

Mount Kenya University

CONSTITUTION OF MOUNT KENYA UNIVERSITY STUDENTS ASSOCIATION (MKUSA)



Revision 2

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PREAMBLE 6

CHAPTER ONE – STUDENT ASSOCIATION AND SUPREMACY OF THIS
CONSTITUTION 7

 1) Establishment..... 7

 2) Supremacy of this Constitution..... 7

 3) *Mission*..... 8

 4) *Vision* 8

 5) *Values and Principles* 8

 6) Aims and Objectives 8

CHAPTER TWO: MEMBERSHIP 10

 7) Membership of MKUSA 10

 8) Rights of Members..... 10

 9) Obligations of the Members..... 11

 10) Cessation of Membership 11

CHAPTER THREE: GOVERNANCE..... 12

 11) Organs of MKUSA 12

 12) Composition of the Governing Council 12

 13) Functions of the Governing Council..... 12

 14) Roles of the Chairman of the Governing Council (CGC)..... 13

 15) Roles of the Secretary General of the Governing Council..... 13

 16) Roles of the Vice Chairman of the Governing Council 14

 17) Roles of the Finance Secretary 14

 18) The Students’ Council 14

 19) Composition of Students Council 14

 20) Roles of the Students’ Council 14

 22) The Vice Chairperson 16

 23) *Secretary General* 18

 24) *Academic Secretary* 19

 25) *Finance Secretary*..... 20

 26) *Social Welfare Secretary*..... 22

 27) *Sports Secretary* 23

 28) *Transition committee* 24

29)	Eligibility for election into the Transition committee.....	25
30)	Election of the Members of the Transitional Committee.....	25
31)	<i>Distance Institution Based Learning committee</i>	25
32)	<i>Composition of the Distance Institution Based Learning Committee</i>	25
33)	<i>Eligibility for election into the Distance Institution Based Learning Committee</i>	25
35)	<i>Roles of the Distant Institution Based Learning Committee</i>	25
1)	<i>The Chairperson</i>	26
2)	<i>The Vice Chairperson</i>	27
3)	<i>Secretary General</i>	27
37)	<i>Vacancy in the Distance Institution Based Learning Students’ Committee</i>	28
CHAPTER FOUR: STUDENTS COUNCIL COMMITTEES		29
38)	Committees	29
39)	Students Conduct and Ethics Committee.....	29
40)	Finance Committee	29
41)	Academic Affairs Committee	30
42)	External Affairs Committee.....	30
43)	Health and Accommodation Committee.....	30
44)	Social Welfare Committee.....	30
45)	Sports Committee	31
CHAPTER FIVE: ELECTIONS		32
46)	Election of Students’ Council.....	32
48)	Qualification for MKUSA official candidacy.....	33
49)	Nomination Procedure	33
51)	Election Procedure of Students Council	35
52)	Procedure for Appointment of Electoral Commission.....	36
53)	Role of the Electoral Commission	37
54)	Results of Election	37
55)	Election Run- off	38
56)	Election Appeals Committee	38
57)	Vacancy in the Students’ Council.....	39
58)	Handing-Over Process	39
59)	Nominated Members.....	39
CHAPTER SIX – LEADERSHIP INTEGRITY AND DISSOLUTION		39

60)	Vote of No confidence.....	39
61)	Resignation and Suspension from Office	40
62)	Dissolution.....	41
CHAPTER SEVEN: STUDENT ASSOCIATION KITTY		43
63)	Students Association Funds	43
66)	Financial benefits of the office bearers	44
CHAPTER EIGHT – OFFICE OF THE PATRON AND DEAN OF STUDENTS		45
67)	Office of the Patron.....	45
68)	Dean of Students.....	45
CHAPTER NINE: MEETINGS		46
69)	Governing Council Meetings.....	46
70)	Standing Orders	46
71)	Those to preside at any meeting:	46
72)	Breach of Order	46
73)	Procedure for the Meeting	47
74)	Minutes of the Meeting.....	47
75)	Speeches during the Meetings	47
76)	Order of Precedence.....	48
77)	Consultative Meetings	48
78)	Students’ Council Meetings.....	48
79)	Standing Orders	48
80)	Breach of Order	49
81)	Procedures for the Meeting.....	49
82)	Minutes of the Meeting.....	50
83)	Speeches during the Meetings	50
84)	Order of Precedence.....	50
85)	Consultative Meetings	50
86)	MKUSA Annual General Meetings.....	51
87)	Extra-Ordinary Meeting.....	51
CHAPTER TEN - AMENDMENT OF THIS CONSTITUTION		52
88)	Amendment of this Constitution.....	52
CHAPTER ELEVEN: GENERAL PROVISIONS.		53
89.	Interpretation.....	53

CHAPTER TWELVE: TRANSITIONAL AND CONSEQUENTIAL PROVISIONS	55
90) Effective Date	55
91) Repeal of the Provisions of the Previous Constitution	55
92) Extension of Application of the Provisions of the Former Constitution	55
93) Existing Laws	55
94) Existing Offices	55
FIRST SCHEDULE.....	56
MKU Campuses.....	56
SECOND SCHEDULE.....	57
Mount Kenya University Students’ Association (MKUSA) Logo	57
THIRD SCHEDULE	58
Mount Kenya University Anthem.....	58
FOURTH SCHEDULE.....	59
Oaths and Affirmations.....	59
Oath or Solemn Affirmation of Due Execution of Office for all Elected Officials to the Students’ Council.....	59
Oath or Solemn Affirmation of due Execution of Office for all Nominated Officials to the Students’ Council.....	60
Approval of the Constitution	61

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:

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

COMMITTED to academic excellence.

EXERCISING our inalienable right to determine the form of governance of our association and having participated fully in making of this constitution.

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

GOD BLESS MOUNT KENYA UNIVERSITY

CHAPTER ONE – STUDENT ASSOCIATION AND SUPREMACY OF THIS CONSTITUTION

1) Establishment

- 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 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 Campus, and centers 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.

2) Supremacy of this Constitution

- 1) This Constitution is the supreme law of Mount Kenya University Students’ Association and binds all members and MKUSA organs to work towards the good of the University and all students.
- 2) This Constitution shall be binding to *bone fide* 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.
- 7) MKUSA constitution shall be in compliance with Universities (Amendment) Act, 2016.

3) Mission

To provide a framework through which a student is able to attain excellence in academics, discipline, behavior, leadership, transparency, and accountability for the betterment of the society.

4) Vision

To be a role model in molding an all-round individual who can fit into and be beneficial to the larger society.

5) Values and Principles

- 1) The values and principles in this Section bind all members and MKUSA organs whenever any of them;
 - a) Applies or interprets this Constitution
 - b) Makes or implements decisions
- 2) The values and principles include the rule of law, democracy, and participation of members, inclusiveness, non-discrimination, good governance, integrity, transparency and accountability

The Association shall, in its operation be guided by the following values and principles:

- a) Patriotism and National unity;
- b) Good governance and accountability;
- c) Integrity and transparency;
- d) Gender equity;
- e) Inclusivity and diversity;
- f) Respect for the Rule of Law;
- g) Collective and responsible student leadership;
- h) A willingness to listen to alternative views and judge them on their merits; and
- i) Commitment to academic excellence

6) Aims and Objectives

- 1) 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 the graduates of Mount Kenya University 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 Mount Kenya University 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 Management, members of the University staff and the general public.
- i) Endeavor to achieve its objectives devoid of political, social, religious, ethnical, 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 University Act which is beneficial to the members.
- r) Uphold and defend the spirit and letter of this Constitution

CHAPTER TWO: MEMBERSHIP

7) Membership of MKUSA

- a) Any student admitted to *Mount Kenya University* for a course leading to the conferment of an academic award regardless of the mode of study and on session shall be a bona fide member of the MKUSA.
- b) Membership is inherent to all students of *Mount Kenya University* and shall be free from discrimination of any kind.
- c) The subscription fee is non-refundable to any member.

8) Rights of Members

- a) 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.
- b) Right to take part in all MKUSA activities without hindrance.
- c) Participate in the proceedings of the general and special meetings and students' forum.
- d) 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.
- e) 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.
- f) Right to access the Governing Council books of accounts after having delivered a fourteen (14) day's written notice to the Finance Secretary copied to the MKUSA Chairman of the Governing Council and Dean of Students
- g) Upon joining the University, all members shall get access Constitution and the students handbook through their student's portal and University Website, copy in braille and large prints for visually impaired.
- h) Student may seek clarification on Interpretation of any clause of the Constitution from the Dean of Students.

9) Obligations of the Members

- 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.
- d) Any member who uses or publishes abusive material shall be subject to the disciplinary provisions of MKUSA, the university and the Laws of Kenya.

10) Cessation of Membership

Membership shall cease where:

- a) One ceases to be a student by way of transfer to a different Institution, discontinuation, expulsion or death.
- b) A member shall resign by way of written notification to the Students' Council.
- c) A member shall be expelled by the Students' Council due to gross misconduct subject to approval by the Dean of Students.

CHAPTER THREE: GOVERNANCE

11) Organs of MKUSA

The organs of MKUSA shall be:

- a. The Governing Council.
- b. Campus Students' Councils.
- c. Transitional Committees.
- d. *Distant and Institutional Based Learning committees*

12) Composition of the Governing Council

The Governing Council shall consist of the following members;

- a) The Chairperson of the Main Campus' Students' Council shall be the presiding chair of the Governing Council and for purposes of clarity; he or she may be referred to as the Chairman of the Governing Council.
- b) The Vice Chairperson of the Main Campus shall be the Vice Chairperson of the Governing Students Council.
- c) The Secretary General of the Main Campus' Students' Council shall be the Secretary of the Governing Council and for purposes of clarity; he or she may be referred to as the Secretary of the Governing Council.
- d) The Finance Secretary from the Main campus who for purposes of clarity, he or she shall be referred the Finance Secretary of the Governing Council.
- e) All elected Chairpersons from Mount Kenya University campuses representing their respective Students' Councils.
- f) All elected Secretary General from Mount Kenya University campuses representing their respective Students' councils.

13) Functions of the Governing Council

The Governing Council shall;

- a. Be the supreme organ of MKUSA.
- b. Uphold and protect the Constitution of MKUSA.
- c. Determine the general principles of MKUSA.
- d. Determine matters related to the Students' Council subject to the provisions of this Constitution.

- e. Formulate rules and regulations concerning the Students' Council.
- f. Be responsible for the policy directives to be executed by the Students' Councils.

14) Roles of the Chairman of the Governing Council (CGC)

The Chairman of the Governing Council shall;

- a) Preside over meetings of the Governing Council.
- b) Shall be the spokesperson of Governing Council.
- c) Be a co-signatory of all the negotiable instruments of the Governing Council.
- d) Promote cordial relationship among Students' Councils and the members of the association.
- e) Receives and follows up complaints or concerns from MKUSA members.

15) Roles of the Secretary General of the Governing Council

The Secretary shall;

- a. Record minutes of all the proceedings of the meetings of the Governing Council.
- b. Coordinate and organize the Governing Council meetings.
- c. In consultation with the Chairman of the Governing Council of the Governing Council, the Secretary shall organize and coordinate meeting.
- d. Be responsible for the circulation of relevant information to the members of the Governing Council, and may be elected from any of the Campuses.
- e. Make available to the Chairman of the Governing Council and other Governing Council members all documents and reports relating to matters to be discussed at the Governing Council meeting.
- f. Maintain correspondence between the Governing Council members and other stakeholders.
- g. Keep files and minutes of the Governing Council.

- h. Perform any other duties as may be directed by the Governing Council.

16) Roles of the Vice Chairman of the Governing Council

- 1) Vice Chairman of the Governing Council shall;
 - a) Deputize the Chairman of the Governing Council.
 - b) Be the custodian of the Constitution.
 - c) Be the convener and Chairperson of the Constitution Review Team.

17) Roles of the Finance Secretary

The Finance *Secretary* shall—

- a) Be a co-signatory of all the negotiable instruments of the Governing Council.
- b) Keep all the finance records of the Governing council.
- c) Shall ensure that the Governing Council's Funds are used appropriately.

18) The Students' Council

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

19) Composition of Students Council

- a) The Students' Council shall be composed of;
 - i. Chair person
 - ii. Vice chairperson
 - iii. Secretary General
 - iv. Finance Secretary
 - v. Academic Secretary
 - vi. Social Welfare Secretary
 - vii. Sports Secretary
- b) A Campus shall be given the positions of Vice Chairperson, Finance, Social Welfare and or Sports Secretary, depending on population and if need be, based on students population.

20) Roles of the Students' Council

The Students Council shall—

- a) Ensure that the policies formulated by the Governing Council are implemented at their respective campuses.
- b) Be responsible for the day to day running of MKUSA at the Campus level.
- c) Protect the individual and collective rights of MKUSA member.
- d) Ensure and work for Student's rights of representation at the organs of the University.
- e) Debate, approve and adopt budgetary proposals of the Students' Council.
- f) Seek audience with the University administration to address issues of importance affecting MKUSA members.
- g) Provide directions on emergency matters affecting the students in consultation with the University Administration.
- h) Ensure distribution of the University's newsletter in their respective Campuses.
- i) Any other function as may be directed by the Governing council.
- j) 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.

21) Roles of the Office bearers in Students' Council

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

The chairperson shall be;

- 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 an ex-official member of all committees apart from student's conducts & ethics committee.
- e) Be a co-signatory of all negotiable instruments of the association at the

Campus level.

- f) Facilitate for the existence of cordial relationship between the students and the general University Administration.
- 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 or her by Students' Governing Council and the Students' Council provided it does not violate this Constitution, University Charter, Statutes or laws of the Republic of Kenya.
- j) Represent members of the association at the university meetings.

22)The Vice Chairperson

The Vice Chairperson shall—

- a) Deputize the Chairperson in his or her absence.
- b) Coordinate service required towards student welfare.
- c) Be the custodian of the Constitution at their respective.
- d) 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 and shall double up as the Finance Secretary in campuses where the position of Finance Secretary is absent.
- e) Devotedly serve members of the association in the catering, accommodation and welfare committee.
- f) Keep all records and communication related to internal residence, accommodation and welfare of the association.
- g) 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.
- h) 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 within the University.

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

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

k) 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.

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

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

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

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

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

q) Should appoint both hostel and floor representatives.

r) The Vice Chairperson shall assume power in the event of the Chairperson is absent, 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 or her duties.

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

23) Secretary General

The Secretary General shall;

- a) Be the secretary of the students' governing council at extra ordinary meetings and general meetings.
- b) Keep files, register and minutes of the council.
- c) In consultation with the chairperson and the members of council in general, draw the agenda for association meetings.
- d) Be the custodian of the Student Council assets
- e) Coordinate activities of various Committees' Secretaries.
- f) Issue notices concerning all meetings of the Governing Council, Students' Council, extra ordinary and general meetings; and file copies of communication and minutes with the Dean of Students.
- g) Be responsible for the circulation of relevant information to the members of the association through notices and announcement.
- h) Perform any other duties bestowed upon him/her by students Governing Council provided they do not violate the spirit of this Constitution or create a chance of collision of responsibilities of other members of the Council
- i) Deal with all incoming and outgoing Council correspondence through the Dean of Students.
- j) Keep and update the association membership register containing names and addresses of members where deemed necessary.
- k) Keep all records of communication with external links.
- l) In the absence of the chairperson the secretary general shall attend the disciplinary committee.
- m) Keep all records and communication related to external residence, accommodation and welfare of the association.
- n) Keep and update a directory of MKUSA with all addresses of members

24) Academic Secretary

The Academic Secretary shall;

- a) Represent members of the association in the University Senate and devotedly serve members of the association in the academic affairs committee.
- b) Chair all class representatives' meetings and disseminate information to respective organs.
- c) Keep all records on academic affairs of members of MKUSA before and during its tenure.
- d) Be available to members of MKUSA to receive recommendations and complaints from members of MKUSA on such issues concerning academic affairs.
- e) Take the initiative to provide feedback to the relevant members of MKUSA on matters of academic nature.
- f) 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.
- g) 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.
- h) Ensure that academic facilities and services provided by the departments are easily accessible by MKUSA members.
- i) 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.
- j) Facilitate the orientation of new members of MKUSA in the University.
- k) Enhance civic education on student-related University policies; provide information on procedures and regulation on academic matters and the constitution of MKUSA.
- l) Is the chief consultant to the Students' Council on any matter directly or indirectly related to the academic affairs of MKUSA members.
- m) Shall ensure that the documents mentioned at Section 8 (8) of this Constitution are circulated to the members.
- n) Be a member of the library committee.
- o) Oversee the election of class representatives and submit their names to the Dean

of Students.

- p) Represent students in Academic related University meetings.
- q) Shall sit in students' welfare committee.
- r) Shall sit as the chairperson of the Academic committee.
- s) Be a member of the Students Ethics and Conduct Committee.
- t) Maintain cordial relationships with the *School Representatives*, Deans, and Directors of academic programs, academic advisers and academic staff.
- u) Shall sit in academic and disciplinary committee.

25) Finance Secretary

The Finance Secretary shall—

- a. Submit an up to date statements of accounts as reports indicating income and expenditure for each academic semester
- b. Ensure that all books of accounts are submitted to the internal auditor, at the end of every semester for audit purposes.
- c. 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.
- d. Requisite of any money through a written submission to the finance office through the Dean of Students.
- e. 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.
- f. 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 Director.
- g. 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.
- h. Present the approved budget for ratification to the Students' Council and University Senate.
- i. Ensure all financial deposits and withdrawals are done subject to the minutes and

approval of the Students' Council.

- j. Keep records of non-resident students containing the names of students in external hostels, emergency handling measures and other external factors.
- k. Devotedly serve members of the association in matters pertaining to external affairs.
- l. Be the chief consultant to the Students' Council in matters concerning external affairs.
- m. Be directly answerable to the Students' Council on all matters directly or indirectly related to external affairs.
- n. Advise the Students' Council on any proposed external links.
- o. Coordinate and accompany the ferrying of student to and from the University where necessary.
- p. In consultation with the Dean of Students' Office, prepare a list of guest speakers and addresses of external links.
- q. 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.
- r. 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.
- s. Organize community service activities around the University.
- t. 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.
- u. Liaise with Vice Chairperson to ensure quality services in hostels that are not ran by the University.
- v. Facilitate cordial relationship between the University and the surrounding community.

- w. Coordinate and accompany the ferrying of student to and from the University where necessary.

26) Social Welfare Secretary

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. Should work in collaboration with security personnel in the campus to ensure security of all members of the association is upheld within the university premises or university events.
- 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 (j) above 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 (j) above.
- o. Is chief consultant to the Students' Council on any matter related directly or indirectly to entertainment of members of the association.
- p. Co-ordinates all the activities of all social clubs and associations .
- 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 on any matter directly or indirectly related to entertainment of members of the association.
- t. Be an Ex-officio member of all clubs' meetings.

27) Sports Secretary

The Sports Secretary shall—

- a. Devotedly serve members of the association in the sports and games committee.
- b. Be available to representatives of sports and games activities for any consultation Based on common understanding between the respective groups and games activities committee.
- c. 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.
- d. Arrange for meetings with all sports and games representatives.
- e. Arrange for at least one meeting at the beginning of each semester with sports and Games Coordinator.
- f. Keep detailed and exhaustive records of all sports and games activities registered

with sports and Games coordinator.

- g. 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.
- h. Is chief consultant to Students' Council on any matter related directly or indirectly to sports and games activities?
- i. 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.
- j. Ensure that no sporting activity recognized by the University is marginalized or neglected.
- k. Thoroughly examine sports and games problems in order to provide practical solutions.
- l. Coordinate and promote sports and games activities in the University.
- m. Ensure that only registered members of a recognized sporting activity are entitled to allowances.
- n. Be directly answerable to the Students' Council on any matter directly or indirectly related to sports and games activities.
- o. Coordinate with team captains and Game Coordinator in advising the University through the Dean's office on coaches to hire and sports equipment required.
- p. To be part of the decision making MKUSA committees of the budgetary allocations and activities related to sports.

28) Transition committee

- a) The Transitional Committee shall assume office subject to the provisions of Section 62 (b) of MKUSA constitution.
- b) The committee shall assume the responsibilities of the Students' Council on an acting capacity.

29) Eligibility for election into the Transition committee

Any class representative and students council member is eligible to be nominated into the Transitional Committee if he or she has satisfied the requirements of Sections 48 of *MKUSA* constitution.

30) Election of the Members of the Transitional Committee

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.

31) Distance Institution Based Learning committee

- 1) There is established a Distance Institution Based Learning Committee
- 2) The committee shall assume responsibilities over the Distance Institution Based Learning students.

32) Composition of the Distance Institution Based Learning Committee

The Distance Institution Based Learning Committee shall be composed of;

- a) The Chairperson who shall be the 8th session representative
- b) The Vice-chairperson who shall be the 7th session representative
- c) The Secretary General who shall be the 6th session representative
- d) Five members who shall be the representatives of the 5th, 4th, 3rd, 2nd and 1st sessions.

33) Eligibility for election into the Distance Institution Based Learning Committee

Any session representative is eligible to be nominated into the Distance Institution Based Learning Committee if he/she has satisfied the requirements of Sections 48 excluding Sub-Section (b) of *MKUSA* constitution.

34) Election of the Members of the Distant Institution Based Learning Committee

Within two weeks after enrolling for the Distance Institution Based Learning programme, the first session group shall elect a session representative and an assistant session representative who shall serve as representative for the duration of the course.

35) Roles of the Distant Institution Based Learning Committee

The Distance Institution Based Learning Committee shall—

- a. Ensure that the policies formulated by the Governing Council with regard to Distance Institution Based Learning students are implemented at their respective campuses.
- b. Be responsible for the day to day running of MKUSA Distance Institution Based Learning Committee at the Campus level.
- c. Protect the individual and collective rights of Distance Institution Based Learning MKUSA members.
- d. Ensure and work for Distance Institution Based Learning student's rights of representation at the organs of the University.
- e. Debate, approve and adopt budgetary proposals of the Distance Institution Based Learning committee.
- f. Seek audience with the University administration to address issues of importance affecting Distance Institution Based Learning MKUSA members.
- g. Provide directions on emergency matters affecting the Distance Institution Based Learning students in consultation with the University Administration.
- h. Any other function as may be directed by the Governing council.

36) Roles of the Distant Institution Based Learning Office bearers

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

1) The Chairperson

The chairperson shall be:—

- a. Preside over Distance Institution Based Learning committee special and ordinary meetings.
- b. Be the spokesperson of Distance Institution Based Learning MKUSA members at the Campus level upon the advice of the Distance Institution Based Learning student committee.
- c. Represent their respective Campuses at the Campus Management Committee or the Senate where applicable.
- d. Facilitate for the existence of cordial relationship between the Association and the University Administration, Distance Institution Based Learning Students' Committee

and members of the association.

- e. Strive to ensure the Distance Institution Based Learning student committee has a working relationship among the members and that their goals articulate the policies of the Council.
- f. Only have a voting right when there is a tie to break the deadlock.
- g. Have any other responsibilities bestowed upon him/her by Students' Governing Council and the Distance Institution Based Learning students' committee provided it does not violate this Constitution, University Charter and Statutes or laws of the Republic of Kenya.
- h. Convene the first council meeting within 14 days after election.
- i. Shall be a member of the University disciplinary committee with regard to Distance Institution Based Learning students.

2) *The Vice Chairperson*

The Vice Chairperson shall:—

- a. Deputize the Chairperson in his/her absence.
- b. Coordinate service required towards student welfare.
- c. Perform any other duties bestowed upon her or him by the Distance Institution Based Learning Students Committee provided these duties do not violate the spirits of this Constitution or create a chance of collision with responsibilities of other members of the Distance Institution Based Learning students' committee and shall double up as the Finance Secretary.
- d. 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.

3) *Secretary General*

The Secretary General shall;

- a. Be the secretary of the Distance Institution Based Learning students' committee at special and ordinary meetings.
- b. Keep files, register and minutes of the Distance Institution Based Learning student

committee.

- c. In consultation with the chairperson and the members of Distance Institution Based Learning student committee in general, draw the agenda for Distance Institution Based Learning student committee meetings.
- d. Be the custodian of the Distance Institution Based Learning student committee assets.
- e. Issue notices concerning all meetings of the Distance Institution Based Learning students' Committee meetings and file copies of communication and minutes with the Dean of Students.
- f. Organizes meetings during orientation, handing over and when closing the session.
- g. Be responsible for the circulation of relevant information to the members of the Distance Institution Based Learning student programme through notices and announcement.
- h. Perform any other duties bestowed upon him/her by Distance Institution Based Learning students committee provided they do not violate the spirit of this Constitution or create a chance of collision of responsibilities of other members of the Distance Institution Based Learning students' Committee.
- i. Deal with all incoming and outgoing Distance Institution Based Learning student committee correspondence through the Director, Distance Institution Based Learning Programmes with a copy to the Dean of Students.
- j. Keep and update the membership register containing names and addresses of members where deemed necessary.

37) Vacancy in the Distance Institution Based Learning Students' Committee

In the event of vacancy in the Distance Institution Based Learning Students Committee

- a. It shall be announced by the Distance Institution Based Learning student committee through the office of the Director, Distance Institution Based Learning Programs stating the reason for the vacancy.
- b. The affected session shall elect a replacement from Distance Institution Based Learning students of that session and shall be subject to scrutiny by the Office of Director, Distance Institution Based Learning Programs and Distance Institution Based Learning Students' Committee within seven days from date of the vacancy being announced.

CHAPTER FOUR: STUDENTS COUNCIL COMMITTEES

38) Committees

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.

39) Students Conduct and Ethics Committee

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

- a. Vice Chairperson who shall preside as the chairperson of the committee
- b. The directly affected docket/Secretary
- c. Academic Secretary
- d. Any other Secretary
- e. Dean of Students

40) Finance Committee

a) 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.

b) Membership

The finance committee shall *comprise* of the following:-

- a) Chairperson
- b) Secretary General who shall be the presiding chair of the committee.

Finance Officer from the University (*ex-officio*)

- c) One elected member from the Students' Council.

41) Academic Affairs Committee

The academic affairs committee shall comprise

- a) The Academic Affairs Secretary who shall be the presiding Chairperson
- b) A representative from each school
- c) One other members from the Students' Council

42) External Affairs Committee

This committee shall comprise:

- a) *Finance Secretary* who shall be the chairperson of the committee.
- b) *Vice Chairman of the Governing Council or Vice Chairperson* and three other Student Council members.
- c) At least 3 representatives from *off campus* hostels (hostels that qualify and are recognized by the University)

43) Health and Accommodation Committee

This committee shall compromise of:

- a) *Vice Chairman of the Governing Council or Vice Chairperson* who shall be the Chairperson of the committee
- b) Hostel representative/floor representative *in internal hostels*.
- c) *Medical Services Officer of the University* , (*ex-officio*)
- d) Central Catering & Accommodation Service Manager, (*ex-officio*)
- e) Hostel Janitor , (*ex-officio*)

44) Social Welfare Committee

This committee shall comprise:

- a) Social Welfare Secretary who shall preside as the chairperson of the Committee

- b) Four (4) other members from the Students' Council
- c) Four representatives from religious groups registered with the University.
- d) Three representatives from the league of chairpersons from all the registered clubs and associations.
- e) Clubs and associations coordinator appointed by the University

45) Sports Committee

This committee shall comprise:

- a) Sports Secretary who shall preside as the Chairperson of the committee.
- b) Sports coordinator appointed by the University
- c) *5 representatives from* Team captains

CHAPTER FIVE: ELECTIONS

46) Election of Students' Council

- a) All occupants of the councils shall occupy their respective positions by virtue of election by MKUSA members through Electoral College
- b) There shall be an election of delegates in academic departments or school or faculty by secret balloting who will form Electoral College
- c) There shall be an election of MKUSA officials by The Electoral College as per section 46 b) of MKUSA constitution.
- d) Election of delegates shall be held the day before MKUSA official positions.
- e) Election of the MKUSA officials shall be held on the first Friday of the month of February each year.
- f) Elections shall be held on the same day in all Campuses as per the calendar generated by the Dean of Students.

47) Qualification and composition for Delegate

- a) Delegates shall be bona fide students of Mount Kenya University according to the university statutes and regulations, and is recognized as such having fulfilled the registration requirements of the University.
- b) The applications of delegates should reflect not more than two thirds of same gender and have national diversity, and if not, a re-advertisement shall be made within reasonable time.
- c) Outcome of the election shall reflect not more than two thirds of same gender and have national diversity.
- d) The number of delegates will be determined by number of factors where 1 factor gives 3 delegates as per school or departmental population. The elected delegates shall form Electoral College which shall elect MKUSA officials using secret balloting.
- e) There shall be a minimum number of three delegates and a maximum number of fifteen.
- f) The delegates should be of good moral standing in the society, the general public and the University.
- g) The delegates must have been progressively undertaking a program of study in the university.
- h) Delegates must have been progressively undertaking a program of study in that department and be a registered student of the campus he or she is seeking an elective post.
- i) The delegates must have good disciplinary history as per the University disciplinary committee reports

- j) The delegates should not to have history of psychiatric illness.
- k) The delegates must have majority of votes validly.
- l) The delegates should have cumulative grade of 50% or above in the past examinations.

48) Qualification for MKUSA official candidacy.

A person who presents himself for election shall qualify for the same if:

- a) Is of good moral standing in the society, the general public and the University.
- b) Is able to serve in the Students' Council for a continuous period NOT less than 12 months (excluding attachment period). Where applicable a candidate due for attachment in the election year shall defer the attachment in writing to the respective Head of Department and copy to the Dean of Students, and Registrar, Academic Affairs.
- c) Is a bona fide student of Mount Kenya University and be recognized as such having fulfilled the registration requirements of the University.
- d) Be having a good disciplinary history as per the disciplinary committee report.
- e) Have a cumulative grade of 50% or above in the past examinations.
- f) Is a bona fide member of MKUSA.
- g) He or she does not have history of psychiatric illness.
- h) That he or she is a registered student in which campus he or she is seeking an elective post.
- i) He or she has read and understood the MKUSA Constitution.

49) Nomination Procedure

A person is considered qualified for nomination in an election to any MKUSA position he or she must be;

- a) 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 or 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 a cumulative grade of 50% or above in the past examinations.
- f) Is able to serve the Students' Council continuously for 12 months or one calendar year excluding attachment. Where applicable a candidate due for attachment in the election year shall defer the attachment in writing to the respective Head of Department and copy to the Dean of Students, and Registrar, Academic Affairs.
- g) A member can only contest for only one post.
- h) The person vying for a Sports Secretary should be an active member from any sports discipline recognized by the University.
- i) For the post of the Chairperson, Vice-chairperson, Secretary General and Finance Secretary the contestant should be undertaking a program taking not less than three academic years and must have been a student in the University for a period of not less than one semester.
- j) For chairperson's post, the contestants must have a minimum of up to 10% of signatures of the MKUSA members in their respective Campuses
- k) Submits a nomination sheet signed by at least 5% of the MKUSA members of their respective Campus for the other contestants.
- l) Where no candidate meets the nomination qualification, the Chief Returning Officer shall extend the nomination period.
- m) A candidate may withdraw his or her candidature by notice of withdrawal signed by him or 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.
- n) 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.

50) Disqualification from Election

A person maybe disqualified for nomination for election in 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 or *other contestants*..
- 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 or 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.
- g) If there is evidence of Bribery.

51) Election Procedure of Students Council

- a) All MKUSA elections shall be by secret ballots, simple majority system, on the principle of one-person-one-vote for delegated to the of the Electoral College Conference.
- b) No one shall be allowed to vote by proxy or by mail.
- c) The Dean of Students shall be the supervisor of elections and will be the Chief Returning Officer (CRO) and shall be deputized by the Deputy Dean of Students and the Associate Dean of Students at the Campus level.
- d) When there is a tie in a position, the election shall be repeated by the Electoral College within 24 hours from the time the results are declared.
- e) The Chief Returning Officer shall supervise the elections with the help of Returning Officers, who will constitute the Electoral Commission.
- f) The election to the posts of the Students' Council shall be done by universal suffrage vested on elected delegates.

- g) Elections shall be conducted at designated venues within the University
- h) The campaign period shall be at most two (2) weeks after the nomination.
- i) 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.
- j) Candidates may request a recount, but not more than 3 times and in not more than 24 hours after the election results are announced.
- k) The updated University students register shall be used during voting exercise.
- l) The Chief Returning Officer, the returning officers and agents of candidates and their chief agents will be present during the counting of ballots.

52) Procedure for Appointment of Electoral Commission

- 1) There shall be established an electoral 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 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.
 - e) A student representing special interest groups.
- 3) There shall be established a vetting panel for purposes of appointment of (b, c, and e) above. It shall consist of;
 - a) 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.

- e) Three students representatives drawn from the league of clubs and associations, class representatives and team captains.
- 4) The vetting panel shall formulate rules and regulations for the effective management of the vetting process, and conduct the nomination of the candidates.
- 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.

53) Role of the Electoral Commission

The Electoral Commission shall:-

- a. Maintain order during campaign rallies, policing and counting of ballots.
- b. Provide necessary and relevant information to contestants.
- c. Do adequate advertising for campaigns rallies as deemed necessary
- d. Dissolve itself after new office bearers have been inaugurated.
- e. Return the declaration form signed by the CRO to contesting parties and their respective agents.
- f. Conduct civic education.
- g. Shall have power to formulate rules and regulation governing the election in line with the constitution.

54) Results of Election

- a) 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.
- b) 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.
- c) The CRO shall announce the results of the elections of delegate and MKUSA official as soon as possible after counting the ballot papers.

- d) The CRO shall post the results of the elections on the University notice boards within seven days after the elections.
- e) 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 Campus Director within 72 hours after the announcement of the results.

55) Election Run- off

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.

56) Election Appeals Committee

- a) There shall be established an Election Tribunal and Appeals Committee which shall comprise of—
 - i. Vice Chancellor/ Director of Campus or his or her appointee.
 - ii. Registrar of Academic Affairs or his or her Representative
 - iii. Campus Chaplain or representative.
 - iv. A finalist students' representative nominated by the Vice Chancellor or Campus Director.
 - v. Campus Counselor.
- b) The Election Appeals committee shall have powers to:
 - i. Receive written petition against the results which shall be filed not later than 72 hours after the election results have been announced.
 - ii. Hear oral and written evidence on the petition.
 - iii. 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
 - iv. Notify the student community of its resolution in (c) as soon as may be practicable.

57) Vacancy in the Students' Council

In the event of vacancy in the Students Council through death, sickness, disciplinary, drop out, relocation or any other reason;

- a. It shall be announced by the student council through the office of Dean of Students, stating the reason for the vacancy.
- b. The Students' Council shall distribute the duties of the affected position to the council members for the rest of serving term.

58) Handing-Over Process

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.

59) Nominated Members

- a) There shall be two nominated members who shall be nominated to represent persons with special needs, marginalized groups, and International Students under the supervision of the Dean of Students within the first month of office on need basis.
- b) There shall be nominated members in campuses as per (a) above. This will be coordinated by the DOS/ADOS on need basis..

CHAPTER SIX – LEADERSHIP INTEGRITY AND DISSOLUTION

60) Vote of No confidence

- a) A motion of No confidence on a member of the Students' Council shall only be passed in the event of—
 - i. Serious violation of this constitution or University statute.
 - ii. Gross misconduct
 - iii. Physical or mentally incapacity to perform the function of the office.
 - iv. Persistent inability to execute the duty of the office as provided by this constitution.

- b) 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.

61) Resignation and Suspension from Office

- a) A member shall stand suspended in the event of;
 - i. Misappropriation of MKUSA funds.
 - ii. Is convicted of a criminal offence by a court of law of the Republic of Kenya.
 - iii. Found to have breached, contravened or violated the Constitution, values and principles, rules and regulations or statutes of the University.
 - iv. Non-attendance of three consecutive Students' Council meeting without an apology.
 - v. Abuse of power.
 - vi. Gross misconduct and misbehavior.
 - vii. If a vote of no confidence has been passed against him/her.
- b) The Students' Council will make recommendation to the Dean of students to suspend the affected member.
- c) The Dean of student shall 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.
- d) The committee under 61 c) shall comprise of the following members:-
 - i. Dean of Students - Chairman
 - ii. Two representatives from league of chairpersons of clubs
 - iii. Two representatives from class representatives
 - iv. Two representatives from the sports teams captains
 - v. Two staff appointed by the dean of students
 - vi. Two staff appointed by the Vice-Chancellor
- e) 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 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.

- f) The Secretary General can resign by submitting a written notice to the chairperson who shall then follow the procedure in this session.
- g) 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.

62) Dissolution

The councils shall stand dissolved under the two categories listed below

- a) Formal Dissolution

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 under this Constitution.

- b) Dissolution through Recall

- i. 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 $\frac{2}{3}$ of the members of association.
- ii. 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.
- iii. 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.
- iv. The electorates shall then vote on the petition. The Students' Council shall then be dissolved by a resolution passed at a general meeting of members by a

vote of 2/3 of the members present.

- v. 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.
- vi. On dissolution of the Students' Council, a transitional committee shall be elected subject to *Section 28* to take care of the students' affairs until a new Students' Council is elected into office.

CHAPTER SEVEN: STUDENT ASSOCIATION KITTY

63) Students Association Funds

Each campus shall have an account for MKUSA under the campus name to which it is opened to.

The signatories shall be the:-

- a) MKUSA Chairperson
- b) Vice-chairperson or one appointed Students Council member .
- c) Dean of Students or Associate Deans of Students. The Dean of Students or Associate Deans of Students' signature is mandatory.
- d) MKUSA Finance secretary.

64) Sources of MKUSA funds

The finances of MKUSA shall be obtained from

- a) Subscription fees.
- b) Donations, gifts and grants.
- c) Revenue collected from MKUSA investment.
- d) Any other source approved by the Students' Council.

65) Handling of MKUSA funds

- a) The students fund account shall be in custody of the MKUSA Students' Council under the supervision of the Dean of Students.
- b) 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.
- c) Administration of such funds shall be carried out by the Finance Secretary in consultation with the finance committee, on behalf of the Students' Association.
- d) All financial records shall be kept by the Finance Secretary.
- e) Individual clubs and societies shall 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.
- f) The maximum expenditure from the fund for each academic year shall not exceed the total revenue for the year.

- g) The internal auditors of the University shall audit the MKUSA books of accounts.
- h) 5% of total subscription fee from all campus members of MKUSA shall be paid to the Governing Council for administrative purposes and 95% shall remain with the respective campus committee for their own administrative needs.
- i) The funds of the organization may be used for the following purposes.
 - i. Recurrent expenses
 - ii. Capital development
 - iii. Operations and Maintenance
 - iv. Facilitate furtherance of MKUSA's objectives.
- j) 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.
- k) The records of the MKUSA Membership upon paying the subscription fee to be availed to the student council upon admission.
- l) In case of embezzlement of the funds, be subjected to the rules of this constitution, the university statutes and the laws of Kenya

66) Financial benefits of the office bearers

- 1) The financial allowances and benefits paid to office bearers shall be determined by the Governing Council *and University Management* 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 AND DEAN OF STUDENTS

67) Office of the Patron

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

The Patron shall:

- a. Offer impartial and dependable advice to the Council and Students' Council from time to time and when consulted.
- b. Offer any assistance at his/her disposal to the benefit of the association and in line with the University policy.
- c. Instruct the Dean of Students to initiate an investigation of any MKUSA official accused of misconduct as per Sections **60,61,62** of this constitution
- d. Upon recommendation of the Dean of Students suspend any MKUSA official accused of misconduct as Section 60,61,62 of this Constitution

68) Dean of Students

The Dean of students shall:

- a. Be ex-official member of Students' Council meeting, finance, conducts and ethics Committee.
- b. Be a Co-signatory in all negotiable transactions of the association
- c. Preside over Students' association's election as the Chief Returning Officer (CRO) and Chair of the Vetting panel.
- d. Be the link between the Students' association and the University Council.
- e. Have any responsibilities bestowed upon him or her by the University statutes provided it violates either this Constitution, the University Statutes or the laws of the republic of Kenya.
- f. Initiate investigation of any official of MKUSA found to have violated the letter and spirit of this constitution as per Section 63 of this Constitution and advice the patron (Vice Chancellor) on the same for necessary disciplinary action.

CHAPTER NINE: MEETINGS

69) Governing Council Meetings

- a) All meetings shall be convened by the Secretary *General* in consultation with the Chairman of the Governing Council plus any four (4) other members of the Students Governing Council.
- b) The Secretary *General* shall cause to be issued a 14 day written notice including the agenda to each member of the Governing Council.
- c) The Governing Council shall meet once every semester.

70) Standing Orders

- a) All meetings shall have a quorum of simple majority of its membership.
- b) 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 Chairman of the Governing Council 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.

71) Those to preside at any meeting:

- a) Chairman of the Governing Council
- b) The Vice-Chairman of the Governing Council, in the absence of the Chairman of the Governing Council.
- c) In the absence of the Vice –Chairman of the Governing Council, any other member.

72) Breach of Order

- a) Any member shall be guilty of breach of order if he/she:
 - i. Uses derogatory language and declines to withdraw the same or offer a satisfactory apology.
 - ii. Disobeys a lawful order from the chair.
 - iii. Conducts oneself in a manner showing disrespect to the chair and the entire committee.

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

73) Procedure for the Meeting

- a) The Chairman of the Governing Council or whoever is presiding over the meeting shall call the meeting to order and lead the members systematically through the item of the agenda.
- b) Minutes of the previous meeting shall be read by its Secretary, confirmed after the reading and any amendment necessary done and shall be signed by the Chairman of the Governing Council and Secretary.
- c) Any matters arising from the minutes shall be received and reports given.
- d) All matters on the agenda shall take precedence over all other matters.
- e) The Chairman of the Governing Council 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 Chairman of the Governing Council shall give casting vote.
- f) 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.
- g) The Chairman of the Governing Council shall adjourn the meetings as appropriate.
- h) The Chairman of the Governing Council shall maintain, order in the meeting

74) Minutes of the Meeting

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

75) Speeches during the Meetings

- a) A member shall speak only once about any subject before the meeting except on points of order, information or guidance.

- b) 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 Chairman of the Governing Council.
- c) When members put up their hands to speak the first to catch the Chairman of the Governing Council's eyes shall be given precedence.

76) Order of Precedence

During any meeting the following points may be accepted by the Chairman of the Governing Council

- a) Point of order
- b) Motion (with 21 days' notice to the Secretary General)
- c) Point of information (When a member is giving or seeking information)
- d) Point of guidance

77) Consultative Meetings

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.

78) Students' Council Meetings

- a) All meetings shall be convened by the Secretary General in consultation with the chairperson plus any four (4) other members of the Students' Council.
- b) Secretary General shall issues a notice to all Students' Council members when need arises.

79) Standing Orders

- a) All meetings shall have a quorum of simple majority membership.
- b) 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.

- c) Those to preside at any meeting:
 - i. Chairperson
 - ii. The Vice-Chairperson in the absence of the Chairman of the Governing Council.
 - iii. In the absence of the Chairperson, the Vice-Chairperson, any other members elected by members present.

80) Breach of Order

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

81) Procedures for the Meeting

- a) 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.
- b) 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 Chairperson and Secretary General.
- c) Any matters arising from the minutes shall be received and reports given.
- d) All matters on the agenda shall take precedence over all other matters.

- e) 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 Chairman of the Governing Council shall give casting vote.
- f) 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.
- g) The Chairperson shall adjourn the meetings as appropriate.
- h) The Chairperson shall maintain, order in the meeting

82) Minutes of the Meeting

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.

83) Speeches during the Meetings

- a) A member shall speak only once about any subject before the meeting except on points of order information or guidance.
- b) 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.
- c) When members put up their hands to speak the first to catch the chairperson's eyes shall be given precedence

84) Order of Precedence

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

- a) Point of order
- b) Motion (with 21 days' notice to the Secretary General)
- c) Point of information (When a member is giving or seeking information)
- d) Point of guidance

85) Consultative Meetings

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.

86) MKUSA Annual General Meetings

- a) There shall be an annual general meeting of the Students' Council with all the students called by the Chairman of the Governing Council of the Governing Council which shall be held during the 2nd Friday of June in all Campuses of the year in service. The notice of such meetings should be copied to the Vice-Chancellor, Deputy Vice-Chancellors Principal Students and Alumni Affairs, and the Dean of students/Associate Dean & Directors.
- b) 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.
- c) Items of Agenda shall be forwarded to the appropriate Secretary seven days before the date of the meeting.
- d) 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.
- e) The Chairperson shall harmonize the important issues raised at the meeting and adjourn the meeting.
- f) Minutes of the meeting shall be filed by the Dean of students' office and be displayed to the students' notice boards within fourteen days.

87) Extra-Ordinary Meeting

- a) An extra- ordinary meeting of MKUSA may he called by the Students' Council when deemed necessary.
- b) Such a meeting must have the approval of the Vice Chancellor on advice by Dean of Students.
- c) 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 - AMENDMENT OF THIS CONSTITUTION

88) Amendment of this Constitution

- a) The Students' Governing Council may move to amend the constitution by coming up with a constitution review committee after consultation and approval by the Dean of Students and the MKUSA Patron who is the sitting Vice Chancellor.
- b) A member of MKUSA may move to amend the Constitution after gaining names and signature of at least $\frac{2}{3}$ of members of association. This is after consultation and approval from the Dean of Students and the Patron.
- c) Sitting members of the Students' Council shall not be members of the constitution review team other than for Vice Chairman of the Governing Council, the custodian of the Constitution, who shall be the Chairperson of the review team.
- d) 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 of Students.

CHAPTER ELEVEN: GENERAL PROVISIONS.

89. Interpretation

- a) That this Constitution shall be read and construed in accordance with all relevant statutes of the University, the University Charter and Laws of Kenya.

- b) In this Constitution, unless the context otherwise requires;
 - i. “Amend” includes alter, repeal, revoke, rescind, replace, add to or vary in whole or in part

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

 - iii. “Associate member” refers to a member who has made himself/herself a partner by paying a membership fee as will be determined by the Students’ Governing Council.

 - iv. “Student” include any person who is registered according to the university statutes and regulations, and who is progressively undertaking any course in the university

 - v. “Bonafide member” include any person duly registered as a student by the university and holding a valid University Identity Card.

 - vi. “Charter” means the Mount Kenya University Charter.

 - vii. “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.

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

 - ix. “Extra ordinary meeting” refers to an impromptu meeting.

 - x. “Enactment” means legislation

 - xi. “Patron” refers to the vice chancellor of the University.

 - xii. “Statutes” means the statutes of the University approved by the University Council.

 - xiii. “Student” refers to a person enrolled at Mount Kenya University for the purpose of

obtaining an academic qualification.

- xiv. “Semester” refers to a period of studying consisting of 14-16 weeks.
- xv. “Trimester” refers to a period of study consisting of 12-14 weeks or its equivalent in contact hours.
- xvi. “Special meeting” means any meeting where two thirds majority of its members has not been realized.
- xvii. “Transitional Committee” refers to the Council as constituted in section 28,29 and 30 of this constitution.
- xviii. “The Constitution” means the Constitution of MKUSA unless otherwise stated.
- xix. “The Students’ Council” refers to the body comprising the elected officials and the nominated members at the Campus level of Mount Kenya University.
- xx. “The Governing Council” refers to the Supreme Council of MKUSA from designated elected officials of the Students’ Councils
- xxi. “University” refers to Mount Kenya University.
- xxii. “Special interest groups” refers to persons living with disability and minority groups including international students but not Based on ethnicity or race or religion.
- xxiii. “Dean of students” also includes where relevant Dean of Students and/or associate Dean of Students
- xxiv. “MKUSA organs”-refers to both the supreme Governing Council, the Students’ Council, and transitional committees.
- xxv. Distance Institution Based Learning Student – refers to students enrolled under the Distance Institution Based Learning programme.

CHAPTER TWELVE: TRANSITIONAL AND CONSEQUENTIAL PROVISIONS

90) Effective Date

This Constitution shall come into force on its promulgation by the Patron.

91) Repeal of the Provisions of the Previous Constitution

The Constitution in force immediately before the effective date shall stand repealed in the affected Sections on the effective date.

92) Extension of Application of the Provisions of the Former Constitution

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.

93) Existing Laws

- a) 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.
- b) 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.

94) Existing Offices

- a) 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.
- b) 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. Nakuru Campus
 4. Mombasa Campus
 5. Eldoret Campus
 6. Nkubu Campus
 7. Kakamega Campus
 8. Kisii Campus
 9. Kitale Campus
 10. Kisumu Center
 11. Nyeri Center
 12. Kericho Center
 13. Malindi Center
-
1. MKU Kigali University
 2. Hargeisa Digital Center
 3. Includes any other posterity Campus to be created by the University authority.

SECOND SCHEDULE

Mount Kenya University Students' Association (MKUSA) Logo



The logo shall have a meaning of a students' association that is progressive, committed to academic excellence, gender equality, justice, integrity, respect for the rule of Law and, inclusivity regardless of race, sex, health status, ethnic or social origin, colour, age, disability, religion, conscience or culture.

THIRD SCHEDULE

Mount Kenya University Anthem

A haven of Knowledge, Freedom and Integrity
A world Class Institution of Learning
Mount Kenya University our greatest source of pride
The leading centre of excellence

A centre of Truth and Equal Opportunities
The peak of academic endeavours
Mount Kenya University the brightest shining star
Shine and lead us through the paths of excellence

We are strongly committed to achieving our vision
our vision of excellence in whatever we do
Mount Kenya University will always be a leading centre of excellence

As the leading centre of excellence
We scale the heights of education
Mount Kenya University will always lead while others follow behind.

FOURTH 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 diligently 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 diligently 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 22nd day of June in the year 2018

Signature [Handwritten Signature]

Stamp.....
