentation;
 - 6.12.4. forging of a document (which includes but is not limited to generating a false document and/or presenting it as a legitimate document, changing an existing document *inter alia* by including false or misleading information, or present a forged document, *inter alia*, with the aim to mislead; and/or written or creative work (words, images, ideas, opinions, discoveries, artwork, music, recordings, computer-generated work), and/or by incorporating such work or material, in whole or in part, into his or her own work without properly acknowledging or citing the source.
- 6.13. engage in any unlawful protest activities including but not limited to unlawful assemblies, gatherings, picketing;
- 6.14. damage property of the UFS, its staff or students or anyone's property (including but not limited to visitors' or contractors') in a manner that may give rise to liability for damages for the UFS;
- 6.15. enter or occupy any UFS or UFS controlled premises or buildings or part thereof without permission;
- 6.16. conduct himself or herself in an indecent or improper manner on UFS controlled premises or at a UFS-related functions or activities at any location or in circumstances where he or she represents or is seen to represent the UFS, or is otherwise identified as a student of the UFS;

- 6.17. in any manner, infringe the freedom of movement of a student, contractor or staff member of the UFS or a member of the public who is present on UFS or UFS controlled premises or at a UFS-related function or activity at any location or in circumstances where the student who causes such infringement represents or may be seen to represent the UFS;
- 6.18. conduct himself or herself in an insulting, indecent or improper manner towards a student, contractor or staff member of the UFS or a member of the public who is present on UFS or UFS- controlled premises or at a UFS function or activity at any location or in circumstances where the student who conducts him- or herself in the aforementioned manner represents or may be seen to represent the UFS;
- 6.19. in contravention of the provisions of South African law or a rule of the UFS, unlawfully possesses, distributes, buys, sells, uses, and/or is under the influence of a dependency-inducing substance (such as alcohol or drugs, including but not limited to any drug as defined in section 1 of the Drugs and Drug Trafficking Act 140 of 1992 or any act that amends or replaces it) while present on UFS or UFS-controlled premises or at a UFS-related function or activity at any location or in circumstances where he or she represents or is seen to represent the UFS, or is otherwise identified as a student of the UFS;
- 6.20. accept or obtain any benefit, information, or access to information in an inappropriate manner, which may place any student in an advantageous position academically in relation to other students in any manner whatsoever; and
- 6.21. intentionally or negligently provides false or incorrect information, and such action is to the detriment or potential detriment of the UFS.

7. RULES APPLICABLE TO STUDENTS STUDYING TOWARDS VARIOUS PROFESSIONS

- 7.1. The UFS engages with various Professional Bodies in order to facilitate the training of students.
- 7.2. Various professional bodies require a certain standard of behaviour and conduct to be exercised by students studying in those professions, and any conduct in contravention of such rules, ethical standards or codes of conduct may be disclosed to the relevant professional body by the UFS.
- 7.3. Should the student be found guilty of any misconduct in accordance with this Code,

the UFS may withhold any certificate of good conduct sought by such profession from the UFS and/or disclose the details of the misconduct committed to the professional body.

8. PRE-HEARING PROCEDURES

Receipt and Investigation of Complaints

- 8.1. Any complaint of an alleged misconduct other than an academic misconduct must be reported to the Protection Services within seven days, or within a period that is reasonable under the circumstances, as from the date of the alleged misconduct.
- 8.2. Any alleged academic misconduct must be reported to the Dean or Head of Department, Lecturer of the relevant Faculty within a period that is reasonable under the circumstances, as from the date of the alleged misconduct.
- 8.3. Protection Services must fully investigate any non-academic complaints, and thereafter forward the report to SDMU for further handling.
- 8.4. The SDMU must then consider the nature, extent and severity of the alleged misconduct by assessing the complaint and requesting further particulars if necessary.
- 8.5. If the SDMU is of the view that the misconduct is of a less serious nature, the SDMU may recommend, after obtaining the views of the parties involved that the matter be referred to a mediation process.
- 8.6. The less serious misconduct may, subject to the particular circumstances of each matter be one of the following (this is not an exhaustive list and the SDMU may exercise its discretion in respect of each individual matter to determine the severity thereof):
 - 8.6.1. students making excessive noise near academic venues, on-campus housing or study venues, to the extent that it disrupts academic activities;
 - 8.6.2. students and/or staff insulting one another;
 - 8.6.3. students engaging in online activity that may infringe on the rights of other students and/or staff.
- 8.7. The SDMU shall assess the complaint based on the evidence received and may accept, reject or refer the compliant to the relevant structure for further handling.

- 8.8. Should the mediation route be recommended, and the parties be amenable thereto, the SDMU must appoint a mediator, selected from a panel of mediators who have completed a relevant mediation course and meet such other requirements as may be determined by the SDMU.
- 8.9. The mediator will be in a controlled environment permit each of the parties to state their case, and ensure that the mediation is conducted in a respectful manner aimed at reaching a resolution of the matter between the parties. The mediator should not make a ruling or finding, but guide the parties to attempt to reach an amicable resolution of the matter and if the mediation process fails to reach a resolution of the matter, the matter proceeds as any other matter would in accordance with the procedures below.

Referral of complaints for formal proceedings

- 8.10. The Initiator shall invite the student for a consultation to explain the charge as well as the disciplinary procedure and possibly obtain his/her statement for a decision to either prosecute, reject or refer the matter to an appropriate structure.
- 8.11. The Initiator is responsible for arranging a disciplinary hearing as well as convening a disciplinary committee
- 8.12. The Initiator must inform all parties concerned of their rights and serve a notice of the disciplinary hearing by email and SMS notification, five (5) days prior the date of the disciplinary hearing.
- 8.13. If the student is a minor, his/her parent(s) or legal guardian must be informed of the charge against the student, if possible.
- 8.14. Evidence will be proffered in corroboration of the allegations in a manner reconcilable with the principles of natural justice, which may include the delivery of verbal evidence, or the submission of a sworn statement, provided such sworn statement will be corroborated by the oral evidence of its author.
- 8.15. The accused student may, at any time or during the pre-hearing, acknowledge his/her guilt with regard to the complaint lodged and evidence in possession of the SDMU.
- 8.16. A student accused of misconduct may be found guilty on the grounds of an admission of guilt concerning the misconduct, if such admission of guilt is informed, given freely and voluntarily during the pre-hearing.

- 8.17. The fact that a student has been criminally charged, found guilty or acquitted of a charge by a court of law, will not prevent UFS from taking action against such a student in terms of this procedure.
- 8.18. The Initiator shall record all disciplinary hearings and such recording shall be deemed to be the true reflection of the proceedings.

9. DISCIPLINARY HEARING PROCEDURES

- 9.1. At the beginning of the disciplinary hearing, the accused student will be requested to enter his/her plea in respect of the charge.
- 9.2. If the accused student refuses to enter a plea or is absent, a plea of not guilty will be noted.
- 9.3. If the accused student pleads guilty, the Chairperson may recommend that parties submit arguments in mitigation of the sentence before making a final ruling.
- 9.4. A plea of guilty may also be submitted to the disciplinary committee in the form of a written declaration in which the accused admits guilt in respect of all charges, as stated.
- 9.5. If the accused student enters a plea of not guilty, the accused student will make a declaration in which the facts of the charge that he/she is contesting are indicated, and he/she will announce the basis of his/her defence to the committee.
- 9.6. The Chairperson must inform the accused student of his/her rights as contained in this Code.
- 9.7. In the event that the student elect to disclose his/her defence, the Chairperson may ask further questions to seek clarity and determine the basis of the student's defence.
- 9.8. If a member of a disciplinary committee is absent the disciplinary hearing shall proceed and any ruling that the Chairperson makes shall be valid provided at least two members of the disciplinary committee are present including the Chairperson.
- 9.9. Should a disciplinary committee not consist of at least two members, the hearing must be postponed for purposes of selecting alternative members to the committee.

- 9.10. Where a student fails to appear before a disciplinary committee, the hearing shall proceed at the discretion of the Chairperson after considering the reasons for the student's absence and whether proper service was effected.
- 9.11. The Code acknowledges the role of the SRC in representing student interests, therefore a member of the SRC may, at the request of the accused student, be present to monitor the proceedings and exercise an oversight function, without engaging in the proceedings directly unless the student has elected to be represented by an SRC member in the disciplinary hearing.
- 9.12. The disciplinary committee will base its findings of guilty or not guilty on a balance of probability. The members of disciplinary committee shall confirm any finding by the Chairperson during the disciplinary hearing before being shared with the parties in the disciplinary hearing.

10. RIGHTS OF THE ACCUSED STUDENT

Every accused student has the right to:

- 10.1. be informed of the nature of the alleged misconduct;
- 10.2. summon witnesses, and cross-examine them;
- 10.3. examine any document submitted as evidence;
- 10.4. receive a hearing as soon as possible;
- 10.5. make use of the services of an interpreter to interpret the proceedings in the language of his/her choice, with the proviso that such an interpreter is in the service of the UFS, and is available to interpret on the date of the scheduled disciplinary hearing;
- 10.6. be represented by any fellow student of UFS, or his/her parent/guardian, or his/her legal representative, whose presence has been approved in accordance with the Code on legal representation in disciplinary hearings (to be finalised);
- 10.7. receive at least five days' notice of the disciplinary hearing;
- 10.8. cite a case in his/her defence;
- 10.9. a finding;

- 10.10. deferment of the consideration of any previous disciplinary record until after he/she has been found guilty;
- 10.11. advance extenuating circumstances;
- 10.12. lodge an appeal; and
- 10.13. be protected against victimisation as a result of any statements, allegations and/or actions made or carried out during a disciplinary hearing, or on the grounds of membership to any organisation.

11. DISCIPLINARY COMMITTEE

- 11.1. The disciplinary committee, duly appointed by the Rector and Vice-Chancellor, may be used for disciplinary enquiries. notwithstanding that such alleged misconduct, may have occurred within or outside of the UFS' premises.
- 11.2. The **Disciplinary Committee** will comprise of the following members:
 - 11.2.1. An Independent Chairperson who must control the proceedings and to ensure that they are conducted fairly, efficiently and effectively; and
 - 11.2.2. One or more assessor (s) reasonably and suitably qualified to assist the Chairperson.
- 11.3. The assessor (s) play an advisory role and makes recommendations to the Chairperson and in the case of a deadlock between the members of the committee, the Chairperson shall have the casting vote.
- 11.4. Where a member or members of the committee cannot, or may not, serve on the panel, the Rector or his/her nominee may appoint an alternative member (s) to serve on the panel or reduce the number of the committee members accordingly provided at least two members are present.
- 11.5. The Chairperson may make any decision and prescribe any sanction he/she deems fit provided that such decision and sanction are in line with these rules and within his/her powers.

11.6. Any sanction of suspension and/or expulsion recommended by the Chairperson must be referred to the Rector and/or his nominee for approval.

11.7. The SDMU should keep a record of all the disciplinary measures taken by a disciplinary committee and should report such measures to the Registrar and Rector of the UFS.

12. APPEAL OR REVIEW COMMITTEE

12.1. If the Initiator or accused student is dissatisfied with the findings and/or sanctions of the disciplinary committee, he/she will have the right to appeal to the Appeal or review Committee against such findings and/or sanctions.

12.2. The Appeal Committee will comprise of the following members:

12.2.1. An Independent Chairperson;

12.2.2. Deputy Registrar: Legal Services and Compliance; and

12.2.3. Any other Assessor elected from the Faculty of Law.

12.3. The notice of appeal must be presented to the Initiator no later than fourteen days after the Disciplinary Committee has pronounced a finding. No appeal shall be heard thereafter unless the appeal is accompanied by an application for condonation, which clearly details the degree of lateness, explanation for the delay, prospects of succeeding with the Appeal or Review, and any prejudice that may be suffered by the person bringing the appeal should it not be heard.

12.4. The Appeal Committee will be appointed by the Rector, or his/her nominee.

12.5. The Initiator shall convene the Appeal Committee no later than forty days after having received confirmation of the members of the Appeal Committee.

12.6. In the notice of appeal, the appellant must provide written reasons that state the basis of the appeal.

12.7. The other party (i.e., the respondent) must be informed of the notice of appeal, and must be afforded the opportunity to respond thereto in writing within ten days of receiving the notice of appeal.

12.8. The Appeal Committee must act objectively, and as such may not comprise of the same people who served on the disciplinary committee.

- 12.9. The Disciplinary Appeal Committee will pronounce a judgement on all cases that have been heard by a disciplinary committee, and in response to which an appeal has been lodged.
- 12.10. During the hearing of the appeal, the Appeal Committee may follow any procedure it deems fit, as it is not bound by the rules of evidence or other technical points or legal forms, and may also gather information with regard to any matter it deems fit according to its discretion. However, the Committee must:
 - 12.10.1. act justly; and
 - 12.10.2. ensure that all documents that will be used by a party in the meeting are made available to the other party.
- 12.11. A full report of the proceedings of the disciplinary committee hearing, as well as all the evidence delivered and relevant correspondence, will be made available to:
 - 12.11.1. members of the Disciplinary Appeal Committee;
 - 12.11.2. the appellant; and
 - 12.11.3. the respondent,no less than 14 days before the hearing of the appeal.
- 12.12. During the hearing of the appeal, the appellant and respondent will be granted the opportunity to argue and discuss the basis of his/her appeal or opposition with the Appeal Committee
- 12.13. After the Appeal Committee has considered the material on the basis of which the appellant supports his/her appeal, as well as any material put forward in response thereto, the Committee must submit to the Rector, or his/her nominee, a recommendation, together with all relevant documentation concerning the rejection of the appeal, or the upholding thereof, as well as the confirmation of the penalty, or the disregarding or amendment thereof.
- 12.14. If necessary, it may be recommended that the case be referred back to Disciplinary Committee for further investigation.
- 12.15. The finding of the Appeal Committee will be final, and communicated in writing to the relevant persons.

13. DISCIPLINARY MEASURES

13.1. In a case where a disciplinary committee finds a student guilty of any form of misconduct one or more of the following disciplinary measures may be taken. These measures will be valid as measures for disciplinary penalties, and do not comprise a *numerus clausus*:

- 13.1.1. The student may be expelled from UFS;
- 13.1.2. The student may be suspended from UFS for a period of not more than 1(ONE) year;
- 13.1.3. Module credits may be withheld from the student.
- 13.1.4. A qualification may be withheld from the student.
- 13.1.5. The student could forfeit examination and/or semester marks, or any other marks attained.
- 13.1.6. The student may be reprimanded and warned, depending on the seriousness of the misconduct.
- 13.1.7. The student may be forbidden to keep or drive any type of motor vehicle on the UFS premises.
- 13.1.8. The student may be sanctioned in any other suitable educational and justifiable manner.
- 13.1.9. A fine not exceeding R10 000 may be imposed on the student, which amount will be payable in a manner determined by UFS, and which amount may be charged to the account of the student.
- 13.1.10. The student may be deprived of the right or privilege to register for a specific module.

14. TABLE OF MISCONDUCT AND PENALTIES

14.1. Any misconduct not specifically covered in the Code shall be dealt with according to and/or in relation to the seriousness of the misconduct. The below are merely guidelines which should not be considered as fixed or set in stone.

Nature of Serious Misconduct (General Misconduct)	First Time Offence	Second time Offence	Third Time Offence
1. Unlawful protests or gathering	• Suspension/Expulsion		
2. Misconduct relating to substance abuse	• Final Written Warning	Suspension/Expulsion	
3. Improper or authorised release of confidential information	• Suspension/Expulsion		
4. Gross dishonesty such as fraud or misrepresentation	• Expulsion		
5. Damage to or misuse of the UFS's property	• Expulsion		
6. Unlawful removal or possession of the UFS's property	• Expulsion		
7. Sexual harassment/Rape	• Expulsion		
8. Gross Insubordination	• Suspension		
9. Assault or threatened Assault	• Expulsion		
10. Disruption of Academic Activities	• Suspension		

15. SUPREMACY OF THE CODE AND PROCEDURES

This Code and its procedures should be read and interpreted together with all other policies and procedures of the UFS, but insofar as this Code amends or varies the provisions of any other policies and procedures of the UFS, preference must be afforded to the Code.

