

ANNEXURE E: EX OFFICIO STUDENT COUNCIL CONSTITUTION

1. DEFINITIONS

Unless the context indicates otherwise, the following terms and definitions shall apply to this Constitution:

“Act”	The Higher Education Act 101 of 1997.
“Chairperson”	The elected Chairperson of the Council, from time to time.
“Council”	The Student Council established by this Constitution as a Substructure of the CSRC.
“CSRC”	The Student Representative Council for the Campus for which the specific Council is constituted.
“CSRC Appeal Committee”	As contemplated in the CSRC Constitution.
“CSRC Constitution”	The constitution adopted by the CSRC.
“CSRC Election(s)”	The annual Election of CSRC Members to serve on the CSRC.
“CSRC Executive Committee”	As contemplated in the CSRC Constitution.
“CSRC Member”	A Member of the CSRC elected to either an Elective Portfolio or an Ex Officio Portfolio, in accordance with the CSRC Constitution, and continuing to meet the Eligibility Requirements as set out in the CSRC Constitution for the duration of her/his CSRC Term.
“Elections”	The annual Elections in terms of which a Chairperson and Executive Committee (as contemplated in clause 8.2) are elected in accordance with the Election Procedure as contemplated in clause 10 (<i>Election Procedure</i>).
“Elections Operations Committee”	The CSRC Elections Operations Committee as contemplated in the ISRC Constitution;

“Election Procedure”	The Procedure for the holding of annual Elections as contained in clause 10 (<i>Election Procedure</i>).
“Eligibility Requirements”	The Eligibility Requirements for a Member as set out in clause 7 (<i>Eligibility</i>) of this Constitution.
“Faculty Based”	In the context of this Constitution, Faculty Based refers to Faculty Councils that are duly recognised within a relevant Faculty of the UFS and which have direct representation on the relevant Faculty management structures.
“Faculty Student Council”	The Faculty Student Council is the official Student Representative Structure for each Faculty.
“Institutional Rules”	All rules made by the UFS as contemplated in section 32 of the Act, including all regulations and policy documents of the UFS.
“ISRC”	The Institutional Student Representative Council established in terms of section 35 of the Act and section 33 of the Institutional Statute of the University.
“Bloemfontein Campus”	The UFS Campus in Nelson Mandela Drive, Bloemfontein.
“Qwaqwa Campus”	The UFS Campus in Kestell Road, Phuthaditjhaba.
“South Campus”	The UFS Campus in Church Street, Bloemfontein.
“Member”	A Member of these Councils who continues to meet the Eligibility Requirements as set out in this Constitution for the duration of her/his Term.
“Qualification”	Any degree, diploma or certificate received for the successful completion of a formal academic programme at the UFS.
“Statute”	The Institutional Statute of the University of the Free State in accordance with Section 32 of the Act, as

published in Government Notice No. 747 of 27 August 2010 (as may be amended from time to time).

“Student”

Any person who is registered for a formal Qualification at the Campus for which the specific Council is constituted.

“Student Body”

The collection of Students at the Campus for which the specific Council is constituted

“Student Councils”

Student leadership structures which shall annually be entitled to nominate, in accordance with their Constitutions or by agreement of their respective constituents, their respective Chairpersons as the candidates to represent the relevant Student Councils as incumbent CSRC Members for the Ex Officio Portfolios determined in the CSRC Constitution for the next CSRC Term.

“Sufficient Consensus”

Consensus by more than two-thirds (67%) of Members entitled to vote and be present at a meeting.

“UFS”

The University of the Free State.

“UFS Council”

The Council of the UFS as contemplated in section 27 of the Act.

“UFS Structures”

The Governance Structures of the UFS as established by the Act and the Statute, which include the UFS Council, Senate, Executive Management and other management structures of the UFS.

2. NAME OF COUNCILS

This Constitution shall apply to the establishment and operation of the following Ex Officio Student Councils:

2.1. The Arts and Culture Student Council;

2.2. The Campus Residences Council;

- 2.3. The Civic and Social Responsibility Student Council;
- 2.4. The Day Residence Students Council;
- 2.5. The International Students Council;
- 2.6. The Postgraduate Student Council;
- 2.7. The Sports Student Council;
- 2.8. The Student Associations Student Council;
- 2.9. The Student Media and Dialogue Council;
- 2.10. The Student Organisations Council; and
- 2.11. The Universal Access and Social Justice Student Council.

3. ESTABLISHMENT

These Councils are hereby established, subject to the provisions of the ISRC Constitution. This Constitution hereby establishes and formalises the abovementioned Student Councils for each Campus of the UFS.

4. OBJECTIVES

The Objectives of the Council are:

- 4.1. To, in cooperation with the CSRC, serve the interests of its constituency, the UFS and Student Body without partiality, bias, prejudice, discrimination or preference of any form.
- 4.2. To establish and formalise the abovementioned Student Councils as recognised and established by the ISRC Constitution.
- 4.3. To serve as a platform where the respective representatives of the Student Councils attempt to further, protect and represent the interests of their constituency.
- 4.4. To serve the UFS Student Body with humility, integrity, excellence and earnestness.
- 4.5. To lead by example in the establishment of transformation, diversity and multiculturalism within the University.
- 4.6. To maintain and promote a high standard of academic excellence among the Student Body.

5. STATUS

These Councils recognise the CSRC as the highest Student Representative Body in respect of Student matters and affairs which relate exclusively to Students registered at any of the 3 (THREE) Campuses.

6. FUNCTIONS AND POWERS

6.1 Functions

As the authority responsible for representing its Sub-Councils, an Ex Officio Student Council shall:

- 6.1.1 Represent all Sub-Councils through their respective Chairpersons and Deputy Chairpersons.
- 6.1.2 Act as a platform for formal liaisons with UFS Structures via its chosen Chairperson.
- 6.1.3 Comply with all Institutional Rules (as amended from time to time).
- 6.1.4 Execute its powers in accordance with this Constitution to achieve the objectives stipulated in clause 4.

No function of the Council shall usurp, replace, prejudice or override an Institutional Rule or any valid decision of any UFS Structure or the CSRC. In the event of a conflict between the functions or the execution of those functions by any Council and an Institutional Rule or a decision of any UFS Structure or CSRC, the Institutional Rule or decision of the UFS Structure or CSRC shall take precedence.

6.2 Powers

A Council has the following powers necessary to execute its functions:

- 6.2.1 To do all things as authorised by this Constitution to execute its functions.
- 6.2.2 To have its Chairperson represent the Council as a CSRC Member for the Ex Officio Portfolio relating to the Council and execute all its functions and powers as an Ex Officio CSRC Member.
- 6.2.3 Cooperate and liaise with and execute instructions of the CSRC relating to its mandate.

- 6.2.4 Coordinate, liaise and cooperate with other Student Councils to the extent that functions may overlap and interests may be concurrent, or the general welfare of the Student Body and the promotion of good Student governance require such coordination, liaison and cooperation.
- 6.2.5 Resolve grievances and disputes of its Members.
- 6.2.6 Assist in the conducting of annual CSRC Elections by involving, informing and communicating with its Members and constituents.
- 6.2.7 Adopt, by Sufficient Consensus, rules regulating the Council or any functioning, including, without limitation, meeting procedures, voting requirements, codes of conduct, membership rules and rules for the administration and control of any funds allocated to the Council.
- 6.2.8 To adopt, by Sufficient Consensus, rules regulating the administration and control of the receipt, allocation and use of funds allocated to the Council by the UFS or any third party.
- 6.2.9 Inform, liaise and lobby with its Members and constituents all matters relating to the execution of its functions.
- 6.2.10 To establish committees of the Council by Sufficient Consensus.

7. ELIGIBILITY

- 7.1 All Sub-Councils shall be eligible to be represented on the Council by their duly elected Chairperson and/or Deputy Chairperson, who shall become Members of the Council, subject thereto that they comply with the Eligibility Requirements set out in clause 7.2 hereunder.
- 7.2 To be a Member of the Council, a person must:
 - 7.2.1 Be the duly elected Chairperson or Deputy Chairperson of the applicable Sub-Council
 - 7.2.2 Be nominated by their structure to serve on the Council.
 - 7.2.3 Be a Student at the Campus for which the specific Sub-Council is constituted and must have been registered for a Qualification at that Campus for a minimum period of at least 3 (THREE) consecutive semesters immediately prior to being nominated to serve on the Council.
 - 7.2.4 Subscribe to and undertake to promote the ISRC Constitution and its objectives.

- 7.2.5 Undertake to promote a culture of non-discrimination, transformation and diversity and the reconciliation of all cultures comprising the Student Body.
- 7.2.6 Not have been convicted of any crime by any court of law in the Republic of South Africa or elsewhere, and sentenced to imprisonment without the option of a fine, or with a fine of more than R5,000 (FIVE-THOUSAND RAND).

8. COMPOSITION

8.1 Members

8.1.1 Arts and Culture Student Council

This Council shall be constituted by:

The duly elected Chairpersons of all Registered Arts and Culture Associations.

8.1.2 Campus Residences Council

This Council shall be constituted by:

The duly elected Chairpersons of all recognised On-Campus Residences present on a Campus of the UFS.

8.1.3 Civic and Social Responsibility Student Council

This Council shall be constituted by:

The duly elected Chairpersons of all registered charity organisations, including the Chairperson of Kovsie Act.

8.1.4 Day Residence Students Council

This Council shall be constituted by:

The duly elected Chairpersons of all recognised Day Residences present on a Campus of the UFS.

8.1.5 International Students Council

This Council shall be constituted by:

The duly elected Chairpersons of all recognised International Student Interest Student Associations.

8.1.6 Postgraduate Student Council

This council shall be constituted by:

Postgraduate Students at the applicable Campus who have been registered for a Postgraduate Qualification at the Bloemfontein Campus for a minimum period of at least 3 (THREE) consecutive semesters.

8.1.7 Sports Student Council

This Council shall be constituted by:

The duly elected Chairpersons of all recognised UFS Sporting Codes.

8.1.8 Student Associations Student Council

This Council shall be constituted by:

The duly elected Chairpersons of all Registered Student Associations.

8.1.9 Student Media and Dialogue Council

This Council shall be constituted by:

The duly elected Chairpersons of Kovsie FM, Kovsie TV, the IRAWA Post and any other UFS affiliated Student Media platform.

8.1.10 Student Organisations Council

This Council shall be constituted by:

The duly elected Chairpersons of all Registered Student Organisations.

8.1.11 Universal Access and Social Justice Student Council

This Council shall be constituted by:

The duly elected Chairpersons of the Centre for Universal Access and Disability Support (CUADS) Student Council, the duly elected Chairperson of the Gender & Sexuality Resource Office (GSERO) Student Council and the duly elected Chairpersons of registered Social Justice Associations.

8.2 **Executive Committee**

8.2.1 The Members of each Council shall, in accordance with the Election Procedure, elect an Executive Committee, which shall consist of:

- 8.2.1.1. A Chairperson;
- 8.2.1.2. A Deputy Chairperson;
- 8.2.1.3. A Secretary; and
- 8.2.1.4. 2 (TWO) additional members.

8.2.2 To be elected as the Chairperson of the Council, a Member must:

- 8.2.2.1 Be a Student at the Campus for which the specific Council is constituted and must have been registered for a Qualification at the Campus for which the specific Council is constituted for a minimum period of at least 3 (THREE) consecutive semesters immediately prior to the election for which the candidate is being nominated;
- 8.2.2.2 Subscribe to and undertake to promote the ISRC Constitution and its objectives, including all matters relating to Student management and the well-being of the Student Body;
- 8.2.2.3 Undertake to promote a culture of Student-driven leadership; Student-centred leadership; academic excellence; non-racialism and non-sexism; democracy; Ubuntu; equity and equality; cooperative governance; accountability, transparency and integrity;
- 8.2.2.4 Not have been found guilty of misconduct of a serious nature by the UFS or by any other tertiary education institution or executive structure of such an institution;
- 8.2.2.5 Not have been convicted of any crime by any court of law in the Republic of South Africa or elsewhere and sentenced to imprisonment without the option of a fine or with a fine of more than R5,000 (FIVE-THOUSAND RAND);
- 8.2.2.6 Not be in full-time employment or intend on being employed on a full-time basis for the duration of her/his CSRC Term;
- 8.2.2.7 With respect to the Bloemfontein and Qwaqwa Campuses, have maintained, up until the most recent examinations prior to the CSRC Elections, a high academic standard and have achieved a minimum overall academic average for all passed UFS courses, of at least 60% (SIXTY PERCENT) and must have passed at least 80% (EIGHTY PERCENT) of the total enrolled courses for the two semesters immediately preceding the semester during which the CSRC Election is to take place. With respect to the South Campus, first-time-entering

students who wish to stand for an SRC portfolio at the South Campus first-quarter Elections, must have obtained a minimum AP score of 25 in order to be eligible;

8.2.2.8 Sign a copy of and comply with any electoral Code of Conduct as prescribed by the Election Procedure contained in the CSRC Constitution; and

8.2.2.9 Have served in a recognised UFS leadership position as determined by the EOC of the UFS.

9. OBLIGATIONS OF OFFICE

Members must execute their obligations as Members in accordance with the objectives of the Council and the provisions of this Constitution.

10. ELECTION PROCEDURE

10.1 Election of Chairperson

10.1.1 The Elections in terms of which the Chairperson of the Council is elected shall take place no more than 14 (FOURTEEN) days prior to conducting the annual CSRC Elections.

10.1.2 The Election of the Chairperson must be overseen and facilitated by the ELC.

10.1.3 All outgoing Members of the Council shall, from their ranks, vote for a Chairperson for the following year, conducted by a show of hands.

10.1.4 Each outgoing Member of the Council shall have 1 (ONE) vote and the outgoing Chairperson shall have the casting vote in the event of a tie.

10.1.5 The Member who receives the most votes shall be elected as Chairperson for the following year.

10.1.6 The Council shall nominate its Chairperson as the candidate for its Ex Officio Portfolio on the CSRC.

10.2 Election of Executive Committee

10.2.1 The first action of the Chairperson elect shall be to constitute a meeting of the Council for the purposes of holding Elections to appoint the Executive Committee (excluding the office of Chairperson) for the coming year.

10.2.2 Each Member of the Council shall have 1 (ONE) vote and the Chairperson shall have the casting vote in the event of a tie.

10.2.3 The Members of the Council shall vote for each office of the Executive Committee (excluding the office of Chairperson) contemplated in clause 8.2, separately, with the Member receiving the most votes for a specific office being appointed to the specific office.

10.2.4 The Elections contemplated in this clause 10 shall be overseen in accordance with the prescribed Procedures of the EOC to ensure that the Elections are free and fair and not subject to undue influence.

11. FUNCTIONS, POWERS AND DUTIES OF THE EXECUTIVE COMMITTEE

11.1 The Executive Committee:

11.1.1 Determines the agenda for Council meetings;

11.1.2 Manages the day-to-day issues of the Council;

11.1.3 Makes important decisions in urgent cases where it is not practically feasible to convene a meeting of the Council;

11.1.4 Fulfils any duties that the Council delegates to it; and

11.1.5 Must fulfil any other function that this Constitution assigns to it.

11.2 Decisions taken by the Executive Committee in terms of clause 11.1.3 must be approved by the Council at a later Council meeting in order to take effect and any decisions taken by the Executive Committee can be set aside by the Council at a later Council meeting.

12. MEETINGS OF THE EXECUTIVE COMMITTEE

12.1 The Executive Committee shall hold a meeting once every 14 (FOURTEEN) days, except during recognised UFS academic holidays or official UFS examination periods applicable to the Campus for which the specific Council is constituted.

12.2 All decisions of the Executive Committee must be minuted and the minutes of an Executive Committee meeting must be made available to the Council within 3 (THREE) days after the meeting.

13. TERMINATION OF MEMBERSHIP

13.1 A person shall cease to be a Member if:

13.1.1 Her/His conduct damages the good name and reputation of the Council or the UFS;

13.1.2 S/he is found guilty by the Council of serious neglect of duty as a Member;

13.1.3 The Council, with Sufficient Consensus, passes a motion of no confidence in the Member;

13.1.4 S/he resigns as a Member; or

13.1.5 S/he fails to attend 3 (THREE) consecutive official events of the Council (including Council meetings) without reasonable and valid reasons acceptable to the Council for each instance of such failure to attend.

13.2 If the Council becomes aware that a Member might be in breach of any of the provisions of clause 13.1, the Chairperson must inform the relevant Member in writing of:

13.2.1 The alleged breach of clause 13.1;

13.2.2 Her/His suspension from the Council until a final decision by the Council regarding termination of her/his membership;

13.2.3 Her/His right to submit written representations to the Council in respect of any intended termination of membership; and

13.2.4 The timeframes for the submission of any such representations to the Council, which shall not be less than 48 (FORTY-EIGHT) hours from receipt by the Member of the Notice of suspension, and the date of the meeting at which the Member shall be allowed to present her/his representations to the Council.

13.3 If the Council, having heard representations by the Member, decides to terminate the membership of the Member, such termination shall be effective from such date as determined by the Council in its decision.

13.4 A Member whose membership has been terminated by the Council may lodge an appeal to the CSRC Executive Committee within 7 (SEVEN) days for a review of the decision by the Council to terminate her/his membership.

- 13.5 The termination of the membership of a Member in accordance with the provisions of this clause 13 shall not affect the right of the UFS to take further executive action against the Member in accordance with the Institutional Rules of the UFS.

14. MEETINGS OF THE COUNCIL

- 14.1 The Council shall meet at least once every 14 (FOURTEEN) days or as otherwise determined by the Council, except during recognised UFS academic holidays or official UFS examination periods applicable to the Campus for which the specific Council is constituted.
- 14.2 The Council, in addition, has 1 (ONE) Annual General Meeting which shall take place no later than the last day of the first academic term.
- 14.3 The Council will also have 4 (FOUR) Open Forum Meetings per annum, which may be attended by all Student members of affiliated Student Councils.
- 14.4 Proper notice of Council meetings contemplated in clause 14.1 and 14.2 must be given to all Members at least 48 (FORTY-EIGHT) hours prior to a meeting, and must state the date, time, venue and agenda for the meeting. Such notice may be effected by way of registered mail, e-mail invitations, mobile phone SMS or any other social-media communication channels.
- 14.5 The Secretary of the Council must ensure that full minutes of every Council meeting are noted and made available to Members no later than 7 (SEVEN) days after the meeting.
- 14.6 A special Council meeting may be convened by the Secretary by order of the Chairperson or by written request of 5 (FIVE) Members, and notice of such a special Council meeting shall be given to all Members at least 12 (TWELVE) hours prior to such a special meeting.
- 14.7 50% (FIFTY PERCENT) plus one of all Members entitled to vote and present at a meeting of the Council shall constitute a quorum for all meetings of the Council.
- 14.8 Every Member shall be entitled to vote and each Member entitled to vote represents 1 (ONE) vote. In the event of a tie, the Chairperson shall have the deciding vote.

15. DISPUTE RESOLUTION

- 15.1 Any dispute between Members in respect of the execution by the Council of its functions or the interpretation of this Constitution shall be resolved by the Council by Sufficient Consensus.
- 15.2 Where the Council cannot resolve a dispute by Sufficient Consensus, the dispute shall be referred to the Executive Committee for resolution by Sufficient Consensus.
- 15.3 Any dispute that has failed to be resolved by the Council and the Executive Committee shall be referred by the Chairperson to the CSRC Executive Committee for mediation. The CSRC Executive Committee may mediate between the parties to the dispute in an attempt to conciliate a resolution of the dispute.

16. PRESERVATION AND UPDATING

The Secretary of the Council must ensure that a copy of this Annexure is preserved at the CSRC offices and is available for inspection on request by the Student Body. The Ex Officio Student Council Constitution must in turn be made available for access by the student body on the University website. The Secretary must also ensure that all approved amendments of this Constitution are recorded.