



COMMUNIQUÉ TO THE CUT COMMUNITY

DEVELOPMENTS AT OUR CAMPUSES ON 22 OCTOBER 2018

Dear CUT Community

The purpose of this communiqué is to brief you on the matter that resulted in the disruptions at both campuses today, and the way forward agreed upon by CUT Management.

The 2018/19 Students' Representative Council (SRC) elections were scheduled to take place on 12 September 2018. Towards building confidence in, and the credibility of the SRC elections, CUT has, for the past seven years, been privileged to make use of the technical and professional know-how of the Independent Electoral Commission of South Africa (IEC). Management regards these elections as an important democratic process that provide students with a voice to express matters related to them in a democratic, respectful and deliberative manner. It is important to mention that the existence of duly elected SRCs at higher education institutions is legislated by the Higher Education Act (Act No. 101 of 1997). They form an integral part of the governance structures of public higher education institutions, and are vital in effectively representing the interests of all students. Most importantly, they serve as students' own platform that enables them to contribute meaningfully to the transformation of universities.

Unfortunately, the elections did not take place as planned, due to matters beyond the IEC's control, as a dispute was logged by one of the participating student political organisations. Management, guided by the Terms of Reference of the SRC, embarked on various attempts to address the dispute. Finally, the particular student political organisation elevated the dispute as an appeal to the Vice-Chancellor and Principal (VC) on 9 October 2018. In an attempt to resolve the dispute, the VC proposed to the parties involved in the dispute that an arbitration process be conducted, adjudicated by an independent and competent person. For this purpose, Judge SPB Hancke was appointed to act as Arbitrator. All interested parties to the dispute were invited to attend the arbitration, which was heard on Tuesday, 16 October 2018. The arbitration ruling was shared with all relevant parties on 18 October 2018. Although the particular student political organisation rejected the ruling, and indicated that they will elevate it to the University Council, the VC endorsed this ruling, and requested the Registrar, as the Executive Manager in charge of Student Affairs, to attend to this matter with immediate effect, including setting a new date for the elections. As the IEC indicated that they are only available for a meeting on 22 October 2018, Management agreed to continue with the 2018 November assessments on 22 October 2018, as scheduled. Furthermore, Management met with the IEC on 22 October 2018. They expressed their satisfaction with the process implemented to resolve the dispute, and agreed that we may continue with the SRC elections.

Sadly, and to our disappointment, assessments at the Bloemfontein and Welkom campuses were disrupted today. Given CUT Management's commitment to a fair and transparent election, the victimisation of staff and students, and any disruptions of assessments and normal academic activities on both campuses, will not be tolerated, as it is a direct violation of the constitutional rights of any student who wants to study or write examinations. Management strongly condemns these incidents, and they are being investigated. We will ensure that the perpetrators are identified, and that disciplinary processes are followed.

Since 2016, we, as the CUT community, have proven that we are committed to constructive engagements with all stakeholders; that we are serious about addressing the challenges experienced by staff and students; and about doing so in an amicable manner. We promote student activism within the rules and policies of the university, and allow peaceful demonstrations and protests, provided that the correct protocols are followed – which was not the case today. The Court Interdict is in place to prohibit any disruptions of assessment processes; to ensure orderly academic activities on both our campuses; and to prevent the intimidation of any student or staff member, whilst the law enforcement agencies are on campus to ensure the implementation of the Interdict.

I would like to extend my sincere apology to all staff, students, parents, guardians, alumni and external partners for any inconvenience or possible harm of any kind resulting from these incidents.

Management is taking this matter seriously, and has implemented several strategies and interventions to address students' concerns, namely:

- ❖ endorsing the arbitration ruling/award;
- ❖ affording the University Council sufficient time to attend to the dispute/appeal elevated to them by the particular student political organisation;
- ❖ postponing the 2018/19 SRC elections until early 2019. All relevant parties, in collaboration with the IEC, will agree on the actual date for the elections;
- ❖ as the term of office of the 2017/18 SRC has ceased, appointing interim SRCs at each of the campuses, comprising the following eight members at each campus, with effect from 23 October 2018:
 - SRC President of the 2017/18 SRC;
 - Sabbatical Officer of the 2017/18 SRC;
 - Academic and Transformation Officer of the 2017/18 SRC;
 - Finance Officer of the 2017/18 SRC;
 - Residences and Accommodation Officer of the 2017/18 SRC; and
 - one member from each of the contesting parties (i.e. EFFSC, PASMA and SASCO);
- ❖ continuing with the 2018 November assessments on Tuesday, 23 October 2018; and
- ❖ rescheduling the assessment of modules that were disrupted today to a date in November 2018, after the main assessments. The date and timetable will be communicated to all affected students and staff soon.

In conclusion, as Management has a responsibility to ensure the safety of students and staff, and to protect CUT property, we remain committed to ensure that the academic year will continue as planned, whilst valuing the statutory requirement and important role that the SRC has to fulfil at our institution. Let us, as a CUT Team, in collaboration with the University Council, continue to work together in promoting positive dialogue to resolve matters, but, whilst doing so, protect the constitutional rights of all staff and students, which, within the CUT context, is to promote quality education in all its facets.

Once again, I would like to extend my sincere apology to students, staff, parents, guardians, alumni and external partners for any inconvenience and possible harm caused as a result of these developments at our campuses today, especially to those students and employees who were traumatised during the events.

Thank you for your support!

Prof. Henk de Jager
Vice-Chancellor and Principal
(22 October 2018)