MOUNT KENYA UNIVERSITY

CONSTITUTION OF MOUNT KENYA UNIVERSITY STUDENTS ASSOCIATION (MKUSA)

THE CONSTITUTION

Revision 1
Approved by University Council on 30th May, 2014
# Table of Contents

PREAMBLE ............................................................................................................................................. 6

GENERAL PROVISIONS .......................................................................................................................... 7

Definitions ............................................................................................................................................... 7

CHAPTER ONE .......................................................................................................................................... 9

Establishment ........................................................................................................................................ 9

Supremacy of this Constitution ........................................................................................................... 9

Aims and Objects of MKUSA ................................................................................................................ 10

CHAPTER TWO ......................................................................................................................................... 12

Membership of MKUSA ......................................................................................................................... 12

Rights of Members ............................................................................................................................... 12

Obligations of the Members .................................................................................................................. 13

Cessation of Membership ..................................................................................................................... 13

CHAPTER THREE ..................................................................................................................................... 14

Organs of MKUSA ............................................................................................................................... 14

Composition of the Governing Council .............................................................................................. 14

Functions of the Governing Council ................................................................................................... 15

Roles of the President of the Governing Council .............................................................................. 15

Roles of the Secretary General of the Governing Council ............................................................... 15

Roles of the Vice President .................................................................................................................. 16

Roles of the Finance Minister ............................................................................................................. 16

The Students’ Council .......................................................................................................................... 16

Composition of Students Council ....................................................................................................... 17

Roles of the Students’ Council .............................................................................................................. 17

The Chairperson .................................................................................................................................... 18

The Vice Chairperson .......................................................................................................................... 19

Organizing Secretary ............................................................................................................................ 20

Academic Secretary ............................................................................................................................. 21

Finance Secretary ................................................................................................................................. 22

External Affairs Secretary ................................................................................................................... 23

Health and Accommodation Secretary .............................................................................................. 24
<table>
<thead>
<tr>
<th>Chapter</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Social Welfare Secretary</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td>Sports Secretary</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td>Nominated Members</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>Transition committee</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>Eligibility for election into the Transition committee</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>Election of the Members of the Transitional Committee</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td><strong>CHAPTER FOUR</strong></td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>Committees</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>Students Conduct and Ethics Committee</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>Finance Committee</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>Academic Affairs Committee</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td>External Affairs Committee</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td>Health and Accommodation Committee</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td>Social Welfare Committee</td>
<td>34</td>
</tr>
<tr>
<td></td>
<td>Sports Committee</td>
<td>34</td>
</tr>
<tr>
<td></td>
<td><strong>CHAPTER FIVE</strong></td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Election of Students’ Council</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Qualification for Candidacy</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Nomination Procedure</td>
<td>36</td>
</tr>
<tr>
<td></td>
<td>Election Procedure</td>
<td>37</td>
</tr>
<tr>
<td></td>
<td>Procedure for Appointment of Electoral Commission</td>
<td>38</td>
</tr>
<tr>
<td></td>
<td>Role of the Electoral Commission</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>Results of Election</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>Election Run-off</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>Election Appeals Committee</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>Vacancy in the Students’ Council</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td>Handing-Over Process</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td>Nominated Members</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td><strong>CHAPTER SIX</strong></td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>Vote of No confidence</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>Resignation and Suspension from Office</td>
<td>42</td>
</tr>
<tr>
<td></td>
<td>Dissolution</td>
<td>43</td>
</tr>
<tr>
<td></td>
<td><strong>CHAPTER SEVEN</strong></td>
<td>45</td>
</tr>
<tr>
<td></td>
<td>Student Kitty</td>
<td>45</td>
</tr>
</tbody>
</table>
Existing Laws ...................................................................................................................... 57
Existing Offices.................................................................................................................. 57
FIRST SCHEDULE .............................................................................................................. 58
MKU Campuses ................................................................................................................ 58
SECOND SCHEDULE ........................................................................................................ 59
Mount Kenya University Students’ Association (MKUSA) Logo .................................. 59
THIRD SCHEDULE ............................................................................................................ 60
Oaths and Affirmations ...................................................................................................... 60
Oath or Solemn Affirmation of Due Execution of Office for all Elected Officials to the Students’ Council ........................................................................................................... 60
Oath or Solemn Affirmation of due Execution of Office for all Nominated Officials to the Students’ Council ........................................................................................................... 61
Approval of the Constitution ............................................................................................. 62
PREAMBLE

We, the students of Mount Kenya University—

ACKNOWLEDGING the supremacy of the Almighty God of all creations:

HONOURING the founders and the unsung heroes who driven by visionary consciousness brought this great university into existence:

PROUD of the plurality of our rich ethnic cultural and religious background in which diversity pulls us together with undivided determination to do well to others:

RESPECTFUL of the authority, structures regulating governance and all statutes of the University:

REALISING the desire of the students to have a self-determining organization within the authority of University statutes and the laws of Kenya:

HEREBY ADOPT, ENACT and give this Constitution to ourselves and the generations to come.

GOD BLESS MOUNT KENYA UNIVERSITY
GENERAL PROVISIONS

Definitions

In this Constitution, unless the context otherwise requires;

a) “Amend” includes alter, repeal, revoke, rescind, replace, add to or vary in whole or in part

b) “Annual accounts” means the balance sheet, the statement income and expenditure produced annually.

c) “Bona fide member” include any person duly registered as a student by the university.

d) “Affiliate member” refers to a member who has made himself/herself a partner by paying a membership fee as will be determined by the Students’ Council.

e) “Document” means publication or any matter written, expressed by means of figures, that is intended to be used or may be used for the purpose of recording that matter.

f) “Internal Auditor” refers to any person with the recognized accounting qualifications appointed by the University Management.

g) “Extra ordinary meeting” refers to an impromptu meeting.

h) “Enactment” means legislation

i) “Patron” refers to the vice chancellor of the University.

j) “Student” refers to a person enrolled at Mount Kenya University for the purpose of obtaining an academic qualification.

k) “Semester” refers to a period of studying consisting of 14-16 weeks.

l) “Trimester” refers to a period of study consisting of 12-14 weeks or its equivalent in contact hours.
m) “Special meeting” means any meeting where two thirds majority of its members has not been realized.

n) “Transitional Committee” refers to the Council as constituted in section 28,29 and 30 of this constitution.


p) “The Students’ Council” refers to the body comprising the elected officials and the nominated members at the Campus level of Mount Kenya University.

q) “The Governing Council” refers to the Supreme Council of MKUSA from designated elected officials of the Students’ Councils

r) “University” refers to Mount Kenya University.

s) “Special interest groups” refers to persons living with disability and minority Groups including international students but not based on ethnicity or race.

t) “Dean of students” also includes where relevant Dean of Students, assistant Dean of Students

u) “MKUSA organ”-refers both the supreme Governing Council and the Students’ Council.

v) “Medical students” refers to bona fide members from the school of health Sciences.
CHAPTER ONE

Establishment

1). (1) There shall be established a Student Association which shall be known as MOUNT KENYA UNIVERSITY STUDENTS ASSOCIATION hereinafter abbreviated as MKUSA.

(2) The headquarters of MKUSA shall be housed in an office situated in the Main Campus of Mount Kenya University P.O Box 342—01000Thika.

(3) There shall be created in accordance with this Constitution Students’ Council in each Constituent Campus, college and institution, provided that such branch office shall be accountable to the members of MKUSA in those branches.

(4) Branch offices shall operate within their Campus jurisdictions.

Supremacy of this Constitution

2). (1) This Constitution is the supreme law of Mount Kenya University Students’ Association and binds all Students’ Council organ to work towards the good of the University and all students.

(2) This Constitution shall be binding to the students of Mount Kenya University.

(3) No person may claim or exercise authority except as authorized under this Constitution.

(4) Every member of the MKUSA has an obligation to respect, uphold and defend this Constitution.

(5) Any attempt to establish a MKUSA otherwise than in compliance with this Constitution is void.

(6) Any MKUSA law that is inconsistent with this constitution is void to the extent of that inconsistency, and any act or omission in contravention to this constitution is invalid.
Aims and Objects of MKUSA

3). The aims and objects of MKUSA shall be:

a) To ensure and work for students’ right to representation at organs of the University as determined by the University statutes.

b) To provide students with suitable opportunities for a healthy social life through arts, sports and entertainment.

c) Foster students’ awareness of the rights and responsibilities as members of MKUSA.

d) Encourage continued co-operation among former MKU graduates through the Alumni Association.

e) Strive to fulfill the noble objective of the university research, pursuit for knowledge and community service.

f) Facilitate initiative among students, between MKU students and members of other Universities, institutions and associations with similar interest.

g) Publish and distribute a magazine or other publications in which students can express their views, thoughts and other talents.

h) Strive to foster the spirit of unity and understanding among students, between students and the University administration, members of the University staff and the general public.

i) Endeavor to achieve its objectives devoid of political, social, religious, racial bias or any other form of discrimination.

j) Ensure equitable gender participation in students’ affairs at the University.

k) Raise funds through lawful means for purposes of achieving the aims and objectives of MKUSA.

l) Be committed to holding free and fair elections.

m) Work to contribute towards promotion of education in Kenya.

n) Work with other national or international organizations with similar interests.

o) To increase the awareness of the diversity and multicultural aspect of the MKU students’ community by holding periodic cultural weeks and other social activities.
p) In consultation with the University management honor students who have made outstanding contribution to the University in academic, co-curricular and extra-curricular activities.

q) Undertake any other activity which does not conflict with this Constitution or any other law or regulation in force as laid down in the University statutes and which is beneficial to the members.

r) Uphold and defend the spirit and letter of this Constitution
CHAPTER TWO

Membership of MKUSA

4. 1) Any student admitted to MKU for a course leading to the conferment of an academic award shall be a bona fide member of the MKUSA.

(2) Former students shall be granted associate membership upon approval and payment of a fee to be determined by the Student’s Council, determined by the Governing Council and suggested to the Senate for approval.

(3) Subscription fee shall be discussed by the Students’ Council, determined by the Governing Council and approved by the University’s senate.

(4) Membership is inherent to all students of MKU and shall be free from discrimination of any kind.

(5) The subscription fee is non-refundable to any member

Rights of Members

5.(1) Every member will have a fair and equitable right to access the facilities and services offered by MKUSA provided that such access shall not be by unlawful means.

(2) Right to take part in all MKUSA activities without hindrance.

(3) Participate in the proceedings of the general and special meetings and students’ forum.

(4) Right to elect, be elected or be nominated to any of the MKUSA leadership positions and representative of MKUSA in any forum in accordance with this constitution.

(5) To express their opinion in any proper and appropriate means in any MKUSA meeting or any other force where MKUSA has interest provided that personal opinion may not necessarily represent the policy of MKUSA.

(6) Right to access the books of accounts after having delivered a 14 day notice to the Finance Secretary.

(7) Upon joining the University, all members shall be entitled to a free copy of this
Constitution which shall be available in braille and large prints for the visually impaired

**Obligations of the Members**

6). (a) Every member shall recognize and respect MKUSA officials as the legitimate representative of the students.

(b) Every member is solemnly bound and shall abide by the letter and spirit of this Constitution.

(c) Every member shall respect property owned by MKUSA, the University and the general public and any member who causes damage to the property shall be subject to the disciplinary provisions of MKUSA, the University and the laws of Kenya.

**Cessation of Membership**

7). (1) Membership shall cease where:

a) One ceases to be a student by way of transfer to a different institution, discontinuation, expulsion or death.

b) An affiliate member resigns by way of written notification to the Students’ Council.

c) An affiliate member shall be expelled by the Students’ Council due to gross misconduct subject to approval by the Dean of Students.
CHAPTER THREE

Organs of MKUSA

8). The organs of MKUSA shall be:

(1) The Governing Council.

(2) Students’ Council.

(3) Transitional Committees.

Composition of the Governing Council

9). (1) The Governing Council shall consist of the following members;

a) All elected Chairpersons from MKU campuses representing their respective Students’ Councils.

b) All elected Organizing Secretaries from MKU campuses representing their respective Students’ councils.

c) All elected Vice-Chairpersons from MKU campuses representing their respective Students’ Councils. At the first meeting of the Governing Council, one of the Vice-Chairpersons may be elected by the Governing council members as a Vice President of the Governing Council.

d) The Organizing Secretary of the Main Campus’ Students’ Council shall be the Secretary of the Governing Council and for purposes of clarity, he/she may be referred to as the Secretary General of the Governing Council.

e) The Finance Secretary from the Main campus who for purposes of clarity, he/she may be referred the Finance Minister of the Governing Council.

f) The Chairperson of the Main Campus’ Students’ Council shall be the presiding chair of the Governing Council and for purposes of clarity, he may be referred to as the President of the Governing Council.

g) The elected Vice Person shall be referred to as Vice President of the Governing council.
Functions of the Governing Council

10). The Governing Council shall;

1. Be the supreme organ of MKUSA

2. Uphold and protect the Constitution of MKUSA.

3. Determine the general principles of MKUSA.

4. Determine matters related to the Students’ Council subject to the provisions of this Constitution.

5. Formulate rules and regulations concerning the Students’ Council.

6. Be responsible for the policy directives to be executed by the Students’ Councils.

Roles of the President of the Governing Council

11). The President shall;

(1) Preside over meetings of the Governing Council.

(2) Shall be the spokesperson of Governing Council.

(3) Represent the MKUSA Governing Councils at the University Senate.

(4) Be a co-signatory of all the negotiable instruments of the Governing Council.

(5) Facilitates the existence of cordial relationship among Students’ Councils and the members of the organization.

Roles of the Secretary General of the Governing Council

12). The Secretary General shall;

(1) Record minutes of all the proceedings of the meetings of the Governing Council.

(2) Coordinate and organize the Governing Council meetings.
(3) In consultation with the president of the Governing Council, the Secretary General shall organize and coordinate meeting.

(4) Be responsible for the circulation of relevant information to the members of the Governing Council, and may be elected from any of the Campuses.

(5) Make available to the President and other Governing Council members all documents and reports relating to matters to be discussed at the Governing Council meeting.

(6) Maintain correspondence between the Governing Council members and other stakeholders.
(7) Keep files and minutes of the Governing Council.

(8) Perform any other duties as may be directed by the Governing Council.

Roles of the Vice President

13). Vice President shall:

1. Deputize the President.
2. Be the custodian of the Constitution.
3. Be the convener and Chairperson of the Constitution Review Team.

Roles of the Finance Minister

14). The Finance Minister shall—

(1) Be a co-signatory of all the negotiable instruments of the Governing Council.

(2) Keep all the finance records of the Governing council.

(3) Shall ensure that the Governing Council’s Funds are used appropriately.

The Students’ Council

There shall be established a Students Council in every Campus of Mount Kenya University.
Composition of Students Council

16). (1) The Students’ Council shall be composed of:

- Chair person
- Vice chairperson
- Organizing Secretary
- Academic Secretary
- Finance Secretary
- Social welfare Secretary
- Sports Secretary
- Two nominated members

(7) In addition to the above positions, if need be a campus shall have the following positions:

a) External Affairs Secretary

b) Health and Accommodation Secretary.

(3) The Social Welfare Secretary of the subsidiary Campuses shall double up as the Health and Accommodation Secretary.

4) The Organizing Secretaries of the subsidiary Campuses will double up as the External Affairs Secretary.

Roles of the Students’ Council

17). The Students Council shall—

i. Ensure that the policies formulated by the Governing Council are implemented at their respective campuses.

ii. Be responsible for the day to day running of MKUSA at the Campus level.

iii. Protect the individual and collective rights of MKUSA member.

iv. Ensure and work for Student’s rights of representation.
at the organs of the University.

v. Shall oversee the nomination of the two nominees to the Students’ Council in accordance with this constitution.

vi. Debate, approve and adopt budgetary proposals of the Students’ Council.

vii. Seek audience with the University administration to address issues of importance affecting MKUSA members.

viii. Provide directions on emergency matters affecting the students in consultation with the University Administration.

ix. Ensure distribution of the University’s newsletter in their respective Campuses.

x. Any other function as may be directed by the Governing council.

xi. Upon request from any affected Students’ Council, the Governing Council may require the main campus Students’ Council and/ or any other student’s Council to oversee enforcement of MKUSA policy in that Campus.

Roles of the Office bearers

The office bearers shall perform their duties and roles as follows—

The Chairperson

18). The chairperson shall—

a. Preside over Students’ Council extra ordinary and general meetings.

b. Be the spokesperson of MKUSA at the Campus level upon the advice of the Student Council.

c. Represent their respective Campuses at the Campus Management Committee or the Senate where applicable.

d. Be ex-official member of all committees apart from student’s
conducts & ethics committee.

e. Be a cosignatory of all negotiable instruments of the association at the Campus level.

f. Facilitate for the existence of cordial relationship between the Association and the University Administration Students’ Council and members of the association.

g. Strive to ensure all committees have working relationship among them and that their goals articulate the policies of the Council.

h. Only have a voting right when there is a tie to break.

i. Have any other responsibilities bestowed upon him/ her by Students’ Governing Council and the Students’ Council provided it does not violate this constitution, university statutes or laws of the Republic of Kenya.

j. Convene the first council meeting within 14 days after election.

k. Shall be a member of the University disciplinary committee.

**The Vice Chairperson**

19). The Vice Chairperson shall—

1) Deputize the Chairperson in his/her absence.

2) Coordinate service required towards student welfare.

3) Be the custodian of the Constitution at their respective.

4) Perform any other duties bestowed upon her or him by the Students Council provided these duties do not violate the spirits of this Constitution or create a chance of collision with responsibilities of other members of the students’ council.

5) The vice chairperson shall assume power in the event of the chairperson resigning, being relieved from academic
commitment by university senate or physical or mental infirmity of such magnitude to render him or her unable to perform his/her duties.

6) Shall be the chairperson of Ethics & Conduct Committee.

Organizing Secretary

20). The Organizing Secretary shall;

1) Be the secretary of the students’ council at extra ordinary meetings and general meetings.

2) Represent members of the association at the university council meetings.

3) Keep files, register and minutes of the council

4) In consultation with the president and the members of council in general, draw the agenda for association meetings.

5) Look after the association office equipment

6) Coordinate activities of various Committees’ Secretaries

7) Issue notices concerning all meetings of the Council, Students’ Council extra ordinary and general meetings and file copies of communication and minutes with the Dean of Students.

8) Be responsible for the circulation of relevant information to the members of the association through notices and announcement.

9) Perform any other duties bestowed upon him/her by students council provided they do not violate the spirit of this Constitution or create a chance of collision of responsibilities of other members of the Students’ Council

10) Deal with all incoming and outgoing Council correspondence through the Dean of Students.

11) Keep and update the association membership register containing names and addresses of members where deemed necessary.
Academic Secretary

21) The Academic Secretary shall:

1) Represent members of the association in the University Senate and devotedly serve members of the association in the academic affairs committee.

2) Chair all class representatives’ meetings and disseminate information to respective organs.

3) Keep all records on academic affairs of members of MKUSA before and during its tenure.

4) Be available to members of MKUSA to receive recommendations and complaints from members of MKUSA on such issues concerning academic affairs.

5) Take the initiative to provide feedback to the relevant members of MKUSA on matters of academic nature.

6) Ensure that no member of MKUSA suffers any form of academic decimation within the University and to receive and investigate any such complaints made by members of MKUSA.

7) Organize either a public lecture or seminar or exhibition of academic nature in consultation with the University at least once every academic semester for MKUSA members.

8) Ensure that academic facilities and services provided by the departments are easily accessible by MKUSA members.

9) Make known to all MKUSA members the academic problems of the university four weeks before the end of each semester/trimester, with a reminder one week before the end of each semester/trimester.

10) Facilitate the orientation of new members of MKUSA in the University.

11) Enhance civic education on student-related University policies; provide information on procedures and regulation
on academic matters and the constitution of MKUSA.

12) Is the chief consultant to the Students’ Council on any matter directly or indirectly related to the academic affairs of MKUSA members.

13) Shall ensure that the documents mentioned at Section 5(7) of this Constitution are circulated to the members.

14) Be a member of the library committee.

15) Oversee the election of class representatives and submit their names to the Dean of Students.

16) Represent students in Senate meetings.

17) Shall sit in students’ welfare committee.

18) Shall sit as the chairperson of the Academic committee.

19) Be a member of the Students Ethics and Conduct Committee.

20) Maintain cordial relationships with the Chairpersons of schools, Deans, and Directors of academic programs, academic advisers and academic staff.

21) Shall sit in academic and disciplinary committee.

**Finance Secretary**

22). The Finance Secretary shall—

1) Submit an up to date statements of accounts as reports indicating income and expenditure for each academic semester.

2) Ensure that all books of accounts re submitted to the internal auditor, at the end of every semester for audit purposes.

3) Ensure that all books of accounts are made available to any of the members of the finance committee provided that a written notice has been given seven days in advance.
4) Ensure that all books of accounts are made available for inspection by the appointed auditors’ at all reasonable times provided that a written notice has been given seven days in advance.

5) Requisite of any money through a written submission to the finance office through the Dean of Students.

6) Revert any fund raised from students activities organized by the Students’ Council to MKUSA account and appropriated entries must be made in the MKUSA books of accounts by the Finance Secretary, indicate such revenue.

7) Ensure that the Finance Committee assures that all the funds of MKUSA are administered under a system of accounting recognized by the association of certified Public Accountants of Kenya, with the supervision of the University Finance Officer.

8) Ensure a budget prepared by the finance committee in consultation with the Council shall be presented to the Students’ Council for approval at least three weeks after elections. The budget shall only be inclusive of the financial year under which it has been drawn.

9) Present the approved budget for ratification to the Students’ Council and University Senate.

10) Ensure all financial deposits and withdrawals are done subject to the minutes and approval of the Students’ Council.

**External Affairs Secretary**

23). The External Affairs Secretary shall;

1) Devotedly serve members of the association in matters pertaining to external affairs.

2) Be the chief consultant to the Students’ Council in matters concerning external affairs.

3) Coordinate and accompany the ferrying of student to and to
the University where necessary.

4) In consultation with the dean of Students’ Office, prepare a list of guest speakers and addresses of external links.

5) Keep and update a directory of MKUSA with all addresses of external.

6) Be directly answerable to the Students’ Council on all matters directly or indirectly related to external affairs.

7) Advice the Students’ Council on any proposed external links.

8) Freely avail any information in his/her possession regarding contacts of any external links maintained or previously maintained him/her to any interested member of MKUSA.

9) Organize either a public lecture or seminar or exhibition or congress in consultation with the University at least once every academic semester for MKUSA members.

10) Organize community service activities around the University.

11) Keep all records of communication with external links.

12) Establish and maintain all external links approved by at least two thirds 

(2/3) of all members of the Students’ Council with voting rights and submit contacts of these links to the University Administration.

13) Liaise with Health & Accommodation Secretary to ensure quality services in hostels that are not ran by the University.

14) Facilitate cordial relationship between the University and the surrounding community.

Health and Accommodation Secretary

24). The Secretary of Health and Accommodation shall;
1) Devotedly serve members of the association in the catering, accommodation and welfare committee.

2) Keep all records and communication related to residence, accommodation and welfare of the association.

3) Be available to members of the association to receive suggestions from them regarding residence, catering and accommodation and recommend the suggestion to the relevant departments.

4) Take the initiative to provide feedback to the relevant members of the association mentioned in (2) above.

5) Be chief consultative organ to the Students’ Council on any matter related directly or indirectly to residence, catering and accommodation of members of the association.

6) Ensure a nourishing and affordable menu is provided to members of the association within the university’s mess.

7) Keep records of non-resident students containing the names of students in external hostels, emergency handling measures and other external factors?

8) Ensure that no fully registered members of the association lack accommodation and/or is marginalized in terms of catering, residence and accommodation.

9) Establish and maintain cordial relationship with catering Department and Accommodation Department, Estate Department, Health Services Department and any other Department within the University whose services affect the living environment of members of the association.

10) Ensure all members of the association receive valuable and quality medical assistance from the University dispensary

11) Ensure that no member of the association lives in poor environment due to inattention from any of the relevant Departments of the University.

12) Be directly answerable to the students on any matter directly or indirectly related to catering, accommodation and
welfare of members of the association.

13) Arrange meetings between the Dean of Students office and Central Catering and Accommodation Services committee.

14) Coordinate services required during sickness or bereavement of the members of the association.

15) Should appoint both hostel and floor representatives.

Social Welfare Secretary

25). The Secretary of Social Affairs shall;

a. Devotedly serve members of the Association in culture and entertainment committee.

b. Keep all records of communication related to recreation and entertainment events previously held or to be held in the University.

c. Organize for and host forms of entertainment approved by the Students’ Council appropriate to members of the association.

d. Ensure that no forms of violence or sexual harassment shall be projected directly or indirectly to any member of the association attending an entertainment event organized by this committee.

e. Ensure that security to members of the association attending entertainment events organized by this committee is guaranteed.

f. Ensure that the Association’s and the University’s property is protected from damage during entertainment events organized by or hosted by the committee.

g. Keep and maintain all entertainment equipment belonging to the Association.

h. Have an exhaustive inventory indicating all entertainment equipment belonging to the association.
i. Submit all financial proceeds accruing from hosting entertainment events to the Finance Secretary accompanied by the financial documents showing the transactions. Such documents used for transactions should be endorsed by the Financial Committee.

j. Prepare financial sheet within the first two (2) weeks of every semester showing the expenditure of entertainment events held on the previous semester as well as returns from the same events. The financial sheet shall also indicate the amount of money deposited with the Finance Secretary.

k. Make known to the members of the association the contents of the financial sheet mentioned in (10) during the second week of every semester.

l. Be available to members of the association to receive recommendations or complaints regarding entertainments within the University.

m. Submit a schedule to the Students’ Council two weeks after being sworn in on entertainment events it plans to host.

n. Be fully responsible for any item of entertainment equipment lost during its term of office, belonging to the association. Any such item shall be restored by making restitution ONLY in kind or equivalent amount of money to the association payable to the Finance Secretary, and upon the occurrence of such an eventuality, records shall be indicated in the financial sheet mentioned in (i) above.

o. Is chief consultant to the Students’ Council on any matter related directly or indirectly to entertainment of members of the association movements.

p. Co-ordinates all the activities of all social clubs, associations and movements.

q. Oversee the allocation of prayer rooms for various religious groups.
r. Deal with all matters pertaining to freedom of worship in the university.

s. Be directly answerable to the Students’ Council of any matter directly or indirectly related to entertainment of members of the association.

t. Be an Ex-officio member of all clubs’ meetings.
Sports Secretary

26). The Sports Secretary shall—

1) Devotedly serve members at the association in the sports and games committee.

2) Be available to representatives of sports and games activities for any consultation based on common understanding between the respective groups and games activities committee.

4) Possess information from both the sports and Games Director or Dean of Students regarding the total amount of funds available from the activity fee kitty.

5) Arrange for meetings with all sports and games representatives.

6) Arrange for at least one meeting at the beginning of each semester with sports and Games Coordinator.

7) Keep detailed and exhaustive records of all sports and games activities registered with sports and Games coordinator.

8) Meet within the first week of the semester/trimester to prepare a budget to cater for the needs brought to his knowledge within the limits of the activity fee.

9) Is chief consultant to Students’ Council on any matter related directly or indirectly to sports and games activities.

10) Make known to the entire fraternity of the members of the association within the first four (4) weeks of every academic year, the expenditure in detail of sporting activities of the previous - academic year. The academic year calendar shall be availed to an external auditor for scrutiny as provided for by this Constitution.

11) Ensure that no sporting activity recognized by the University is marginalized or neglected.

12) Thoroughly examine sports and games problems in order to provide practical solutions.

13) Coordinate and promote sports and games activities in the University and arrange external and internal fixtures.
14) Ensure that only registered members of a recognized sporting activity are entitled to allowances.

15) Be directly answerable to the Students’ Council on any matter directly or indirectly related to sports and games activities.

16) Coordinate with team captains and Game Coordinator in advising the University through the Dean’s office on coaches to hire and sports equipment required.

17) To be part of the decision making organ of the budgetary allocations and activities related to sports.
Nominated Members

27). (1) There shall be nominated members within the organ of the Students’ Council at each Campus which shall be composed of two members.

(2) The nominated members shall represent the interests of the special interest groups in the University and shall perform their respective functions in accordance to this Constitution.

(3) Assist the Students’ Council in arriving at decisions.

(4) Carry out any other responsibility assigned by the Students’ Council provided they do not violate the spirit and letter of this Constitution or create a chance of collision of responsibilities of the other members of the Students’ Council.

(5) Shall have a voting right in the issues of the Students’ Council.

(6) Be members of Social Welfare Committee

Transition committee

28) The Transitional Committee shall assume office subject to the provisions of section 37(1,3,4,5,6,7),49,50(b).

1. The committee shall assume the responsibilities of the Students’ Council on an acting capacity.

Eligibility for election into the Transition committee

29). Any class representative is eligible to be nominated into the Transitional Committee if he/she -

a) Has satisfied the requirements of Articles 43 excluding subsection (2) of this constitution.

Election of the Members of the Transitional Committee

30). Within two weeks after the Students’ Council have exited the office, a class representative meeting shall be constituted and an election of the members of the Transitional Committee shall be held thereof through secret balloting.
CHAPTER FOUR

Committees

31). (1) Each Campus’ Students’ Council may establish committees and shall make standing orders and rules for the orderly conduct of its proceedings including the proceedings of the committee.

Students Conduct and Ethics Committee

32). The students Conduct and Ethics committee shall comprise of the following:-

   i. Vice Chairperson who shall preside as the chairperson of the committee
   ii. The directly affected docket/Secretary
   iii. Academic Secretary
   iv. Any other Secretary
   v. Dean of Students /Associate Deans

Finance Committee

33). The Finance Committee shall prepare a report and statement of accounts, indicating Income and expenditure for the semester for approval and publication at every 6th and 12th week of every semester.

Membership

34). The finance committee shall constitute the membership of five (5) committee members as follows;

   i. Chairman of MKUSA
   ii. Finance Secretary of MKUSA who shall be the presiding chair of the committee.
   iii. Organizing Secretary of MKUSA
iv. Finance Officer from the University

V. One elected member from the Students’ Council.

**Academic Affairs Committee**

35). The academic affairs committee shall comprise

a) The academic affairs Secretary who shall be the presiding Chairperson

b) A representative from each school

c) Two other members from the Students’ Council

**External Affairs Committee**

36). This committee shall comprise:

a) External Affairs Secretary who shall be the chairperson of the committee.

b) Secretary for Health and Accommodation and three other Student Council members.

c) At least 3 representatives from external hostels (hostels that qualify and are registered by the University)

**Health and Accommodation Committee**

37). This committee shall compromise of:

a) Health and Accommodation Secretary who shall be the Chairperson of the committee

b) Hostel representative/floor representative.
c) Nurse

d) Central Catering & Accommodation Service Manager (CCASM)

e) Hostel Janitor

**Social Welfare Committee**

38). This committee shall comprise:

a) Social Welfare Secretary

b) Four (4) other members from the Students’ Council

c) Four representatives from religious groups registered with the University.

d) Three Chairpersons from registered clubs and associations.

e) Two nominated members

The Social Welfare Secretary shall be the chair of this committee.

**Sports Committee**

39). This committee shall comprise:

a) Sports Secretary who is the Chairperson of the committee.

b) Sports coordinator appointed by the University

c) Team captains
CHAPTER FIVE

Election of Students’ Council

40). (1) Save for the nominated officials, all occupants of the councils shall occupy their respective positions by virtue of election by MKUSA members through secret ballot.

(2) Election of the officials shall be held on the first Friday of the month of February.

(3) Elections shall be held on the same day in all Campuses

Qualification for Candidacy

41). A persons who present himself for election shall qualify for the same if:

1) Is of good moral standing in the society, the general public and the University.

2) Is able to serve on the Students’ Council for a continuous period NOT less than 12 months (excluding attachment period).

3) Is a student of MKU and be recognized as such having fulfilled the registration requirement of the University.

4) Be having a good disciplinary history as per the disciplinary committee report.

5) Have a minimum grade of C or above in the past exams and pass for medical students.

6) Is a bona fide member of MKUSA

7) He does not have history of psychiatric illness
Nomination Procedure

(1) A person is considered qualified for nomination as a candidate for election to MKUSA if he/she:

a) Is a bona fide student of Mount Kenya University.

b) Has a good disciplinary history as per the University disciplinary committee report.

c) Resign from any post(s) he/she holds in clubs, schools, associations, societies and movements or any other recognized groups in the University.

d) Does not have a history of psychiatric illness.

e) Has an academic performance of above average (C and above) and a pass for medical student.

f) Is able to serve the Students’ Council continuously for 12 months or one calendar year excluding attachment.

g) A member can only contest for only one post.

h) For chairperson’s post, the contestants must have a minimum of up to 10% of signatures of the MKUSA members in their respective Campuses.

i) Submits a nomination sheet signed by at least 5% of the MKUSA members of their respective Campus for the other contestants.

j) Where no candidate meets the nomination qualification, the chief returning officer shall extend the nomination period.

k) A candidate may withdraw his/her candidature by notice of withdrawal signed by him/her and handed at the place designated for the delivery of the nomination papers at such time not less than 48hrs before the election. The withdrawal notice shall be received by the Chief Returning Officer and made public within 48hrs thereof.

l) Once the election date is announced, the outgoing officials shall carry their day to day administrative activities in caretaker capacity until the new Council is formed.
(2) A person may be disqualified for nomination for election to the Student Council if:

a) There is evidence of sponsorship by the University Administration.

b) After nomination, the candidate incites other students to use violence, threat or ridicule any member of staff or students.

c) Candidates’ Campaigns or encourage others to campaign before or after the official campaign period.

d) There is evidence of removing and/or destroying other aspirants/opponent’s campaign materials.

e) They engage in acts or omissions which defeats the tenets of free and fair election procedure.

f) Failure to abide by the electoral commission code of conduct and rules.

**Election Procedure**

43. (1) All MKUSA elections shall be by secret ballots, simple majority system, on the principle of one-person-one-vote.

(2) No one shall be allowed to vote by proxy or by mail.

(3) The Dean of Students shall be the supervisor of elections and will be the Chief Returning Officer (CRO) and may be deputized by the Associate Dean of Students at the Campus level.

(4) The Chief Returning Officer shall supervise the elections with the help of Returning Officers, who will constitute the Electoral Commission.

(5) The election to the posts of the Students’ Council shall be done by universal suffrage.

(6) Elections shall be conducted at designated venues within the University.

(7) The campaign period shall be at most two (2) weeks.

(8) Where only one candidate is nominated in a position, that candidate shall be declared elected unopposed and that positions shall not be included on the ballot paper.
(9) Candidates may request a recount, but not more than 3 times and in not more than 24 hours after the election results are announced.

(10) The updated University students register shall be used during voting exercise.

(11) The Chief Returning Officer, the returning officers and agents of candidates and their chief agents will be present during the counting of ballots.

Procedure for Appointment of Electoral Commission

44). (1) There shall be established an independent commission which shall conduct the election and other roles provided in this constitution.

(2) The Electoral commission shall be comprised of:

   a) The Dean of students/Associate Dean who shall be the Chief Returning Officer (CRO)

   b) Student representative from each of the registered religious association.

   c) Student representative from every school.

   d) Two staff members appointed by the Dean.

(3) There shall be established a vetting panel for purposes of appointment of (a, b&c) above. It consist of

   a) Dean/Associate Dean of Students as chair of the vetting panel.

   b) Staff member from the registrar’s office.

   c) One staff appointed by the Dean of Students.

   d) One staff member appointed by the Vice- Chancellor or the directors or his representative at the subsidiary Campus.

(4) The vetting panel shall formulate rules and regulations for the effective management of the vetting process.

(5) The CRO shall receive the list of all Electoral Commission nominees,

(6) The CRO shall confirm the nominees and publish their names as the members of the Electoral Commission seven days before nomination of candidates.
Role of the Electoral Commission

45). The Electoral Commission shall:-

1) Maintain order during campaign rallies, policing and counting of ballots.

2). Provide necessary and relevant information to contestants.

3). Do adequate advertising for campaigns rallies as deemed necessary

4). Dissolve itself after new office bearers have been inaugurated.

5). Return the declaration form signed by the CRO to contesting parties and their respective agents.

6) Conduct nomination of the candidates.

7) Conduct civic education.

8) Shall have power to formulate rules and regulation governing the election in line with the constitution.

Results of Election

46. (1) The Chief Returning Officer (CRO) shall announce the results of the elections on completion of counting the ballot papers to the candidates present and shall order a recount if so requested by any candidate.

(2) Any decision as to what shall be designated as spoiled papers shall be taken by the Chief Returning Officer together with the members of the Electoral Commission whose decision shall be final.

(3) The CRO shall announce the results of the elections as soon as possible after counting the ballot papers.

(4) The CRO shall post on the University notice boards within seven days after the elections.
(5) Accepted results shall be endorsed by the candidates and their chief agents; however any candidates who have reasonable grounds to dispute the results shall file a petition to the appeals committee situate at the office of the Vice-Chancellor or Director within 24 hours after the announcement of the results.

Election Run-off

47). In case two or more leading contestants running for the same position get an equal number of votes in an election, the Chairperson of the Electoral Commission and the CRO shall declare a re-run of elections between those leading contestants within five days after the election.

Election Appeals Committee

48). (1) There shall be established an Appeals Committee which shall comprise of—

   a) Vice Chancellor or Director his Representative.

   b) Registrar of Academic Affairs or his Representative

   c) Campus Chaplain or representative.

   d) A finalist students’ representative nominated by the VC.

   e) Campus Councilor

(2) The election Appeals committee shall have the following powers to:

   a) Receive written petition against the results which shall be filed not later than 24 hours after the election results have been announced.

   b) Hear oral and written evidence on the petition.

   c) Uphold or nullify the election results as may be deemed fit by it, but not more than 48 hours after hearing and determining all the petitions

   d) Notify the student community of its resolution in (c) as soon as may be practicable.
Vacancy in the Students’ Council

49). In the event of vacancy in the Students Council—

1) It shall be announced by the student council through the office of Dean of Students, stating the reason for the vacancy.

2) The Students’ Council shall invite the application from MKUSA members for nomination and shall be subject to scrutiny by the Office of Dean of Students and Students’ Council within seven days from the close of the date of application.

Handing-Over Process

50). A meeting within one (1) week, after the swearing in ceremony shall be held by the present outgoing council and the full incoming Students’ Council for purposes of formal handing over. Information seen raising potentially controversial issues shall be recorded in writing and signed by both incoming and outgoing officials. Such information or issues be placed on the notice board within two (2) weeks of the new Council in office.

Nominated Members

51). (1) There shall be two nominated members who shall be nominated by the Students’ Council with the supervision of the Dean of Students within the first month of office.

(2) The nomination shall be done by application of the members to the Students’ Council through the Office of the Organizing Secretary after advertisement.

(3) The qualifications for nominated members are the subject to the provisions of Article 42.

(4) The nomination exercise will seek to correct:

   a) Gender imbalances

   b) The representation of special interest groups.

(5) The nominees will be short listed and subjected to an interview by the Students’ Council.
CHAPTER SIX

Vote of No confidence

52. (1) A motion of No confidence on a member of the Students’ Council shall only be passed in the event of—

   a) Serious violation of this constitution or University statute.

   b) Gross misconduct

   c) Physical or mentally incapacity to perform the function of the office.

   d) Persistent inability to execute the duty of the office as provided by this constitution.

(2) Motion of such vote shall be circulated to all member of the Council within 10 days of the intent, a meeting of the student council shall be held within 7 days giving all members other than the affected member an entitlement to vote on the motion.

Resignation and Suspension from Office

53(1) A member shall stand suspended;
   (a) Misappropriation of MKUSA funds.
   (b) Is convicted of a criminal offence by a court of law of the Republic of Kenya.
   (c) Found to have contravened or violated the rule and regulation or statutes of the University.
   (d) Non-attendance of three consecutive Students’ Council meeting without an apology.
   (e) Abusive of power.

(2) The Students’ Council will make recommendation to the Dean/Associate Dean to suspend the affected member.

   The Dean of student set up a committee to determine the innocence of the affected member. If the member is found guilty of committing an offence the member can be expelled from executing office duties.

   If the member is found innocent the suspension of the member will be withdrawn

(3) Any official of the Students’ Council shall hand in his/her written notice of intent to resign, one week before resignation to the Secretary General/Organizing Secretary and the Dean of Students. Such a letter shall also be copied to all Students’ Council members. At the expiry of the seven days notice she/he shall also publish a notice to
this effect on the University notice board. Replacement of such an official will depend on the time of resignation or suspension. If within the first six months of office, nomination will be done to fill the post. In case it occurs after six months of office, the co-opting will be done by the student council.

(4) The Secretary General can resign by submitting a written notice to the chairperson who shall then follow the procedure in this session.
(5) In the event that a member of the Governing council is removed from office or resigns at the campus level, he/she automatically seizes to be a member of the Governing Council.

**Dissolution**

54). The councils shall stand dissolved under the two categories listed below—

**Formal Dissolution**

a) The Councils shall be dissolved automatically as soon as the election date for the next year’s Students’ Council is announced. However, the council members will continue to perform their day to day activities in a caretaker capacity. New elections shall be held as provided for in this Constitution.

**Dissolution through Recall**

b) (1) Should the Students’ Association wish to remove the officials of Students’ Council from office, a vote of no confidence may be initiated through a precisely stated petition bearing; Names and the signatures of at least two thirds 2/3 of the members of association.

(2) The petition shall be handed to the Dean of students within a period of two weeks of intended date of ouster. The Dean of students shall investigate the allegations and may call a general meeting of the students to discuss the petition.

(3) At the meeting the points of view of both the electorate and the Students’ Council member concerned shall be held before a vote of no confidence is taken.
(4) The electorates shall then vote on the petition. The Students’ Council shall then be dissolved by a resolution passed at general meeting of members by a vote of 2/3
of the members present.

(5) The quorum at the meeting shall be as for a General meeting. If no quorum is reached, the proposal to dissolve the Council shall be submitted to a further general meeting which shall be held three weeks later. Notice of this meeting shall be given to all members of the association at least fourteen days before the date of the meeting. The quorum for this third meeting shall be the number of members present.

(6) On dissolution of the Students’ Council, a transitional committee shall be elected subject to section (30, 31, &32) to take care of the students’ affairs until a new Students’ Council is elected into office.
CHAPTER SEVEN

Student Kitty

Students Association Funds

55) (1) The finances of MKUSA shall be obtained from—
   a) Subscription fees collected from students by the University administration and deposited in the MKUSA account.
   b) Donations, gifts and grants.
   c) Revenue collected from MKUSA investment.
   d) Any other source approved by the Students’ Council.

(2) The students fund account shall be in custody of the MKUSA Students’ Council under the supervision of the Dean of Students.

(3) Withdrawals from the students’ funds shall be made only against all the three signatories after the approval of the Students’ Council subject to the minutes taken.

(4) Administration of such funds shall be carried out by the Finance Secretary in consultation with the finance committee, on behalf of the Students’ Association.

(5) All financial records shall be kept by the Finance Secretary. (6) Individual clubs and societies may be given financial subsidy if deemed necessary. Such subsidy shall depend on the need and shall be approved by the finance committee in consultation with the Council.

(6) The maximum expenditure from the fund for each academic year shall not exceed the total revenue for the year.

(7) The internal auditors of the University shall audit the MKUSA books of accounts.

(8) 20% of total subscription fee from all campus members of MKUSA shall
be paid to the Governing Council for administrative purposes and 80% shall remain with the respective campus committee for their own administrative needs.

(9) The funds of the organization may be used for the following purposes.

a) Recurrent expenses
b) Capital development
c) Operations and Maintenance
d) Facilitate furtherance of MKUSA’s objectives.

(10) In case of an emergency, the Students’ Council may authorize the expenditure not provided for in the approved budget in which case the Finance Secretary shall report the expenditure to the council and request for its approval.

Financial benefits of the office bearers

56). (1) Subject to clause two below, the financial allowances and benefits paid to office bearers shall be determined by the Governing Council provided that—

a) Such a determination shall not be to the disadvantage of the incoming office bearers;

b) Such a determination is based upon evidence of MKUSA’s sustained increase in income.

(2) The financial allowances and benefits of the office bearers must not take effect during the term of those office bearers who determined or approved them.
CHAPTER EIGHT

Office of the Patron

57). There shall be a Patron of the Students’ Association who shall be serving as the Vice-Chancellor of the University.

Responsibilities

58). The Patron shall:

1) Offer impartial and dependable advice to the Council and Students’ Council from time to time and when consulted.

2) Offer any assistance at his/her disposal to the benefit of the association and in line with the University policy.

Dean of Students

59). The Dean of students shall:

1) Be ex-official member of Students’ Council meeting, finance, conducts and ethics Committee.

2) Be a Co-signatory in all negotiable transactions of the association

3) Preside over Students’ associations election as the chief returning officer (CRO) and Chair of the Vetting panel.

4) Be the link between the Students’ association and the University Council.

5) Have any responsibilities bestowed upon him/her by the University statutes provided it violates neither this Constitution, the University Council or the laws of the republic of Kenya.
CHAPTER NINE

Meetings

Governing Council Meetings

60). (1) All meetings shall be convened by the secretary general in consultation with the president plus any four (4) other members of the Students Governing Council.

(2) The Secretary General shall cause to be issued a 14 day written notice including the agenda to each member of the Governing Council.

3) The Governing Council shall meet once every trimester.

Standing Orders

61). (1) All meetings shall have a quorum of simple majority of its membership.

(2) In the event of a Governing Council meeting not realizing a quorum within 15min after the time scheduled for the meeting to start, the meeting shall be cancelled by the president presiding over the meeting. The next meeting should be reconvened within a period not exceeding seven days. If still the quorum is not reached, those present at the meeting shall convert it into a special meeting provided that the discussion made at that meeting shall be approved in the next meeting.

Those to preside at any meeting:

62). (1). President

(2). The Vice-President, in the absence of the President.

(3). In the absence of the Vice–President, any other member.

Breach of Order
(1) Any member shall be guilty of breach of order if he/she:

   a) Uses derogatory language and declines to withdraw the same or offer a satisfactory apology.
   b) Disobeys a lawful order from the chair.
   c) Conducts oneself in a manner showing disrespect to the chair and the entire committee.

(2) Any member who commits a breach of order shall be declared by the chairperson to be guilty of disorderly conduct and may be punished by being suspended from attending a meeting or meetings until he/she presents a formal apology.

(3) Any person found guilty of violation of discipline shall be charged as stipulated in the policies made by the sitting council.

**Procedure for the Meeting**

1) The President or whoever is presiding over the meeting shall call the meeting to order and lead the members systematically through the item of the agenda.

2) Minutes of the previous meeting shall be read by its Secretary General, confirmed after the reading and any amendment necessary done and shall be signed by the president and Secretary General.

3) Any matters arising from the minutes shall be received and reports given.

4) All matters on the agenda shall take precedence over all other matters.

5) The President shall use his or her discretion to limit the time and number of speakers on any issue under debate. A simple majority shall be used to adopt a motion. In case of a tie, the President shall give casting vote.

6) Every agenda must provide for a question time at the discretion of the Chair. Any relevant question may be asked during this time, but no debate of policy of motion shall be allowed.

7) The President shall adjourn the meetings as appropriate.
8) The President shall maintain, order in the meeting

Minutes of the Meeting

65). The minutes of every meeting shall be circulated to members of Governing Council within a reasonable time possible thereafter and before the next meeting.

Speeches during the Meetings

66). (1) A member shall speak only once about any subject before the meeting except on points of order OR information or guidance.

(2) Members wishing to raise points of order guidance or information or ask a question for a point of privilege must first obtain the permission of the President.

(3) When members put up their hands to speak the first to catch the President’s eyes shall be given precedence.

Order of Precedence

67). During any meeting the following points may be accepted by the President

(i) Point of order

(ii) Motion (with 21 days notice to the Secretary General)

(iii) Point of information (When a member is giving or seeking information)

(iv) Point of guidance

Consultative Meetings

68). All Governing Councils’ members shall attend all scheduled meetings arranged with the Vice-Chancellor, Deputy Vice-Chancellor or the Dean of Students from time to time.
Students’ Council Meetings

69). (1) All meetings shall be convened by the Organizing Secretary in consultation with the chairperson plus any four (4) other members of the Students’ Council.
(2) Organizing Secretary shall issues a notice to all Students’ Council members when need arises.

Standing Orders

70) (1) All meetings shall have a quorum of simple majority membership.

(2) In the event of a Students’ Council meeting not realizing a quorum within 15 minutes after the time scheduled for the meeting to start, the meeting shall be cancelled by the chairperson presiding over the meeting. The next meeting should be reconvened within a period not exceeding seven days. If still the quorum is not reached, those present at the meeting shall convert it into a special meeting provided that the discussion made at that meeting shall be approved in the next meeting.

(3) Those to preside at any meeting:

i. Chairperson
ii. The Vice-Chairperson in the absence of the President.
iii. In the absence of the Chairperson, the Vice-Chairperson, any other members elected by members present.

Breach of Order

71). (1) Any member shall be guilty of breach of order if he/she:

(2) Uses derogatory language and declines to withdraw the same or offer a satisfactory apology.

(3) Disobeys a lawful order from the chair.
(4) Conducts oneself in a manner showing disrespect to the chair and the entire committee.

(5) Any member who commits a breach of order shall be declared by the Chairperson to be guilty of disorderly conduct and may be punished by being suspended from attending a meeting or meetings until he/she presents a formal apology.

(6) Any person found guilty of violation of discipline shall be charged as stipulated in the policies made by the sitting Council.

Procedures for the Meeting

72) (1) The Chairperson or whoever is presiding over the meeting shall call the meeting to order and lead the members systematically through the item of the agenda.

(2) Minutes of the previous meeting shall be read by its Organizing Secretary, confirmed after the reading and any amendment necessary done and shall be signed by the Chairperson and Organizing Secretary.

(3) Any matters arising from the minutes shall be received and reports given.

(4) All matters on the agenda shall take precedence over all other matters.

(5) The Chairperson shall use his or her discretion to limit the time and number of speakers on any issue under debate. A simple majority shall be used to adopt a motion. In case of a tie, the President shall give casting vote.

(6) Every agenda must provide for a question time at the discretion of the chair. (7) Any relevant question may be asked during this time, but no debate of policy or motion shall be allowed.

(7) The Chairperson shall adjourn the meetings as appropriate.

(8) The Chairperson shall maintain, order in the meeting
Minutes of the Meeting

73). The minutes of every meeting shall be circulated to members of the Students’ Council within a reasonable time possible thereafter and before the next meeting.

Speeches during the Meetings

74). (1) A member shall speak only once about any subject before the meeting except on points of order information or guidance.

(2) Members wishing to raise points of order guidance or information or ask a question for a point of privilege must first obtain the permission of the Chairperson.

(3) When members put up their hands to speak the first to catch the chairperson’s eyes shall be given precedence

Order of Precedence

75) During any meeting the following points may be accepted by the Chairperson.

i. Point of order

ii. Motion (with 21 days notice to the secretary General)

iii. Point of information (When a member is giving or seeking information)

iv. Point of guidance

Consultative Meetings

76). All Students’ Council members shall attend all scheduled meetings arranged with the Vice-Chancellor, Deputy Vice - Chancellor or the Dean of students from time to time.
MKUSA Annual General Meetings

77). (1) There shall be an annual general meeting of the Students’ Council with all the students called by the President of the Governing Council which shall be held during the 2nd Friday of June 2nd trimester in all Campuses of the year in service. The notice of such meetings should be copied to the Vice-Chancellor, Deputy Vice-Chancellors and the Dean of students/Associate Dean & Directors.

(2) Notice of such an annual general meeting shall be communicated to all members by the Secretary General for not less than 21 days before the date of the meeting.

(3) Items of Agenda shall be forwarded to the appropriate secretaries seven day before the date of the meeting.

(4) The Secretary General shall circulate the items of agenda and file the same with the Dean of Students seven days before the meetings and strictly follow the items specified in the agenda during the meeting.

(5) The Chairperson shall harmonize the important issues raised at the meeting and adjourn the meeting.

(6) Minutes of the meeting shall be filed by the Dean of students’ office and be displayed to the students’ notice boards within fourteen days.

Extra-Ordinary Meeting

78). (1) An extra-ordinary meeting of MKUSA may be called by the Students’ Council when deemed necessary.

(2) Such a meeting must have the approval of the Vice Chancellor on advice by Dean of Students.

(3) A notice and agenda of such a meeting must be clearly stated and posted to students and filed with the Dean of students. No other business shall be discussed during an extra-ordinary.
CHAPTER TEN

Constitutional Matters

79). (1) The Students’ Governing Council may move to amend the constitution by coming up with a constitution review committee after consultation with the Dean of Students and the MKUSA Patron who is the sitting Vice Chancellor.

(2) A member of MKUSA may move to amend the Constitution after gaining names and signature of at least 2/3 of members of association. This is after consultation from the Dean of Students and the Patron.

(3) Sitting members of the Students’ Council shall not be members of the constitution review team other than for Vice President, the custodian of the Constitution, who shall be the Chairperson of the review team.

(4) The constitution review committee shall consist of 2 non-MKUSA official members to be appointed by the student council with the consultation of the Dean/Associate Dean.

Interpretation

80). That this Constitution shall be read and construed in accordance with all relevant statutes of the University and laws of Kenya.
CHAPTER ELEVEN

Transitional and Consequential Provisions

Effective Date

81). This Constitution shall come into force on its promulgation by the Patron and the University councils, Governing Students’ Council and Student Councils.

Repeal of the Previous Constitution

82). This Constitution in force immediately before the effective date shall stand repealed on the effective date.

Suspension of Provisions of this Constitution

83)(1) The following provisions of this Constitution are suspended until the final announcement of all the results of the first election—

a) Chapter nine, except that the provisions of the chapter shall apply to the first election under this constitution.

b) Chapter three, except that the provisions of the chapter relating to the organ of the Governing Council shall apply to the first election under this Constitution.

Extension of Application of the Provisions of the Former Constitution

84). (1) Except to the extent that this Constitution expressly provides to the contrary, all rights and obligations however arising of MKUSA and subsisting immediately before the effective date shall continue as rights and obligations of MKUSA under this Constitution.
Existing Laws

85). (1) All laws in force immediately before the effective date of this constitution in force shall be construed with the alterations, adaptations, qualifications and exceptions necessary to bring it into conformity with this Constitution.

(2) If with respect to any particular matter, a provision of this Constitution that is in effect assigns responsibility for that matter to a different MKUSA organ, the provisions of this constitution shall prevail to the extent of the conflict.

Existing Offices

86). (1) Unless this Constitution provides otherwise, a person who immediately before the effective date, held or was acting in an office established by the former constitution shall on the effective date continue to hold or act in that office under this Constitution for the unexpired period if any of the term of the person.

If a person has vacated an office that the person held before the effective date, and that office is retained or established under this constitution, the person may if qualified again be elected or nominated or otherwise selected to hold that office in accordance with the provisions of this constitution except to the extent that this constitution expressly provides otherwise.
FIRST SCHEDULE

MKU Campuses

1. Thika Campus (Main)
2. Nairobi Campus
3. Eldoret Campus
4. Nkubu Campus
5. Nakuru Campus
6. Kitale Campus
7. Kisumu Campus
8. Lodwar Campus
9. Kakamega Campus
10. Kisii Campus
11. Kabarnet Campus
12. Mombasa Campus
13. Kigali Campus

14. Includes any other posterity Campus to be created by the University authority.
SECOND SCHEDULE

Mount Kenya University Students’ Association (MKUSA) Logo
THIRD SCHEDULE

Oaths and Affirmations

Oath or Solemn Affirmation of Due Execution of Office for all Elected Officials to the Students’ Council

I………………………. having been elected……………………………of the Students’ Council do solemnly swear that I will bear truth, faith, allegiance and confidentiality to the Students’ Association and to the university Governing Council ; that I will obey, respect, uphold, preserve, protect and defend the Constitution of the Mount Kenya University.

Students’ Association; and that I will faithfully and conscientiously perform the functions of my office as defined by the constitution and to the best of my ability (in the case of an oath; so help me God).
Oath or Solemn Affirmation of due Execution of Office for all Nominated Officials to the Students’ Council

I……………………………… having been nominated as a member of the students council do solemnly swear that I will bear truth, faith, allegiance and confidentiality to the students association and to the university Governing Council; that I will obey, respect, uphold, preserve, protect and defend the constitution of the Mount Kenya University Students’ Association; and that I will faithfully and conscientiously perform the functions assigned to me as defined by the constitution and to the best of my ability (in the case of an oath; so help me God).
Approval of the Constitution

This Constitution became effective on the 30th day of May in the year 2014.

Signature:

Stamp: Mount Kenya University

VICE CHANCELLOR
P.O. Box 342 - 01000, Nairobi