



KENYATTA UNIVERSITY

THE CONSTITUTION OF KENYATTA UNIVERSITY STUDENT ASSOCIATION (KUSA)

**KUSA Constitution
(Revised 2017)**

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Preamble

We, the students of Kenyatta University—

Aware that the organization of students at Kenyatta University was created to serve the student community in its pursuit of academic excellence, social welfare, peace, competitiveness in the job market, and integrity;

Exercising our right to determine the form of organization we deem suitable for our association;

Determined that the values of transparency, accountability, respect for the rights of students, and social justice shall be institutionalized in our association so as to ensure that democracy is enjoyed by all students;

Convinced that this Constitution shall guarantee the continued peaceful existence of the association known as the Kenyatta University Students' Association;

Recognizing the desire of the students to have a constitution that will govern them;

Acknowledging the authority of and determined to abide by Universities Act, the Charter and the Statutes of Kenyatta University, and the laws of the Republic of Kenya;

Do hereby, with the consent of the University's Senate, adopt and bind ourselves by this Constitution and the Schedule of Transitional and Consequential Provisions annexed hereto as the Constitution of the Kenyatta University Students' Association.

Chapter One
Name and Purpose of the Association

Name

Article 1.

- 1) There shall be Association of Kenyatta University students known as the Kenyatta University Students' Association, which with the approval of the University's Senate, shall be registered with the Kenyatta University Council.
- 2) The Kenyatta University Students' Association shall, for all purposes, be abbreviated as KUSA.

KUSA's Scope of Operation

Article 2.

- 1) All Kenyatta University students shall abide by this Constitution.
- 2) The headquarters of KUSA shall be located at the main campus of Kenyatta University.
- 3) With the approval of Congress, campuses or institutions declared to be part of Kenyatta University may establish branch offices of KUSA.

Aims and Objectives of KUSA

Article 3.

The aims and objectives of KUSA shall be—

- 1) to establish efficient and effective organs for the making and administration of KUSA's policies;
- 2) to deepen the members' sense of duty to the university community, families, and nation;
- 3) to ensure the rights of students in academics, disciplinary actions, administration and health services, catering and accommodation, social welfare services, and security;
- 4) to provide students with suitable opportunities for a healthy social life through the arts, sports, and entertainment;
- 5) to advance gender equity and human rights;
- 6) to further the integration of persons with special needs in Kenyatta University and society;
- 7) to liaise with the Directorate of Alumni in enhancing contact with the alumni of Kenyatta University;

- 8) in consultation with the University's Management, to honour members of the student body who have made outstanding contributions to the University in academic and co-curricular activities;
- 9) to develop positive relationships with the general public through participation in community service and other related projects;
- 10) with the approval of the Vice-Chancellor, to collaborate with non-political organizations, professional associations, and student groups that share the vision, aims, and objectives of KUSA.

Chapter Two Membership

Membership

Article 4.

- 1) Any student admitted to Kenyatta University and registered for a course leading to qualification for the award of a certificate, diploma or degree of the University shall be an *ordinary* member of KUSA.
- 2) A *bona fide* student is one who has paid university fees and registered on-line during the current semester.

Cessation of Membership

Article 5.

- 1) An ordinary member shall cease to be a member of KUSA when he/she ceases to be a student of Kenyatta University.
- 2) A person who ceases to be a member of KUSA shall not be entitled to a refund of or compensation for any subscription fee, money, or donation made to KUSA.

Rights of Ordinary Members

Article 6.

- 1) An ordinary member has the right to—
 - a) access the services and facilities offered by KUSA, provided that such access shall be through appropriate and legal means;
 - b) inspect KUSA books of accounts twenty-one calendar days after having delivered a written notice to the Treasurer.
- 2) Upon joining the University, an ordinary member is entitled to an electronic copy of this Constitution and a printed KUSA brochure.
- 3) Upon request, visually impaired students may receive the aforementioned documents in Braille.

Obligations of All Members

Article 7.

- 1) Every member shall recognize KUSA officials as the legitimate representatives of the student body and shall abide by all constitutional decisions made by the Congress and Students' Governing Council.
- 2) Every member shall respect the property of KUSA, the University, and the public, and any member who causes damage to such property shall be subject to the disciplinary provisions of the University and the laws of Kenya.
- 3) Every member shall be required to honour his/her financial obligations to KUSA.

Chapter Three

Organs and Meetings of KUSA

Organs of KUSA

Article 8.

- 1) The organs of KUSA shall be—
 - a) the Students' Congress, also referred to as the Congress;
 - b) the Students' Governing Council (SGC);
 - c) the Constitution Oversight Committee (COC);
 - d) subject to the approval of Congress, any other organ determined by the Students' Governing Council.

The Annual General Meeting

Article 9.

- 1) There shall be an Annual General Meeting (AGM).
- 2) Every member shall have the right to attend the AGM.
- 3) Every member shall have the right to requisition that a vote be taken at the AGM.
- 4) The AGM, which shall ordinarily take place during the second semester, shall—
 - a) approve the minutes of the last AGM as presented by the Secretary-General;
 - b) receive an overall report on KUSA's operations from the Chairperson;
 - c) receive the audited annual financial report from the Treasurer;
 - d) discuss any other business relevant to enhancing the functions and operations of KUSA.
- 5) Unless otherwise provided for in this Constitution, every resolution of the AGM shall be by a simple majority vote of those present and voting at the meeting.
- 6) Voting at the AGM shall be by the raising of hands, unless two-thirds of the members present and voting resolve otherwise.
- 7) The quorum for the commencement of business for the AGM shall be one thousand ordinary members. If the designated quorum is not present at the start of the meeting, the AGM shall not take place.
- 8) Notices for holding an AGM shall be issued by the Secretary- General, or in his/her absence the Vice Chairperson or any other member of the SGC.
- 9) Notices of the AGM shall be posted to all campuses and posted on the University's website at least fourteen (14) calendar days before the date of the meeting.

The Special General Meeting
Article 10.

- 1) There shall be a Special General Meeting (SGM).
- 2) Every member shall have the right to attend a SGM.
- 3) Subject to the provisions of this Constitution, any ordinary member may petition the Chairperson to convene a SGM, through a written proposal, detailing the agenda for the meeting and signed by not less than five hundred ordinary members, and submitted twenty one (21) calendar days before the proposed date of the meeting to the Chairperson who must respond to the proposal within seven days (7) of the proposal being served to him/her.
- 4) After receiving the petition for a SGM, the Chairperson shall bring the proposal before the Students' Governing Council which shall decide whether the proposed meeting shall take place.
- 5) In consultation with the Director Student Affairs, the Chairperson may, as directed by the Students' Governing Council, call a SGM to address emergency issues.
- 6) Notices for holding a SGM shall be issued by the Secretary- General, or in his/her absence the Vice Chairperson or any other member of the SGC.
- 7) Notices of the SGM shall be posted to all campuses and posted on the University's website at least fourteen (14) calendar days before the date of the meeting.

Chapter Four The Congress

Establishment of Congress

Article 11.

There is established a Students' Congress of KUSA.

Composition of Congress

Article 12.

- 1) The Congress shall consist of -
 - a) members elected in accordance with Article 14;
 - b) members nominated in accordance with Article 15;
 - c) the Students' Governing Council in accordance with Article 30;
 - d) the *ex officio* member who shall be Director Student Affairs, in accordance with Article 25, Section 1(a).

Functions of Congress

Articles 13.

- 1) Congress shall have such authority and responsibility as provided for in this Constitution and, in particular shall-
 - a) be the supreme legislative and policy-making organ of KUSA;
 - b) elect the Speaker, Deputy Speaker and Clerk of Congress at its first meeting after the general elections or when, pursuant to Article 18(4), the office of Speaker, Deputy Speaker and Clerk of Congress becomes vacant;
 - c) debate and approve KUSA policies, proposals and decisions tabled by Congressional Committees, Congresspersons, the Students' Governing Council (SGC) or the *ex officio* member;
 - d) monitor the implementation of its resolutions by the SGC;
 - e) through its committees, establish investigations into suspected misdeeds by any KUSA organs;
 - f) consider and vote on motions of no confidence as stipulated in Article 23(2) and (3);
 - g) debate, approval and adopt budgetary proposals which shall be monitored in accordance with Article 25 (1,b);
 - h) in all its activities, observe the Statutes, Regulations and Policies of the University, this Constitution, the by-laws and policies of KUSA, prudent practices, and the laws of Kenya.

- 2) Congress shall hear and discuss the Chairperson's address on the state of KUSA, which shall be presented at its first sitting within the first twenty-one (21) days of each semester.
- 3) a) Ordinarily, members of the Congress shall reside on campus while in session or given partial compensation if they reside off campus as specified in the KUSA finance Policy.
b) During the third semester (May- August), Congresspersons registered for the session shall, together with the SGC, attend to the affairs of the students in session collectively.

Elected Member of Congress and their Roles

Article 14.

- A. As determined in the Elected Member of Congress Schedule annexed herein,
 - 1) each Congressional entity of residence in the main campus shall be represented in Congress by one member known as a Hall Congressperson elected by and from the registered ordinary members of that entity at the time of election.
 - 2) Non - resident members pursuing studies on main campus shall at the time of election elect from among themselves two congresspersons-
 - a) one male elected by the male students and who shall be known as the Male Non-Resident Congressperson;
 - b) one female elected by the female students and who shall be known as the Female Non-Resident Congressperson.
 - 3) As determined in the Elected Members of Congress Schedule annexed hereto, certificate, diploma and undergraduate members of each school in the University presided over by a dean shall be represented in Congress by one member known as the School congressperson elected by and from the members who are duly registered for studies in that school at the time of election.
 - 4) As determined in the Elected Members of Congress Schedule annexed hereto, certificate, diploma and undergraduate members of each school of the University presided over by a dean shall be represented in Congress as structured below-
 - a. a school having less than seven thousand (7,000) members shall be represented in Congress by one member known as the School congressperson elected by and from the members who are duly registered for studies in that school at the time of election.
 - b. a school having more than seven thousand (7,000) members shall be represented in Congress by two members, male and female, to be elected by all members who are duly registered for studies in that school at the time of election.
 - 5) Graduate School students under full-time and part-time programmes shall be represented in Congress by two (2) congresspersons, male and female full-time members known as the

Graduate School Congresspersons to be elected by and from them at the time of elections. To be eligible for election, one shall:

- a) meet the qualification for election to congress under Article 16 (1) except for Article 16(1) (c) and (d);
 - b) have studied for one academic year and passed at least half of the units for the specific programme.
- 6) Sports and Games entity shall be represented in Congress by one member known as the Sports Congressperson and shall:
- a) be a captain from the main campus;
 - b) be elected by captains of the sports and games teams from the Main, Ruiru, Parklands and City Campuses;
 - c) alternate yearly on the basis of gender.
- 7) Students with disability shall be represented in Congress by one member known as the Special Needs Congressperson to be elected by students with disability registered by the University at the time of election.

A member is qualified to seek to be elected to a position of Special Needs Congressperson if -

- a) he/she is certified by Directorate of Disability as living with disability;
 - b) is nominated by thirty (30) persons living with disability;
 - c) meet the qualification stipulated in Article 16 (1) except Article 1 (h).
- 8) Pursuant to Article 2(3) and 26(3,h) Branch offices of KUSA shall be established in satellite campuses as structured below-
- a) a Campus having less than three hundred members shall be represented in Congress by one member to be elected by and from the members of that campus, and shall be known as campus congressperson;
 - b) a campus having between three hundred and five hundred members shall be represented in Congress by two members to be elected by and from the members of that campus, a male elected by male members and a female elected by female members in that campus, and shall be known as the male and female Campus Congresspersons respectively;
 - c) a campus with over five hundred members shall be represented by:
 - i. A Campus Representative to be elected by and from the members of that campus;
 - ii. two Campus Congresspersons, male and female elected by the male and female students respectively.
 - d) The Campus representatives and Congresspersons shall elect one of the campus Representatives during the first sitting of Congress, who shall sit in the SCG and shall:
 - i. Represent interest of Campuses;
 - ii. Be in-attendance of SGC proceedings;

- iii. Have no voting rights.
- 9) Ordinary members registered for study in the Institutional -Based Programme shall be represented in Congress by the following members to be elected by and from them at the time of election-
 - a) Institutional Based Students Representative shall represent members under Institutional -Based Programme;
 - b) two members, a male elected by the male certificate, diploma and undergraduate institutional-based students, and a female elected by the female undergraduate institutional- based students, and to be known respectively as the Male and Female Undergraduate Institutional - Based Congresspersons;
 - c) one member elected by the post-graduate institutional-based students and to be known as the post-graduate Institutional-Based Congressperson.
 - 10) International students pursuing studies at Kenyatta University shall be represented in Congress by one member elected from among them and to be known as International Student Congressperson. To be eligible for election, one shall;
 - a) meet the qualification for election to congress under Article 16 (1) except for Article 16(1) (a) and (h);
 - b) be a holder of a valid passport issued by the country of origin;
 - c) be nominated by fifty (50) students from the congressional entity.
 11. The Digital School of Virtual and Open Learning (DSVOL) students shall be represented in Congress by a member elected from among them to be known as Digital School of Virtual and Open Learning Congressperson. To be eligible for election, a member shall meet the qualification for election to congress under Article 16 (1) except for Article 16(1) (h);

B. Roles of Members of Congress

All members of Congress (Article 12) shall faithfully attend all congress sittings and in addition execute roles specific to their entities.

1) The Special Needs Congressperson shall:

- a) Advocate for the welfare of students living with special needs with regard to their studies and stay in Kenyatta University;
- b) Represent the interests of students with Special needs in Congress;
- c) Liaise with the Directorate of Disability Services to maintain an up to date record of all Students with special needs in the university;
- d) Play an advisory role to the Kenyatta University Disability Students Association (KUDSA) in matters regarding KUSA operations;
- e) In liaison with the Gender and Special Needs Secretary, see to it that Students living with Special needs are involved and encouraged to participate in co-curricula activities;
- f) Maintain an updated list of KUDSA associates;

- g) In liaison with the KUSA Treasurer, ensure that the running of the KUDSA tuck-shop is transparent;
- h) Be a member of Gender and Special Needs Congressional Committee;
- i) Carry out any other duty as assigned by the Director of Disability Services, KUDSA and KUSA.

2. The School Congresspersons shall:

- a) be a member of the electoral college delegate as stipulated in Article 51(3a (i));
- b) represent students in selected School and departmental administrative and academic meetings;
- c) represent the constituents in Congress;
- d) address students during the Deans forums;
- e) be a link between the students and the respective School administration;
- f) assist in maintaining sanitation and a clean environment at their zone of representation;
- g) keep in touch with their respective Deans of School in ensuring safe, convenient and habitable learning environment;
- h) oversee departmental club affairs;
- i) organize events, sporting activities and other co-curricular activities in their congressional areas;
- j) in consultation with the Dean organise KUSA approved and funded school activities;
- k) monitor and advise on the implementation of policies affecting their constituents;
- l) be a member of one Standing Congressional Committee.

3. The Graduate School Congressperson shall:

- a) be a member of the electoral college delegate as stipulated in Article 51(3a (i));
- b) represent Students undertaking post-graduate studies on full-time/part-time basis in Congress;
- c) represent students in selected Graduate School administrative and academic meetings;
- d) in consultation with the Dean Graduate school organise KUSA approved and funded school activities;
- e) be a member of one Standing Congressional Committee.

4. The Institutional Based Program (IBP) Congresspersons shall:

- a) Institutional Based Students Representative shall have authority and responsibility as provided in this Constitution and in particular shall-
 - i. in consultation with Congresspersons for Institutional-Based students, liaise with the SGC on matters related to Institutional-based students;

- ii. in consultation with the SGC, communicate with Institutional-Based students on matters related to their welfare;
- iii. in consultation with the Director Student Affairs organise KUSA approved and funded activities for IBP Students;
- iv. attend to academic matters unique to students within their Congressional areas;
- v. chair the IBP Congressional Committee.

b) The Institutional Based Program (IBP) Congresspersons shall:

- i. represent IBP students with regard to issues affecting their accommodation and stay in campus;
- ii. represent the Students from their Congressional areas in Congress;
- iii. be a member of the IBP Congressional Committee.

5. The Digital School of Virtual and Opening Learning (DSVOL) Congressperson shall:

- a) Liaise with the Dean DSVOL and KUSA SGC on matters of academic and welfare to the DSVOL students;
- b) At all times represent Social and welfare needs of students on DSVOL program;
- c) Represent DSVOL students in the Congress;
- d) Research and Identify Opportunities available for students on DSVOL program to gain exposure and expertise in their academic field.

6. The Sports and Games Congresspersons shall:

- a) Liaise with Director of Games and Sports for proper coordination of sporting activities;
- b) Advocate for the welfare of students participating in sports and games;
- c) Represent students involved in sports and games in congress;
- d) Assist in organizing sport and games tournaments between different student entities;
- e) Be a member of Social Welfare and Co-Curricular activities Congressional Committee.

7. The International Students Congressperson shall:

- a) Represent the international students in Congress;
- b) Represent and advocate for the interests and needs of international students with regard to academics and accommodation;
- c) In liaison with the Director, Center for International Collaborations and Programs organize events for international students;
- d) Be a member of Information and External Relations Congressional Committee.

8. The Resident and non-resident Congresspersons shall:

- a) Represent the interests of students in their respective congressional area in Congress;

- b) Assist in identifying and addressing students' needs in their congressional areas;
- c) In liaison with Wardens, plan and implement approved social and recreational activities funded by KUSA for their constituents;
- d) assist in implementing rules and regulations governing students' stay in hostels;
- e) In liaison with Director Accommodation Services, Wardens, House Keepers and attendants ensure provision of conducive living environment in the hostels;
- f) Be a member of one Standing Congressional Committee.

9. The Campus Representatives/Congresspersons:

- 1) the Campus Representative shall have authority and responsibility as provided for in this Constitution and in particular shall-
 - a. carry out the duties entailed by Article 26 (3,h) and, in particular, discuss matters affecting members in his/her respective campus with members of the campus congressional committee;
 - b. represent members in his/her respective campus and, in particular, keep the SGC informed of matters related to KUSA at his/her respective campus;
 - c. pursuant to Article 25 (2) collaborate with the Deputy Director of his/her respective campus in organizing KUSA approved activities;
 - d. in consultation with the members of hi/her committee, prepare realistic budget estimates for the years activities within fourteen (14) days of assuming office;
 - e. in consultation with the Secretary-General and the Deputy Director of his/her campus, communicate important information with members and the administration of his/her respective campus;
 - f. collaborate with the Treasurer in managing KUSA investments and fixed assets in his/her respective campus;
 - g. In Liaison with the Director of Campus, coordinate the planning and implementation of social and recreational activities for their constituents;
 - h. Ensure gender inclusiveness and consideration of students with special needs for participation in co-curricular activities.

2. The Campus Congresspersons shall:

- a) represent students with regard to issues affecting their accommodation and stay in campus;
- b) represent the Students from their Congressional areas in Congress;
- c) be a member of the campus Congressional Committee;
- d) work under the campus representatives to organise suitable activities in campus.

Nominated Members of Congress and their roles

Article 15.

- 1) Each of the four major chaplaincies registered by the University, namely, the Muslim Association of Kenyatta University (MAKU), the Kenyatta University Christian Union (KUCU), the Kenyatta University Seventh-Day Adventist (KUSDA) and the Kenyatta University Catholic Community (KUCC), shall designate one of its members to represent it in Congress and shall be known as Religious Congressperson;
 - a) Every nominated member of Congress shall have the qualifications stipulated for election to Congress in Article 16, with the exception of Section 1(h);
 - b) No member may be nominated for Congress if he/she is disqualified for election to Congress as stipulated in Article 17;
 - c) A body authorized to nominate a member of Congress shall present the name of the nominated member to the Electoral Commission not later than three days after the general elections of KUSA.
- 2) Roles of the Nominated members shall be-
 - a) provide pastoral oversight to the congress by promoting spiritual nourishment;
 - b) paragons of integrity and moral high standing and lead by example;
 - c) provide counsel both to congress and student body in order to ensure institutional harmony and tranquility;
 - d) be the link between the chaplains and religious groups on the one hand, and KUSA and the University administration on the other hand in regard to organizing religious activities;
 - e) be a member of the campus Congressional Committee.

Qualifications for Election to Congress

Article 16.

- 1) A member is qualified for election to Congress if at the time for election he/she -
 - a) is a citizen of the Republic Kenya;
 - b) is a registered *bona fide* Kenyatta University student;
 - c) has completed at least two (2) semesters having done a minimum of twelve (12) units;
 - d) has at least two (2) semesters left for study with a minimum of ten (10) units, inclusive of the semester of election;
 - e) is within the normal time frame for completion of the programme of study selected at time of initial registration;
 - f) is registered in the congressional area or entity he/she seeks to represent;
 - g) has, based on the available grades in the member's transcripts, an average grade of C in the programme being undertaken, or a grade of Pass where applicable;

- h) is nominated by one hundred members from within the congressional area or entity he/she seeks to represent.

Disqualification for Election to Congress

Article 17.

A member is disqualified from election to Congress if at the time for election he/she—

- a) has ever been suspended from the University and the suspension was not revoked;
- b) is a member of the KUSA Electoral Commission or the Election Appeals Committee;
- c) has previously been removed from office for violation of this Constitution;
- d) has contravened provisions and policies governing student conduct as contained in the University's Statutes, Joining Instructions, or the current *Student Handbook* or any provisions and policies pursuant to the same;
- e) has been convicted of a criminal offense by a court of law in the Republic of Kenya or any other nation;
- f) has received an academic warning within the last two (2) semesters;
- g) is already nominated as a representative to Congress for the same term of office as the vacancy he/she seeks to fill in such election;
- h) has ever been suspended or discontinued from any other University prior to joining Kenyatta University;
- i) has held office for two (2) terms as a member of the Congress in Kenyatta University or in any other University or Constituent College in Kenya;
- j) is a former or current holder of an elective position either at County Assembly or at the National or Senate Assembly.

The Speaker, Deputy Speaker of Congress, and Clerk of Congress

Article 18.

- 1) There shall be a Speaker and Deputy Speaker of Congress and Clerk of Congress elected by Congress from among its members during the first meeting of Congress after the general elections. Members of the SGC and the *ex officio* member shall not be eligible for election as Speaker, Deputy Speaker or Clerk of Congress.
- 2) The election of the Speaker, Deputy Speaker of Congress and Clerk of Congress shall be by secret ballot conducted according to the Standing Orders of the Congress.
- 3) The Speaker, the Deputy Speaker of Congress and Clerk of Congress shall be sworn in by a Chaplain or the Imam of the University.
- 4) The offices of Speaker, Deputy Speaker or Clerk of Congress shall become vacant when—
 - a) the Speaker, Deputy Speaker or Clerk of Congress informs Congress in writing of his/her resignation;
 - b) the Speaker, Deputy Speaker or Clerk of Congress ceases to be a member of Congress as stipulated in the relevant provisions of Article 27 (2);

- c) the Congress, as stipulated in Article 23 (2,3), passes a motion of no confidence in either the Speaker or the Deputy Speaker or Clerk of Congress.
- 5) A congressperson elected to be Speaker, Deputy Speaker or Clerk of Congress shall continue to represent the congressional area or entity for which he/she was elected.
 - 6) If the office of Speaker, Deputy Speaker or Clerk of Congress becomes vacant, Congress shall not transact any other business until a new Speaker, Deputy Speaker or Clerk of Congress is elected and sworn in, but a vacancy in the office of Speaker, Deputy Speaker or Clerk of Congress shall not affect the work of Congressional Committees.
 - 7) The Speaker shall have authority and responsibility as provided for in this Constitution and in particular shall—
 - a) swear in members of Congress;
 - b) preside over meetings of Congress;
 - c) receive motions and allocate time for Congress members to contribute to their discussions;
 - d) address Congress at its first sitting;
 - e) receive requests for recall of Congresspersons and forward to the COC, and communicate the verdict to the entities involved;
 - f) maintain order in Congress;
 - g) be an *ex officio* member of the SGC;
 - h) communicate with Congress on matters relevant to its business;
 - i) provide general oversight of the Congressional Committees;
 - j) together with the Director Student Affairs, exercise prudent oversight of the expenditure of KUSA funds by Congressional Committees;
 - k) enforce the Standing Orders and educate members on the House Business Procedures;
 - l) perform any other duties Congress may recommend that may enhance its efficiency and conduct;
 - m) be the Chairperson of the House Business Committee and carry out any duties assigned to him/her in this Constitution.
 - 8) The Deputy Speaker shall—
 - a) be in constant consultation with the Speaker on matters related to the proper functioning of the Congress;
 - b) assume the role of Speaker in his/her absence;
 - c) perform any duty as may be assigned to him/her by the Speaker.
 - 9) The Clerk of Congress shall -
 - a) serve as Secretary to Congress and the House Business Committee;
 - b) keep true, accurate and timely records of the proceedings of the Congress and the House Business Committee;
 - c) handle the correspondences of the Congress and the House Business Committee;
 - d) arrange for venues of meetings and sittings of Congress;
 - e) liaise with the Speaker to convene meetings of the Congress in accordance with Article 20.

Inauguration of Congress

Article 19.

- 1) Immediately after the swearing in of the Speaker and Deputy Speaker, the Speaker, or in his/her absence the Deputy Speaker, shall swear in the members of Congress collectively.
- 2) If a new member of Congress is absent from the swearing in of congresspersons and from the subsequent sitting of Congress, the Speaker shall declare the seat vacant, unless the new member received a written permission to be absent from the office of the Speaker.

Summoning of Congress

Article 20.

The first meeting of Congress must take place within the seven (7) days following the inauguration of the SGC; thereafter, the Clerk of Congress, in consultation with the Speaker, shall convene the subsequent sittings.

Meetings of Congress and House Business Committee

Article 21.

- 1) Ordinarily, sittings of the Congress shall be held at the main campus of the University.
- 2) Within a semester, Congress will meet at least once in every four (4) weeks so that a period of four (4) weeks does not intervene between sittings of the Congress.
- 3) Subject to the provisions of this Constitution, the Speaker presides at all sittings of the Congress; when the Speaker is absent or barred from presiding, the Deputy Speaker shall preside; and in the absence of both the Speaker and Deputy Speaker, any of the three (3) Congress members of the House Business Committee under Article 21 (5)(e) shall preside.
- 4) The Director, Student Affairs, as *ex officio* member, shall attend the sittings of Congress; and when absent, he/she shall send a Deputy Director as his/her representative.
- 5) The House Business Committee shall consist of—
 - a) the Speaker, who shall chair the committee and shall not have a vote unless there is a tie in which case he/she shall cast the deciding vote;
 - b) the Deputy Speaker who shall preside over the Committee in the absence of the Speaker;
 - c) Vice Chairperson who shall represent the SGC in the Committee;
 - d) the Clerk of Congress, who shall be the Secretary to the Committee;
 - e) three (3) members of Congress elected from the following entities namely; School Congressperson, Hall of Residence Congressperson and the Religious Caucus in Congress respectively.
- 6) The House Business Committee shall-
 - a) receive and approve -

- i. motions
 - ii. questions
 - iii. committee statements
 - iv. reports
- b) prepare the order paper and agenda for the Congress' business;
 - c) in consultation with the University's Administration, invite guests to Congress;
 - d) act as welfare Committee for Congress;
 - e) revise the Standing Orders of the house in line with this Constitution to facilitate proper business transaction in the House;
 - f) prepare an almanac of all sittings of the Congress;
 - g) Carry out designated KUSA projects *eg, KUSA Honours and First Year Orientation*, and report to Congress.

Quorum in Congress

Article 22.

- 1) The quorum needed to commence and conduct business in Congress shall be two thirds of the members. However, if it is the case that—
 - a) thirty minutes after the scheduled time for the beginning of the sitting, a quorum is not realized, then the Speaker shall postpone the sitting and reschedule it for a time within seven (7) calendar days, and;
 - b) if a quorum is not realized at the time for the rescheduled sitting, then the Speaker shall commence and conduct business, and resolutions made in the sitting shall be binding on all members.
- 2) As stipulated in Article 27 (2 c, v), any member absent from two consecutive meetings in a semester, without the prior written permission of the Speaker, shall be deemed to have resigned from the Congress and any other office the member may hold, and the Speaker will declare the position or positions vacant.
- 3) A member shall be deemed to have failed to attend a Congressional sitting if, without the Speaker's permission, the member is absent for more than half the duration of the sitting.

Regulation and Procedure in Congress

Article 23.

- 1) Subject to this Constitution, Congress shall—
 - a) make rules to regulate the procedures of Congress, specifically rules for the orderly conduct of proceedings;
 - b) subject to any rule made under the foregoing (a), regulate the procedures of its committees.
- 2) An elected member of Congress may propose a vote of no confidence in the Speaker, or the Deputy Speaker, or Clerk of Congress or any individual member of the SGC for—
 - a) gross misconduct, which includes violations of the University’s Statutes, Regulations, Joining Instructions, policies, the provisions contained in the current *Student Handbook* or this constitution or any subsequent documents that shall replace it;
 - b) persistent inability to execute the duties of office.
- 3) The procedure for a vote of no confidence shall be as follows—
 - a) the proposer of the motion shall provide the Speaker, the Deputy Speaker, all members of the SGC and the Director Student Affairs, with a written notice of the intended motion detailing the grounds for such action as stipulated in Section 2 (a-b) of this Article;
 - b) following notification of the foregoing members of Congress, the proposer shall ask the Congress to discuss the motion;
 - c) if the subject of the motion is the Speaker, then the Deputy Speaker shall preside at the sitting;
 - d) if the subject of the motion is the Clerk of Congress, then the congress shall appoint a temporary Clerk of Congress for the sitting;
 - e) if two-thirds of all members of Congress agree to the member’s request, the entire Congress shall then consider the motion and the subject of the motion shall have an opportunity to respond to the allegations before Congress;
 - f) a vote of no confidence shall be passed by not less than two-thirds of all members;
 - g) if a motion of no confidence is approved by the Congress, the Speaker shall declare the seat vacant and communicate to the relevant entities for further action.
- 4) Subject to this Constitution, Congress business shall proceed, the absence of any of its members or vacancy in a position notwithstanding.

Voting in Congress

Article 24.

- 1) Except where special majorities are required by this Constitution, all decisions in Congress shall be determined by a simple majority vote of the members present and voting.
- 2) Secret ballot shall be used in voting for substantive bills.
- 3) On any question proposed for a vote in Congress, the member presiding at the sitting shall have a deciding vote but not an original vote.

Director, Student Affairs, Deputy Directors, Warden and Administrator of Satellite Campus

Article 25

- 1) The Director, Student Affairs, shall -
 - a) be an *ex officio* member of Congress, and shall not vote on any question before the Congress;
 - b) collaborate with Congress and the members of SGC in preparing the budget proposals and monitor their implementation;
 - c) advice Congress on the creation of new congressional areas and entities;
 - d) from time to time, address Congress on matters pertaining to University policies and provide guidance to Congress when the need arises;
 - e) pursuant to Article 27 and 45, make referrals for investigations leading to vacation of office to the Oversight Committee;
 - f) together with the Speaker, exercise prudent oversight of the expenditure of KUSA funds by Congressional Committees;
 - g) in the event that the Secretary General and Academic Secretary fail to turn up for Student Disciplinary Committee sittings or are themselves subject to disciplinary proceedings, or in the event of multiple parallel disciplinary sittings, the Director Student Affairs in consultation with the Chairperson shall nominate any member of the SGC or Congress to represent Students in the Senate or Student Disciplinary Committee sittings.
- 2) The Deputy Director of a satellite campus shall-
 - a) pursuant to Article 26 (3,h) be an *ex officio* member of the Congressional committee of his/her respective campus, but shall not vote on any question before the committee;
 - b) perform the supervisory duties specified in Article 14(7);
 - c) within the Congressional Committee perform the functions stipulated for the Director, Student Affairs, in Section 1(c-d) of this Article.
- 3) In campuses with no Deputy Director (Student Affairs) or Warden, the Director Student Affairs shall request the Vice Chancellor to appoint an administrator on campus to play the roles specified in Article 25 (2).

Congressional Committees

Article 26.

- 1) Subject to the Approval of Congress, the Congress shall have Standing Committees as shall be determined by this constitution.
- 2) The standing committees shall work towards the achievement of the aims and objectives of KUSA as provided for in Article 3 of this constitution.
- 3) Standing Committees of the Congress shall consist of the following-
 - a) the Security, Environment and Community Outreach Committee, which shall be chaired by the Chairperson;

- b) the Accommodation, Catering and Health Committee, which shall be chaired by the Vice -Chairperson;
 - c) the Information and External Relations Committee, which shall be chaired by the Secretary -General;
 - d) the Finance and Investment Committee, which shall be chaired by the Treasurer;
 - e) the Academic, Library and Bookshop Committee, which shall be chaired by the Academic Secretary;
 - f) the Gender and Special Needs Committee which shall be chaired by the Gender and Special Needs Secretary;
 - g) the Social Welfare and Co-curricular Activities committee which shall be chaired by the Organizing Secretary for Social Welfare and Co-curricular Activities;
 - h) Campus Congressional Committee which shall be chaired by their respective campus representative;
 - i) Institutional-Based Program Congressional Committee which shall be chaired by the IBP Representative.
- 4) All Congressional Committee shall meet at least once a month and provide the speaker with a copy of minutes.
 - 5) No Congressperson shall be a member of more than one standing Congressional Committee.
 - 6) Membership in the Congressional Standing committees shall be as numerically uniform as possible reflecting gender parity and national diversity.
 - 7) Subject to the provisions of this Constitution, Congress shall determine the terms of reference, rules of procedure and conduct of activities for its committees.

Recall and Vacancies in Congress

Article 27.

- 1) This constitution provides for recall of Congresspersons provided:
 - a) not less than two-thirds of members registered in a congressional area or entity move a vote to recall their congressperson before the expiry of his/her term and notify the Speaker in writing;
 - b) A body authorized to nominate a member to Congress recalls its representative by means of written notification to the Speaker of Congress;
 - c) the Speaker submits the written notification of recall to the Chairperson of the Constitutional Oversight Committee;
 - d) the grounds proffered by the electorate or the nominating body are genuine and satisfactory to the Constitutional Oversight Committee;
 - e) that upon making a decision, the COC shall communicate the verdict in writing to the Speaker for further action.

- 2) The office of a congressperson becomes vacant when—
 - a) Congress is dissolved in accordance with the provisions of this Constitution (Article 28);
 - b) the Congressperson—
 - i. ceases to be a *bona fide* student of Kenyatta University;
 - ii. resigns in a letter addressed to the Speaker of Congress;
 - iii. is recalled in accordance with Sections (1) of this Article;
 - iv. is suspended from the University;
 - v. calls off semester or defers studies while in office.
 - c) A member may be compelled to vacate office if he/she:
 - i. is found guilty of violating this Constitution, the Universities Act, the Charter, the University Statutes, Regulations, Joining Instructions, or the provisions contained in the current *Student Handbook* or any subsequent documents that shall replace it;
 - ii. has received more than one warning letter from the University for contravening the regulations governing student conduct as contained in its Statutes;
 - iii. is convicted of a criminal offence by a court of law in the Republic of Kenya or any other nation;
 - iv. is unable to execute the functions of his/her office by reason of infirmity of mind or body;
 - v. is absent without the Speaker's prior written permission from two consecutive sittings of Congress in a semester.

Dissolution of Congress

Article 28.

Congress shall stand dissolved when the KUSA Electoral Commission declares all positions open for contest.

CHAPTER FIVE

The Students' Governing Council

Establishment of the Students' Governing Council

Article 29.

- 1) There is established the Students' Governing Council (SGC) of KUSA.
- 2) Subject to the provisions of this constitution, the SGC shall be the chief administrative and managerial organ of KUSA.
- 3) The office of the SGC shall be located at the main campus of Kenyatta University.
- 4) Ordinarily, meetings of the SGC shall be held at the main campus of the University.

Composition of the Students' Governing Council

Article 30.

- 1) The Students' Governing Council shall consist of -
 - a) the Chairperson;
 - b) the Vice Chairperson;
 - c) the Secretary - General;
 - d) the Treasurer;
 - e) three other members to represent special interests of students who shall be known as:
 - i. the Academic Secretary;
 - ii. the Gender and Special Needs Secretary;
 - iii. the Organizing Secretary for Social Welfare and Co-curricular Activities.

Qualifications for the Election to the Students' Governing Council

Article 31.

- 1) To qualify for election to the SGC an aspirant shall-
 - a) be a citizen of the Republic of Kenya;
 - b) be nominated in a team as required by article 51(4);
 - c) have at least two (2) semesters left for study with a minimum of ten (10) units, inclusive of the semester of election;
 - d) have, based on the available grades in the transcripts, an average grade of C in the programme being undertaken, or a grade of "Pass" where applicable;
 - e) be within the normal time frame for completion of the programme of study selected at the time of initial registration;
 - f) have completed at least two (2) semesters with a full load of academic study totaling at least twelve (12) units.

Disqualification for Election to the Students' Governing Council

Article 32.

A member is disqualified for election to the SGC if at the time of election he/she -

- a) has ever been suspended from the University and the suspension was not revoked;
- b) is a candidate for the seat of a Congressional area or entity;
- c) is a member of the KUSA Electoral Commission or the Elections Appeals Committee;
- d) has previously been removed from office for violation of this Constitution;
- e) has contravened provisions and policies governing student conduct as contained in the University's Statutes, Joining Instructions, or the current *Student Handbook* or any provisions and policies pursuant to the same;
- f) has been convicted of a criminal offense by a court of law in the Republic of Kenya or any other nation;
- g) has received an academic warning within the last two (2) semesters;
- h) has ever been suspended or discontinued from any other University prior to joining Kenyatta University;
- i) has held office for two (2) terms as a member of the SGC in Kenyatta University or in any other University or Constituent College in Kenya;
- j) is a former or current holder of an elective position either at County Assembly or at the National or Senate Assembly;
- k) is not a member of any team.

Executive Authority

Article 33.

- 1) The executive authority of KUSA must be exercised for the benefit of KUSA members according to this constitution, the laws of the Republic of Kenya, the Universities Act, the Charter, the University Statutes, Joining Instructions and the current *Student Handbook* or any subsequent documents that shall revise / replace the aforementioned.
- 2) Executive authority in KUSA is vested in the Students' Governing Council and may be exercised either directly or by delegation by the Students' Governing Council.

Functions and Responsibilities of the Students' Governing Council

Article 34.

- 1) The SGC shall have the authority and responsibility provided for in this Constitution and in particular shall-
 - a) be fully responsible for the general administration of KUSA;

- b) ensure that all members uphold this Constitution and that this Constitution is free from all willful interference;
 - c) in consultation with the Registrar (Academic) and Director Student Affairs coordinate the orientation of new members;
 - d) propose for the approval of congress policies and by-laws for the proper operation of KUSA and its organs;
 - e) prepare an almanac of SGC meetings;
 - f) prepare a schedule of annual and semester KUSA activities in line with the University semester dates;
 - g) implement resolutions made by the Congress;
 - h) subject to the approval of the relevant standing Congressional Committee, appoint representative of KUSA to committees of the University not expressly provided for in this constitution;
 - i) appoint and supervise other persons to manage KUSA assets;
 - j) publish the audited accounts and balance sheets after approval by congress not later than seven (7) days before the AGM;
 - k) keep accurate and timely records of KUSA affairs.
- 2) In the case of an emergency, the SGC, in consultation with the Director Student Affairs, may make decisions without due consultation with Congress, provided that such decisions are made in the best interest of KUSA and that they are duly reported thereafter to the Congress in its next sitting.
 - 3) In the event that decisions made by the SGC violate this constitution, then the provisions of Article 23(2) shall apply.
 - 4) All members of the SGC shall reside on the Main Campus when they are in session.
 - 5) The Chairperson, Vice Chairperson, Secretary General, Treasurer and Academic Secretary, unless with permission from the Director Student Affairs, shall remain in residence on the Main Campus whenever any group of students is in session to take charge of *all* KUSA affairs.
 - 6) Subject to Article 48, 5(c), Article 49, and Article 57, 1(f), and with the approval of Congress, nominate members of the Electoral Commission and Elections Appeals Committee.
 - 7) Members of Students' Governing Council shall represent students on University Committees as provided for in the University statutes. In the event that a member is unable to attend, he/she shall notify the Director Student Affairs at least two (2) days in advance for him/her to nominate a suitable replacement.

Meetings of the Students' Governing Council
Article 35.

- 1) Ordinarily, the SGC shall meet at least twice every month during a semester.
- 2) The Chairperson shall convene every meeting of the SGC in a manner to be determined by the SGC during its first meeting following inauguration to office.
- 3) The quorum for the commencement and holding of a meeting by the SGC shall be two-thirds of the members who should be present for not less than half the entire time of the meeting.
- 4) A member who fails to attend two (2) consecutive meetings of the Council without prior permission from the Chairperson shall lose his/her financial allowance for the month in which he/she is absent.
- 5) At a meeting of the SGC, the following shall preside-
 - a) the Chairperson;
 - b) in the absence of the Chairperson, the Vice Chairperson;
 - c) in the absence of both Chairperson, the Vice Chairperson, any other member of the SGC appointed by members at that time.

Decisions in the Students' Governing Council

Article 36.

- 1) Voting in the SGC shall be mandatory for all members present other than the presiding member.
- 2) Any matter proposed for a decision during a meeting of the SGC shall be determined by a majority vote of the members present.
- 3) Regarding a matter proposed for a decision during a meeting of the SGC, the member presiding at the meeting shall have a deciding vote but not an original vote.

The Chairperson

Article 37.

- 1) There shall be a Chairperson of the Kenyatta University Students' Association (KUSA).
- 2) The Chairperson shall have authority and responsibility as provided for in this Constitution and in particular shall-
 - a) chair at meetings of the SGC, the Annual General Meeting (AGM) and any Special General Meeting (SGM);
 - b) address, at invitation of the University, public functions of the University;
 - c) serve as:
 - i. Chairperson of Security, Environment and Community Outreach Congressional Committee;
 - ii. coordinator of activities of the committee in close liaison with the relevant University office.

- d) represent KUSA at meetings of Senate and the Senate Executive Committee;
- e) ensure proper and cordial relations among the various organs of KUSA and the University's administration;
- f) with the consent of the SGC, Congress and the University Management, represent KUSA at the National and International levels on issues relevant to KUSA interest;
- g) be a signatory to the KUSA Vote for the purpose of processing requisitions from the vote;
- h) be responsible for the overall administration of the SGC;
- i) be the custodian of this Constitution and ensure that it is free of willful and malicious interference;
- j) subject to the provision of this Constitution and with the approval of the SGC, delegate or assign duties to any other member of the SGC;
- k) following due consultation with other available members of the SGC, and the Director Student Affairs, make emergency decisions that are in the best interest of KUSA and which shall be reported to Congress at its next sitting;
- l) address the first meeting of the Congress and every first sitting of Congress in a semester;
- m) in consultation with the Director Student Affairs, assist the treasurer in developing realistic global budget for discussion by congress;
- n) with the approval of the SGC, communicate only with members and the line department concerning matters related to his/her committee;
- o) in consultation with the members of his/her Congressional Committee, prepare realistic budget estimates for the year's activities within fourteen (14) days of assuming office;

The Vice - Chairperson

Article 38.

- 1) There shall be a Vice-Chairperson of the Kenyatta University Students' Association (KUSA) who shall be of the opposite gender to that of the Chairperson.
- 2) The Vice - Chairperson shall have authority and responsibility as provided for in this Constitution and in particular shall-
 - a) in the Chairperson's absence, assume and act on the authority and responsibility of the Chairperson, with the exception of Article 37, 2 (c) and (f);
 - b) carry out the functions stipulated in Article 21, 5(c);
 - c) serve as:
 - i. Chairperson of the Accommodation, Catering and Health Congressional Committee;
 - ii. coordinator of activities of the committee in close liaison with the relevant University offices.

- d) represent KUSA at meetings of the Student Welfare Committee of the Senate, Health Services Board and the Accommodation Services Board;
- e) liaise with the appropriate offices of the University for quality catering, accommodation and health services;
- f) with the approval of the SGC, communicate only with members and the line department concerning matters related to his/her committee;
- g) in consultation with the members of his/her respective committee, prepare realistic budget estimates for the year's activities within fourteen (14) days of assuming office.

The Secretary -General

Article 39.

- 1) There shall be a Secretary-General of the Kenyatta University Students' Association (KUSA).
- 2) The Secretary-General shall have authority and responsibility as provided for in this Constitution and in particular shall:
 - a) Pursuant of Article 9 and 10 issue notice of meetings and keep true, accurate records of the proceedings of every meeting of the AGM and SGM;
 - b) keep an accurate record of the proceedings of the meetings of the SGC and shall submit a copy of the minutes and any communication by the SGC to the Director Student Affairs;
 - c) serve as:
 - i. Chairperson of the Information and External Relations Congressional Committee and ensure the accurate and timely dissemination of information to KUSA and supervise all official publications;
 - ii. coordinator of activities of the committee in close liaison with the relevant University offices.
 - d) unless he/she is the subject of a disciplinary hearing, represent KUSA at the Student Disciplinary Committee of the Senate;
 - e) serve as the official spokesperson of KUSA, and communicate the SGC's decisions to the students and University Administration;
 - f) in the absence of the Chairperson, be a signatory to KUSA vote;
 - g) coordinate, prepare and disseminate official KUSA publications in liaison with the University Public Relations Manager;
 - h) regularly update the KUSA website in consultation with Online Communication Manager;
 - i) with the approval of the SGC, communicate only with members and the line department concerning matters related to his/her committee;

- j) in consultation with the members of his/her committee, prepare realistic budget estimates for the year's activities within fourteen (14) days of assuming office.
- 3) In consultation with Vice-Chancellor, the Secretary -General may make public statements to the media and institutions outside the University.

Treasurer

Article 40.

- 1) There shall be a Treasurer of the Kenyatta University Students' Association (KUSA).
- 2) The Treasurer shall have authority and responsibility as provided for in this Constitution and in particular shall-
 - a) keep in a businesslike manner, true, accurate and timely records of the proceedings of every financial transaction of KUSA;
 - b) ensure that KUSA's books of accounts are in safe custody;
 - c) ensure every payment and expenditure is duly authorized;
 - d) be a mandatory signatory of the KUSA Vote at the University's Finance Department;
 - e) serve as
 - i. Chairperson of the Finance and Investment Congressional Committee;
 - ii. coordinator of activities of the committee in close liaison with the relevant University offices.
 - f) pursuant to article 67 (4) liaise with the DVC Finance and Development and the University's Head of Procurement for the acquisition of KUSA's goods and services;
 - g) within twenty eight (28) days of assuming office, and in consultation with the Chairperson and Director Student Affairs, collate and harmonize committee budget proposals for incorporation into the global budget for discussion by Congress;
 - h) pursuant to Article 70(2),avail KUSA's books of account to the University's Internal Auditor;
 - i) present audited financial statements to Congress at its last sitting before the AGM;
 - j) pursuant to Article 9, Section 4(c),present an audited financial report to the AGM;
 - k) serve as the custodian of KUSA's investments and assets;
 - l) preside over the Tuck Shop balloting and allocation of Pool Tables and shall submit reports to Congress on allottees and the proceeds in the sitting after;
 - m) with the approval of the SGC, communicate only with members and the line department concerning matters related to his/her committee;
 - n) in consultation with the members of his/her respective committee, prepare realistic budget estimates for the year's activities within fourteen (14)days of assuming office.

The Academic Secretary

Article 41

- 1) There shall be an Academic Secretary of the Kenyatta University Students' Association (KUSA).
- 2) The Academic Secretary shall have authority and responsibility as provided for in this Constitution and in particular shall-
 - a) serve as
 - i. Chairperson of the Academic, Library and Bookshop Congressional Committee;
 - ii. coordinator of activities of the committee in close liaison with the relevant University offices.
 - b) liaise with relevant Congresspersons in addressing issues arising directly from the academic interest of the members;
 - c) represent KUSA in selected meetings of the Senate, the Senate Executive, the Library Committee of the Senate and the Bookshop Committee of the Senate;
 - d) Unless he/she is the subject of a disciplinary hearing represent KUSA at the Students Disciplinary Committee of the Senate;
 - e) advocate for the provision of high quality academic facilities, resources and services for world-class academic programmes at the University;
 - f) advocate for integrity, high academic standards among the members;
 - g) promote awareness among the members regarding student related policies, procedures and regulation of the University;
 - h) liaise with the office of the Director Student Affairs, in coordinating of the activities of clubs;
 - i) liaise with the Registrar (Academic) in attending to students' academic issues;
 - j) with the approval of the SGC, communicate only with members and the line department concerning matters related to his/her committee;
 - k) in consultation with the members of his/her committee, prepare realistic budget estimates for the year's activities within fourteen (14) days of assuming office.

The Organizing Secretary for Social Welfare and Co-curricular Activities

Article 42

- 1) There shall be an Organizing Secretary for Social Welfare and Co-curricular Activities of the Kenyatta University Students' Association (KUSA).
- 2) The Organizing Secretary for Social Welfare and Co-curricular Activities shall have authority and responsibility as provided for in this Constitution and in particular shall:
 - a) serve as
 - i. Chairperson of Social Welfare and Co-Curricular Activities Congressional Committee;

- ii. coordinator of activities of the committee in close liaison with the relevant University offices.
- b) coordinate proper organization of sports and games and provision of entertainment services;
- c) represent KUSA at meetings of the Student Welfare Committee of the Senate;
- d) liaise with the office of the Director, Student Affairs, in coordinating the activities of societies;
- e) in the event of loss of a member, coordinate benevolence assistance to the bereaved family;
- f) coordinate assistance to needy students as stipulated in the KUSA Financial policy;
- g) with the approval of the SGC, communicate only with members and the line department concerning matters related to his/her committee;
- h) in consultation with the members of his/her committee, prepare realistic budget estimates for the year's activities within fourteen (14) days of assuming office.

The Gender and Special Needs Secretary

Article 43

- 1) There shall be a Gender and Special Needs Secretary of the Kenyatta University Students' Association (KUSA).
- 2) The Gender and Special Needs Secretary shall have authority and responsibility as provided for in this Constitution and in particular shall:
 - a) serve as
 - i. Chairperson of Gender and Special Needs Congressional Committee;
 - ii. coordinator of activities of the committee in close liaison with the relevant University offices.
 - b) promote gender equity in the University and liaise with Directorate of Gender and Equity in disseminating information among members about University's Gender and Sexual Harassment Policy, and other relevant policies;
 - c) supervise all KUSA activities directly related to gender, and in particular network with relevant organizations on gender issues;
 - d) work closely with the congress person for special needs in dealing with matters related to the welfare of members with special needs;
 - e) liaise with Directorate of Disability Services in disseminating of information and facilitating services available to persons with special needs;
 - f) promote the integration of members with special needs in the University Community by advising KUSA and appropriate University organs on ways of implementing progressive national and international policies with regard to persons with special needs and organizing relevant special events;

- g) liaise with the appropriate offices of the University in creating awareness on sexual and reproductive health and encouraging responsible sexual behaviour among members;
- h) with the approval of the SGC, communicate only with members and the line department concerning matters related to his/her committee;
- i) in consultation with the members of his/her respective committee, prepare realistic budget estimates for the year's activities within fourteen (14) days of assuming office.

Liability of the Students' Governing Council

Article 44

The members of the SGC may be held jointly or severally liable for negligence and mismanagement of the affairs of KUSA and especially its resources Article 45(2 f), but they shall not be held liable for the misdeeds of individual members. Provided that they carry themselves responsibly, constitutionally and with dignity they shall not be victimized for discharging their official duties.

Vacation of Office

Article 45

- 1) A member of the SGC shall vacate office when he/she:
 - a) completes his/her term and a newly elected office bearer is inaugurated in accordance with the provisions of this Constitution;
 - b) ceases to be a *bona fide* student of Kenyatta University;
 - c) resigns in a letter addressed to the Speaker of Congress;
 - d) receives a vote of no confidence in accordance with Article 13(1,f) and Article 23(2) and (3);
 - e) is suspended from the University;
 - f) calls off semester or defers studies while in office.
2. A member may be compelled to vacate office if he/she:
 - a) is found guilty of violating this Constitution, the Universities Act, the Charter, the University Statutes, Regulations, Joining Instructions, or the provisions contained in the current *Student Handbook* or any subsequent documents that shall replace it;
 - b) has received more than one warning letter from the University for contravening the regulations governing student conduct as contained in its Statutes;
 - c) is convicted of a criminal offence by a court of law in the Republic of Kenya or any other nation;
 - d) is unable to execute the functions of his/her office by reason of infirmity of mind or body;

- e) is absent without the Speaker's prior written permission from two consecutive sittings of Congress in a semester;
 - f) is found guilty of gross mismanagement of KUSA resources by the Constitution Oversight Committee.
- 3) If an office in SGC becomes vacant, the vacancy shall be filled as follows-
- a) if the vacant office has deputy, the deputy shall assume office;
 - b) if the office has no deputy, then the relevant Congressional Committee shall by consensus or election appoint one of its members to fill the vacancy until the end of the term.

Chapter Six Elections

General Principles

Article 46.

- 1) Ordinarily, KUSA elections shall take place during the first semester of each academic year, unless rescheduled, pursuant to Article 50 (5,6,7).

- 2) The electoral system of KUSA shall be based on the right of eligible ordinary members to vote, stand for election, and hold office in a manner that allows for the practical and effective functioning of KUSA.
- 3) Election shall be free, fair, and credible conducted by secret ballot.
- 4) Election of members of SGC shall be by the mode of Electoral College.
- 5) Election of members of Congress shall be by individual members of the congressional entity.
- 6) Pursuant to Section 41(3) of the Universities Act (as amended 2016)-
 - a) not more than two-thirds of the KUSA SGC shall be of the same gender;
 - b) Membership of the SGC shall reflect national diversity.
- 7) The KUSA Electoral Commission shall have the power to formulate rules and regulations for the proper conduct of elections and the implementation of this Chapter.
- 8) If only one candidate or team has been nominated for a congressional position or SGC, that candidate or team shall be declared elected unopposed at the end of the election period.

Election of KUSA Officials

Article 47.

The election of KUSA officials shall be conducted according to the provisions of this Constitution and the KUSA Electoral Commission's rules and regulations governing elections.

Establishment and Composition of the KUSA Electoral Commission

Article 48.

- 1) There shall nineteen (19) members of the KUSA Electoral Commission according to the enumeration given below.
- 2) One month before the beginning of the semester of election, the Vice-Chancellor shall appoint nine (9) permanent members of the Electoral Commission, who shall be members of staff, as follows—
 - a) a Chairperson of the Electoral Commission, whom the Vice-Chancellor shall appoint from among the members in (h) of this Section;
 - b) a Vice-Chairperson of the Electoral Commission, whom the Vice-Chancellor shall appoint from among the members in (h) of this Section;
 - c) the Director, Student Affairs, who shall be responsible for the administrative and financial matters of the Commission;
 - d) a staff member from the office of the Director, Student Affairs, who will serve as secretary to the Commission;
 - e) a staff member from the office of the Registrar Academic;
 - f) a University Legal Officer;
 - g) a Chaplain or the University Imam;

- h) three (3) faculty members of whom, not more than two thirds shall be of the same gender;
 - i) the University's Director of Security.
- 3) Permanent members of the Electoral Commission shall remain in office between elections.
 - 4) The Vice-Chancellor may replace permanent members.
 - 5) In the first week of the semester of election, the Vice-Chancellor shall appoint ten (10) students known for their integrity who will serve as interim members of the Commission as follows—
 - a) two members, one from either gender, nominated from different clubs by the Director Student Affairs;
 - b) four members nominated by the four chaplaincies, each of which shall annually alternate its appointment on the basis of gender;
 - c) three final year members, nominated by the SGC members in their final year of study in accordance with Article 34 (6), one of whom shall be a law student and at least one of whom shall be of the opposite gender;
 - d) one member nominated by and from among the members of the Kenyatta University Disabled Students Association (KUDSA), which shall annually alternate its appointment on the basis of gender.

Ineligibility for nomination to the Electoral Commission

Article 49.

Members who have served in Congress or the SGC during the year preceding election shall be ineligible for appointment to the Electoral Commission.

Authority and Responsibilities of the Electoral Commission

Article 50.

- 1) Subject to the provisions of this Constitution, the Electoral Commission shall—
 - a) conduct and supervise KUSA elections;
 - b) promote free, fair and credible elections;
 - c) determine the dates for the submission of applications for candidacy and election;
 - d) supervise the preparation of the voter register, ballot papers, ballot boxes, and the designation and preparation of polling stations;
 - e) prepare the budget for the elections;
 - f) with the exception of students, appoint any other appropriate person(s) to assist in the elections;
 - g) request that the Finance Department officially verify payment of university fees and registration of aspirants;
 - h) pursuant to Articles 16, 17, 31 and 32 request that the Registrar Academic officially verify the academic qualification of aspirants;

- i) verify all nominations for candidates and teams according to the procedures it shall establish in the Election Code, which the Commission shall revise as the need arises;
 - j) prepare and post a list of candidates and teams cleared, for election and a list of applicants disqualified for candidacy with the reason(s) for their disqualification;
 - k) conduct a one-day seminar for cleared candidates and teams to familiarize themselves with the University's Statutes, Regulations, Joining Instructions, this Constitution, the current *Student Handbook* or any subsequent student guides that shall replace it, and the Election Code;
 - l) regulate campaigning;
 - m) provide a voting procedure that is understandable and precise;
 - n) ensure that the results of the voting are announced by the presiding officer at each polling station;
 - o) conduct the elections for hall, non-resident congresspersons, the Sports Congressperson, Special Needs Congressperson and the Campus Representatives and Congresspersons on a date before that scheduled for the election of the School Congresspersons and the SGC.
- 2) The Electoral Commission shall have the power to warn individual candidates and teams of disqualification and to disqualify them for violation of the Electoral Code as established by this Constitution and the Commission.
 - 3) A candidate or team who/which is disqualified shall be at liberty to make a written appeal to the Electoral Commission which will hear and determine the case.
 - 4) A decision by the Electoral Commission to disqualify any candidate or teams shall be final and binding.
 - 5) The Electoral Commission shall take any other action it deems necessary to ensure that the elections are transparent, fair, peaceful, and credible.
 - 6) In determining the timetable for the elections, the Electoral Commission shall, in consultation with the Senate, consider issues of public order and security at the University and national levels.
 - 7) When necessary, the Electoral Commission shall recommend to Senate the rescheduling or suspension of the election.
 - 8) The Senate may, upon the recommendation of the Electoral Commission reschedule or suspend the elections under this Section.

Election Procedure

Article 51.

1) Preliminary process

In the Third week of the first semester, the Electoral Commission shall—

- a) Establish the timetable for the electoral process which should be completed by the end of the seventh week of the semester;
- b) declare all positions open for contest;
- c) announce the dates of elections;

- d) call for the submission of nomination forms and receive them;
- e) vet aspiring candidates and teams and, pursuant to Articles 16, 17, 31 and 32, and verify their nominators;
- f) prepare and post visibly and at numerous locations a list of candidates and teams eligible for election, and a list of applicants and teams ineligible for election.

2) Non-School Congressional Elections

Elections for Hall Congresspersons, Non-resident Congresspersons, International Students Congressperson, the Sports Congressperson, Special Needs Congressperson, and the Campus Representatives and Congresspersons shall normally be held within seven days before the election of the School Congresspersons and delegates of the Electoral College.

3) The Electoral College

a) Composition

The SGC shall be elected by the Electoral College consisting of delegates from schools as stipulated below;

- i. the elected school Congressperson(s) shall be an automatic member to the college;
- ii. The other two delegates from each school shall be male and female, elected by all members of the school.
- iii. A school that has two Congresspersons, shall have the third delegate, from either gender, elected by all members of the school
- iv. The Electoral Commission shall convene a delegates meeting to brief them on the election procedure before the delegate congregate to elect the SGC a day after the School elections at a venue to be decided upon by the Electoral Commission;
- v. The Electoral College shall stand dissolved after the swearing in of the SGC;

b) Qualifications

For a member to be qualified for election as a delegate to the Electoral College, he/she should;

- i. be a *Bona Fide* Student of Kenyatta University;
- ii. be a member of the specific Congressional Area;
- iii. have completed at least two semesters having done a minimum of twelve units;
- iv. be within the normal time frame for completion of the degree program selected at the time of initial registration;
- v. have not served in any previous SGC or Congress;
- vi. have not been found guilty of any offence by the SDC;
- vii. not a candidate for any other elective position in KUSA in the same years;
- viii. not be a former or current holder of an elective position either at County Assembly or at the National or Senate Assembly;
- ix. be known for his/her high integrity.

c) Disqualification of a delegate

- i) A delegate who is already elected shall be disqualified if he/she is found to be involved in any form of electoral malpractice including taking bribes and colluding with other delegates to vote for a specific team.
- ii) If a delegate is disqualified, the immediate runner-up of the same gender shall be picked to replace him/her.

d) Terms for delegates

Delegates shall:

- i. receive a one-off remuneration after completion of the elections as determined and recommended by the KUSA Electoral Commission and approved by Management;
- ii. be awarded a certificate, upon successful completion of the electoral process, signed by the DVC Academic, Chairman of KUSA Electoral Commission and the Director Student Affairs;
- iii. together with the School Congressperson(s), constitute a KUSA school committee to organize KUSA initiated activities under the School Dean.

4) Election of the SGC

Election to the SGC shall be on the basis of a single ticket for a team for all positions defined in Article 30. A team shall satisfy the following conditions:

- a) have an aspirant for each of the seven offices of the SGC;
- b) be nominated by Two thousand five hundred (2500) members from at least 70% of the Schools, with at least one hundred and fifty (150) nominators per School. The nominations shall be verified in *strict* conformity with Article 51 (1,e);
- c) not have more than one aspirant hailing from the same Administrative Region of Kenya (Coast, Central, Eastern, North Eastern, Nairobi, Nyanza, Western and Rift Valley);
- d) not have more than one aspirant from the same ethnic extraction;
- e) have not more than two thirds of aspirants being of the same gender;
- f) have a unique identity/symbol/name submitted for clearance by the KUSA electoral commission.

5) Other General Election Regulations and procedures

- a) Seventy-two hours after nomination, a candidate may withdraw his/her candidature by submitting a signed statement of withdrawal to the KUSA Electoral Commission.
- b) A candidate or team must nominate one polling agent who shall witness the voting at each polling station and, thereafter, witness the counting of ballot papers and sign the results declaration form.
- c) A candidate may be personally present during the counting of ballot papers, and he/she shall not be barred from witnessing the counting of ballot papers.

- d) A candidate for a congressional entity shall be declared the winner upon acquiring the highest number of votes cast.
- e) A team shall be declared the winner upon acquiring fifty percent (50%) plus one (1) vote of the total delegate votes. If this is not satisfied, there shall be an immediate rerun of the top two teams and the winner decided by simple majority.
- f) The Chairperson of the Electoral Commission shall announce all election results and post the same results visibly and at numerous locations throughout the University within twelve hours following the official announcement of the results.
- g) The Vice-Chancellor shall officially notify the University community of the election of the new SGC and Congress.

6) IBP and DSVOL Elections

- a) The IBP Representatives and Congresspersons shall ordinarily be elected during their first session (August).
- b) The DSVOL Congressperson shall ordinarily be elected during their first semester (September - December).

Spoilt Votes

Article 52.

- 1) A spoilt vote is a ballot that contravenes the ballot instructions as indicated on the ballot.
- 2) During the counting of ballot papers, a spoilt vote shall not be included in a candidate's tally.

Election Offenses

Article 53.

- 1) The Electoral Commission shall disqualify a candidate or team from election for any of the following offenses committed either by a candidate or team or systematically carried out by his/her election team—
 - a) rigging;
 - b) use of physical force;
 - c) abuse of social media in whatever form;
 - d) intimidation and harassment;
 - e) sorcery and magic;
 - f) bribery;
 - g) giving false or malicious information;
 - h) mounting campaign posters for any candidate or team outside places designated for such posters;
 - i) verbal abuse;

- j) foul language;
 - k) slurs based on ethnicity, religion, gender, mode of study (i.e., SSP, KUCCPS, IBP, open learning), or year of study;
 - l) drunkenness and rowdiness;
 - m) unauthorized vehicular processions inside of campus;
 - n) campaigning outside the official campaign period;
 - o) provocative and incendiary attacks on the Statutes, Regulations, and policies of the University;
 - p) defamation of any member of university community;
 - q) receipt of funding or any other support from political parties or any other interest groups from outside the University student community.
- 2) If the Electoral Commission convicts a winning candidate or team of a campaign offense, then it shall declare the candidate or team with the next highest number of votes to be the winner.

By-elections

Article 54.

If a congressional seat becomes vacant, the Speaker shall, within seven days of the vacancy, notify the Chairperson of the Electoral Commission who shall arrange a by-election.

Rerun of Elections

Article 55.

- 1) If congressional candidates in an election tie in the vote tally, the Chairperson of the Electoral Commission shall declare a rerun of the election between the tied candidates and supervise the rerun five (5) days after the announcement of the tie.
- 2) If teams in an election tie in the vote tally, the Chairperson of the Electoral Commission shall declare a rerun of the election between the tied teams and supervise the rerun the same day after announcement of the tie.
- 3) If the Electoral Commission nullifies an election, the Chairperson of the Electoral Commission shall declare a rerun of the election and set a date for the rerun.

Discharge from office of Interim Members of the Electoral Commission

Article 56.

- 1) If there is no petition filed against the election results, the Chairperson of the Electoral Commission shall discharge from office the interim members of the Commission and submit the election returns to the Vice-Chancellor.
- 2) If there is a petition against the election results, the Electoral Commission shall await a decision in the matter by the Elections Appeals Committee. If the petitioner loses the petition, then the Appeals Committee informs the Electoral Commission of its decision, then the Chairperson of the Electoral Commission shall discharge from office the interim members of the Commission and submit the election returns to the Vice-Chancellor.

Election Petitions

Article 57.

- 1) Seven working days before the day set for the election of hall, non-resident, the Sports, Special Needs and the Campus Congresspersons and Representatives, Vice-Chancellor shall constitute the Elections Appeals Committee which shall consist of—
 - a) the Registrar (Academic) who shall serve as chairperson;
 - b) two members of the faculty, a female and a male, who shall be named by the Vice-Chancellor;
 - c) one member of the office of the Director Student Affairs, named by the Director and who will serve as the Secretary to the Committee;
 - d) a Chaplain or the Imam of the University named by the Vice-Chancellor;
 - e) a senior security officer named by the Director Security Services;
 - f) pursuant to Article 34, (6), two members, a female and male, who are finalists and nominated by the final year SGC members.
- 2) The Elections Appeals Committee shall have the authority and responsibility provided for in this Constitution and in particular shall—
 - a) formulate rules and regulations for the proper conduct of its business and the procedures of elections appeals;
 - b) within seventy-two (72) hours of the announcement of the election results, receive any written petition against the election results addressed to the Chairperson, Election Appeals Committee (Registrar (Academic));
 - c) receive evidence relevant to a petition;
 - d) within twenty-one (21) days of receiving a petition, uphold or nullify the contested vote and forward written notification of its judgment to the KUSA Electoral Commission.
- 3) Rulings of the Elections Appeals Committee shall be final and binding.
- 4) If the Election Appeals Committee does not receive any petition against the elections results within the seventy-two (72) hours prescribed for appeals, then the Committee stands dissolved.

Transition

Article 58.

- 1) Pursuant to Article 28, the SGC shall carry out the constitutional duties necessary for the proper functioning of KUSA in the period between dissolution of Congress and the inauguration of the new SGC.
- 2) Before the election of the delegates, the outgoing members of the SGC and outgoing Speaker of Congress should prepare detailed reports of their Committees and docket files to be presented to the Transitional Committee for clearance.
- 3) During the three (3) days following the Electoral Commission's announcement of the election results, the Director Student Affairs, shall convene the Transition Committee to supervise the handing over of the instruments of office by the outgoing members of the SGC to the incoming members.
- 4) The Transition Committee shall consist of—
 - a) the Director Student Affairs who shall be the Chairperson;
 - b) the Registrar Academic;
 - c) the University's Director of Security;
 - d) the University's Legal Officer;
 - e) an Administrator from the office of the Director Student Affairs who will serve as the Secretary to the Committee.
- 5) Within seven (7) days following the Electoral Commission's announcement of the election results, the Vice-Chancellor shall inaugurate the newly elected members of the SGC into office in a public ceremony held within the University.
- 6) During the inauguration ceremony for newly elected members of the SGC, the outgoing members of the SGC shall officially hand over the instruments of office to their newly elected counterparts in the SGC.
- 7) The newly elected SGC and Congress shall undergo a detailed induction seminar to familiarize them with their responsibilities and the University systems.

Chapter Seven

The Constitutional Oversight Committee

Establishment of the Committee

Article 59.

There shall be established a KUSA Constitutional Oversight Committee (COC).

Composition of the Committee

Article 60.

- 1) The Committee shall consist of the following persons appointed by the Vice- Chancellor —
 - a) a chairperson appointed from (e) below;
 - b) a University Chaplain or the University Imam;
 - c) the Director Student Affairs, who shall be the Secretary to the Committee;
 - d) the University Legal Officer;
 - e) two faculty members being of opposite gender;
 - f) two students, being of opposite gender, in at least their third year of study, one of whom shall be a law student.
- 2) Members of the Committee listed in Article 60 (1):
 - i. (a) shall serve for a term of one year renewable once;
 - ii. (b), (c) and (d) shall remain in office at the pleasure of the Vice-Chancellor;
 - iii. (e) shall serve for a term of one year which is renewable once;
 - iv. (f) shall be replaced by the Vice-Chancellor at the end of every term and shall not be eligible for reappointment.

Authority of the Committee

Article 61.

- 1) The Committee shall have powers to—
 - a) hear any questions with respect to the interpretation of this Constitution including the determination of—
 - i. whether any policy or by-law made by Congress is inconsistent with or in contravention of this Constitution;
 - ii. whether any action by Congress or the SGC or any individual member thereof is in contravention of this Constitution.
 - b) as may be appropriate, conduct investigations into circumstances leading to vacation of office under this Constitution, and where appropriate after investigations-
 - i. call the office holder under investigation to appear before the Committee and make representations on his/her own behalf;
 - ii. make decisions on vacation of office that shall be final;
 - iii. declare any such seat held by such a member vacant and communicate such verdict to the Speaker who shall subsequently communicate to the Congress;
 - iv. make recommendations to the Vice-Chancellor regarding appropriate disciplinary action by the University.
 - c) oversee the implementation of the Constitution and, in this regard, shall receive regular reports from the Speaker of Congress on steps taken towards implementation of the provisions of this Constitution including prompt reports of all policies and by-laws passed by Congress to give effect to the provisions of this Constitution.

Petitions to the Committee

Article 62.

Any ordinary member of KUSA is entitled to petition the Committee in line with and in giving effect to the powers of the COC as set out in Article 61.

Mandate of the Committee

Article 63.

At all times, in the execution of its mandate, the Committee shall be guided by this Constitution, the University Statutes, the Universities Act (2012), and the laws of the Republic of Kenya.

Interpretation of this Constitution

Article 64.

- 1) With due regard to the laws of the Republic of Kenya and the explicit and implicit powers given to Kenyatta University in the Universities Act, this Constitution draws its authority from the members of the Kenyatta University Student Association.
- 2) This Constitution shall be interpreted in a manner that—
 - a) promotes the intent of this Constitution as stated in the Preamble;
 - b) enables members to reach the aims and objectives of KUSA as stated in Article 3;
 - c) encourages the creative and responsible development of students;
 - d) avoids technicalities that defeat the purpose of this Constitution.

Chapter Eight Finance and Investments

Sources of Finance

Article 65.

The funds of KUSA shall be derived from—

- a) KUSA membership and subscription fees as provided for in this Constitution;
- b) revenue earned from income generating activities;
- c) fundraising and donations;

- d) any other sources proposed by Congress and subject to the approval of the University's Management.

Collection of Revenue

Article 66.

- 1) KUSA funds shall be collected and transferred to the KUSA Vote in University's Finance Department in the manner prescribed by the University's Management.
- 2) As contained in the Schedule of KUSA Fees annexed hereto, the membership fee shall be paid once, at the time of initial registration.
- 3) As contained in the Schedule of KUSA Fees annexed hereto, the subscription fee shall be paid at every subsequent registration.

Expenditure

Article 67.

- 1) All monies received for the purpose of KUSA must be spent for the benefit of KUSA according to the recommendations of Congress and the approval of the University Management.
- 2) As the need arises, the Chairperson and the Treasurer will make requests through the Director Student Affairs, for expenditures according to the schedule and expenditures determined at the beginning of the semester.
- 3) In case of an emergency, the SGC may, in consultation with the Director Student Affairs, and the approval of the DVC Finance and Development, authorize an expenditure not provided for in the approved budget.
- 4) All procurement of goods and services for KUSA shall be done according to Official University's tendering and procurement procedures with the advice of the University's Head Procurement.

Financial Benefit to Office Bearers

Article 68.

- 1) Subject to Sections (2,3) of this Article, the SGC or Congress, in consultation with the University Management, shall determine financial allowances and benefits paid to office bearers, depending upon which organ of KUSA is affected by this decision, and provided that—
 - a) such a determination shall not be to the disadvantage of incoming office bearers;
 - b) such a determination is based upon evidence of KUSA's sustained increase in income.
- 2) The financial allowances and benefits for office bearers must not take effect during the term of those office bearers who determined or approved them.

- 3) Subject to the limitations provided for in this Section, financial benefits and allowances will be determined as contained in KUSA Financial Policy annexed hereto.

Signatories to the KUSA Vote

Article 69.

The signatories to the KUSA vote shall be—

- a) the Treasurer - mandatory;
- b) the Director Student Affairs - mandatory;
- c) the Chairperson or in his/her absence - the Secretary-General.

Books of Accounts

Article 70.

- 1) KUSA shall maintain proper books of accounts that shall be made available for audit.
- 2) KUSA's accounts shall be audited by the University's Internal Auditor four weeks before the AGM.
- 3) The audited accounts and balance sheet shall be made public after approval by Congress and not later than seven calendar days before the AGM.

Management of KUSA Funds

Article 71.

Other regulations governing the management of KUSA funds shall be contained in schedules numbered and annexed to this Constitution.

Chapter Nine Miscellaneous

By-laws and Policies

Article 72.

- 1) Subject to this Constitution, the SGC shall prepare the by-laws and policies governing the functions of KUSA and submit them to Congress for discussion.
- 2) Any member of Congress may propose a by-law or policy that shall be submitted to the relevant Congressional Committee for discussion and then, if approved by that committee, tabled in Congress.
- 3) Any member of Congress may propose amendments to existing by-laws, policies, and the various Schedules annexed to this Constitution, and submit such amendments according to the process detailed in (2) of this Article.
- 4) By-laws and policies passed by Congress shall be referred to the COC for approval.
- 5) By-laws and policies approved by COC shall be binding on all members of KUSA and violators of these by-laws and policies shall be subject to the disciplinary measures provided for in this Constitution.

Review of this Constitution

Article 73.

- 1) On the advice of the University Senate, the Vice-Chancellor shall appoint a committee of faculty, staff, and students to review this Constitution and propose amendments to it.
- 2) With the approval of the University's Senate, this Constitution can be subject to a process of review and revision if three-fourths of the members of Congress vote for such a resolution.
- 3) To amend this Constitution, three-fourths of the members of Congress must vote for the amendment and the University Senate must approve it.

Discipline

Article 74.

- 1) In addition to compliance with the University Statutes, Regulations, Joining Instructions, and the provisions contained in the current *Student Handbook* or any subsequent documents that shall replace it, discipline shall, for the purposes of this Constitution, also mean compliance with the provisions and spirit of this Constitution, the by-laws and policies established by Congress, and specific directives of the University Administration.
- 2) In consultation with the Director, Student Affairs, the SGC shall enforce discipline among KUSA members in the conduct of KUSA's affairs and operations.

Dissolution of KUSA

Article 75.

- 1) After a Special General Meeting called to discuss dissolution, KUSA can be dissolved through a referendum in which not less than nine-tenths of the members shall vote for dissolution.
- 2) If KUSA is dissolved, all assets shall be used to pay KUSA's creditors and any remaining assets shall be handed over to the Council of Kenyatta University.

Board of Trustees

Article 76.

- 1) The Board of Trustees shall be appointed by the Vice-Chancellor and shall consist of—
 - a) the DVC Academic;
 - b) the University's Chief Finance Officer;
 - c) the University's Legal Officer;
 - d) the Director, Student Affairs;
 - e) a Chaplain or Imam of the University.
- 2) the Board of Trustees, Pursuant to Article 75,(2) shall—
 - a) review KUSA's assets;
 - b) pay KUSA's creditors;
 - c) hand over any remaining assets to the Council of Kenyatta University through the Vice-Chancellor.

SCHEDULE

TRANSITIONAL AND CONSEQUENTIAL PROVISIONS

The transitional and consequential provisions set out herein shall take effect on the effective date.

Effective Date

1. This Constitution shall come into force upon the expiry of a period of fourteen days from the date of ratification by Congress.

Repeal of previous Constitution

2. The Constitution in force immediately before the effective date shall stand repealed on the effective date subject to the provisions of this Schedule.

Existing Laws

3. All by-laws and policies in force immediately before the effective date continues in force and shall be construed with the alterations, adaptations, qualifications, and exceptions necessary to bring it into conformity with this Constitution.

Existing offices

4. Unless this Schedule provides otherwise, a person who, immediately before the effective date, held or was acting in an office established under 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 provided he/she is still a *bona fide* student.
5. A member who has held office for two terms already in the predecessor of the SGC established by this Constitution (Executive Council) or Congress shall not be eligible for re-election to the SGC or the Congress respectively.

Establishment of a Caretaker Board

6. Pursuant to Article 5 of this Constitution, and as provided for under Article 34 (5), when in the course of the term of office holding, one member has ceased to be a member of Kenyatta University, or all members have ceased to be members of Kenyatta University, either by reason of having graduated or having completed studies while awaiting graduation:
 - i. There shall be established a caretaker board to be known as the KUSA Caretaker Board.
 - ii. The Board shall consist of all the members provided for under Article 34 (5) which members shall be responsible for the running of the affairs of KUSA in consultation with the Director Students Affairs.

Oath of allegiance to this Constitution

7. On the effective date, members of the SGC and Congress or such other member who had taken and subscribed an oath or affirmation of office under the former Constitution shall take and subscribe the appropriate oath or affirmation under this Constitution.