

2.5.2 THE RULES OF STUDENT CONDUCT AND DISCIPLINE 2001 ORDINANCE No 4

In terms of Section 23 (1) of the Statutes of the Bindura University of Science Education Act [Chapter 25:22], the Council with the approval of the Minister of Higher and Tertiary Education makes the following Ordinance:

1. This Ordinance may be cited as “The Rules of Student Conduct and Discipline 2001 Ordinance.”
2. The Rules of Student Conduct and Discipline set out in the Schedule to this Ordinance shall come into effect from 1 January 2001.
3. In terms of Section 27 (2) of the Bindura University of Science Education Act, the Student Disciplinary Committee hereby delegates to the official referred to in the Rules of Student Conduct and Discipline the power of investigating and exercising disciplinary authority in respect of misconduct by any student to the extent and in the manner set out in the Rules of Student Conduct and Discipline.
4. In terms of Section 27 (a), (b), (c), (d) and (e) of Bindura University of Science Education Act, the Student Disciplinary Committee may –
 - 4.1 order a student to pay the University an amount equivalent to any financial loss caused to the University by such a student;

After reference to the Vice-Chancellor impose any penalty on a student which in the circumstances of a particular case it deems appropriate.

Schedule

Rules of Student Conduct and Discipline

1. **Interpretation**

The University officers charged with the administration of these rules will at all times seek to implement the letter and spirit of the University Act and will in particular have regard to the following principles:
- 1.1 In line with the University’s Mission Statement, Bindura University of Science Education wishes to produce graduates who are acceptable to the communities they will seek to serve. In the pursuance of this intention, self-discipline, diligence, and commitment to the service of others are therefore fundamental values cherished by the institution.

- 1.2 The University is a Society in which high standards of communal life must be established and maintained for the benefit of both present and future members of the University.
- 1.3 A high level of personal integrity and a developed sense of responsibility towards others are as important to the University as outstanding scholastic achievement.
- 1.4 A proper concern for the reputation of the University and what it ought to stand for makes it incumbent upon its members to live decent and ordered lives.
- 1.5 Individual or collective action by members of the University which constitutes a breach of these rules may require to be punished notwithstanding that the motive or goal of such action was a commendable one in the belief of such members.

2. Undertaking at Registration

When registering as a member of the University, a student shall be given a copy of these rules and shall sign a statement in which he/she acknowledges that he/she has been furnished with the rules, and he/she undertakes to conduct himself/ herself while a student of the University in accordance therewith and with any amendments duly made thereto.

3. Student Conduct

- 3.1 No student of the University shall:-
 - 3.1.1 Consume alcohol on the University campus and function except when authorized to do so;
 - 3.1.2 Use the University premises contrary to University Regulations, Residence, Faculty or Departmental rules or do any act reasonably likely to cause misuse;
 - 3.1.3 Damage or deface any property of the University or do any act reasonably likely to cause damage or defacement thereto;
 - 3.1.4 Disrupt teaching, study, research or administrative work, or prevent any member of the University or its staff from carrying on his study or work, or do any act reasonably likely to cause disruption or prevention;
 - 3.1.5 Engage in any conduct whether on or off the campus which is or is reasonably likely to be, harmful to the interests of the University, members of the University staff or students.
- 3.2 The following would be regarded by the University as instances of breaches of the rule contained in 3.1 (above):-
 - 3.2.1 displaying violence by word or act towards any member of the University, whether academic or administrative staff or student, or a guest of the University, or any visitor to the University or in any way intimidating or obstructing the free movement of such member, guest or visitor;

- 3.2.2 disrupting or seeking to disrupt any proper function of the University whether it be an official function, Council meeting, Senate meeting Faculty or Committee meeting, lecture, teaching session, the function of any University society or day to day administrative activity;
- 3.2.3 seeking to prevent a speaker invited by any section of the University Community from lawfully expressing his views;
- 3.2.4 Engaging in any behaviour which violates the rights of others.
- 3.3 Students are informed that:-
- 3.3.1 If a group of students forms a common intention to commit certain acts and to assist each other in their commission, and in due course a breach of these rules is committed by one or some of the group, then each member of the group may be held to have committed that breach of the rules, who foresaw that the breach would occur, or who must, in the view of the Student Disciplinary Committee, have foreseen that it would occur. A member of such a group can avoid this happening to him/her by taking clear and unequivocal steps, before such a breach is committed, to show that he/she dissociates himself/herself from the acts of the group with whom he/she has so far been associating;
- 3.3.2 Where a number of students have committed a breach of these rules and only one or more of these students can be identified, the University will not hesitate to take disciplinary action against those students who can be identified and against whom there is sufficient evidence to warrant investigation;
- 3.3.3 Where a student commits an act which is both an offence according to the laws of the country and one which after investigation appears to be a breach of the disciplinary rules of the University, the University may punish such a student notwithstanding that he/she is prosecuted and/or punished by the courts of the country.
- 3.4 A student shall obey any rules made from time to time by the Vice-chancellor and shall further obey all instructions given by the Vice-chancellor, the Proctors, and all those persons whom the Vice-Chancellor has charged to assist him in the maintenance of discipline, and in this regard:-
- 3.4.1 Any Dean, Deputy Dean, Chairman of Department, Librarian, Deputy Librarian or member of the senior administrative staff may order any member of a gathering of students which is committing, or whose activities are likely to lead to a breach of Rule 3 (above), to disperse, and may further order any such member to furnish his/her full name or to accompany the member of staff to interview the Vice-Chancellor or a Proctor, or give both such orders. For the purposes of this section, "Senior Administrative" staff shall include the Registrar, Deputy Registrar, Director of Human Resources, Senior Assistant Registrar, the Bursar, Deputy Bursar, Librarian, Deputy Librarian, Director of Marketing & Communications, Director of Works and Estates, Dean of Students, Deputy Dean of Students, Assistant to the Vice-Chancellor, Deputy Bursar, and Warden of Halls of Residence;

3.4.2 If a student misbehaves in a lecture or teaching session or interferes with the conduct of a lecture or teaching session the member of staff conducting such lecture or teaching session may order the student to leave or to cease such interference;

3.4.3 Failing to comply with any order given as above constitutes a serious offence.

4. The Powers of the Dean of Students

4.1 One of the main responsibilities of the Dean of Students is to ensure that there is discipline among students. Upon receiving reports from any section of the University concerning a student's breach of the Ordinance, the Dean of Students shall:-

4.1.1 further investigate such behaviour; and

4.1.2 Recommend through the Senior Proctor that the student appear before the Student Disciplinary Committee; or

4.1.3 Recommend to the Vice Chancellor that the student be suspended; or

4.1.4 Reprimand the student verbally or in writing against such behaviour; or

4.1.5 Instruct the Warden to exclude the student from the Halls of Residence; or

4.1.6 Fine the student up to \$100.00; and

4.1.7 Counsel the student or refer the student to a counsellor for counselling.

5. Powers of the University Proctor

5.1 The Vice-Chancellor shall from time to time appoint any Proctors as he deems necessary from among the academic staff who are not members of the Student Disciplinary Panel or Wardens. One Proctor shall be known as the Senior Proctor with responsibility for organizing and supervising the work of the other Proctors.

5.2 A Proctor shall be charged with ensuring the proper observance of these rules by students on or off the University site and to this end shall, in addition to his power under Rule 3.4 have the following powers:

5.2.1 to receive and investigate reports of student misconduct;

5.2.2 to summon any student to appear before him/her either to answer a charge or complaint against him/her or to answer questions in regard to any matter under investigation by him/her;

5.2.3 to recommend to the Registrar that a student be summoned to appear before the Student Disciplinary Committee to answer a charge or complaint against him/her or to answer questions in regard to any matter under investigation by the Student Disciplinary Committee or Proctors;

5.2.4 to proceed deliberating on a case in the absence of a student who in the opinion of the Proctor has been duly summoned but has failed to appear;

5.2.5 to reprimand a student;

5.2.6 to impose a fine on a student not exceeding \$100.00;

5.2.7 to order a student to pay to the University the equivalent of an amount of money to cover financial loss caused to the University by such student;

5.2.8 to withdraw an existing student privilege, other than residence, for a period not exceeding 1 (one) academic term.

5.3 When a report of alleged misconduct by a resident of a Hall of Residence, is made to a Proctor, the Proctor shall communicate such a report to the Warden of the Hall of Residence concerned before taking action against the resident.

6. Powers of Wardens

6.1 A Warden of a Residence shall have the power to investigate any breach of these rules by a student of his Hall of Residence committed within any Hall of Residence and to make any of the following orders in respect of such student adjudged by him to have committed a breach of these rules:

6.1.1 to reprimand a student;

6.1.2 to withdraw an existing resident student privilege, for example, exeat;

6.1.3 to impose a fine not exceeding \$100.00;

6.1.4 to order a student to pay to the University the amount of any financial loss caused to the University. Such an order may be made on the person or persons who caused the loss or, where identity cannot be established, on members of the residence in which the loss was sustained;

6.1.5 to suspend a student from his/her Hall of Residence; to expel a student from his Hall of Residence for a period not exceeding three academic terms.

6.2 Where a Warden wishes to impose penalties 6.1.5, 6.1.6 above, he/she shall first furnish the Dean of Students with a full report concerning the alleged offence and the proposed penalty. On receipt of this report, the Dean of Students may, either:-

6.2.1 confirm the proposed penalty and order of the Warden and in the event of variation, order the Warden to execute such varied order; or

6.2.2 institute a further investigation of the matters before making such order at the conclusion as he/she deems fit; or

6.2.3 recommend to the Senior Proctor that a Student Disciplinary Committee be convened to examine the case.

6.3 A Warden of a Hall of Residence and the Warden of Non-Resident Students shall have the power to report any matter of student conduct to the Proctors or through the Dean of Students to the Disciplinary Committee.

- 6.4 Where a Warden has imposed any of the penalties set out in Section 6.1.1 to above on a student he shall submit a report to the Dean of Students.

7. Rules for Halls of Residence

7.1 General

A resident shall obey all rules and instructions given by the Warden, Deputy and Sub-Wardens of the residence and shall refrain from conduct which:-

- 7.1.1 may bring discredit upon his/her Hall of Residence; or
7.1.2 is prejudicial to the welfare of other residents of the Halls of Residence.

7.2 Powers of Hall Committee Members:

Members of Hall Committee shall have the power to investigate and if necessary reprimand residents for any infringement of the rules contained in this section, and report such investigation or reprimand to the Warden.

7.3 Damage to Hall Property

A resident shall be liable to compensate the University in full for any damage caused by him/her to University property. Damage caused to a study-bedroom shall be presumed to have been caused by the resident to whom such a room has been allocated unless the contrary is proved.

7.4 Fire

A resident having knowledge of the outbreak of fire in or adjacent to Hall premises shall as soon as possible:

- 7.4.1 inform the Warden, Deputy or Sub-Warden who will;
7.4.2 summon the Municipal fire-brigade; and
7.4.3 inform the Director of Works and Estates

7.5 Vacation Residence

- 7.5.1 A resident may not occupy a study-bedroom during University vacations save with the prior written authority of the Dean of Students on the recommendation of the Dean of the Faculty and the Warden. Applications for vacation residence must be submitted through the prescribed channels and on the prescribed form.
- 7.5.2 A resident granted leave to reside in Halls during vacation who no longer wished to avail himself/herself of this privilege shall furnish the Dean of Students with at least 3 (three) days' written notice of such fact. Omission so to do will render such resident liable to monetary penalty.

7.6 Exeat

A resident may not absent himself/herself from Halls overnight, save Saturday nights, without previously informing and obtaining the permission of the Warden. To be absent from Halls for two or more consecutive nights, he/she requires the leave of the Dean of his/her Faculty in addition to that of the Warden. A resident of a Hall may be required to be in Hall every night by such time as may be laid down in the Halls Regulations unless prior permission has been granted by the Warden or a Sub-Warden to return to Hall at a later hour.

7.7 Visitors

7.7.1 Resident students' parents may visit them in their rooms from 1000 to 2230 hours.

7.7.2 Male students may be entertained in rooms in female halls and female students may be entertained in rooms in male halls between the following hours:

Monday to Friday 1200 to 2230 hours

Saturday 1200 to 2400 hours

Sunday 1030 to 2230 hours

7.7.3 Outside the prescribed visiting hours all parts of the Halls except the Common Rooms and the entrance foyers are out of bounds to members of the opposite sex.

7.7.4 Special arrangements may be made by application to the Warden of the Hall concerned.

These provisions apply to all students, undergraduates and postgraduates. No visitor or non-resident student may make unauthorized use of accommodation or dining facilities in Halls of Residence. Students introducing visitors or non-resident students to the Hall may be held responsible by the Wardens.

Withdrawal from Residence

If a student should leave the University or withdraw from Residence before the end of the session for which he has been admitted, fees already paid by him are not returnable and the balance of all fees for that session not yet paid become immediately payable, except that a student who gives proper notice before the end of a semester that he/she wishes to vacate Residence for the remainder of the session may be refunded the balance of residence fees in respect of the remaining whole term of the session.

7.9 Loss of Valuables

A resident shall report as soon as possible to the Warden, Deputy or Sub-Warden the loss of any article from Hall premises in circumstances raising a suspicion of theft.

7.10 Relationship of Resident and Staff

A resident shall not require a member of the Housekeeping Service staff to perform a service outside the scope of his normal employment duties.

7.11 Illness

A resident who is confined to bed shall, so far as he/she is able, ensure that his/her illness is reported to the University Student Health Service.

8. Rules for the Use of Vehicles

8.1 A student wishing to keep or use a motor vehicle including a motor cycle, motor scooter or motorized bicycle within the boundaries of the University site shall previously notify the Registrar in writing on the form prescribed.

8.2 Save with the prior written permission of the Registrar, a student shall not, within University grounds:

8.2.1 park a vehicle in parking place marked “for staff and visitors only”; 8.2.2 park a vehicle in any place at which parking by any person has been prohibited;

8.2.3 bring a vehicle within any University building;

8.2.4 ride or drive a vehicle on any part other than roads, tracks or parking places;

8.2.5 leave a vehicle in an unusable condition for a period longer than is reasonably required to effect necessary repairs.

8.3 Whenever a vehicle registered with the University is driven, ridden or parked in contravention of the rules set out in Section 8.2, it shall be presumed that it was so driven, ridden or parked by the persons in whose name the vehicle has been registered with the University unless the contrary is proved.

8.4 Penalties

8.4.1 The Dean of Students, the Warden, Proctors and such other persons so authorized by the Vice-Chancellor shall have power to investigate breaches of the rules contained in this section and to impose the following penalties:

For a first offence: a fine of US\$50.00

For a second offence: a fine of US\$100.00

8.4.2 In the case of a third or subsequent offence, the name of the offender, with particulars of his previous offences under this section, shall be reported to the proctors, through the Dean of Students, who shall exercise appropriate authority in terms of Rule 5.

9. Rules of Procedure in Disciplinary Proceedings

9.1 Before a student appears before a Student Disciplinary Committee, he/she shall be referred to a counsellor by the Dean of Students.

The Chairman of the Committee shall regulate proceedings in a manner as simple and informal as possible which is, notwithstanding, best fitted to do substantial justice and at all times in accordance with the principles of natural justice. More particularly a student charged with breach of the Rules of Student Conduct and Discipline shall at any investigation thereof before the Committee and with no derogation of his/her rights in terms of Section 27 (3) of the University Act:

- 9.2.1 be furnished with a full and fair opportunity to meet such allegations if he/she so desires;
 - 9.2.2 be permitted to present any relevant facts or call any witnesses capable of giving testimony relevant to the investigation;
 - 9.2.3 be permitted to put questions to witnesses save those which are irrelevant, frivolous or vexatious;
 - 9.2.4 be permitted to be present at all times save when the Committee is deliberating upon its decision of the matter;
 - 9.2.5 be advised as fully and clearly as possible of the Committee's decision or recommendation and of its reasons for arriving at that decision or recommendation.
- 9.3 The Dean of Students, Proctors and Wardens shall conduct any proceedings before them in accordance with the Rules of Student Conduct and Discipline.
- 9.3.1 save that the provision of Section 27 (3) of the University Act will not be applicable.
- 9.4 In the event of the Dean of Students conducting an investigation before the Student Disciplinary Committee it shall further be his/her duty:-
- 9.4.1 To elicit all evidence brought to his/her attention which is relevant to the investigation and admissible, whether favourable to or prejudicial to the student whose conduct is the subject thereof;
 - 9.4.2 The legal advisor shall advise the Committee as to the issues which they have to decide and as to any point of law or procedure so as to ensure that the conduct of the investigation is consistent with the principles of natural justice.
- 9.5 A notice to a student summoning him/her to appear before the Committee for investigation of an alleged breach of the University Rules of Student Conduct and Discipline shall be contained in a letter addressed to him/her and advising him/her of:-
- 9.5.1 the place at which he/she is to attend;
 - 9.5.2 the date and time at which he/she is to attend; provided that such date be not less than 5 days after the date upon which such notice is received; the rule which he/she is alleged to have contravened and full particulars of his/her alleged contravention;

- 9.5.4 his/her right to make any relevant statement he/she wishes to the Committee;
- 9.5.5 his/her right to call witnesses to attend and give any relevant testimony on his/her behalf before the Committee;
- 9.5.6 his/her right to be accompanied and represented before the Committee by a legal practitioner;
- 9.5.7 the right to furnish to the Proctor in advance of the investigation any information which he/she deems relevant to the investigation and which he/she wishes to have given due consideration.
- 9.6 A member of the Committee who has acquired, other than in the course of his University life, knowledge of evidence in an investigation of misconduct to be held before the Committee, shall not participate in such investigation
- 9.7 The Committee shall only find a student to have committed a breach of the Rules of Student Conduct and Discipline when it is satisfied beyond reasonable doubt that the student has committed such breach.
- 9.8 In the event of the Committee finding a student to have committed a breach of the Rules, either on the student's own admission or at the conclusion of an investigation, it shall, before determining the punishment it should impose or the terms of its recommendation to the Vice-Chancellor, permit such a student a full opportunity to make a statement or produce evidence which he/she wishes to be taken into consideration in mitigation of his/her punishment.
- 9.9 The Chairman of the Committee shall keep full notes of any proceedings before it but these need not be a verbatim record.
- 9.10 As soon as possible after the conclusion of a Student Disciplinary Committee hearing the Chairman shall convey a full report to the Vice Chancellor who shall advise the Registrar to inform the student involved of the Committee's judgment. The Vice Chancellor may vary the Committee's judgment according to his discretion.

SEXUAL HARASSMENT BROCHURE

1. INTRODUCTION

Bindura University of Science Education is committed to and promotes a safe and productive educational and working environment free from harassment and discrimination. The University maintains that sexual harassment in the workplace or educational environment is an unacceptable conduct and will not be accepted. In this regard sexual harassment is subject to discipline. It is the goal of the University to promote a workplace and learning environment that is free from sexual harassment.

2. DEFINITION

According to Bindura University of Science Education policy guidelines, sexual harassment is described as any unwelcome sexual advances, requests of sexual activity and

other verbal or physical conduct of a sexual nature by; either a University employee in a position of power or authority to a University employee or a member of the student body, or vice versa.

- A student to a member of the student body or towards a member of staff
- A junior member of staff to another member of staff.

The effect of such conduct is to interfere unreasonably with work or academic performance of the person being harassed psychologically thereby creating an intimidating, hostile, or offensive environment.

3. EXAMPLES OF HARASSING BEHAVIOURS

Pressing against someone's body without his/her.	Posters/calendars of naked women and those copper plaques with wise cracks about women
Patting of any body parts	Suggestive handshakes (with a little pinch)
	Rubbing one's back or winking, tickling etc
Carpet interviews	Threats of no promotion or failure if one does not comply to advances of a sexual nature or even more overt victimization
Being persistently asked for a date/lunch after having refused	Black mailing a woman/man or female/male student who has made a mistake at work or in lectures
Sexually suggestive jokes	Rude jokes and suggestive stories
Being called sugar, darling, sweetheart etc without one's consent.	Passing notes with sexual innuendoes
Giving students, staff and co-workers the impression that there is a sexual relationship going on between you and the person	The boss sitting on your desk or leaning over you when talking or giving orders.
These and or any other unwarranted advances of a sexual nature	

4. COMPLAINT PROCEDURES

Employees or students who have complaints or feel they are being sexually harassed should report such conduct. An informal or formal complaint can be lodged to the Registrar, Assistant Registrar, and Human Resources for staff, Dean of Students, Chaplain, Campus Life, Student Health, Wardens, Deans of Faculties, Chairpersons of Departments, Chief Security Officer for students. Complaints can also be lodged through the police, other trusted individuals that include without being exhaustive church pastors and relatives. Students are also encouraged to make use of available suggestion boxes.

5. PROTECTION AGAINST RETALIATION

An employee has the legal right at any time to raise the issue of sexual harassment without fear of reprisal. The policy prohibits retaliation against any person who brings an accusation of a sexual nature

The University may discipline an employee or student who has been determined to bring an accusation of sexual harassment in bad faith.

Bindura University is a student centred community with the welfare of students at heart. The institution is against sexual harassment and will take measures to discipline perpetrators once a case is reported.