



# **Solomon Mahlangu Hall Constitution**

## Preamble

The students and staff of Solomon Kalushi Mahlangu Hall, inspired by the spirit of **ubuntu-botho**, acknowledge the challenges facing a diverse community of people with varying backgrounds, cultures, and histories.

We strive to create a residential environment based on the principles and values of dignity, equality, and freedom. We recognize self-discipline, humility, loyalty, courtesy, self-respect, and respect for others as essential for harmonious communal living.

The spirit of ubuntu-botho shall always inform the management of Solomon Mahlangu Hall and its constituent Houses.

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## CONSTITUTION OF SOLOMON KALUSHI MAHLANGU HALL

Subject always to the authority of the Council of the University and the power of Senate to superintend and regulate the administration of the residences and discipline of the students the following constitution has been duly approved for the administration of SOLOMON KALUSHI MAHLANGU HALL.

## **1. NAME**

The name of the Hall shall be “Solomon Kalushi Mahlangu Hall” and it shall consist of four Houses: Adamson House, Atherstone House, New House, Robert Sobukwe House, as well as any buildings which may, from time to time, be attached to the Hall by the Rhodes University administration.

## **2. DEFINITIONS**

- 2.1** “Student of senior standing” shall mean a student member of the Hall who has been a student at Rhodes University for at least one academic year
- 2.2** “The Council” shall mean the Council of Rhodes University
- 2.3** “The Senate” shall mean the Senate of Rhodes University
- 2.4** “Recuse” shall mean to disqualify or seek to disqualify from participation in a decision on grounds such as prejudice or bias, conflict of interest, relation to a party, attorney, or witness or for any other reason.

## **3. MEMBERSHIP OF THE HALL**

The members of the Hall shall be:

- 3.1** the Hall Fellows, provision for whose office is made in Article 8, below
- 3.2** the Cluster Coordinator, Residence Heads and Resident Student Assistants
- 3.3** all students residing in the Hall

## **4. THE HALL COMMITTEE**

The following persons shall be members of the Hall Committee:

- 4.1** the Cluster Coordinator – Chairperson ex officio
- 4.2** the Senior Student of the Hall – Vice Chairperson, ex officio
- 4.3** the Fellows of the Hall
- 4.4** the Residence Heads
- 4.5** the Senior Students of each of the Constituent Houses
- 4.6** the Students of the Houses
- 4.7** the SRC Hall Representative of the Hall
- 4.8** two representatives from Adamson House to ensure equitable representation

## **5. DUTIES AND RESPONSIBILITIES FOR THE HALL COMMITTEE**

Shall operate as an advisory committee to the Cluster Coordinator on issues relating to the administration, management, and general policies of the Hall. The Cluster Coordinator is obliged to consider such advice and may not unreasonably refuse to follow the Hall Committees' advice. In the event of the Cluster Coordinator refusing to accept the Hall Committees' advice, they must provide full reasons to the Committee for their decision at the next Hall Committee meeting, or at a special meeting called for that purpose. If the Hall Committee is dissatisfied with the reasons provided, the matter may be referred to the Director, the Division of Student Service and Development by the Hall Committee. Furthermore:

- 5.1** the University disciplinary authorities have the right to refer a disciplinary matter to the Hall Disciplinary Committee in terms of the Student Disciplinary code and
- 5.2** The Cluster Coordinator may delegate authority to the Hall Committee to act in certain matters.

## **6. MEETINGS OF THE HALL COMMITTEE**

- 6.1** Special meetings of the Hall Committee may be called at the discretion of either the Cluster Coordinator or the Hall Senior Student on 48 hours' notice. A special meeting of the Hall Committee must also be called if 25% of the members of the Hall Committee request such a meeting in writing.
- 6.2** Meetings will usually be held at least once per term.

## **7. QUORUM**

A quorum of the Hall Committee shall be two-thirds of the members of the Hall Committee, provided that one representative from each House is present

## **8. THE FELLOWS**

It is expected that Hall Fellows:

- 8.1** The Hall Fellows shall be appointed by the Senate of the University and shall be nominated by the Hall Committee. The number of Hall Fellows shall not exceed one per residence in the Hall. They shall serve for a period of three years and shall enjoy full voting rights on all matters concerning the Hall and shall be eligible for re-appointment

## **8.2 FUNCTIONS AND PRIVILEGES OF THE HALL FELLOW**

It is expected that the Hall Fellows:

- a) serve as role models for the personal and academic growth and integration of the student members of the Hall
- b) act as advisors and mentors to the members of the Hall
- c) act as external advisors to the Cluster Coordinator

- d)** where possible, champion the Hall's needs to the relevant University authorities
- e)** be invited to participate in Hall activities
- f)** enjoy limited dining rights as a member of the Hall for their duration of their office
- g)** serve as members of the Hall Committee
- h)** enjoy full voting rights on matters concerning the Hall

## **9. CLUSTER COORDINATOR AND RESIDENCE HEADS**

### **9.1 THE CLUSTER COORDINATOR**

The Cluster Coordinator shall be appointed by the Council of the University to be responsible to Senate and Council for the management and administration of the Hall as described in the Job Profile for Cluster Coordinators and for the carrying out of any other duties as may be required from time to time by the Director, Student Services and Development, Senate or Council.

### **9.2 THE RESIDENCE HEADS**

**9.2.1** The Residence Head shall be responsible to the Cluster Coordinator, for the management and administration of their House as described in the Job Profile for Residence Heads and for carrying out any other duties as may be required of them from time to time by the Cluster Coordinator, Senate or Council.

**9.2.2** The Residence Head shall have the power to delegate to their Resident Student Assistants or members of the House Committee such of their powers as are required to be exercised from time to time by the Resident Student Assistants or House Committee members after consultation with the Cluster Coordinator.

### **9.3 THE STUDENT RESIDENT ASSISTANTS**

**9.3.1** The Resident Student Assistants shall be the Residence Heads deputies and shall exercise and be responsible to the Cluster Coordinator and the Residence Head for fulfilling the duties described in the Job Profile for Resident Student Assistants as well as functions and duties as may from time to time be delegated to them by the Residence Manager in terms of clause 9.2.2 above

**9.3.2** Resident Student Assistants shall serve as members of their respective House Committees

## **10. ESTABLISHING RULES AND REGULATIONS**

**10.1** The Cluster Coordinator shall have the responsibility to make rules and regulations governing the life of student members of the Hall to meet the aims and objectives of the vision and mission of the residential system as well as the preamble of the Hall. Such rules shall be made in consultation with the Hall Committee. Should the circumstances be such that rules need to be promulgated suddenly, the Cluster Coordinator shall account to the Hall Committee at the next scheduled Hall Committee meeting, or at a special meeting called for this purpose. The Hall Committee shall then review the rule(s) promulgated by the Cluster Coordinator.

**10.2** The Residence Head, in consultation with the Cluster Coordinator, shall have the responsibility to make rules and regulations governing the life of student members of the House to meet the aims and objectives of the vision and mission of the residential system as well as the preamble of the Hall. Such rules shall be made in consultation with the Hall and House Committees. Should the circumstances be such that rules need to be promulgated suddenly, the Residence Head shall account to the House Committee at the next scheduled House Committee meeting, or at a special meeting called for this purpose. The House Committee shall then review the rule(s) promulgated by the Residence Head.

**10.2** If the Hall Committee, the Senate or Council is of the opinion that the repeal or alteration of any of the rules made in terms of **10.1** or **10.2** above is necessary, they may, after giving the Hall or Residence Head an opportunity to state their view, repeal or alter such rules.

**10.3** Any rules or regulations made in terms of **10.1** and **10.2** above shall be published on the Hall's notice boards or in the Solomon Mahlangu Hall Residence Rules booklet, electronic copies of which shall be provided to all members of the Hall at the beginning of the following year.

## **HALL SENIOR STUDENT**

### **11.1 ELIGIBILITY**

- 11.1.1.** The Hall Senior Student shall be elected annually from amongst the “students of senior standing” in the Hall (students who have been in the Hall for at least one year). The procedure for these elections shall be as set out in section **11.4** below
- 11.1.2.** No student who has been found guilty of a University disciplinary offence by any disciplinary authority in the University and sentenced to compulsory service exceeding 15 hours (in each case whether suspended or not) shall be eligible to be nominated or elected to fill the post of Hall Senior Student. The disqualification will end three years after the sentence has been completed.
- 11.1.3.** No student who has failed more than two half credits or the equivalent in the preceding June examinations shall be eligible to be nominated or elected to fill the post of Hall Senior Student. Under exceptional circumstances, the candidate may appeal to the Cluster Coordinator prior to the holding of the elections.
- 11.2** The Hall Senior Student should not hold the office of Resident Student Assistant or Hall SRC Representative during their tenure.
- 11.3** Should a student be elected Hall Senior Student, but subsequently fail more than two full credits or four half credits or the equivalent in the November exams, they shall be deemed ineligible to take up the position. The candidate who secured the next highest number of votes at the elections, who is still willing to serve and who fulfils the criteria shall automatically be deemed to be elected and shall fill the vacancy.

### **11.4 ELECTION OF THE SENIOR STUDENT OF THE HALL**

- 11.4.1** The election of the Hall Senior Student should take place during the fourth term of the year by no later than the end of the fourth week of the term, or during the first four weeks of the first term of the following year, or at the discretion of the Cluster Coordinator. If the election is held during the fourth term the Senior Student of the Hall will assume office at the beginning of the following year.
- 11.4.2** The Cluster Coordinator shall call for nominations for the position of Hall Senior Student
- 11.4.3** All nominations must be in writing signed by the nominee and two seconders
- 11.4.4** All the nominations shall serve before a committee consisting of all the House Senior Students, Hall SRC Representative, the Hall Senior Student and one Residence Head. The committee shall scrutinize the nominations and shortlist the nominees who shall then run for the position of Hall Senior Student. For this purpose, the committee shall be chaired by the Hall SRC representative.
- 11.4.5** Attached to the nomination must be a written motivation from the candidate stating why they want to be the Hall Senior Student and what they propose to do for the Hall during their term of office.



- 11.4.6** The shortlisted candidates will proceed to campaign, which includes but not limited to presenting their manifestos to the respective residences in the Hall.
- 11.4.7** In reaching its decision the committee shall have the right to interview all or any of the nominees.
- 11.4.8** The Chairperson mentioned in **section 11.4.4** shall inform the Cluster Coordinator of the names of the nominees who have been shortlisted to run for the position of Hall Senior Student. The Cluster Coordinator will then publish the names and announce the date for election.
- 11.4.9** Voting shall be determined by the Hall Committee and shall take place not more than two weeks after the Cluster Coordinator has published the names of the nominees. Voting may take place electronically or manually, as determined by the Hall Committee. In the case of manual voting, the committee mentioned in **14.4.4** shall act as scrutinizers of the ballot boxes. They shall also be responsible for counting the votes.
- 11.4.10** For the elections to be valid, 65% of all students in the Hall must cast their votes. Given the size of the Hall, voting will be held in four (4) consecutive working days, of which students will vote during mealtimes. If the 65% is not attained by the end of the set period, (as stipulated in **11.4.10**) then voting shall be extended by one (1) day. Should the number of votes cast be less than 65% of the students in the Hall after the second day of voting, the Cluster Coordinator shall reserve the right to establish a commission to appoint the Hall Senior Student.
- 11.4.11** If the committee finds that only one is eligible, its chairperson shall notify the Cluster Coordinator as required in **14.4.6**. The Cluster Coordinator shall have the option to declare the nominee validly elected as the Hall Senior Student or call for fresh nominations. If the committee finds none of the nominees eligible, the Cluster Coordinator shall reserve the right to establish a commission to appoint a Hall Senior Student and none of the unsuccessful nominees shall be eligible for appointment.

## **12 THE HALL SRC REPRESENTATIVE**

### **12.1 ELECTION OF THE HALL SRC REPRESENTATIVE**

The election of the Hall SRC Representative shall take place in accordance with the procedures laid down in the SRC Committee.

### **12.2 FUNCTIONS OF THE HALL SRC REPRESENTATIVE**

- 12.1.2** The Hall SRC Representative shall be a member of the Hall Committee and shall liaise between the members of the Hall and the Hall Committee, and the SRC. They shall serve *ex officio* as a member of their House Committee, and is entitled to attend, as an observer, the House Committee meetings of the Houses in which they are not a resident at their discretion or by invitation of the House Committee concerned.
- 12.2.2** The Hall SRC Representative may, with the concurrence of the Cluster Coordinator, call a meeting of the combined House Committees of the Houses of the Hall. At least half of the constituent members of the combined House Committees shall constitute a quorum.
- 12.2.3** With the approval of the Cluster Coordinator, the Hall SRC Representative may at any time call a General Meeting of students of the Hall. The quorum at a General Hall meeting shall be two-thirds of those members of the Hall who are eligible to vote.

## **13. THE SENIOR STUDENT OF THE HOUSE/RESIDENCE**

### **13.1 ELIGIBILITY**

Any student

**13.1.1** who has been a resident in a House for at least two terms

**13.1.1** who has not failed more than two half credits or the equivalent in the preceding June examinations (under exceptional circumstances, the candidate may appeal to the Residence Head prior to the holding of the elections).

**13.1.2** who has not been found guilty of a University disciplinary offence by any disciplinary authority in the University and sentenced, whether suspended in part or in whole.

**13.1.2.1** to a fine in excess of 25% of the Cluster Coordinator's maximum fine jurisdiction at the time the fine was imposed; or

**13.1.2.2** to any form of exclusion; or

**13.1.2.3** to compulsory service of 20 hours or more

Shall be eligible to be nominated or elected to fill the post of House Senior Student for the following calendar year, save in such case where:

**13.1.3.1** the fine referred to in **13.1.2.1** above is 40% or more of the Cluster Coordinators maximum fine jurisdiction at the time the fine was imposed or

**13.1.3.2** The compulsory service referred to in **13.1.2.3** above is 30 hours or more, the student shall not be eligible to be nominated or elected to fill the post of House Senior Student for the following three (3) calendar years.

**13.2** The House Senior Student may not hold another office (e.g., Resident Student Assistant, Hall SRC Representative) during their tenure.

**13.3** Should a student be elected as House Senior Student, but subsequently fail more than two full credits or four half credits or the equivalent in the November examinations, they shall be deemed eligible to take up the position. The candidate who secured the next highest number of votes at the elections and who is still willing to serve, shall automatically be deemed to be elected and shall fill the vacancy. Alternatively, a House may choose to reopen the voting process. Another member of the House committee may serve as interim Senior Student.

**13.4 ELECTION OF THE SENIOR STUDENT OF EACH HOUSE**

- 13.4.1** In the fourth term of each year, members of the respective Houses shall elect the Senior Student of their House from among the members of their respective Houses to serve for the following year.
- 13.4.2** The election of the Senior Student and the House Committee shall be held concurrently and must be completed before the end of the undergraduate lectures in the fourth term.
- 13.4.3** Any student who has been a resident in the House for at least one term shall be eligible to nominate a candidate and cast as many votes in such House Committee elections as there are offices to be filled.
- 13.4.4** A call for nominations shall specify a date and time at which nominations will close. The positions available in the House Committee will also be stated. The period of nomination shall be kept open for at least twenty-four hours after nominations are first called, after which names of the candidates shall be public.
- 13.4.5** Nomination slips, which must be signed by the proposer, one seconder and the nominee, shall be handed to the Residence Head.
- 13.4.6** Attached to the nomination form must be a motivation from the candidate stating why they want to be House Senior Student and what they propose to do for the House during their term of office.
- 13.4.7** A Senior Student from another residence within the Hall and Residence Head shall act as scrutineers.
- 13.4.8** Scrutineers shall draw up a list of voters and shall specify the time and place at which voting may take place.
- 13.4.9** Nomination lists shall be posted in the House and shall accompany the box provided for the election by ballot.
- 13.4.10** Voting will be by secret ballot and shall take place in the 48 hours following the close of nominations. Ballot boxes will have a scrutineer in attendance during voting. Voting may also take place electronically.
- 13.4.11** For the election to be valid, there must be a 75% poll. Should a 75% poll not be achieved, ballots shall remain open for the next two days after which the votes cast shall constitute a valid poll.
- 13.4.12** Votes shall be counted by the scrutineers.

- 13.4.13** The Residence Head shall act as the final scrutineer before the election results are announced.
- 13.4.14** If only one nomination is received for the position, the candidate shall be deemed elected unopposed.
- 13.4.15** The candidate who obtains the highest number of votes for the position shall be declared elected.

In the event of any elected Senior Student not returning to residence, the candidate who secured the next highest number of votes at the elections and who still wishes to serve shall automatically be deemed to be elected and they shall fill the vacancy. Alternatively, a House may choose to reopen the voting process. Another member of the House Committee may serve as interim Senior Student.

### **13.5 FUNCTIONS OF THE SENIOR STUDENT OF EACH HOUSE**

The Senior Student of the House shall perform the following functions.

- 13.5.1** liaise between the House and Hall Committee
- 13.5.2** encourage participation by members of the House, Hall and University functions
- 13.5.3** call House meetings when necessary after consultation with the Residence Head
- 13.5.4** ensure that a copy of the Minutes of the Committee meetings is made available promptly to members of the House Committee by the Secretary and
- 13.5.5** ensure that the members of the House Committee fulfil their duties.

## **14 MEMBERS OF THE HOUSE COMMITTEE**

### **14.1 ELIGIBILITY**

Any student

**14.1.1** who has been a resident in the House for at least one term

**14.1.1.1.1** who has failed not more than two half credits of the equivalent in the preceding June examinations (Under exceptional circumstances, the candidate may appeal to the Resident Manager prior to the holding of elections).

**14.1.1.1.2** who has not been found guilty of a University disciplinary offence by any disciplinary authority in the University and sentenced, whether suspended in part or in whole.

**14.1.1.1.3** to a fine in excess of 25% of the Cluster Coordinator's maximum fine jurisdiction at the time the fine was imposed; or

**14.1.1.2** to any form of exclusion or

**14.1.1.2.1** to compulsory service of 20 hours or more shall not be eligible to be nominated or elected to serve on the House Committee for the following calendar year, save in such case where;

**14.1.3.1** the fine referred to in **14.1.2.1** above is 40% or more of the Cluster Coordinators maximum fine jurisdiction at the time the fine was imposed or

**14.1.3.2** The compulsory service record referred to in 14.1.2.3 above is 30 hours or more, the student shall be ineligible to be nominated or elected to serve on the House Committee for the following (3) three calendar years.

**14.1.2** A House Committee member may not hold another office (e.g., Resident Student Assistant, Hall SRC Representative) during their tenure

**14.1.3** Should a student be elected to the House Committee, but subsequently fail more than two full credits or four half credits or the equivalent in the November examinations, they shall be deemed eligible to take up the position. The candidate who secures the next highest number of votes at the elections and who is still willing to serve shall automatically be deemed to be elected and shall fill the vacancy.

#### **14.4 ELECTION OF THE HOUSE COMMITTEE**

**14.4.1** There shall be a House Committee for each House comprising of the following members:

**14.4.1.1** the Residence Head (ex officio) – Chairperson

**14.4.1.2** the Resident Student Assistants and

**14.4.1.3** the Senior Student of the House (ex officio Vice Chair) and a minimum of seven additional elected members

**14.4.2** The election of the Senior Student and the House Committee shall be held concurrently and must be completed before the end of the undergraduate lectures in the fourth term.

**14.4.3** Any student who has been a resident in the House for at least one term shall be eligible to nominate a candidate and cast as many votes in such House Committee elections as there are offices to be filled.

**14.4.4** Nominated candidates must indicate their willingness to stand for election in writing to prosper.

**14.4.5** The current Senior Student and the Residence Head of each House shall receive nominations and act as scrutineers. The ballot box for each House shall be placed in a position convenient to members of the House. Nominations and election of members shall take place in accordance with the Provisions of the Article 13.4.

**14.4.6** In the event of a tied vote for any portfolio, a second vote will take place. Should the second vote also result in a tie, then the decision will be made by the Resident Head in consultation with the elected scrutineer.

**14.4.7** For the election to be valid there must be at least a 75% poll. Should a 75% poll not be achieved, ballots shall remain open for the next two consecutive days after which the votes then cast shall constitute a valid poll.

**14.4.8** The additional candidates in the elections who scored the highest number of votes cast shall secure election as the additional members of the respective House Committees. Should the number of candidates receiving an equal number of votes in the relevant category exceed the number required there shall be a further poll.

**14.4.9** In the event of one of the elected members not returning to residence in their House for their term of office, the candidate who secured the next highest number of votes at the elections and who still wishes to serve shall automatically be deemed to be elected and shall fill the vacancy.

**14.4.10** The members of the House Committee referred to in Clause 14.4.1 above shall have the power to co-opt two further members to the Committee from among members of the House or the Annexes attached to the House.

**14.5 DUTIES AND RESPONSIBILITIES OF THE HOUSE COMMITTEE**

**14.5.1** The House Committee shall assist the Residence Head in exercising responsibility for the general welfare of the members of the House and shall maintain a high standard of good order and discipline among the resident students.

**14.5.2** Subject to the provisions of the University's "**Rules for Social Functions**" the House Committee shall be responsible to the Cluster Coordinator and Residence Head for the proper conduct of all social events and any other events or meetings organized by it, seeking the co-operation of the Resident Head when necessary.

**14.5.3** Its members shall carry out duties at social events in the House as established by the Cluster Coordinator and Residence Head.

**14.5.4** The House Treasurer shall provide the Cluster Coordinator with a statement of income and expenditure (certified by the Resident Head of the House) at the end of each term.



## **15 PROCEDURAL RULES FOR COMMITTEES**

**15.1** With the consent of the Cluster Coordinator, the Hall Committee may delegate any of its functions to specified Sub or Ad Hoc Committees. With the consent of the Residence Head, the House Committee may delegate any of its functions to specified Sub or Ad Hoc Committees.

### **15.2 CHAIRPERSON – CASTING VOTE**

The Chairperson of any Committee, Sub Committee or *Ad Hoc* Committee shall have a deliberative and, if necessary, a casting vote.

## **16 DISCIPLINE**

**16.1** Discipline in the Hall or any of the constituent Houses shall be administered in accordance with the provision for the Student Disciplinary Code and the rules of the Hall and its constituent Houses.

### **16.2 HALL DISCIPLINARY PANEL**

**16.2.1** In the event of a Hall Disciplinary Panel being required to exercise the disciplinary powers, it shall consist of the persons set out in the relevant section of the Student Disciplinary Code.

**16.2.2** The Hall Disciplinary Panel shall reach its decisions and penalty by a majority vote. In the event of an equality of votes, the Chairperson shall exercise a casting vote in addition to their ordinary vote.

**16.2.3** The Hall Disciplinary Panel may only deal with the offences set out in the relevant section of the Student Disciplinary Code and may impose the penalties set out in the relevant section of the Student Disciplinary Code.

**16.2.4** When the charge levelled against a student appearing before the Hall Disciplinary Panel is brought by a member of the Disciplinary Panel such member must recuse themselves and be replaced by a Senior Student of another House who is not already sitting.

### **16.3 RIGHT OF REVIEW**

**16.3.1** Any student aggrieved by the decision or penalty imposed by a Residence Head, a House Disciplinary Committee or any other member of the House exercising delegated disciplinary powers shall have the right to take the matter to review as set out in the relevant sections of the Student Disciplinary Code.

## **17 AMENDMENTS TO THE HALL CONSTITUTION**

**17.1** The Hall Committee may recommend to Senate and Council through the Board of Residences any amendments to the Hall Constitution.

**17.2** The Hall Constitution and any rules made in terms of Article 10 above shall always be within the declared policy of the Senate or the Council.

**17.3** If the Senate is of the opinion that the repeal or alteration of any of the provisions of the Hall Constitution is necessary, the Senate may after giving the Cluster Coordinator and one other elected representative of the Hall Committee the opportunity to express their views, alter such provisions which shall be brought to the attention of Council.

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