

RHODES UNIVERSITY**COUNCIL**

MINUTES OF A MEETING HELD ON THURSDAY, 5 MAY 2016
AT 10:30 IN THE RHODES UNIVERSITY COUNCIL CHAMBER

2016.2.01 PRESENT

Mr V Kahla *Chair*, Dr S Mabizela *Vice-Chancellor*, Dr C Boughey *DVC: A&SA*, Ms T Lewin, Professors D Sewry, L Strelitz, RB Walker and G Wells, Dr S Khamanga, Mr A Vena, Cllr MS Tame, Messrs G Sandi, C Rafael and C Staple, Ms M Schoeman, Messrs N Woollgar and E Motala.

Secretary: The Registrar.

In attendance: The Executive Director: Infrastructure, Operations and Finance, the Acting Director: Communications and Advancement; the Directors of Equity and Institutional Culture; Information and Technology Services; Finance; Human Resources; and Library Services.

The Chair welcomed members to the meeting extending a special word of welcome to the Makana representative, Councillor Monwabisi Tame, who was attending his first Council meeting. The Chair said that Council looked forward to Mr Tame's contribution pointing out that the life of Rhodes University was intertwined with that of the City. The success of the one led to success for the other.

Council observed a moment of silence in honour of Ms Londiwe Sibisi, the Rhodes Student who died due to natural causes; and for the seven students of Wits University who died in a road accident while travelling back from a meeting in Limpopo.

2016.2.02 APOLOGIES

Apologies were received from Dr P Clayton *DVC: R&D*, Professor R Maharajh, Mr M Rune, Dr S Mosoetsa, Cllr P Ranchhod, Dr N Stubbs, Ms N Pityana, Mr T Tagg and the Director of Special Projects.

2016.2.03 OTHER MATTERS FOR THE AGENDA

3.1 Meeting of Ministerial appointees with the Minister (*item 2016.2.14*)

3.2 Nominations Committee of Council (*item 2016.2.15*)

2016.2.04 CONFIRMATION OF MINUTES**C.4**

Council CONFIRMED the minutes of the previous ordinary meeting (C-2016.1 dated 10 March 2016), subject to the following amendments:

Page 5 (Point 4): Heins Commission to read **Heher** Commission;

Page 6 (Point 7): FET Colleges to read **TVET** Colleges.

2016.2.05 MATTERS ARISING**5.1 Task Team on the future of the name of the University within the context of transformation imperatives of the University (*item 2016.1.05.1*)**

Council NOTED that due to the busy personal schedules of the eminent persons appointed to facilitate the transformation engagements, it was proving to be an almost impossible task getting this Task Team to meet, and that this was resulting in inordinate delays.

The Chair asked Council to re-visit the decision to appoint a Task Team and instead consider a process of possibly dealing with this by convening a transformation summit to lead the way forward. It was felt that transformation of Rhodes University is ultimately a responsibility of the Rhodes community and that a stakeholder inclusive process had to substitute the eminent persons' process that had initially been envisaged.

Discussion ensued with various opinions being noted. Council AGREED to disband the Task Team of eminent persons and further AGREED to the proposal to convene a transformation summit towards the end of 2016.

A proposal was made that the planning of such a summit / conference should not be left with Management alone. It was felt that the process should be inclusive, consultative, that the summit should be carefully planned, systemic, open and publicized. The need for people to know that the University is serious about these matters and that the community was being empowered to look at their own problems was expressed. The summit would be the start of a process of engagement with all issues in an intelligent and respectful manner.

Council acknowledged that the summit should be inclusive, properly organized, taking into account all constituencies and role players of the University.

Council further AGREED that the Chair of Council would prepare and circulate a statement to the Rhodes University community bringing to attention the change of process. The Chair of Council undertook to engage with the Institutional Forum on these matters.

5.2 Infrastructure Development (*item 2016.1.05.2*)

Noting that the draft Campus Spatial Development and Urban Design Framework document had been circulated to members of Council for a second time, and that the Executive Director: IOF had not received any comments, it was accepted that Council endorsed the draft document.

The Executive Director: IOF reported on the award by the DHET of R134,5 million for Infrastructure and Efficiency Funding.

R100,96 million would be allocated to the building of three new residences. R24,5 million for backlog maintenance / refurbishment. Stressing that the backlog was huge, the Executive Director: IOF reported that the BioScience Building had been identified as needing urgent repair. Stanley Kidd Residence had also been identified as the next residence needing refurbishment. R9,04 million for the BED Foundation Project; and R2.4 million for improving IT on campus.

The Executive Director: IOF reported further that he would be putting a case to the DHET requesting that consideration be given to Rhodes not having to contribute the 'own funding' for the building of the residences. He reported further that the Makana Municipality had been approached regarding the building of the residences. They had indicated that they did not object to the building of the residences, but that they would not be in a position to connect to the Municipal infrastructure, in particular the sewage infrastructure before 2018. The Executive Director: IOF reported further that a letter was being sent to the PICC in the Minister's Office alerting them to these problems.

Council expressed appreciation and thanked the DHET for the Government funding of RU by the R134.5 million.

5.2.1 Campus Maintenance (2015.3.08) The Executive Director: IOF reminded Council of the inaccuracies and anomalies in the data and information collected by the CSIR and that after verifications, and discussions, the CSIR had agreed to refund the approximately R3 million back to Rhodes University.

5.3 Registration as a Developmental Credit Provider with the National Credit Regulator (item 2016.1.05.3)

Council NOTED that the matter was pending.

5.4 Application for Credit Facilities (item 2016.1.05.4)

The Executive Director: IOF reported that the letters and supporting documents had been submitted. He undertook to follow up on the response.

5.5 Membership of Council (item 2016.1.13)

Council CONFIRMED the appointment of Judge Gerald Bloem as a member of Council for the four year period June 2016 to June 2020.

5.6 There were no other matters arising not covered elsewhere on the agenda.

2016.2.06 VICE-CHANCELLOR'S OVERVIEW

The Vice-Chancellor reported that on Monday, 11 April 2016, a campaign drawing on Chapter 2.12 of the Constitution began. The campaign involved a protest against the perceived 'institutionalised rape culture', alleging that survivors of sexual violence were not supported in pursuing cases of sexual abuse and rape at Rhodes University, and were effectively blamed for the trauma they had suffered. A VC's Circular in full support of the campaign had been issued on 11 April 2016. Over the week, interest in the protest grew on social media. On the night of Sunday, 17 April 2016, this resulted in an anonymous posting of the names of students currently or formerly registered at Rhodes University, accused of sexual violence or rape on the SRC Facebook page. This anonymous posting led to heightened emotions amongst students and staff members at the University. A group of students resolved to seek out the people accused, and take matters into their own hands. Three alleged perpetrators of sexual violence were apprehended by the protesting students. The VC had tried to engage with the protesting students, pleading with them that the accused be taken to the Police Station so cases of sexual violence against them could be opened. The appeal to the students fell on deaf ears. The

alleged rapists were held by protesters and were subjected to ridicule. They were photographed and accusations were made against them. The protesters then proceeded to the Drama Department and formed a human barricade across the bottom of Prince Alfred Street. Two of the alleged rapists managed to escape during the course of the night. The third student was held hostage by the group of protesting students until the morning of 18 April 2016. Police intervention led to his release.

The events of the evening of 17 April 2016 resulted in a week in which protest action grew, and became increasingly forceful and violent, to the point that it was no longer possible for the academic programme to continue. Classes were disrupted, and students and staff threatened with violence. A group of protestors were resolute in their attempts to shut the University, and barricade the entrances to the campus. The SA Police Services, who had been insistent that public roads crossing the campus should remain open, became involved when greater numbers of students refused to remove barricades that had been erected. Clashes between students and police ensued, with pepper spray being used and rubber bullets being fired to disperse the protesting students. Five students were arrested and charged under the Gatherings Act.

The police involvement, the heightened levels of student-on-student intimidation in the residence system, threats on the life of a warden and increased levels of concern for the safety of all, led to the University Leadership seeking an interim court interdict on Wednesday, 20 April 2016. Referring to the Interdict the VC stressed that this was not something that was rushed into. Careful thought had gone into this decision. What had become clear over time was that the events of the protest re-opened wounds for many students. The issue of rape was traumatic for many, including staff members. It was a deeply personal issue and this had forced some to re-live the trauma that they had been subjected to. For some the sexual violence / rape had happened prior to RU / others had experienced it here at Rhodes.

He reported that at the present time the University was functioning reasonably well, and that the academic project was progressing. He reported that the University Leadership had committed to both short-term and long-term efforts to address shortcomings in the systems that are intended to respond to the needs of students and staff. The VC acknowledged that Rhodes does not have the capacity to prosecute alleged offenders. He also acknowledged that there were staff / students that felt the level of trust in Rhodes to be very low. A letter to Alumni, Parents, Donors and Funders of Rhodes University had been circulated to apprise all of events on campus over the past weeks. This letter had also been circulated to and tabled at Council.

A member of Council asked about the lawyer's letter written to Ms Corinne Knowles. The letter had been written to Ms Knowles advising her that she was encouraging students to disrupt academic activity. The intention of the letter was not to stop / violate academic freedom. Some academics felt that it was violating academic freedom. The VC emphasized that those who wish to protest peacefully and lawfully may do so, that this was their right under the Constitution of the land. The interdict was not intended to silence or prevent any individual or group from raising concerns about sexual violence. It was everyone's constitutional right to protest without infringing on the rights of

others. The member of Council further pointed out the need to be cautious of the perceptions created on social media.

Attention was drawn to the vacant position of Director in the Communications Division. It was felt that the filling of this position required urgent attention. The VC was commended for his extraordinary commitment to the University. A member asked the question: What is the role of Council in all of this? Should Council be more involved? The VC responded that he welcomed advice from everyone. He was open to giving feedback and wanted to do what is in the best interest of the University. He invited Council members to call him at any time. He expressed his personal appreciation to NEHAWU. NEHAWU had pledged support with students on the matter of rape culture and had taken a decision to change their stance of supporting students due to the bad behaviour and rudeness toward the Head of Institution. They distanced themselves from the protest with immediate effect stating that as a union, they do not support a culture of bad behaviour and had distanced themselves to the disrespect. The VC gave details of experiences during the protest action and said that it was very traumatic to engage in this way. He said that it was always easier to assess matters in the cool and calm of the Council Chamber and acknowledged that there were things that could have happened differently.

The need to establish the “no, no’s” was acknowledged. It was agreed that these were serious issues that need to be properly raised and properly engaged with by all voices. It was also agreed that the University could not tolerate issues of insulting one another and felt that nothing would be gained through violence. It was also said that a University should not have got to the point of having to obtain an Interdict. There were perceptions that Universities are becoming places of instability.

Council stressed its commitment to Transformation and that the process should be progressive and inclusive, but not lesser recognized as an institution and place of respected. It was agreed that the University did not want to allow lawless individuals to get the upper-hand. It was agreed that the University could not have students taking other students hostage, and that the University must be able to ensure the safety of staff and students.

A member of Council stated that as a Council member people are inclined to ask them questions regarding the situation at the University and that without sufficient communication from the University it was difficult to respond. Council reiterated the point that as individual Councillors, members are not spokespeople for the University. The need to get a proper, qualified Head of Communications as soon as possible was once again stressed. It was agreed that Council had to trust those who have the responsibility to manage the University to take decisions as they see fit at the time.

Council AGREED that it was important to circulate a statement from Council expressing the dismay at having to have resorted to an Interdict and that the University needs to put a compact in place and was cognisant of the work being done by the Task Team established to address the issues of sexual violence at Rhodes University. The Chair of Council and the Vice-Chancellor undertook to work together on the circular.

2016.2.07 TRANSFORMATION

Council, at the meeting held on 10 March 2016, agreed that the RU Transformation Plan should serve before Council again and also that the University consider producing a document of key performance indicators for the tracking of transformation, transformation milestones, steps that would be taken and who would champion these steps. The need to be able to formulate a method that allows Council to track the progress in order to account for the changes had been acknowledged.

Council NOTED that the Director: Equity and Institutional Culture would provide the information at the next meeting of Council.

Commission of Inquiry into Higher Education and Training (The Fees Commission)

Council NOTED the need for submissions to the Commission by 31 May 2016. The Vice-Chancellor indicated that a document would be circulated to the University community asking for submissions. These would be collated and circulated to Senate and Council before submission to the Commission.

2016.2.08 DECISIONS TAKEN BY THE EXECUTIVE COMMITTEE OF COUNCIL ON BEHALF OF COUNCIL**8.1 RELEASE OF THE SECOND PHASE OF 'NEW GENERATION OF ACADEMICS' PROGRAMME POSTS ALLOCATED TO UNIVERSITIES AND RELEASE OF FUNDS FOR THE POSTS C.8.1**

Council NOTED that the Executive Committee of Council, on behalf of Council, approved the acceptance of the nGAP Phase 2 Funds.

8.2 ELECTION OF DEPUTY DEANS

Council NOTED that the Executive Committee of Council, on behalf of Council SUPPORTED the following:

8.2.1 Election of Deputy Dean of Science: Council RATIFIED the appointment of Professor JF Dames as a Deputy Dean of Science for the period 1 January 2016 to 31 December 2018.

8.2.2 Election of a Deputy Dean of Humanities: Council RATIFIED the appointment of Professor E Msindo as a Deputy Dean of Humanities for the period 1 April 2016 to 31 December 2018.

2016.2.09 FINANCE AND GENERAL PURPOSES COMMITTEE C.9

Due to student protest action on campus over the period 19 to 22 April 2016 it had been agreed to cancel the Finance and General Purposes Committee (F&GP) meeting scheduled for the 21 April 2016. Council was therefore asked to consider the AGENDA of the F&GP meeting:

2016.1.05 MATTERS ARISING

Council NOTED that the following matters would be covered at the next meeting of the Finance and General Purposes Committee.

5.1 Sale of Rhodes House: Closing of Trust (*item 2015.4.05.1*)

5.2 NSFAS (*item 2015.4.05.2*)

5.3 Campus Maintenance (*item 2015.4.05.3*)

5.4 Infrastructure Development (*item 2015.4.05.4*)

- 5.5 Resources and Modernization of Systems** (*item 2015.4.05.7*)
5.6 RU Name Change (*item 2015.4.05.8*)

2016.1.06 FINANCIAL PERFORMANCE

Council APPROVED the following financial documents:

- 6.1** Budgetary Control Statement: University for the three months ended 31 March 2016. **F.6.1**
6.2 Budgetary Control Statement: Residence Operations for the three months ended 31 March 2016. **F.6.2**
6.3 Finance Research Report for the three months ended 31 March 2016. **F.6.3**

Council NOTED a verbal report from the Executive Director: IOF. He reported on the Government subsidy received, and that this had assisted with the cash flow. Student fee collections were being monitored. The economic situation was of concern, in particular with regard to food inflation.

2016.1.07 BUDGET EXECUTIVE COMMITTEE

Council NOTED the following reports:

- 7.1 BEC meeting held on 1 October 2015** **F.7.1**
7.2 BEC meeting held on 9 November 2015 **F.7.2**
7.3 BEC meeting held on 25 February 2016 **F.7.3**
7.4 BEC meeting held on 3 March 2016 **F.7.4**

2016.1.08 MAJOR PROJECTS COMMITTEE

Council NOTED the following reports:

- 8.1 MPC meeting held on 10 November 2015** **F.8.1**
8.2 MPC meeting held on 1 December 2015 **F.8.2**
8.3 MPC meeting held on 9 February 2016 **F.8.3**
8.4 MPC meeting held on 15 March 2016 **F.8.4**

2016.1.09 UNIVERSITY CONTRACTS:

- 6 NOVEMBER 2015 TO 14 APRIL 2016** **F.9**

Council NOTED the list of contracts entered into on behalf of the University for the period 6 November 2015 to 14 April 2016.

2016.2.10 INSTITUTIONAL PLANNING COMMITTEE (IPC) C.10

Council APPROVED the report of the IPC meeting held on 1 March 2016, including the points highlighted below:

10.1 HEADS OF DEPARTMENT

Council APPROVED the recommendations to appoint the following as Heads of Department:

Professor C Foxcroft Music & Musicology - 1 April 2016 to 31 March 2019

Professor G Baines History - 1 July 2016 to 30 June 2019

Professor R Simango English Language & Linguistics – 1 July 2016 to 30 June 2019

Professor C Young Psychology - 1 July 2016 to 30 June 2019

Professor S Vetter Botany - 1 July 2016 to 30 June 2019

Professor P Mwepu School of Languages & Literatures – 1 July 2016 to 30 June 2019.

10.2 DEPUTY HEAD OF DEPARTMENT

Council APPROVED the recommendation to appoint **Professor B Irwin** as Deputy Head of the Department of Computer Science, for as long as the current HoD, Professor G Wells, was filling the role of Acting Dean of Pharmacy. Professor Irwin had been working with Professor Wells in the role since 10 February 2016.

10.3 ACTING HOD IN DEPARTMENT OF STATISTICS

Council APPROVED the recommendation to appoint Dr L Raubenheimer as Acting Head of the Department of Statistics from 1 March 2016 to 30 August 2016.

10.4 HOD IN DEPARTMENT OF INFORMATION SYSTEMS

Council APPROVED the recommendation to appoint Ms L Palmer as Head of the Department of Information Systems from 1 February 2016 to 31 December 2016. It was noted that the person who filled Ms Palmer's role thereafter would also take on the role of Head of Department, from 1 January 2017.

2016.2.11 INSTITUTIONAL FORUM C.11

Council NOTED the report of the Institutional Forum dated 7 March 2016. A member of Council asked about the role of the Institutional Forum during student protests, and expressed concern that the meeting scheduled during the time of the protests had been cancelled.

2016.2.12 COUNCIL REPRESENTATIVES ON COMMITTEES – 2016

Council NOTED that a representative (to replace Dr BS Rayner) was required for the following three Council Sub-Committees:

12.1 Executive Committee of Council

12.2 Audit Committee

12.3 Finance and General Purposes Committee

Discussion on finding someone with good financial experience from the Eastern Cape ensued. Members of Council were asked to submit possible candidate's names to the Registrar.

2016.2.13 RECOMMENDATIONS OF SENATE: 18 MARCH 2016

13.1 ELECTION OF MEMBERS TO SERVE ON THE VISUAL REPRESENTATION, ARTS AND CULTURE COMMITTEE (VRACC)

Council NOTED that Senate had appointed the following as members to serve on the VRACC:

Professor D Thorburn from the Department of Fine Arts.

Dr P Mnyaka from the Department of Fine Arts.

Professor H Nel as the current Chair of the Aesthetics Committee (which would be subsumed by VRACC).

Professor RB Walker as Alumni Convocation Representative.

Mr S Magopeni from Sports Administration.

Ms S Driver from the Law Faculty.

It was further NOTED that the committee would nominate a Chairperson at their first meeting. Distinguished Professor P Maylam would be asked to serve on the committee and to chair its first meeting.

13.2 AMENDMENT TO THE RHODES UNIVERSITY ETHICAL STANDARDS COMMITTEE (RUESC) HANDBOOK C.13.2

Council APPROVED the amendment to the RUESC Handbook.

13.3 IT STEERING COMMITTEE 2 MARCH 2016 C.13.3

13.3.1 Policy on Emergency Access to ICT Accounts and Information:

Council APPROVED the revised Emergency Access to Information Policy.

13.3.2 Telephony Licensing (PABX): Council NOTED that a change to the PABX system was being planned.

13.4 HONORARY APPOINTMENTS

Council APPROVED the following Honorary Appointments:

<u>Person</u>	<u>Appointment and Department</u>
Professor Matthias Goebel	Visiting Professor, HKE
Dr Georgina Cundill	Research Associate, Environmental Science
Dr Loveness Makonese	Research Associate, Sociology
Dr Michael Jana	Research Associate, Journalism (SPI)
Mr Dane Kennedy	Professional Associate, Biochemistry and Microbiology
Dr Ranka Primorac	Senior Research Associate, English
Dr Shirley Parker-Nance	Research Associate, Biochemistry and Microbiology
Dr Mutizwa Mukute	Senior Research Associate, Education
Dr Dale Moodley	Research Associate, Psychology
Dr Merran Toerien	Visiting Fellow, Psychology
Professor Lewis Gordon	Honorary Professor, UHURU (Currently Visiting Professor with Politics to end 2016)
Professor Nigel Gibson	Honorary Professor, UHURU
Mr Loyiso Dyongman	Professional Associate, Journalism
Mr Fabio Diaz	Research Associate, Political Studies
Dr Jai Clifford-Holmes	Research Associate, IWR
Dr Benjamin van der Waal	Research Associate, Geography

13.5 APPOINTMENT OF ACTING HEAD OF DEPARTMENT OF ANTHROPOLOGY

Council APPROVED the recommendation to appoint Dr M Cocks as Acting HoD of the Department of Anthropology from 10 April 2016 to 8 July 2016.

13.6 APPOINTMENT OF THE DEAN OF PHARMACY

Council APPROVED the recommendation to appoint Professor S Daya as Dean of Pharmacy for the period 1 September 2016 to 30 June 2021.

Council expressed appreciation and thanked Professor George Wells for filling the role of acting Dean of Pharmacy for a lengthy period.

2016.2.14 MEETING OF MINISTERIAL APPOINTEES WITH THE MINISTER

Ms Lewin reported on the Minister's meeting with Ministerial Appointees on University Council held on 12 April 2016 in Johannesburg. The objective of the meeting was for the Minister to outline his performance agreement with the President, and the role of the universities in achieving that, and therefore the role of Ministerial appointees on the university councils particularly in the current context of higher education sector. The meeting was also to seek to apprise and discuss the current developments in higher education and transformation imperatives of the sector.

Ms Lewin reported that the Minister had touched on a range of issues – public accountability and autonomy of universities; the fee increases and concerns relating to the fees; funding; sustainability; insourcing and outsourcing and numerous other issues.

Ms Lewin further undertook to circulate the presentation given by Dr Parker, Deputy Director-General for University Education, on Transformation imperatives and new developments in Higher Education Sector.

2016.2.15 NOMINATIONS COMMITTEE OF COUNCIL

Discussion around the nomination of new Council members took place. Council NOTED that with the existing provision for appointment of Council members the Chairperson of Council and the Registrar make recommendations to an ordinary meeting of the Council, and at its next ordinary meeting the Council must decide whether or not to appoint any person or persons so recommended.

Council AGREED that the Nominations Committee of Council should be expanded. The Registrar pointed out that a change would mean that the Institutional Rules would also have to be amended. The Registrar was asked to put together a summary of a process for the appointment of Council members as well as a proposal for the amendments of the Institutional Rules.

2016.2.16 COUNCIL MEETINGS: 2016

Council NOTED the dates of the remaining Council Meetings in 2016: 23 June; 15 September and 1 December.