



**RHODES UNIVERSITY**

*Grahamstown • 6140 • South Africa*

# **INSTITUTIONAL RULES**

The following Rules are framed in terms of Section 32 of the Higher Education Act (Act 101 of 1997) and of the Rhodes University Statute (Government Notice 234 of 15 March 2005) to set out the procedural and other matters relevant to the business of Council, Senate, the Institutional Forum, Convocation and the sub-committees of these bodies.

(Rules for degrees, diplomas and certificates, Faculty Rules and the Student Disciplinary Code are contained in the University Calendar.)

**With revised sections as approved by Council on 27 November 2019**

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# **1. COUNCIL**

## **1.1 ELECTION OF COUNCIL MEMBERS**

### **1.1.1 Members appointed by the Minister**

1.1.1.1 The Registrar must notify the Minister whenever it becomes necessary for the Minister to appoint a member of the Council.

1.1.1.2 If a vacancy occurs during a member's term of office, the Registrar must invite the Minister to fill the vacancy for the unexpired period of the term of office, if this is longer than three months.

### **1.1.2 Members appointed by the Makana Municipality**

1.1.2.1 The Registrar must notify the chief executive officer of the Makana Municipality whenever it becomes necessary for the Makana Municipality to appoint a member of the Council.

1.1.2.2 If a vacancy occurs during a member's term of office, the Registrar must invite the Makana Municipality to fill the vacancy for the unexpired period of the term of office, if this is longer than three months.

### **1.1.3 The member appointed by the Rhodes University Board of Governors**

1.1.3.1 The Registrar must notify the Chairperson of the Rhodes University Board of Governors whenever it becomes necessary for the Rhodes University Board of Governors to appoint a member of the Council.

1.1.3.2 If a vacancy occurs during a member's term of office, the Registrar must invite the Rhodes University Board of Governors to fill the vacancy for the unexpired period of the term of office, if this is longer than three months.

### **1.1.4 Members elected by Senate**

1.1.4.1 Whenever it becomes necessary to elect a member, or members, of the Council the Registrar must call for nominations for election by notice to each member of Senate.

1.1.4.2 Nominations, which must be signed by two members of Senate and accepted in writing by the nominee, must be received by the Registrar by the date specified in the notice.

1.1.4.3 If the Registrar receives only one nomination, that person must be declared duly elected. If the Registrar receives more than one nomination, a ballot must be held of the members of Senate.

1.1.4.4 If a vacancy occurs during a member's term of office, the Registrar must call for nominations and hold a ballot to fill the vacancy for the unexpired period of the term of office, if this is longer than three months.

### **1.1.5 The member elected by the academic staff**

1.1.5.1 The academic staff are defined as the full-time associate professors, senior lecturers, lecturers, junior lecturers, senior instructors, instructors and researchers employed by the University excluding heads and acting heads of departments or of associated institutes and are entitled to elect one of their number to serve on Council.

1.1.5.2 Whenever it becomes necessary to elect a member of the Council the Registrar must call for nominations for election by notice to each member of the academic staff.

1.1.5.3 Nominations, which must be signed by two members of the academic staff and accepted in writing by the nominee, must be received by the Registrar by the date specified in the notice.

1.1.5.4 If the Registrar receives only one nomination, that person must be declared duly elected.

1.1.5.5 If the Registrar receives more than one nomination, a ballot of the academic members of staff must be held.

1.1.5.6 If a vacancy occurs during a member's term of office, the Registrar must call for

nominations and, if necessary, hold a ballot to fill the vacancy for the unexpired period of the term of office, if this is longer than three months.

### **1.1.6 Members appointed by the administrative and support staff**

- 1.1.6.1 Every full-time and every permanently appointed member of the administrative and support staff, including professional staff in the library and information technology services and technical officers, other than the Registrar, is entitled to take part in the election.
- 1.1.6.2 The members of the administrative and support staff–
  - 6.2.1 in grades one to five elect one of their number to be a member of the Council; and
  - 6.2.2 in grades six to twenty-three elect one of their number to be a member of the Council.
- 1.1.6.3 Nominations, which must be signed by two members of the administrative and support staff in the grade groups concerned and accepted in writing by the nominee, must be received by the Registrar by the date specified in the notice.
- 1.1.6.4 If the Registrar receives only one nomination for each or either seat, those people or that person must be declared duly elected. If the Registrar receives more than one nomination for each or either seat, a ballot of the members of the administrative and support staff concerned must be held.
- 1.1.6.5 If a vacancy occurs during a member's term of office, the Registrar must call for nominations and hold a ballot to fill the vacancy for the unexpired period of the term of office, if this is longer than three months.

### **1.1.7 The SRC President and a member appointed by the SRC**

- 1.1.7.1 The President of the SRC is *ex officio* a member of Council.
- 1.1.7.2 If the President of the SRC is not a postgraduate student, the other member of Council appointed by the SRC must be a postgraduate student but need not be a member of the SRC.
- 1.1.7.3 The Registrar must notify the President of the SRC whenever it becomes necessary for the SRC appoint a member of the Council.
- 1.1.7.4 If a vacancy occurs during a member's term of office, the Registrar must invite the SRC to fill the vacancy for the unexpired period of the term of office, if this is longer than three months.

### **1.1.8 Members appointed by the Council**

- 1.1.8.1 After consultation with the Institutional Forum, the Chairperson of Council must 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.
- 1.1.8.2 If a vacancy occurs during a member's term of office, the Chairperson of Council must, after consultation with the Institutional Forum, make a recommendation to an ordinary meeting of the Council, and the Council must decide whether or not to appoint any person so recommended to fill the vacancy for the unexpired period of the term of office, if this is longer than three months.

### **1.1.9 Members co-opted by Council**

- 1.1.9.1 If, in the opinion of the Chairperson of Council, the work of the Council would be facilitated by the co-option of additional members, the chairperson must make recommendations to an ordinary meeting of the Council, and at its next ordinary meeting the Council must decide whether or not to co-opt any person or persons so recommended.
- 1.1.9.2 The term of office of co-opted members is determined by the Council at the time of election but may not exceed four years.
- 1.1.9.3 A co-opted member may serve more than one term of office as a co-opted member.

## **1.2 TERM OF OFFICE OF COUNCIL MEMBERS**

Except as provided for in subparagraphs 16 (1) and (2) of the Statute and Rule 1.1.9.2 above, the term of office of members of Council is four years.

## **1.3 EXECUTIVE COMMITTEE OF COUNCIL**

### **1.3.1 Election of Executive Committee**

At the final ordinary meeting of the year, Council must elect an Executive Committee for the ensuing year.

### **1.3.2 Composition of the Executive Committee**

The Executive Committee consists of:

1.3.2.1 the Chairperson of Council who is the Chairperson of the Committee;

1.3.2.2 the Vice-Chairperson of Council;

1.3.2.3 the Vice-Chancellor;

1.3.2.4 the two Deputy Vice-Chancellors;

1.3.2.5 two members of Council who are neither employees of the University nor students;

1.3.2.6 one member of Council elected to Council by Senate.

1.3.2.7 The Registrar is in attendance.

### **1.3.3 Functions of the Executive Committee**

The Executive Committee:

1.3.3.1 acts for the Council whenever instructed to do so by Council;

1.3.3.2 subject to paragraph 13 (4) of the Statute, acts on behalf of Council in an emergency.

## **1.4 STANDING COMMITTEES OF COUNCIL**

At the final ordinary meeting of the year, the Nominations Committee, which comprises the Chairperson of Council and the Registrar, must nominate members of Council to serve on the standing committees of Council for the ensuing year, and Council must decide whether or not to appoint members so recommended.

### **1.4.1. Finance & General Purposes Committee**

1.4.1.1 The Finance & General Purposes committee consists of: the Chairperson of Council; the Vice-Chairperson of Council; the Vice-Chancellor; the Deputy Vice-Chancellors; two members of Council elected to Council by Senate; two members of Council who are not elected to Council by Senate; a maximum of four members elected by Council in view of their financial experience; the Registrar; Chief Financial Officer and Director of Finance are in attendance.

1.4.1.2 The Finance and General Purposes Committee can co-opt as and when necessary.

1.4.1.3 The Finance and General Purposes Committee elects its own chairperson for a two-year term.

1.4.1.4 The Finance and General Purposes Committee can elect a member to act as chair in the absence of the chairperson.

1.4.1.5 The functions of the Finance and General Purposes Committee are:

- i. to act for the Council whenever instructed to do so by Council;
- ii. to advise the Council on the selection of senior members of the administrative staff;
- iii. to advise the Council on any matter that is not specifically under the control of Senate;
- iv. and effective financial management and control of the finances of the
- v. University;
- vi. to advise the Council on all financial matters; and
- vii. to advise the Council on matters connected with the property of the University.

## 1.4.2. Audit Committee

- 1.4.2.1 The Audit Committee (“the Committee”) is a sub-committee of Council, operating under delegation of authority from Council. The primary function of the Committee is to assist the Council of Rhodes University (“Council”) in discharging its oversight responsibilities. The Committee’s objectives and responsibilities are defined and documented the Audit Committee Charter (“the Charter”).
- 1.4.2.2 The Committee shall consist of at least four members, of which at least two will be Council members and at least two co-opted independent members. At least one member should have financial expertise (i.e. a qualified accountant/auditor or similar financial professional).
- 1.4.2.3 Quorum: two independent members present constitute a quorum.
- 1.4.2.4 Council may co-opt independent members to serve on the Committee. The Chairperson of the Committee shall be appointed by Council and also be a member of Council. The University’s Vice-Chancellor, the Registrar, the Chief Financial Officer, other senior management, external and internal auditors, and a representative of the Auditor General attend meetings by invitation.
- 1.4.2.5 The Committee should include members who are all financially literate and some who have an understanding of the tertiary/higher education sector.
- 1.4.2.6 The Committee shall meet at least four times a year (generally, meetings correspond with major phases of the financial reporting/external audit cycle).
- 1.4.2.7 The Committee has an essential role in ensuring the integrity and transparency of the corporate reporting. The Committee’s responsibilities can be summarized into the following areas:
- i. **Financial Reporting:** The Committee is responsible, on behalf of Council, for ensuring the integrity of the University’s financial reports.
  - ii. **External Auditors:** The Committee is the primary focus for the University’s relationship with the external auditor. The Committee’s responsibilities include, inter alia, making recommendations to Council for the appointment of the external auditor, agreeing fees, reviewing scope of audit work, reviewing and approving any special/non-audit services, reviewing external auditor independence.
  - iii. **Internal Controls:** The Committee must understand the financial reporting and control systems implemented by management to ensure the proper safeguarding of assets, the maintenance of proper financial records, and the fair presentation and integrity of financial reporting (including disclosures and information) in accordance with relevant standards/laws/regulations
  - iv. **Risk Management:** The Committee’s role is to review the University’s risks/risk profile and consider whether management’s risk management activities, processes and procedures, particularly insofar as they affect financial reporting, are appropriate and satisfactory.
  - v. **Internal Audit:** Functionally, Internal Audit reports to Management and the Vice-Chancellor. However Internal Audit shall have a reporting line to the Committee. The Committee has a responsibility to review the scope of Internal Audit work, the adequacy of resources (and qualifications), any limitations imposed by management, the findings of audits/reviews (including subsequent follow-up and action).
  - vi. **Ethics/Whistleblowing:** Council is responsible for determining and upholding the University’s ethical standards and Code of Conduct. The Committee is responsible for reviewing and monitoring the framework and processes for identifying, analysing and addressing material complaints and/or breaches (including Whistleblowing) and their resolution.

### **1.4.3 Remuneration Committee of Council**

1.4.3.1 The Remuneration Committee consists of: the Vice-Chancellor; the Chairperson of Council, who chairs the Committee; the Chairperson of the Finances and General Purposes Committee and the Chairperson of the Audit Committee. The Deputy Vice-Chancellors, the Chief Financial Officer and the Director of Human Resources are in attendance. The Registrar is the Secretary of the Committee.

1.4.3.2 The function of the Remuneration Committee is to ensure good governance as regards remuneration practices including the approval of mandates for remuneration increases.

### **1.4.4 Council Nominations Committee**

1.4.4.1 The Nomination Committee consists of: Chair of Council represented by the Vice Chair of the Council, an external member of Council, the Vice Chancellor and the president of the SRC committee.

1.4.4.2 The Chairperson of the committee is a member nominated by Council and may not be a member of the University.

1.4.4.3 Membership of the committee is for the period of membership of Council as per the Institutional Statutes and members may be re-elected for a period not exceeding the number of terms as stipulated in the Statutes.

1.4.4.4 The committee meets as and when necessary but at least twice a year, once a semester.

1.4.4.5 The functions of the Nominations committee are:

- i. to recommend to Council for approval potential members to represent Council on various Committees and other structures;
- ii. to recommend to Council for approval potential persons for co-option to Council on various Committees and other structures;
- iii. any other functions as assigned by Council.

1.4.4.6 The Committee has the authority, in the discharge of its responsibilities, to give due regard to the race and gender diversity of Council representatives as advised by bodies within the University, and may make recommendations to Council in this regard.

1.4.4.7 Quorum: The quorum shall be three of which one person must be an external member of Council.

1.4.4.8 The Registrar is the secretary to the Nominations Committee of Council.

## **1.5 JOINT COMMITTEES OF COUNCIL AND SENATE**

1.5.1 The Council may, in consultation with Senate, appoint joint committees of Council and Senate for any purpose and the members thereof may be elected at any Council meeting.

1.5.2 At the final ordinary meeting of the year, the Nominations Committee, which comprises the Chairperson of Council and the Registrar, must nominate members of Council to serve on the established joint committees of Council and Senate for the ensuing year, and Council must decide whether or not to appoint members so recommended.

## **2. SENATE**

### **2.1 QUORUM**

One-third of the total members of Senate actually holding office at the time of a meeting constitutes a quorum. The quorum is the minimum number of members who must be present at a meeting for the transaction of business.

### **2.2 MEMBERS ON ACADEMIC LEAVE**

2.2.1 Members of Senate retain their rights to attend, speak and vote at meetings of Senate while on academic or long leave.

2.2.2 All heads of departments retain membership of boards while on academic leave.

2.2.3 Persons on academic leave who are members of committees retain their membership. However, where a member of Senate is appointed to a committee by virtue of an academic or administrative position held, any person appointed to act in that member's stead assumes membership of the committee. A head of department in whose place another member of staff is acting ceases to be a member of such committees for the period for which the headship has been relinquished.

### **2.3 STATUTORY MEETINGS**

2.3.1 At least two ordinary meetings of the Senate must be held in each half of the academic year.

2.3.2 Ordinary meetings of Senate shall be held on dates to be published in the Calendar.

### **2.4 NOTICE OF MEETING**

A written notice must be issued by the Registrar to each member at least three days before any ordinary meeting, setting forth the time of such meeting and the matters to be considered.

### **2.5 SPECIAL MEETING PROCEDURES**

2.5.1 A special meeting may be called by the Chairperson at any time, and must be called by him or her at the request in writing of at least five members of the Senate, the object of the meeting being stated in the requisition.

2.5.2 Not less than twenty-four hours notice must be given of such a meeting.

2.5.3 Subject to any exceptions approved by the meeting, no matter other than that of which notice has been given shall be considered at such a meeting.

### **2.6 APPROVAL OF MINUTES**

2.6.1 The draft minutes of Senate must be checked by the Chair. Once so checked, the minutes are to be marked as Unconfirmed via watermark.

2.6.2 The Unconfirmed minutes of ordinary meetings of Senate must normally be received by the members not more than fourteen days after the day upon which such ordinary meeting is completed.

2.6.3 If any member wishes to raise any objection to the minutes, he or she must raise the objection at the next ordinary meeting of Senate. No motion or discussion shall be allowed upon minutes except as to their accuracy. Members are permitted to email their concerns in respect of the accuracy of a minute to the Secretariat prior to the next meeting. The Secretariat will bring these concerns to the meeting.

### **2.7 ORDER OF PROCEEDINGS**

At ordinary meetings of Senate, the business must, unless Senate resolves to the contrary at any such meeting, be taken in the following order:

2.7.1 leave of absence from the meeting;

2.7.2 confirmation of minutes of the last ordinary meeting and of any special meeting subsequent thereto;

2.7.3 notice of any item of business not included on the written notice of the meeting;

2.7.4 matters arising out of the previous minutes;



- 2.7.5 Vice-Chancellor's report which includes report of decisions of Council which affect the Senate;
- 2.7.6 reports of Faculty Boards and committees;
- 2.7.7 motions of which notice has been given;
- 2.7.8 Any Other Business.

## 2.8 EXECUTIVE COMMITTEE OF SENATE

The remit of the Senate Executive Committee is as follows:

- 2.8.1 To read very carefully the minutes of the previous meeting of the Rhodes University Senate.
- 2.8.2 To note whatever corrections need to be made in order that the Secretariat can make these timeously.
- 2.8.3 Once any corrections or amendments are noted, to APPROVE the minutes on behalf the Rhodes University Senate. (Senex approves on behalf of Senate – Senate can make corrections to typographical errors, but cannot make changes to the substance or content of the minutes).
- 2.8.4 Once the minutes have been approved as an accurate reflection, they become a formal record of Rhodes University and in the event of any dispute these minutes may play a role.
- 2.8.5 To go through all the documentation diligently and conscientiously in preparation for the meeting of Senate, in order to ensure that the documentation is clear and will not create unnecessary disagreements.
- 2.8.6 To carefully formulate clear recommendations for Senate in order to not waste the time of Senate. Any disagreements should be held at the meeting of Senex. It can be reported if a clear recommendation could not be reached by Senex, but the aim is for Senate to, with the recommendations of Senex, be able to apply its mind productively as to what is required.
- 2.8.7 To receive the names of external examiners for current Rhodes University staff or of people related to a Rhodes University staff member.
- 2.8.8 The Executive Committee of Senate consists of the Vice-Chancellor, the Deputy Vice-Chancellors, the Registrar, the Deans of all Faculties, the Deputy Dean of Humanities, the President of the SRC and four other members of Senate. Retiring members are eligible for re-election. The Deputy Deans of Faculties, other than the Deputy Dean of Humanities who has full rights, have attendance and speaking rights at Executive Committee meetings.
- 2.8.9 The reports of all Committees other than those of Selection or Joint Selection Committees will be presented to the Executive Committee of Senate in the first instance. They will contain Class A and Class B sections, defined as follows:
  - 2.8.9.1 **Class A:** (i) matters affecting the Senate and/or Council rules under which the Committee operates or affecting the policies of Senate and Council; (ii) matters referred to the Committee by Senate or which the Committee either wishes or has to refer to Senate or Council;
  - 2.8.9.2 **Class B:** All matters not placed in Class A.
  - 2.8.9.3 In regard to Class A matters, the Executive Committee must, when presenting its report to Senate, indicate whether it supports or rejects recommendations in that category.
  - 2.8.9.4 The Executive Committee may additionally amend or modify Class A matters.
  - 2.8.9.5 The Report of the Executive Committee must be divided into open and confidential sections.
  - 2.8.9.6 Matters must be further identified as Class A (i.e. eligible for debate by Senate) and Class B (for noting only).
  - 2.8.9.7 A Class B matter may be raised to Class A if a majority of members present and voting so decide.

## 2.9 BOARDS OF FACULTIES

### 2.9.1 Functions of Faculty Boards

Senate has delegated to each Faculty Board full executive responsibility:

- 2.9.1.1 to conduct its own affairs in terms of its own rules, provided that any amendment to or addition to these rules must continue to be presented to and be approved by Senate;
- 2.9.1.2 to determine all matters pertaining to departmental examination requirements and to the finalisation of all examination results provided that the results of doctoral examinations and the appointment of doctoral examiners continue to be subject to the approval of Senate;
- 2.9.1.3 to determine which of its students, if any, should be excluded in terms of Rule G.7, provided that any student so excluded has the right of appeal to the Dean in the first instance, and to the Vice-Chancellor ultimately;
- 2.9.1.4 to empower the Dean of the Faculty to resolve, in terms of that Faculty's rules, all matters already delegated to him or her by Senate, provided that the registration of students for a doctorate continues to be subject to the approval of Senate.

### 2.9.2 Powers of the Deans

Inter alia, the Dean of a Faculty is empowered to take action in respect of the following:

- 2.9.2.1 approval of, and changes in, students' curricula;
- 2.9.2.2 credits from other universities and from other Faculties of the University;
- 2.9.2.3 extension of the validity of DP certificates;
- 2.9.2.4 student admissions other than for doctoral candidates;
- 2.9.2.5 approval of examination results during university vacations;
- 2.9.2.6 approval of conditions of academic probation;
- 2.9.2.7 approval of award of aegrotat, supplementary or special examinations.

### 2.9.3 Presentation of Reports

The reports of meetings of Faculty Boards will be divided into:

- 2.9.3.1 **Class A matters:** changes in rules, and matters which the Board either has to or wishes to report to Senate, or which have been referred to the Board by Senate;
- 2.9.3.2 **Class B matters:** all matters not placed in Class A. Faculty Boards have the power to act on Class B items.

### 2.9.4 Boards of Faculties

- 2.9.4.1 The Protocol for Election of Deans, as approved by Council on 12 September 2019, can be found at Appendix 1.
- 2.9.4.2 A Deputy Dean may be elected by the Faculty, must normally be a professorial member of the Board, and holds office for a period of three years. A Deputy Dean who is not a member of Senate becomes *ex officio* a member of Senate and has observer status at Senate Executive meetings for the period during which the member holds office as Deputy Dean and shall have voting rights only when the Dean is absent from those Senate Executive meetings.
- 2.9.4.3 The Deputy Dean of Humanities is *ex officio* a full member of the Executive Committee of Senate.
- 2.9.4.4 Whenever it becomes necessary to elect a Deputy Dean the Registrar must call for nominations for election by notice to each member of the appropriate Faculty Board.
- 2.9.4.5 Nominations, which must be signed by two members of the Board and accepted in writing by the nominee, must be received by the Registrar by the date specified in the notice. Faculty Boards may require nominees to submit written statements of their vision for the Faculty at the time of accepting the nomination and may further require the nominees to present their vision to a meeting of the Faculty Board which shall be held before an election takes place.
- 2.9.4.6 If the Registrar receives only one nomination, that person must be declared duly elected. If the Registrar receives more than one nomination, a ballot must be held of

the members of the Faculty Board. If the ballot results in an equality of votes for two candidates the ballot must be reheld.

- 2.9.4.7 The Registrar must announce the outcome of the ballot. Numerical results should not be released to the Faculty Board or the wider University community but the results should be conveyed at least in generality, not necessarily in exact numbers, to all candidates in the election.
- 2.9.4.8 Faculty Boards may individually determine whether to accord to student representatives of the SRC, the Postgraduate Students' Forum and the relevant Student Faculty Councils membership of the Board.
- 2.9.4.9 Members of the academic staff appointed on contract terms for a minimum of one year at a time shall be eligible for full membership of Faculty Boards subject to the Faculty specific Rules referred to below.

## **2.9.5 Board of the Faculty of Humanities**

- 9.5.1 The Board consists of the Vice-Chancellor, the Deputy Vice-Chancellors, the Heads of all departments in which major subjects for the BA, BFineArt, BJourn, BMus and BSocSc degrees are taught, and other professors in such departments; the Director of the Institute of Social and Economic Research; the Director of the Institute for the Study of English in Africa; the Director of the National English Literary Museum; the Executive Director of the Dictionary Unit for South African English; the Director of the Public Service Accountability Monitor; the Director of the Albany Museum; the Dean of Teaching and Learning; a representative of the Faculty of Science, the Faculty of Law, the Faculty of Education and the Faculty of Commerce; the Director of Library Services (or his/her nominee); a representative of the SRC and of the Postgraduate Students' Liaison Committee.
- 9.5.2 A member of staff who is responsible within a department for a major subject not directly represented may be appointed to the Board.
- 9.5.3 Other permanent members of the academic staff in the Faculty, and members of staff of the Centre for Higher Education Research, Teaching and Learning may, if they so wish, apply for membership of the Board.

## **2.9.6 Board of the Faculty of Science**

- 2.9.6.1 The Board consists of the Vice-Chancellor, the Deputy Vice-Chancellors, the Heads of all departments in which major subjects for the BSc, BSc (Information Systems) or BSc (Software Development) degrees are taught, and other professors in such departments who deem it necessary; the professors in the Faculty of Pharmacy; the Managing Director of the South African Institute for Aquatic Biodiversity; the Director of the Albany Museum; the Director of the Hermann Ohlthaver Institute for Aeronomy; a representative of the Board of the Faculty of Education and such other members of that Board as are directly concerned with Science Method teaching; the Director of the Institute for Water Research; the Dean of Teaching and Learning; the Director of Library Services (or his/her nominee); a representative of the SRC and of the Postgraduate Students' Liaison Committee.
- 2.9.6.2 A member of staff who is responsible within a department for a major subject not directly represented may be appointed to the Board.
- 2.9.6.3 Other members of the academic or research staff of the University or its Associated Institutes, who have teaching or supervisory commitments in the Faculty, and members of staff of the Centre for Higher Education Research, Teaching and Learning may, if they so wish, apply for membership of the Board.

## **2.9.7 Board of the Faculty of Law**

- 2.9.7.1 The Board consists of the Vice-Chancellor, the Deputy Vice-Chancellors, the Professors of Law, one representative of the Faculty of Humanities; all Associate Professors and full-time Lecturers on the staff of the Faculty of Law; a representative of the Board of the Faculty of Commerce; the Director of Library Services (or his/her nominee); three representatives of the legal profession in Grahamstown.
- 2.9.7.2 Other permanent members of academic staff in the faculty and in departments which have teaching commitments in the Faculty, and members of staff of the Centre for Higher Education Research, Teaching and Learning may, if they so wish, apply for membership of the Board.
- 2.9.7.3 Three student representatives, one from the penultimate year of study, one from the final year of study, and one postgraduate student, may be elected by the students to serve on the Board.

## **2.9.8 Board of the Faculty of Education**

- 2.9.8.1 The Board consists of the Vice-Chancellor, the Deputy Vice-Chancellors, the Professors of Education, and all full-time Associate Professors and Senior Lecturers in Education; a member appointed by the Faculty, and a representative of each of the Board of the Faculty of Humanities, the Board of the Faculty of Commerce, the Director of the Centre for Social Development; the director of the Institute for the Study of English in Africa; the Dean of Teaching and Learning; a representative of the Rhodes University Mathematics Education Project; the Director of Library Services (or his/her nominee); a representative of the SRC and of the Postgraduate Students' Liaison Committee.
- 2.9.8.2 Other permanent members of academic staff in departments and institutes which have teaching commitments in the Faculty, and members of staff of the Centre for Higher Education Research, Teaching and Learning may, if they so wish, apply for membership of the Board.

## **2.9.9 Board of the Faculty of Commerce**

- 2.9.9.1 The Board consists of the Vice-Chancellor, the Deputy Vice-Chancellors, the Heads of the Departments of Accounting, Computer Science, Economics & Economic History, Information Systems, Management, and Statistics and other professors in these Departments; the Head of each of the following Departments (or nominee): Law and Mathematics (Pure & Applied); a representative of the Board of the Faculty of Science; the Director of the Rhodes Business School, the Director of Library Services (or his/her nominee); and a representative of the SRC and of the Postgraduate Students' Liaison Committee.
- 2.9.9.2 Permanent members of the academic staff in departments which have teaching commitments in the Faculty, and members of staff of the Centre for Higher Education Research, Teaching and Learning and the Institute for Social and Economic Research may, if they so wish, apply for membership of the Board.

## **2.9.10 Board of the Faculty of Pharmacy**

- 2.9.10.1 The Board consists of the Vice-Chancellor, the Deputy Vice-Chancellors, the Professors of the Pharmacy Faculty, the Dean or Deputy Dean of the Science Faculty, the Head (or nominee) of the Departments of Biochemistry & Microbiology, Botany, Chemistry, Management, Physics & Electronics, Statistics, Zoology and Entomology, Computer Science and Mathematics, the Director of Library Services (or his/her nominee); two students who are class representatives of classes within the Faculty, a representative of the SRC and of the Postgraduate Students' Liaison Committee.
- 2.9.10.2 Other permanent members of the academic staff of the Pharmacy Faculty, and members of the Centre for Higher Education Research, Teaching and Learning may, if they so wish, apply for membership of the Board.

## **2.10 SENATE STANDING COMMITTEES**

### **2.10.1 Rules of Order**

- 2.10.1.1 The Vice-Chancellor and the Deputy Vice-Chancellors are *ex officio* members of all Standing Committees, and have the power to nominate a person to represent them. Attendance at meetings will be at their own discretion.
- 2.10.1.2 The Registrar may be attendance at any committee of Senate or of the Joint Committees of Senate and Council.
- 2.10.1.3 A Head of Department who is an *ex officio* member of a committee may nominate an alternate to represent him or her on that committee.
- 2.10.1.4 In cases where a Chairperson is not designated, the Vice-Chancellor may designate a member of the committee as Chairperson.
- 2.10.1.5 The Chairperson of a Senate appointed committee shall, wherever possible, be a member of Senate, and thus in a position to present the committee report to Senate.
- 2.10.1.6 All Standing Committees have the power to co-opt additional members according to their needs.
- 2.10.1.7 In the event of a vacancy occurring in any committee, the Nominations Committee of Senate may propose a replacement for consideration to Senate.
- 2.10.1.8 The Senate may appoint *ad hoc* committees for any purpose and the members thereof may be elected at any Senate meeting.
- 2.10.1.9 Unless specified otherwise, one-third of vacancies filled shall constitute a quorum for any committee of Senate.
- 2.10.1.10 In conducting their business, committees of Senate must, in the event of any dispute or disagreement, apply *mutatis mutandis*, the rules for meeting procedures set out in these institutional rules.

### **2.10.2 Granted powers to act**

- 2.10.2.1 Senate has granted all committees power to act in regard to Class B matters.
- 2.10.2.2 Committees having the power to act may not:
  - i. incur expenditure in excess of any budget which Council might have approved;
  - ii. commit Council to expenditure for which no specific provision had been made in their budget.

### **2.10.3 Committee Membership**

At the final ordinary meeting of the year, Senate must:

- 2.10.3.1 By nomination and election at the meeting, confirm the following appointments:
  - i. Two representatives to serve on the Executive Committee of Senate (to hold office for two years).
  - ii. Two representatives and one alternate to serve on the Institutional Forum for the ensuing year.
  - iii. Three members of the Nominations Committee to serve for a year commencing at the conclusion of Senate's penultimate ordinary meeting of the year.
- 2.10.3.2 Decide whether or not to appoint members nominated by the outgoing Nominations Committee to the committees of Senate and joint committees of Council and Senate for the next calendar year.

### **3. INSTITUTIONAL FORUM**

#### **3.1 ELECTION OR APPOINTMENT OF MEMBERS OF INSTITUTIONAL FORUM**

##### **3.1.1 Members other than students, staff and community representatives**

- 3.1.1.1 The Vice-Chancellor must appoint two members of the executive management to be members of the Institutional Forum; the Council must elect two of its members to be members of the Institutional Forum; the Senate must elect two of its members to be members of the Institutional Forum.
- 3.1.1.2 The term of office of any member of the executive management appointed by the Vice-Chancellor is decided by the Vice-Chancellor.
- 3.1.1.3 The term of office of the members elected by the Council is one calendar year from the first day of January, provided that a retiring member is eligible for re-election.
- 3.1.1.4 The term of office of the members elected by the Senate is one calendar year from the first day of January, provided that a retiring member is eligible for re-election.
- 3.1.1.5 The Vice-Chancellor must appoint one member of the executive management to be an alternate member of the Institutional Forum, and the Council and the Senate must also each annually elect one member of the Council and the Senate respectively to be alternate members of the Institutional Forum.
- 3.1.1.6 A person elected by the Council ceases to be a member or an alternate member of the Institutional Forum if he or she ceases to be a member of the Council.
- 3.1.1.7 A person elected by the Senate ceases to be a member or an alternate member of the Institutional Forum if he or she ceases to be a member of the Senate.
- 3.1.1.8 If a vacancy occurs during the term of office of a Council or a Senate member, the Council or the Senate, as the case may be, must fill the vacancy for the unexpired term of office.

##### **3.1.2 Student members of Institutional Forum**

- 3.1.2.1 The SRC must elect eight students to be members of the Institutional Forum and two students to be alternate members.
- 3.1.2.2 In electing its representatives the SRC must take into account the need to ensure representivity of views across the student body.
- 3.1.2.3 The term of office of the student members and the alternate members of the Institutional Forum will be one year coinciding with the term of office of members of the SRC.
- 3.1.2.4 A student elected as a member or alternate member of the Institutional Forum ceases to be a member or an alternate member of the Institutional Forum:
  - i. if such person ceases to be a student; or
  - ii. for any period during which such person is suspended by or from the University.
  - iii. If a vacancy occurs during the term of office, the SRC must fill the vacancy for the unexpired term of office.

##### **3.1.3 Staff members of Institutional Forum**

- 3.1.3.1 The academic staff, other than members of Senate, must elect five of their number to be members and one to be an alternate member of the Institutional Forum.
- 3.1.3.2 The administrative and support staff, who are members of recognised staff bodies of the University, must elect four of their number to be members and two to be alternate members of the Institutional Forum.
- 3.1.3.3 The term of office of members of staff is one calendar year from the first day of January.
- 3.1.3.4 A person elected under this paragraph ceases to be a member or an alternate member of the Institutional Forum:
  - i. if such person ceases to be a member of staff;
  - ii. for any period during which such person is suspended by or from the University.
  - iii. If a vacancy occurs during the term of office, the staff body or bodies concerned must

- fill the
- iv. vacancy for the unexpired period of the term of office.

### **3.1.4 Members of any other sector**

- 3.1.4.1 The secretary to the Institutional Forum must request the Makana Municipality to appoint two persons to be members of the Institutional Forum and one to be an alternate member.
- 3.1.4.2 A person ceases to be a member or an alternate member of the Institutional Forum if such person is informed by the Chief Executive Officer of the Makana Municipality that such person's services are no longer required.

### **3.2 CHAIRPERSON OF INSTITUTIONAL FORUM (amended 16 May 2018)**

- 3.3.2.1 As per the decision taken at the meeting of the Institutional Forum in 16 May 2018, the Institutional Forum must elect from among its members a chairperson who will serve for a term of one year.
- 3.3.2.2 If a chairperson is absent, the first item of business at that meeting is the election of a chairperson.
- 3.3.2.3 The duties of the chairperson are:
  - i. to set the agenda in consultation with the other parties;
  - ii. to chair the meeting
  - iii. to follow-up on the progress of the sub-committees
  - iv. to ensure that minutes are distributed within a week of the meeting

### **3.3 ALTERNATE MEMBERS**

- 3.3.1 An alternate member may participate as a full member of the Institutional Forum only if the substantive member is absent.
- 3.3.2 Alternate members may be in attendance as observers at all meeting of the Institutional Forum and are encouraged to do so in order to keep abreast of developments.
- 3.3.3 Alternates are allowed the opportunity to confer with members.
- 3.3.4 Members are allowed the opportunity to confer with observers.
- 3.3.5 Members may ask the meeting's permission for an observer to address the meeting provided that the observer may speak for no longer than three minutes and only one such intervention will be permitted per agenda item per stakeholder group.

### **3.4 QUORUM**

A quorum is one third of the total membership of the Institutional Forum. The quorum is the minimum number of members who must be present at a meeting for the transaction of business.

### **3.5 MEETINGS OF INSTITUTIONAL FORUM**

- 3.5.1 There must be five ordinary meetings of the Institutional Forum each year.
- 3.5.2 The dates of the ordinary meetings must be published in the University Calendar.
- 3.5.3 Special meetings must be held when a written request for a special meeting is received by the secretary to the Institutional Forum from members of at least three sectors, the object of the meeting being stated in the request.

### **3.6 COMMITTEES OF INSTITUTIONAL FORUM**

The Institutional Forum may establish ad-hoc committees chaired by a member of the Institutional Forum on which stakeholders who are not members of the Institutional Forum may be co-opted.

## **4. CONVOCAATION**

### **4.1 RETURNING OFFICER**

At an election the Secretary acts as returning officer.

### **4.2 SUBMISSION OF RESOLUTIONS TO COUNCIL AND SENATE**

A copy of all resolutions of Convocation, and a statement of such other matters as Convocation may decide, duly certified by the Chairperson and the Secretary, must be sent to the Chairperson of Council for the information of the Council, and to the Vice-Chancellor for the information of Senate.

### **4.3 SECRETARY**

The Registrar is the Secretary of Convocation.



## **5. MEETING PROCEDURES**

### **5.1 APPLICABILITY OF MEETING PROCEDURES**

These procedures apply to the Council, the Board of Governors, the Senate, the Institutional Forum, Convocation and all university committees.

### **5.2 RECORDING OF MEETINGS**

5.2.1 All meetings serviced by the Secretariat or by the Registrar shall be recorded electronically.

5.2.2 The electronic recordings are for the assistance of the person responsible for the drafting of the minutes.

5.2.3 Once the relevant Committee has approved the minutes of that particular meeting, the recording will be destroyed by the Secretariat.

5.2.4 Rhodes University affirms that only the written and confirmed minutes of a meeting serve as the official record of the meeting.

5.2.5 Should the written minutes be challenged and therefore not confirmed, only the Chair of the Committee and the Registrar have the right to access recordings for clarification.

5.2.6 Copies of the recording may not be made.

### **5.3 CONFIRMATION OF MINUTES**

5.3.1 The first act of each ordinary meeting, after being constituted, shall be to confirm, by a proposer and a seconder, the minutes of the last preceding ordinary meeting and of any special meetings held subsequently thereto.

5.3.2 All objections to the minutes must be raised and decided before such confirmation. No motion or discussion shall be allowed upon minutes except as to their accuracy.

### **5.4 SPEAKING TO MOTIONS**

A member may not, without the permission of the Chairperson, speak more than once on any motion or amendment thereof, but the mover of the motion or amendment may reply.

### **5.5 WITHDRAWAL OF MOTION**

A motion or amendment must be seconded, and, if so directed by the Chairperson, be in writing, and no motion or amendment may be withdrawn without the consent of the proposer, the seconder and the meeting.

### **5.6 MOTIONS TO RESCIND/AMEND RESOLUTIONS**

Notice of any motion to make, amend or rescind a Statute or Rule, or to amend or rescind a previous resolution of the meeting, shall be given at the meeting previous to that at which it is to be moved; provided that in the case of Senate, no such notice shall be required if the proposal to make, amend or rescind a previous resolution of the Senate, has been made by a committee of the Senate, and if the minutes of the meeting of the committee at which the proposal was made have been issued in time to have been received by the members of Senate at least two days before the meeting at which it is to be discussed.

### **5.7 VOTING**

5.7.1 Subject to any provisions in these rules to the contrary, all questions shall be decided by the majority of votes of the members present and voting.

5.7.2 On every question the Chairperson shall have a vote, and in the case of an equality in the number of votes, also a casting vote.

5.7.3 The number of members voting for or against any motion shall be recorded in the minutes, if so decided by the meeting, and, at the request of any member, the Chairperson shall direct that the vote of such member be likewise recorded.

## **5.8 RULINGS OF CHAIRPERSON**

The ruling of the Chairperson on any question of order or procedure shall be binding unless immediately challenged by a member, in which case it shall be submitted without discussion to the meeting, whose decision shall be final.

## **5.9 UNDISCLOSED BUSINESS**

5.9.1 When an item of business not disclosed on the written notice of an ordinary meeting is introduced, voting on such item shall not take place until the lapse of one hour after its introduction, unless the meeting agrees by recorded vote to the contrary.

5.9.2 At a special meeting, no business other than that of which notice has been given shall be transacted at such a meeting, unless agreed to by the meeting.

## **5.10 WAIVER OF RULES**

The meeting may, by a vote of two-thirds of the members present at any duly constituted meeting, approve of an exception to any of the rules pertaining to meeting procedures.

## **5.11 CONFIDENTIALITY**

Minutes may contain restricted sections in which confidential resolutions, such as those relating to individual students, are recorded.

## **5.12 CONDUCT OF MEETINGS**

5.12.1 Any member may bring any matter before a meeting by submitting a written motion to the Registrar at least seven days before the meeting at which it is to be discussed.

5.12.2 Whenever an amendment is duly moved and seconded, that amendment, or the latest, if several amendments are moved and seconded, must first be voted on. If there is a majority in favour of the amendment, the original motion is lost. The amendment then becomes the substantive motion. An amendment to this amended version of the original (now the substantive motion) may be moved. Any amendment to the original motion not yet voted on which can, with the necessary changes, be treated as an amendment to the now substantive motion is voted on in order of priority, the later preceding the earlier. When no further amendment is offered to an amended motion, the amended motion, which has become the substantive motion, is voted on as the substantive motion in order to discover whether a majority prefer it to the *status quo*.

5.12.3 Voting shall take place by a show of hands, unless a member requests, or the Chairperson directs, that a ballot shall be taken.

5.12.4 Members shall address the Chairperson and, in the case of Senate, remain standing while speaking, and shall not, without the permission of the Chairperson, speak for more than seven consecutive minutes.

5.12.5 If two or more members simultaneously address the Chairperson, the Chairperson shall decide the order of precedence.

5.12.6 All questions put to the meeting by members of the meeting must be put through the Chairperson who may decline to put any questions.

5.12.7 No decision of a meeting shall be debated within six months of such decision being taken, except with the permission of two-thirds of the members of the meeting present at the time of voting, or the majority of the total membership of the body, whichever is the greater.

5.12.8 It shall be open for any member of a meeting to move that the subject under discussion shall be dealt with in committee, and, if seconded, such motion shall be put without further discussion. If the matter is dealt with in committee, the provisions of Rule 5.3 above shall not apply.

5.12.9 Whenever in the opinion of any member any matter has been sufficiently discussed that member may:

- i. move that the question be now put; or
- ii. move that the Senate proceed to the next item of business on the agenda.
- iii. Either motion, if seconded, shall be put to the vote without further discussion or

amendment.

- iv. If the latter motion is carried, the matter under discussion shall not be further discussed at that meeting, and may not be raised again at any subsequent meeting except by way of a fresh notice of motion.

## **6. OFFICE OF THE OMBUD**

- 6.1 The office of an ombudsman (“the office”) has been created to assist persons or entities of the University (i.e. current and former students and their parents, academic, administrative and support staff, service providers and visitors) to resolve problems that remain unresolved, despite such problem having been through all the University’s prescribed processes.
- 6.2 The University shall provide contact details, including an address, to which complaints, problems or concerns shall be referred to, for the attention of the ombudsman.
- 6.3 The Office has not been established to replace any of the University’s existing structures and any person or entity with a problem must first refer any such problem to the University’s existing structures before referring such a problem to the ombudsman.
- 6.4 The Office is independent from the University’s structures and is not an agent for the University or any of its structures.
- 6.5 The Office shall:
  - 6.5.1 be accessible and informal; and
  - 6.5.2 treat complaints or problems promptly and confidentially, in a fair and dignified manner;
- 6.6 The type of issues that may be referred to the ombudsman shall include, but not be limited to the following:
  - 6.6.1 an unresolved problem that has been through the University’s prescribed processes;
  - 6.6.2 a complaint that had been treated unfairly by one or more of the University’s structures; and;
  - 6.6.3 a sensitive matter that needs to be discussed in confidence with the assurance that confidentiality will be observed;
- 6.7 The Office shall:
  - 6.7.1 analyse and investigate the complaint;
  - 6.7.2 invite the implicated person or structure to respond to the complaint (without compromising confidentiality and without adjudicating the complaint);
  - 6.7.3 identify the issues;
  - 6.7.4 provide advice and guidance on the manner in which to solve problems arising from or related to the University’s rules, policies, practises and procedures;
  - 6.7.5 mediate in search of a solution, and
  - 6.7.6 make written recommendations;
- 6.8 The Office has the power to consider the University’s rules, policies, practices and procedures and express an opinion thereon, with a view to advise the University administrators;
- 6.9 The Office must give written reasons to a complainant in the event of declining to assist the complainant;
- 6.10 The Office shall not:
  - 6.10.1 make decisions for or on behalf of the University;
  - 6.10.2 act as agent of the person or entity that referred the complaint to it;
  - 6.10.3 award compensation to a complainant;
  - 6.10.4 give advice on academic related complaints or problems;
  - 6.10.5 deal with a problem which should, first, have been referred to the University’s grievance procedures;
  - 6.10.6 give psychological counselling; and
  - 6.10.7 give legal advice, other than to refer the person or entity to a legal practitioner.

## **7. DEFINITIONS**

- 7.1 The term “Deputy-Vice Chancellor(s)” in these Rules has the same meaning as the term “Vice-Principal(s)” in the Statute.

Appendix 1 Protocol for the Election of Deans (approved by Council on 12 September 2019)



**Protocol for the Election of Deans**

<b>Protocol Volume</b>	
<b>Protocol Chapter</b>	
<b>Responsible Committee/Unit/Division/Faculty</b>	Academic Faculty Boards
<b>Responsible Chairperson/Director/Manager</b>	Registrar and Chairperson of Faculty Election Team
<b>Dates of First and Subsequent Division Approvals</b>	Previous version approved by Council on 12 September 2013
<b>Revision History: Approved Reviews</b>	Current redrafted version 12 September 2018
<b>Review Cycle (e.g. every 2/5/7 years etc)</b>	7 years
<b>Next Review Date</b>	N.A.

**PROTOCOL PARTICULARS**

<b>Protocol Title</b>	Protocol for the Election of Deans
<b>Protocol Statement</b> (State in a single paragraph the protocol mandate and how this relates to the supporting policies)	This protocol regulates the processes by which academic Deans are elected by Faculties and appointed by Senate and Council in accordance with the University Statute. It aims to do so in a manner which is consistent with the Institutional Transformation Plan and with the need for each Faculty to exercise agency in electing Faculty leadership.
<b>Reason for Protocol</b> (What this protocol aims to achieve)	To provide a mechanism to elect an academic Dean of Faculty consistent with the University Statute, the Institutional Rules, and the strategies contained within the Institutional Development Plan and the Institutional Transformation Plan.
<b>People affected by this Protocol</b> (e.g. All units of the University)	All members of academic Faculties; Deans; The Registrar's Division; Human Resources.
<b>Who should read this Protocol</b> (People who need to heed this protocol to fulfil their duties)	All members of academic Faculties; Deans; The Registrar's Division; Human Resources.
<b>Website address/link for this Protocol</b>	N.A.

**RELATED DOCUMENTS FORMS AND TOOLS**

**(University Policies, Protocols and Documents (such as rules/policies/protocols/guidelines related to this protocol))**

Legislation	Rhodes University Statute (Government Notice 234 of 15 March 2006)
Related Protocols	Recruitment and Selection Policy, University Statute, and Institutional Rules
Forms and Tools (documents to be completed in support of this protocol implementation) e.g. Protocol template for the protocol itself. Documents pertaining to procedures for implementation, as well as monitoring and evaluation of the protocol	Protocol template Minutes of Faculty Election Team meetings and external consultations Faculty Election Team shortlisting Faculty electronic voting Minute of appointment

**PROTOCOL DEFINITIONS****(Technical or Conceptual terms used in the protocol)**

<b>TERM</b>	<b>DEFINITION</b>
<b>Academic Dean</b>	A scholarly Dean who is chair and leader of the relevant academic Faculty. As academic leaders of their entities, Deans are persons of scholarly and professional accomplishment. The university encourages their continued engagement as academics in scholarly, professional, teaching and university service activities, consistent with but distinct from, their decanal responsibilities.
<b>Council</b>	The Council of the University contemplated in paragraph 13 of the Rhodes University Statute.
<b>Dean</b>	Unless otherwise indicated in this protocol, the term "Dean" shall denote a scholarly Dean and the overall leader of a Faculty, based upon the definition used in the University Statute, and shall be taken to include functions inferred by the attributes of a Dean listed in Appendix 1.
<b>Designated Groups</b>	The term "Designated groups" denotes Black (Africans, Coloureds, Indians) people, women and people with disabilities as defined in the Employment Equity Act, No. 55 of 1998 (as amended), who are citizens of the Republic of South Africa by birth or descent, or became citizens of the Republic of South Africa by naturalisation.
<b>Faculty</b>	A Faculty established in terms of paragraph 32 of the Rhodes University Statute, and paragraph 2.9 of the Institutional Rules
<b>Faculty Election Team</b>	A Faculty committee as defined in section 1 of this protocol.
<b>The Institution</b>	Unless it is otherwise made clear in the text, the term

	“Institution” denotes Rhodes University, also variously referred to as “the University” in this document.
<b>Members of a Faculty Board</b>	The membership of each Faculty Board is as defined in the Institutional Rules.
<b>The process</b>	The process as outlined in this protocol.
<b>Transformation</b>	The term “Transformation” does not have a specific, legally binding definition and the University does not use a specific definition. Nevertheless, it is used in this document as it is in common usage and can be taken to include a broad set of ideals and goals in line with the Constitution of the Republic of South Africa and the goals of the Institutional Development Plan and the Institutional Transformation Plan.
<b>Suitably qualified</b>	An individual that meets the minimum requirements of the Dean’s role profile as outlined in Appendix 1.
<b>The University</b>	Unless it is otherwise made clear in the text, the term “University” denotes Rhodes University, also variously referred to as “the institution” in this document.

## PRINCIPLES GOVERNING THIS PROTOCOL

OVERVIEW
The following principles underpin this protocol:
<p><b>The centrality of the academic project:</b> Rhodes University prides itself on the centrality of the academic project at this institution and the accountability of the Dean to their Faculty, is seen as critical to this.</p> <p>Deans are accountable to their Faculties for strategic leadership of the Faculty, efficient oversight of the administration of Faculty business, oversight of academic standards within the faculty, the intellectual health, growth and reputation of the Faculty, alignment of Faculty objectives with broader institutional objectives, and exercising the powers vested in the office of Dean on behalf of the Faculty as outlined in the Institutional Rules.</p> <p>Deans report operationally to the Vice-Chancellor or a DVC designated by the Vice-Chancellor for institutional accountability and support, personal development, performance and conduct, compliance and governance aspects of the role.</p>
<p><b>Academic leadership:</b> The Dean of a Faculty is, first and foremost, an academic leader and as the leader of the Faculty is entrusted with a central role in facilitating a creative environment for the promotion of teaching and learning, research and community engagement.</p>
<p><b>Faculty agency:</b> Faculties exhibit agency by electing a Dean from a pool of candidates, whom Faculty considers to be an appropriate scholarly leader for the context. Faculty agency is important because it is active engagement and investment by individual Faculty members which drives the Academic Project. The Deans are elected and as such, are accountable in a system of academic governance characterised by democratically established Faculty committees. This stands in contrast to so-called executive Dean positions whereby persons occupying these positions are identified by Selection Committees only and which thereby deny Faculty the opportunity to be agentic in the process.</p>

**Transformation:** The process will emphasise transformation, both in term of complying with the Employment Equity Act, No. 55 of 1998 (as amended) and with the relevant university policies and strategies in this regard, and in terms of driving transformation of the academic project within the Faculty and wider university.

**Fair process and due diligence:** The election process must be fair and transparent and informed by Institutional policies and strategies, and Faculty imperatives. These imperatives include: the role of the Dean within Rhodes University (see role profile for this purpose); the needs of the Faculty as regards the academic project; the strategic imperatives of the University related to the academic project and its impact on the Faculty; as well as Institutional and Faculty equity and transformation goals and imperatives.

**Collegiality:** The process should be consultative and participatory.

**Equity:** The process will be fair in its treatment of internal and external applicants/candidates who will be treated as equals throughout the process.

### Introduction

The Dean is elected by the Faculty. This election process is overseen by the Registrar as a neutral representative of the institution, with involvement by the Director: HR where a Faculty has opted to pursue an external candidate. The Faculty's decision as regards the choice of Dean is a recommendation which requires approval by Senate and Council.

Deans are normally appointed for a period of five years. The election process is normally completed by 1 January in the year in which the Dean takes office, usually on 1 July. The period of appointment is usually from 1 July to 30 June such that the incoming Dean ideally has a period of orientation and settling down and is involved in planning for the next academic year.

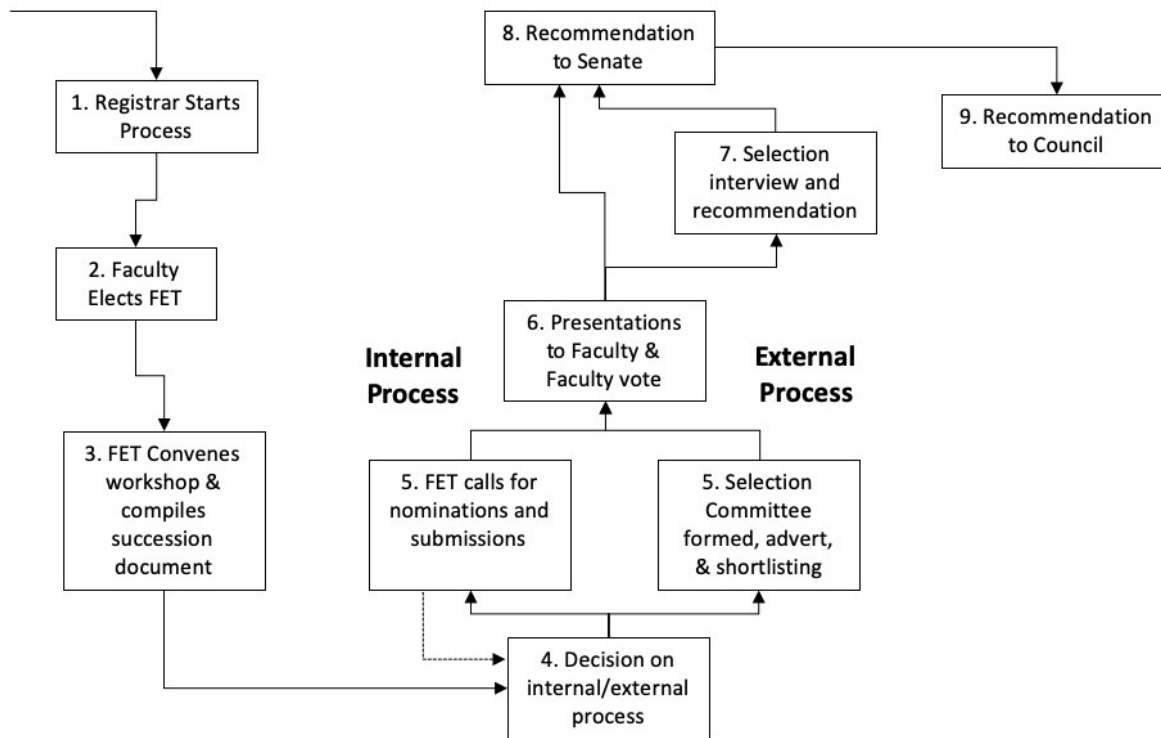
Where Deans are appointed in exceptional circumstances through nomination by the Vice-Chancellor after consultation with the Faculty, the appointment shall not normally exceed two years.

**Overview of the process to be followed approximately nine months prior to the end of a Dean's Term of Office** (details are in the sections below):

- The Registrar initiates the process by circular to Members of Faculty.
- The Faculty elects a Faculty Election Team (FET) to facilitate the process.
- The FET meets with Faculty and compiles a brief leadership succession document for the Faculty, which considers candidates already in the Faculty for suitability and willingness in the immediate and longer term with respect to scholarly and administrative leadership track record, people skills, and the transformation needs of the faculty and the university.
- The FET leads a process which decides whether the Faculty will follow an internal or an external process. An external search process shall be an exceptional circumstance, and subject to the resource constraints of the university.
- Should the FET's work conclude that an external process is in the interest of the Faculty, it engages with the Vice-Chancellor about the capacity of the University to fund an external candidate as a supernumerary position.
- Members of Faculty vote on the candidates before them.
- In the case of an external process, a Recruitment and Selection process must also be completed in the normal way before the recommendation of both the Faculty and the Selection Committee is presented to Senate (the process is detailed in section 4).
- The selected candidate is forwarded to Senate as a recommendation for appointment.

The following chart provides a visual representation of the process to be followed.





## PROCEDURES FOR IMPLEMENTING THIS PROTOCOL

(Actions and processes by which the objectives of the protocol will be achieved.)

### Implementation Procedure 1: Constituting a Faculty Election Team (FET)

#### 1 Constituting a Faculty Election Team (FET)

- 1.1 At least nine months prior to the end of the current Dean's term of office, the Registrar will place on the Faculty agenda (a normal Faculty meeting, involving the current Dean), an item to start the process for electing a Dean and shall administer the process described in 1.2 and 1.3 below;
- 1.2 The Faculty shall elect a FET. This shall take place as follows:
- 1.2.1 Members of the Faculty shall nominate academics of the Faculty for the FET;
- 1.2.2 The FET shall include no less than 4 members and no more than 5 members;
- 1.2.3 If the FET as elected has less than 4 members then the FET shall co-opt members from senior permanent academic university staff outside the Faculty;
- 1.2.4 The FET should normally include at least three senior academics in the Faculty. The current Dean or any person standing for election to the Deanship will not be eligible for the FET;
- 1.2.5 Members of the Faculty shall be eligible to vote for each member of the FET;
- 1.2.6 Each member of this team shall be identified by a simple majority vote of those at the meeting;
- 1.2.7 The group will elect a Chairperson from their midst;
- 1.2.8 Members of the FET retain their individual rights as members of Faculty;
- 1.2.9 For all meetings of the FET, a report shall be tabled at the following Faculty meeting.
- 1.3 The roles of the FET are as follows:
- To administer the process of electing a new Dean as outlined in 1.3.1 - 2.4 below;
  - To ensure that due process is followed as per this protocol;
  - To ensure that the principles underlying this protocol are adhered to.

### 1.3.1 Information gathering and sharing:

The FET will be responsible for ensuring that all the necessary documents [for example: Institutional development plan (IDP), IDP linked Faculty operational plan, Faculty management dashboard (past three year student and staff enrolment trend as well as research trend,) Institutional Transformation Plan, Faculty transformation plan, Faculty enrolment plan, the Dean's role profile, conditions of service of Deans and others] are available on a relevant electronic platform. This platform will need to be accessible to all applicants and Members of Faculty.

The FET may consult with the current Dean as necessary but the Dean will play no part in decision-making. Where the current Dean is not standing for re-election, the Dean may be asked to prepare a written report, a critical reflection on experiences as Dean.

The FET is advised to consult more widely within the University, including the Vice Chancellor's office, the Directors of Human Resources, Equity and Institutional Culture and Institutional Planning Unit. While the FET may draw on external advice, external advisors are not members of the FET. All external advice solicited shall be minuted.

The Registrar's office will within reason provide administrative assistance in supporting the FET (e.g. collection of information required, putting information on relevant electronic platforms and organisation of meetings).

### 1.3.2 The FET is responsible for managing the time line, and approaching the Vice-Chancellor should an extension of term or ad-hoc appointment be needed in terms of section 9.

It should be noted that it is NOT a good idea for a new Faculty Dean to take office in January immediately before Orientation and Registration weeks commence for a new academic year.

## **Implementation Procedure 2: Facilitation of Faculty workshop:**

### 2.1 Facilitation of Faculty workshop

The FET shall arrange and chair a workshop at which:

- 2.1.1 the needs of the Faculty and the Institution as they relate to the Faculty are identified and discussed;
- 2.1.2 the role of the Dean, process of appointing the Dean, and relevant conditions of service are understood;
- 2.1.3 the specifics of the process are outlined;
- 2.1.4 all members of Faculty have an opportunity to participate in the discussion so that a range of voices is heard;
- 2.1.5 the current Dean, if available for re-election, will not participate as Deans already have access to this information. This also avoids any perceptions or concerns that the current Dean may unduly influence the discussion.

### 2.2 The FET shall ensure that a brief minute of the workshop is made available on the relevant electronic platform as soon as possible after the workshop.

### 2.3 The FET shall draw on the feedback from the workshop to:

- 2.3.1 Compile a short leadership succession document for the faculty.
- 2.3.2 Identify under-represented designated groups for the position.
- 2.3.3 Obtain a mandate to search outside of the Faculty for a Dean if that is appropriate to the context of the Faculty.

### 2.4 Leadership succession document

- 2.4.1. The FET shall compile a short leadership succession document for the Faculty, which considers candidates already in the faculty for suitability and willingness in the immediate and longer term with respect to scholarly and administrative leadership track record, people skills, and the transformation needs of the faculty and the university. In compiling this document, may consult the executive leadership of the university. The result of

this process shall be reported in writing by the FET to the Vice-Chancellor, outlining the basis for the decisions taken.

- 2.4.2. Should the FET's succession document conclude that there is no current candidate suitable or willing to take on the role of Dean with the qualities listed, and no chance of a suitably qualified and/or willing candidate from a designated group emerging within the current or the next cycle of election of a Dean as a possibility for the Faculty to consider, then it shall engage with the Vice-Chancellor for permission to conduct an external Search and Selection process for a Dean. The Vice-Chancellor, after consultation with the appropriate resource committees of the university (currently the Vacancy Committee) will indicate to the FET whether or not the resources of the university will be able to cater for an external appointment to the Faculty. If the decision is to create an additional post for the attraction of an external Dean, the Director of HR will set an appointment process in motion to advertise the 5-year Dean's position together with an academic post that meets the constraints outlined in section 4. The FET will be part of a selection committee, which will be constituted in the normal way, as outlined by the Recruitment and Selection Policy. A short-listed candidate must go through the same approval stages of Faculty presentation and voting as an internal candidate for Dean, as well as the normal Recruitment and Selection processes of the appointment of a Professor or Associate Professor.
- 2.4.3. Depending on the outcome of the engagement with the Vice-Chancellor, the Chair of the FET either requests the Registrar to call for formal internal applications/nominations, or the Director: HR to proceed with a pre-approved external advertising process.

### **Implementation Procedure 3: Process of Electing a Dean (applicable to internal and external processes)**

#### **3 Nomination/Application Process**

Prospective candidates for the Deanship are identified by a process of nomination or application. All nominees/applicants must submit the relevant documentation as per Appendix 1. In particular, the processes of nomination/application or external recruitment and selection are intended as a means to facilitate the process by identifying and encouraging suitably qualified individuals to apply. Nominated or headhunted candidates/applicants are conferred no advantage in the subsequent process.

- 3.1 The Registrar shall call for nominations/applications from Faculty members in the case of an internal process;
- 3.2 The Registrar shall receive the details of a shortlisted candidate or candidates from an appropriately constituted Selection Committee in the case of an external process;
- 3.3 A variety of methods shall be used to encourage suitably qualified individuals to apply for the position;
- 3.4 In the case of an internal election, the process will be as follows:
- 3.4.1 Any member of the Faculty may be invited to make a nomination or support a nominee from within the Faculty;
- 3.4.2 In the case of the Faculty of Law, Pharmacy and Education, a nomination shall require the support of the nominator as well as the support of four (4) Faculty members in the relevant Faculty and the acceptance of the nomination by the nominee;
- 3.4.3 In the case of the Faculties of Commerce, Humanities and Science, a nomination shall require the support of the nominator as well as the support of the lesser of 10% or ten (10) Faculty members in the relevant Faculty and the acceptance of the nomination by the nominee;
- 3.4.4 The FET shall approach nominees and invite them to submit the documents to accompany acceptance of nomination as indicated in Appendix 1.
- 3.4.5 Should a candidate clearly not meet the criteria for the role, the FET should meet with nominators to explain this, and should not submit the nominee to the process.

#### **Implementation Procedure 4: Criteria for Recruitment and Selection of an External Dean**

##### **4 Criteria**

An external Recruitment and Selection process should only be used when the primary intention of the Faculty is to attract a candidate from a Designated Group.

- 4.1 The primary intention of advertising the post externally must be to attract applications from Designated Groups as defined in the Employment Equity Act;
- 4.2 Candidates must have all of the leadership, scholarly, teaching and learning experience, and people skills as envisaged for an effective Faculty Dean (also refer to Appendix 1).
- 4.3 The candidate recommended to Senate must, in addition, have a currently active scholarly track record in a field that is already directly offered by the university, such that they may contribute productively to the scholarship of an existing entity of the university during their tenure as Dean, and move into a productive academic role in that entity should they step down as Dean before they retire from the university.
- 4.4 An external candidate, once shortlisted, will follow the same presentation and election process in the Faculty as an internal candidate.
- 4.5 An external candidate will, in addition, follow a Recruitment and Selection process as a professor or associate professor of an existing entity within the university, and both the Faculty and the Selection Committee's recommendation will serve before Senate simultaneously. The head of the entity to which the Dean will be attached will be part of the selection process, and the outcome of the Faculty vote (including the percentage poll) will be made known to the selection committee
- 4.6 A successful external candidate will receive a contract for a permanent academic appointment attached to an existing entity within the university, with a fixed period secondment into the Dean's position.

#### **Implementation Procedure 5: Presentations to Faculty**

##### **5 Presentations to Faculty**

- 5.1 Candidates do not participate in the process except as candidates;
- 5.2 The FET shall ensure that the following documentation, which was provided by the candidates as part of the application process, will be made available to Faculty:
  - 5.2.1 Full curriculum vitae;
  - 5.2.2 A detailed letter of motivation;
  - 5.2.3 A written vision for the Faculty. The length of this can be prescribed by the Faculty.
- 5.3 The Registrar shall announce a special Faculty Board meeting where the candidates will present a vision for the Faculty and answer questions from the Faculty related to the vision and the requirements of the role of Dean;
- 5.4 This meeting shall be chaired by the Chair of the Faculty Election Team and:
  - 5.4.1 the FET members shall attend this meeting;
  - 5.4.2 the Registrar or nominee shall be in attendance at this meeting to ensure that all legal and good governance requirements related to this process are met and to advise the Faculty as required;
  - 5.4.3 each candidate is normally given 15 minutes to make a brief presentation of their vision to the Faculty;
  - 5.4.4 a question and answer session related to the vision follows, as well as other questions to assess the individual's suitability as Dean; the question and answer session should last approximately 45 minutes for each candidate.

### Implementation Procedure 6: Voting process

#### 6 Voting Process

- 6.1 The Registrar will administer and manage the election process. The successful candidate requires the support of an absolute majority (50% + 1) of the votes cast by members of the Faculty Board, provided that a percentage poll equalling at least the quorum of 25% of Faculty Board members is met;
- 6.2 Voting will take place via the **Instant-Runoff Voting (IRV)** system (see Appendix 2). This will ensure that the Dean is elected by an absolute majority of those who would have cast the vote, and that voting can take place during a single vote to avoid inefficiency. "Not appointable" will be included as an option;
- 6.3 The chairperson of the FET shall normally refrain from voting and only use their vote as a tiebreaker;
- 6.4 The voting system used should allow members of the Faculty Board who are not physically present to cast their votes (e.g. electronic voting);
- 6.5 The name of the recommended candidate will be forwarded to Senate as a recommendation of the Faculty. The name of the recommended candidate will be announced to Faculty by the Registrar, noting that approval is required from Senate.

### Implementation Procedure 7: Ratification Process

#### 7 Ratification Process

The Registrar will ensure that the relevant Faculty documentation (including the name, qualifications, and track record of the elected candidate, the percentage poll, and any other information pertinent to the process) and recommendation (for an external candidate, the recommendation of the Selection Committee as well) is put before Senate for approval and then before Council for approval. Should either of these governance bodies not approve the recommendation, its duty is to refer the matter back.

### Implementation Procedure 8: Institutional Contract with the New Dean

#### 8 Institutional Contract with the New Dean

Following the approval of the Faculty's (and in the case of an external candidate the Selection Committee's) recommendation, the Director: HR will, on behalf of the Institution, issue a letter of contract subject to the conditions of service that prevail for that appointment.

### Implementation Procedure 9: Procedure to follow in the event of an ad hoc appointment, emergency appointment, or extension of the term of a Dean

- 9 In the event that the process of appointing a Dean is delayed for whatever reason and/or that the contract of the incumbent Dean expires through effluxion of time or that the contract of the incumbent Dean is terminated through disciplinary action, resignation or other means, or that contestations within faculties or other conditions make it unviable to hold a normal election, or that the term of office of a Dean needs to be extended so as to afford a degree of continuity in the makeup across the institution of Faculty Deans then:
  - 9.1 The Vice-Chancellor may, after consultation with a Faculty, nominate a Dean or Acting Dean for approval by Senate and Council;
  - 9.2 Where a Dean or Acting Dean is appointed in exceptional circumstances, the period of appointment shall not normally exceed two years.

- 9.3 In making the nomination to Senate and Council, the Vice-Chancellor shall explain the circumstances relating to the ad hoc appointment of a Dean.
- 9.4 In such circumstances the Dean will reasonably meet the requirements for appointment, and may come from outside of the Faculty.

#### **Implementation Procedure 10: Procedure to follow in the event that an incumbent Dean wishes to stand for a second or subsequent term**

##### **10 Procedure to follow in the event that an incumbent Dean wishes to stand for a second or subsequent term**

At the end of a Dean's term of office, they may stand for re-election for a second or subsequent term.

- 10.1 An incumbent Dean may stand for re-election as per this protocol;
- 10.2 In the case of full-time Deans, if the Dean was originally an internal candidate, they may already be on secondment from their Department. If this is the case, then a reasonable amount of time before applications are due, the incumbent may open a discussion with the Vice-Chancellor, or a DVC designated by the Vice-Chancellor, and the HOD of their academic department as to whether the post in the academic department will be reserved for them for a further term of five years. The matter must be settled and acknowledged in writing by the VC or a designated DVC before the application for re-appointment as Dean is submitted.
- 10.2.1 Such a post may be retained by the Dean and backfilled by a contract appointee, at the discretion of the university in consultation with the academic department, provided that the Dean has continued to raise the scholarly voice of the discipline at Rhodes through supervision, publication or other intellectual contributions that benefit the output and reputation of their home department. This discussion may be facilitated by the Vice-Chancellor, or a Deputy Vice-Chancellor.
- 10.2.2 If the Dean is not actively contributing to the research and supervision outputs of their home department<sup>1</sup>, and the academic department is of the view that the post needs to be filled by a full-time appointment, then the Dean has the right to return to that post at the completion of their current term of office as Dean<sup>2</sup>.

#### **Implementation Procedure 11: Continuity in the Institutional Leadership made up of the Faculty Deans**

- 11** Given the critical institutional leadership role that the Faculty Deans, as a body, play in the running of the university, it is desirable that the terms of Deans in various faculties are staggered, and that a circumstance is avoided where more than half of the terms of office of Faculty Deans fall vacant simultaneously.
- 11.1 The Vice-Chancellor may, after consultation with a Faculty so affected, approach Senate and Council to extend the term of a specific Dean according to the procedure of section 9, so as to ensure a degree of continuity in the institutional academic leadership body.

Written: From source document re the Faculty Deans, approved by Council, 12 September 2013  
 Re-written draft by the Inter-Faculty working group: From the above-mentioned source document and in consultation with stakeholders, 12 September 2018  
 Further revised draft: by a Senex Task Team on the feedback from Faculties, 11 July 2019

<sup>1</sup> Given the heavy administrative load of a Faculty Dean, the suggested default level of contribution is one accredited research unit per year on average, and ongoing contribution to research supervision, but this should be open to disciplinary specific negotiation and agreement at the commencement of a term of office.

<sup>2</sup> As a transition arrangement for Faculty Deans already in office on the date of approval of this protocol, the requirement for such a contributory arrangement to be in place for the current term in order to have their departmental tenure extended will not apply, but will apply to them for future terms of office should they stand for re-election.



# Appendix 1: Candidate minimum requirements and suitability

## Minimum requirements and suitability

Minimum requirements typically include, but are not limited to the following. Candidates must:

- Meet the requirements at least at the level of Associate Professor in terms of the University's criteria for promotion;
- Have a Doctoral qualification;
- Have a proven scholarly track record;
- Demonstrate clear evidence of leadership capacity;
- Have been involved in University Committees;
- Demonstrate clear evidence of an ability to initiate and run an academic project at a senior level.
- Have a track record of integrity and commitment to good governance and ethical leadership;
- Have a demonstrable record of leading the transformation of the curriculum (in the broad sense), and of departmental cultures and staff structures.
- Typically, have at least 10 years working experience as an academic and/or researcher and/or relevant profession.

In addition to the above, it is expected that the individual being considered as Dean can demonstrate their suitability in most of the following areas:

- A research profile, preferably having led initiatives at the departmental/Faculty level and have demonstrated their ability to improve research within the department/Faculty.;
- Supervision of post-graduates and where appropriate at the doctoral level, with a keen understanding of the role of supervisor;
- Teaching at the undergraduate and post-graduate levels, preferably having led initiatives at the departmental/Faculty level;
- Having explored Community engagement (CE) linkages in terms of teaching and research;
- Leadership and management roles at the departmental or Faculty level. These roles can be formal (e.g. HoD, Deputy HoD, Acting HoD, Head of research or teaching within the department) or informal roles (e.g. mentoring of young staff, research leadership roles, HoD or Faculty project);
- Co-ordination and administration at the departmental or Faculty level.

Additional reasonable Faculty specific criteria may be added at the time that a call for nominations is made by the Registrar.

## Documents to accompany acceptance of nomination / application

- Full curriculum vitae
- A detailed letter of motivation
- A written vision for the Faculty



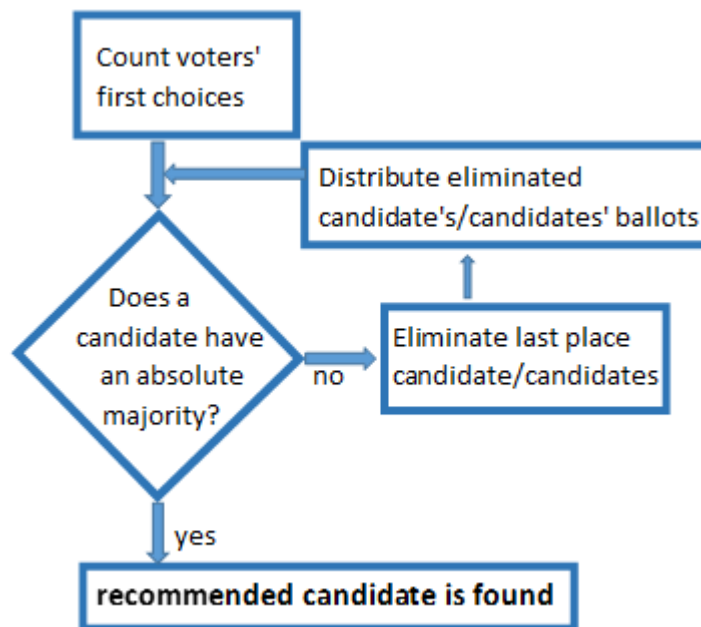
## Appendix 2: Voting process

Instant-Runoff Voting (IRV) shall be used during the voting procedure. IRV combines the principle of **Faculty agency** (such that the election produces a winner (recommended candidate) who has the approval of an absolute majority of faculty) with **efficiency**. When there are three or more candidates, a simple ballot will not always produce an absolute majority. The remedy for this is to have a 'runoff' (whereby the candidate with the least votes is eliminated and a second round of voting is held; this is repeated until an absolute majority is produced). However multiple ballots systems are inefficient (wasting voters' time, and with possible adverse impacts on participation and hence the likelihood of a successful election). As the name suggests, IRV is able to achieve the assured majority of a runoff system, but with a single ballot.

Voting procedure: Each voter ranks all the candidate on the ballot in order of preference (1, 2, 3, etc., where 1 is the favoured candidate). The FET chair abstains from voting and only uses his/her vote to break a tie.

Enumeration procedure:

1. Enumerators count the '1's. If there an absolute majority then the recommended candidate is found.
2. If no majority is produced by the first count, the last placed candidate (with the least '1's) is eliminated. If there is a tie for last, all of these candidates will be eliminated unless this would leave only one candidate. If this is the case, the '2' (and if this is not decisive, then the '3's, etc.) will be counted to break the tie for last.
3. The ballots for the eliminated candidate (or candidates) are then re-allocated according to the second choice (2) indicted on each ballot. (For example if 'Dave' votes for Thando (1), Sputnik (2), and Atul (3), and Thando is eliminated, Dave's vote will count for Sputnik.)
4. The votes are then recounted. If there an absolute majority then the recommended candidate is found.
5. If not, steps 2 and 4 are repeated until a then the recommended candidate is found. Where necessary lower preference selections will be counted (For example if 'Dave' votes for Thando (1), Sputnik (2), and Atul (3), and Thando is eliminated in the first round and Sputnik in the second round, Dave's vote will count for Utul in the third round).
6. If when only two candidates remain, there is a tie, the Chair casts the tie-breaking vote.



7. In the voting process for the election of Faculty Deans, a vote of 0 will indicate that the candidate is not appointable, and candidates who have an absolute majority of "not appointable" votes will be deemed to be not appointable.

Source: Adapted from Wikipedia ([https://en.wikipedia.org/wiki/Instant-runoff\\_voting#/media/File:IRV\\_counting\\_flowchart.svg](https://en.wikipedia.org/wiki/Instant-runoff_voting#/media/File:IRV_counting_flowchart.svg))