



CONSTITUTION OF THE UNIVERSITY OF ELDORET STUDENTS' ORGANIZATION (UESO)

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APPROVAL

The University of Eldoret having been awarded its Charter on 11th February 2013 has set on a growth path guided by its vision of “being a Premier University that is globally visible in knowledge generation and technological innovation”

As part of laying its foundation, the University developed its Statutes in November 2013 followed by its first strategic plan which was launched on 20th June, 2014. The process of recruiting its top managers was completed in March 2014. The University has now embarked on the process of developing its policies, rules and regulations which will guide decisions of the different organs of the University in order to achieve rational outcomes geared towards the growth of the University. This Constitution of the University of Eldoret Students’ Organization is one such piece of regulation that will govern the affairs of the students’ organization.

My special thanks go to all those who put in their time, effort and skills to develop this Constitution.

By virtue of the authority vested in me as the Chairman of Council of the University of Eldoret and in reference to the approval granted by Council in its meeting of 18th July, 2014, I hereby sign this Constitution of the University Of Eldoret Students’ Organization this 18th day of July, 2014.



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CHAIRMAN OF COUNCIL

Table of Contents

APPROVAL	ii
PREAMBLE	vi
DEFINITION OF TERMS AND ACRONYMS	vii
ARTICLE 1: DECLARATION	1
ARTICLE 2: PHYSICAL LOCATION.....	1
ARTICLE 3: ADDRESS	1
ARTICLE 4: AIMS AND OBJECTIVES	1
ARTICLE 5: MEMBERSHIP.....	2
ARTICLE 6: RIGHTS AND DUTIES OF MEMBERS.....	2
ARTICLE 7: ORGANS OF UESO.....	3
ARTICLE 8: THE ANNUAL GENERAL MEETING AND SPECIAL GENERAL MEETING(S).....	3
ARTICLE 9: STANDING COMMITTEE	4
ARTICLE 10: THE STUDENTS' GOVERNING COUNCIL	4
ARTICLE 11: STUDENT GOVERNING COUNCIL MEMBERSHIP	5
ARTICLE 12: DUTIES OF SGC OFFICE BEARERS.....	5
ARTICLE 13: CONDUCT AND DISCIPLINE OF SGC MEMBERS	10
ARTICLE 14: SGC MEETINGS	11
ARTICLE 15: REMOVAL FROM OFFICE.....	12
ARTICLE 16: RESIGNATION.....	13
ARTICLE 17: DISSOLUTION OF THE STUDENTS' GOVERNING COUNCIL.....	13
ARTICLE 18: ELECTIONS AND BY-ELECTIONS	14
ARTICLE 19: TRANSITIONAL ARRANGEMENTS	21
ARTICLE 20: INAUGURATION.....	21
ARTICLE 21: THE STUDENTS' NEWSLETTER AND THE EDITORIAL BOARD.....	22
ARTICLE 22: FINANCE, INVESTMENTS AND ALLOWANCES	22
ARTICLE 23: MISCELLANEOUS	24
ARTICLE 24: AMENDMENT.....	24
ARTICLE 25: THE LEGAL COUNSEL	24
ARTICLE 26: INTERPRETATION.....	25
ARTICLE 27: EFFECTIVE DATE.....	25
ARTICLE 28: REVIEW	25

Introduction

The University of Eldoret (UoE) is situated approximately 9 km along the Eldoret-Ziwa road in Eldoret town, Uasin Gishu County. UoE was established through an award of Charter on 11th February 2013. Before this, the institution had been a campus of Moi University since 1990, until 13th of August 2010 when it was elevated to Chepkoilel University College, a Constituent College of Moi University. The University programmes are largely Science and Technology-based, with a limited number of them in arts and humanities. The University's core activities are teaching, research, consultancy and outreach.

Vision

To be a premier University that is globally visible in knowledge generation and technological innovations.

Mission

To provide high quality education and training, in science, agriculture and technology that promotes networking, partnerships and linkages with other institutions and industry.

Core Values

At University of Eldoret, we are committed to:

- Integrity;
- Innovativeness;
- Customer satisfaction;
- Competitiveness;
- Equity; and
- Responsiveness

Mandate

The Mandate of University of Eldoret is enshrined in its **objects** and **functions**. The **objects** of the University shall be to:

(a) Provide directly, or in collaboration with other institutions of higher learning, facilities for quality University education, including scientific and professional education, and the integration of teaching, research, outreach and effective application of knowledge and skills to the life, work and welfare of the citizens of Kenya;

(b) Provide and advance University education and training to appropriately qualified candidates, leading to the conferment of degrees and award of diplomas and certificates and such other

qualifications as the Council and the Senate shall from time-to-time determine and in so doing, contribute to realization of sustainable national economic and social development;

(c) Provide programmes, products, and services in ways that reflect the principles of equity and social justice.

The **function** of the University shall be to participate in technological innovation as well as discovery, transmission, preservation and enhancement of knowledge, and stimulate the intellectual participation of students in the economic, social, cultural, scientific and technological development of Kenya.

PREAMBLE

We the students of University of Eldoret;

AWARE that the organization of students at University of Eldoret was created to serve the student community in the pursuit of academic and social welfare, peace, prosperity and integrity;

APPRECIATING the existence of different campuses as the primary units of UESO members in the University of Eldoret Students Governing Council (SGC) and Committees therein whose aims shall be to further the interest of the UESO members at all years of study and in any other proper manner advocated for by the General body of the UESO members.

ENCOURAGING working transitions of academic life and cultivation of a genuine and responsible sense of leadership, noting that the democratic values of transparency, accountability and respect for students' rights; social justice must be institutionalized in our systems of organization so as to ensure that democracy is enjoyed by all students.

CONVINCED that this Constitution shall guarantee continued peaceful existence of the University of Eldoret Students' Association known to us herein as the **UNIVERSITY OF ELDORET STUDENTS' ORGANIZATION**.

RECOGNIZING the desire of the students of the **UNIVERSITY OF ELDORET** to be a self-determining organization within the authority of **UNIVERSITY OF ELDORET CHARTER** , the statutes of University of Eldoret, and laws of the Republic of Kenya.

Do hereby dedicate our efforts to adopt, enact, and give to ourselves and to our future generations this Constitution as the Constitution of **UNIVERSITY OF ELDORET STUDENTS ORGANIZATION (UESO)**

DEFINITION OF TERMS AND ACRONYMS

In this Constitution unless the contexts indicate otherwise:

- (a) **Academic Year** refers to a year recognized by the University of Eldoret Senate and as published in the annual University of Eldoret calendar.
- (b) **AGM** stands for Annual General Meeting
- (c) **Associate member** any individual or organization(s) with similar objectives to those of UESO and are approved to be associate member(s).
- (d) **Calendar Day** refers to a day in the week including weekends and public holiday.
- (e) **Dean of Students** is any person recognized by the University council and the Senate to be in charge of students' affairs at the University.
- (f) **He** refers to either a male or female person, as the situation maybe at the time and gender shall by law be neutral.
- (g) **Honorary member** such a person as the SGC may nominate from time to time
- (h) **Kamukunji** an informal assembly of students to discuss issues of their interest.
- (i) **Office Bearer** refers to any person elected or nominated to hold a position of authority and responsibility as provided in this Constitution
- (j) **Ordinary member** a bona fide student of the University of Eldoret.
- (k) **PWD** Persons With Disabilities
- (l) **Rejected Vote** refers to a clearly marked vote indicating candidate of choice but in the wrong ballot box.
- (m) **SGC** means Students Governing Council of the University of Eldoret.
- (n) **SGM** stands for Special General Meeting of UESO members
- (o) **Special group** means students coming from marginalized ethnic groups of Kenya or those from foreign countries whose numbers in the University are minimal. PSSP students fall in this category
- (p) **Special members** refer to international/PSSP/Minority in SGC to represent special interests.
- (q) **Spoilt Vote** refers to a vote that indicates more than one candidate of choice or none.
- (r) **Standing Committee** a Committee that has been appointed by the AGM to handle a particular issue before.

- (s) **Student** is a person validly registered by the University for the purposes of obtaining an academic qualification of the University or any other person who is determined by the Senate to be a student.
- (t) **UESO** means University of Eldoret Students Organization which is The University of Eldoret Students' Association.
- (u) **University Council** refers University of Eldoret council as constituted by the University Eldoret Charter 2013.
University refers to University of Eldoret as established by the charter of 11th Feb 2013.
- (v) **Valid Vote** refers to a clearly marked vote indicating the candidate of choice in the right ballot box.
- (w) **Working Day** refers to a day in the week except any day that falls on the Saturday and/or Sunday and an day that is declared a national public holiday.

ARTICLE 1: DECLARATION

We, the students of the University of Eldoret, hereby, declare that there shall be established the University of Eldoret Students' Association to be known as "the University of Eldoret Students' Organization", herein after referred to as UESO, to act and function in accordance with the provisions of the Constitution of Kenya, this UESO Constitution, University of Eldoret Charter and Statutes.

ARTICLE 2: PHYSICAL LOCATION

For the purposes of this Constitution, University of Eldoret shall include all schools, campuses, and institutions of the University of Eldoret as may be declared from time to time.

ARTICLE 3: ADDRESS

(1) CONSTITUENT COLLEGES

The Head Office of UESO shall be situated at the Students' Centre, at the Main Campus of the University of Eldoret, P.O. Box 1125-30100, ELDORET, KENYA.

(2) CAMPUS OFFICES

Branch offices shall be created in Constituent colleges and Campuses as it may be directed from time to time. Office bearers of branch offices shall operate within the confines provided in this constitution.

ARTICLE 4: AIMS AND OBJECTIVES

The aims and objectives of UESO shall be:

- a) The establishment and maintenance of an efficient Students' organization;
- b) Subject to the provisions of University of Eldoret Charter (2013) and Statutes seek representation in the Organs of the University;
- c) Ensure equitable gender representation and participation in student affairs in the University and seek to address matters of social welfare of members equitably;
- d) To create an academic order in which the members strive for the highest standards attainable with the means and resources at their disposal;
- e) To develop positive attitude to and from the community through participation in community service and other related projects;

- f) To avoid all practices and tendencies that pose as a threat to democracy, stability, co-operation and the well-being of any student in University of Eldoret.
- g) To infuse a spirit of unity in our institution and remove all artificial barriers between people;
- h) To actively work for the advancement of University of Eldoret avoiding any action which may cause damage or abuse to University property, its well-being and image;
- i) Work with other national and/or international organizations with similar interest; and
- j) To pursue these aims and objectives independent of political, religious, sex, racial, tribal and personal biases or any other attribute of discrimination.

ARTICLE 5: MEMBERSHIP

There shall be three categories of UESO members; ordinary, honorary and associate.

- a) All persons registered as students of University of Eldoret as established in the University of Eldoret Charter (2013) and regulations hereunder, shall after paying membership and subscription fees be ordinary members.
- b) Such persons or categories of persons as the Students Governing Council (SGC) may from time to time nominate to be honorary members.
- c) Any individuals or organization(s) with similar objectives to those of UESO may be granted Associate Membership as may be approved by the SGC.

ARTICLE 6: RIGHTS AND DUTIES OF MEMBERS

Subject to provisions of this Constitution unless stated to the contrary, ordinary members shall have the following rights and duties within UESO.

- (a) The right to stand for elections to any elective office as provided under Article 18 of this Constitution.
- (b) The right to vote in any elections for any office of UESO
- (c) The right to take part in all activities of UESO without hate or hindrance.
- (d) The duty to promote the aims and objectives of UESO as provided under Article 4 of this Constitution.
- (e) The right to unlimited access to this Constitution, and
- (f) The right to inspect the books of accounts and seek clarification on any other matter pertaining to the organization.

ARTICLE 7: ORGANS OF UESO

- (a) The Annual General Meeting and Special General Meeting(s) herein after referred to as the AGM and SGM (s) respectively.
- (b) The Students Governing Council herein after referred to as SGC
- (c) The Editorial Board
- (d) Any standing committee that shall be appointed/elected at any SGM(s) or the AGM from time to time.

ARTICLE 8: THE ANNUAL GENERAL MEETING AND SPECIAL GENERAL MEETING(S)

- a) All UESO members shall be entitled to attend the AGM
- b) The AGM shall take place by the fifth week of the second semester of each academic year and not more than twenty-one (21) days before the elections.
- c) The AGM shall be called by a notice of at least seven (7) days by the Secretary General in writing and such notice shall be served to the Dean of Students and Chief Security Officer within seven days and agenda thereto shall be displayed on all the important notice boards in the University including the Head office of UESO provided that:
 - (i) Where the Secretary General fails to do so, the Chairman shall himself immediately convene the meeting in the prescribed manner and,
 - (ii) Where both the Secretary General and the Chairman are unable to call the meeting, any number of SGC constituting not less than fifty one (51) percent of its total membership shall convene the meeting by a notice evidenced by signatures and such a meeting may be presided over by any SGC member appointed for that purpose.
 - (iii) Such a notice shall be served to the Chairman and Secretary General at least 48 hours before the meeting is convened.
- d) Every decision at the AGM shall be by simple majority.
- e) Voting at the AGM or SGM shall be by a show of hands unless the members voting decide otherwise.
- f) The quorum for the AGM or SGM shall be thirty five percent (35%) of all UESO members in session.

- g) The 'KAMUKUNJI' shall take place at any date during the semester of the academic year provided that the office of the Dean of Students shall have been served with a reasonable notice before the arranged meeting and seek approval from DVC (ASA). Notice and agenda thereto may be displayed on the important notice boards in the University before the arranged meeting.

ARTICLE 9: STANDING COMMITTEE

- (a) Members shall at their own discretion cause creation of a standing committee at any SGM or the AGM as they may deem fit from time to time.
- (b) In every such case, the Chairman, Secretary and members thereto shall be elected by the UESO members.
- (c) Notwithstanding (a) above,
- (i) Such committee shall complete the assignment within the period assigned
 - (ii) Such a committee shall stand dissolved on completion of assignment.
- (d) The terms and regulations of such standing committee shall be outlined upon formation.
- (e) The Committee shall present their report or findings thereto to the SGM or AGM as will be determined by the members themselves.

ARTICLE 10: THE STUDENTS' GOVERNING COUNCIL

There shall be a Students' Governing Council to be elected by UESO members to serve for a period of one (1) year and shall;

- (a) Cause preparation and implementation of the budget and returns as provided for in article 18 of this Constitution.
- (b) Unless otherwise provided in this Constitution, be fully responsible for the general administration of UESO.
- (c) Recommend creation or dissolution of any office(s) at the AGM or SGM where need arises or by a majority vote.
- (d) Have powers to approve the co-option of not more than two members to represent diverse interests.
- (e) Appoint a Legal Counsel who shall advise the organization on legal matters including legal representation of the members whenever their rights and privileges are violated within or without the University provided that;

- (i) The affected student(s) shall have been in session
- (ii) The organization shall not be cash trapped; in the event of such, it shall solicit funds for that purpose.
- (iii) All possible avenues for redress shall have been exhausted.
- (f) Be represented in Senate by the Chairman or Director of Academics. In addition to these two, the Director of Postgraduate Students shall also attend senate on invitation by the chairperson of senate.

ARTICLE 11: STUDENT GOVERNING COUNCIL MEMBERSHIP

The SGC shall have the following office bearers of elected members of UESO:

- (a) The Chairman
- (b) The Vice Chairman (Postgraduate Student)
- (c) The Secretary General
- (d) The Director of Finance
- (e) The Director of Academic Affairs
- (f) The Director of Entertainment
- (g) The Director of Accommodation and Security
- (h) The Director of Health and Catering
- (i) The Director of Games and Sports
- (j) The Director of Editorial Services
- (k) The Director of Persons with Disabilities
- (l) The Director of Postgraduate Students (female if vice-chair is the other gender)
- (m) Special Member (international/PSSP/minority)

ARTICLE 12: DUTIES OF SGC OFFICE BEARERS

(a) The Chairman

Subject to the provisions of this constitution, and unless stated to the contrary, the duties of the Chairman shall be:

- (i) To preside over the AGM and SGM(s)
- (ii) To Preside over the meetings of the SGC
- (iii) To be responsible for the overall administration of the SGC

- (iv) To be an ex-officio member of every SGC committee established in accordance with the provisions of this Constitution provided that the said committee shall not have been established to probe his office or person of chairperson.
- (v) To be the official spokesman of UESO in consultation with the SGC
- (vi) To help maintain dialogue with the University Administration.
- (vii) To be one of the signatories to UESO's financial transactions and documents
- (viii) To be an automatic member of:
 - (1) The University Senate
 - (2) The Students' disciplinary committee unless he is an affected party. In the event of such the Vice Chairman or any SGC official shall be appointed by the SGC to replace him.

(b) The Vice Chairman

Subject to the provision of this Constitution, unless stated to the contrary, the duties of the Vice Chairman shall be;

- (i) To deputize the Chairman in the exercise of the latter's duties.
- (ii) Is an automatic member of Students' Welfare Committee.
- (iii) To co-ordinate general students welfare services like transport, benevolence, sickness and funerals in liaison with relevant Directors and authorities.
- (iv) To attend welfare meetings.
- (v) To represent the interest of postgraduate students in the SGC.
- (vi) To perform any such duties as the SGC may assign.

(c) The Secretary General

Subject to the provision of this Constitution, unless stated contrary the duties of the Secretary General shall be;

- (i) To record minutes to the SGM, AGM and SGC.
- (ii) To maintain and have custody of all correspondence and records of SGC subject to approval of the Chairman.
- (iii) A signatory of UESO financial transactions and documents.
- (iv) To maintain contacts with all other Universities and to be responsible for foreign affairs.

- (v) To publicize notice of meetings as required under this constitution.
- (vi) To be in charge of official UESO functions like parties and ceremonies.
- (vii) To be responsible for the accumulation and release of any news relevant to the students of University of Eldoret.
- (viii) To perform such other duties as the SGC may assign.
- (ix) A member of Students Disciplinary Committee unless he is an affected party.
- (x) To be the principal custodian of UESO property.
- (xi) In the event of absence or inability of the SG to perform his functions for whatever reason, members of SGC shall elect a temporary SG from amongst themselves to undertake the functions of SG.

(d) The Director of Finance

Subject to the provisions of this Constitution, unless stated contrary the duties of the Director of Finance shall be;

- (i) To keep the books of accounts and maintain accurate records of all incomes and expenditures of UESO.
- (ii) To be a mandatory signatory to all financial transactions of UESO.
- (iii) To present the semester budget to the SGC.
- (iv) To make funds available for the payment of all official commitments subject to the annual budget.
- (v) To co-ordinate with the auditor in the maintenance of books of Accounts.
- (vi) To present the annual audited accounts at the AGM.
- (vii) To perform such duties and functions as the SGC may assign.
- (viii) To be the custodian of all UESO investments and assets.

(e) Director of Academic Affairs

Subject to the provision of this constitution, unless stated contrary, the duties of the Director of Academic Affairs shall be;

- (i) To work with the students' representatives and the School Boards with regards to academic problems facing the students in all schools and colleges of University of Eldoret.
- (ii) To create awareness among the students regarding rules and regulations on examination and class attendance.

- (iii) To receive all complaints regarding academic programmes from students.
- (iv) To advocate for the provisions of high quality academic facilities resources and services for effective academic programmes of the University.
- (v) To be one of the students representatives to the University Senate.
- (vi) To be an automatic member of the Students Editorial Board as established under Article (20).
- (vii) To perform other duties as the SGC may assign.

(f) Director of Entertainment

Subject to the provision of this constitution, unless stated contrary, the duties of the Director of Entertainment shall be;

- (i) Within two weeks (14 days) after inauguration in office, to liaise with SGC to interview and appoint the student technician.
- (ii) To provide free entertainment to the students within the University.
- (iii) To organize and co-ordinate recreational activities.
- (iv) To make arrangements to pay for the entertainment rendered in collaboration with the relevant authorities.
- (v) To perform such other duties as the SGC may assign.

(g) The Director of Accommodation and Security

Subject to the provision of this constitution, unless stated contrary, the Director of Accommodation and Security shall be:

- (i) To work in close liaison with the relevant departments of the University in provision of student accommodation from time to time.
- (ii) To ensure that students' accommodation issues are addressed.
- (iii) To be an automatic member of the Wardens Committee and Students Welfare Committee.
- (iv) To ensure the provision of essential facilities in the halls of residence.
- (v) To see that the security of students and protection of University property is maintained.
- (vi) To work in close liaison with the office of Chief Security officer.
- (vii) To keep in safe custody all equipment and facilities acquired for students' use.

(viii) To perform such other duties as the SGC may assign.

(h) The Director of Games and Sports

Subject to the provision of this Constitution unless stated contrary, the duties of the Director of Games and Sports shall be:

- (i) To work in close liaison with the University Games Tutor and University of Eldoret Sports Association in identifying, provision and maintenance of sports facilities.
- (ii) To organize friendly games with other institutions in consultation with Captains and Games Tutors.
- (iii) To organize practice sessions for games and athletics.
- (iv) To take care of games and sports equipment.
- (v) To draw up comprehensive sports programme in liaison with respective captains.
- (vi) To ensure the welfare of the students participating in sports.
- (vii) To perform such other duties as the SGC may assign.

(i) The Director of Catering and Health

Subject to the provisions of this Constitution, unless; stated contrary, the duties of the Director of Catering and Health shall be;

- (i) To liaise with the Departments of Catering and Health Services in promoting quality medical and public health services to students.
- (ii) Identify issues in the Catering and Health Units and forward them to the relevant authorities.
- (iii) To recommend introduction of relevant health services that may be found necessary from time to time.
- (iv) To perform such other duties as the SGC may assign

(j) The Director of Editorial Services

Subject to the provisions of this constitution, unless stated contrary, the duties of the Director Editorial Services shall be;

- (i) To inform and educate all members of UESO through the Newsletter.
- (ii) To receive articles from contributors.
- (iii) To edit the articles on behalf of the Editorial Board.

- (iv) To oversee the printings, publishing, sales and distribution of the Newsletter in conjunction with the SGC.
- (v) To perform such other duties as the SGC may assign.

(k) The Director of Persons With Disabilities (PWD)

Subject to the provisions of this Constitution, unless stated to the contrary, the duties of the Director of PWD Shall be:

- (i) To identify and maintain a list of students with Disabilities.
- (ii) To sensitize and advocate for the needs of students with Disabilities.
- (iii) To ensure that life and stay of challenged students in the University is conducive with minimum issues related to their disability.
- (iv) Through Dean of Students, recommend to the University Management necessary arrangements that will make challenged students carry out their studies as required.

(l) The Director Postgraduate Students

- (i) To be the official representative of postgraduate students in SGC and the Senate by invitation
- (ii) To communicate postgraduate issues to the University Management Board through the Dean of Students.
- (iii) For academic issues, the Director of Postgraduate students will consult the Director, Board of Postgraduate Studies.

(m) Special Member (Nominated)

- (i) To represent the interests of the special groups (“Minority”, PSSP students, International students etc.)
 - (ii) To work in liaison with the SGC with regard to specific areas of interest.
- (n)** To perform any other duties as may be assigned by SGC

ARTICLE 13: CONDUCT AND DISCIPLINE OF SGC MEMBERS

- (a) All SGC members shall conduct themselves in accordance with the highest standards of integrity, personal discipline and honour and in particular shall;

- (i) Respect the rights and privileges of the members of the organization at all times.
 - (ii) Refrain from any conduct that might bring the organization into disrepute or public odium.
 - (iii) Carry themselves in all public places with such dignity as befits their status as student leaders.
- (b) SGC member's conduct may be discussed in any SGC meeting called for that purpose and disciplinary measures taken against him/her provided that:
- (i) The member shall have been given reasonable notice to defend himself/herself before the council in that meeting.
 - (ii) It shall have been confirmed that the member is guilty of violating any section of the Constitution.
- (c) A member whose conduct is under discussion shall not participate in the voting in such cases.
- (d) The SGC shall only have powers to:
- (i) Warn or caution the member(s) either in writing or verbally through the Chair of the meeting.
 - (ii) Censure the member(s) by a resolution adopted and signed by three quarters or more of its total membership, and notifies the Dean of Students for further appropriate action.

ARTICLE 14: SGC MEETINGS

- (a) The SGC shall normally meet a maximum of four (4) times during a semester for which an agreed allowance shall be paid.
- (b) The quorum for every SGC meeting shall be fifty one percent (51%) of the total members of SGC.
- (c) Every meeting of SGC shall be called by a three days' notice in writing to every member and accompanied by the Agenda drawn by the Secretary General in consultation with the Chairman.
- (d) Where there is need for an emergency meeting, such a meeting may be called with the consent of at least fifty percent (50%) of the total numbers of SGC members as evidenced by signatures, and reasonable notice thereof given. Provided further that;

- (i) Where the Secretary General is unable to call a meeting as provided under paragraph (e) the Chairman may himself convene a meeting, and
 - (ii) Where the Secretary-General and the Chairman are unable to call a meeting upon being requested to do so by a notice signed by not less than fifty one percent (51%) of the total S.G.C membership, the other members may convene a meeting and appoint a Chairman thereto. Provided that such a notice is served to the Chairman at least 48 hours before the meeting is convened.
- (e) The SGC may at its discretion establish any such ad hoc committee as it may from time to time deem fit. In every such case, the members shall at the time of such appointment, elect the Chairman, the Secretary and Members thereto.
- (f) Unless the contrary is stated in this Constitution, all decisions of the SGC shall be by consensus.
- (g) The SGC members shall be paid a sitting allowance which shall be determined by the SGC with the approval of the Dean of Students.

UESO members on official duties outside Campus and outside their normal duties shall be entitled to a night out allowance whose rates shall be subject to approval by the Dean of Students.

ARTICLE 15: REMOVAL FROM OFFICE

- (a) A Student Governing Council official shall be removed from office on the following grounds
- (i) Gross misconduct
 - (ii) Incapacitation
 - (iii) Misappropriation of funds
 - (iv) Any other reason that would render the person unsuitable to be in office
- (b) In the event committing one or more of the above, an SGC official shall be removed from office by a vote of no confidence as initiated by a resolution adopted and signed by
- (i) Two thirds of SGC members and or
 - (ii) A signed petition of fifty percent of UESO members
- (c) Any of the affected member, shall have the right to defend himself against such allegations by submitting a written defense to the Dean of Students within two days of being served with the removal resolution.

(d) The Dean of Students office shall carry out appropriate investigations to establish if the allegations are valid.

(i) If the allegations are found to be invalid, the affected member is absolved from the accusations.

(ii) If the allegations are valid, the member shall instantaneously vacate office

(iii) Upon the context where the concerned parties do not agree with the verdict of the Dean of Students office, a referendum shall be initiated as in (e) below.

(e) The Dean of Students shall within seven (7) days convene a referendum in which only ordinary members of UESO shall be entitled to vote. The official shall be deemed to be finally removed from office if fifty-one percent (50%+1) or more of the total votes cast in the referendum are in favour of his removal upon which fresh elections for the post shall be called within seven (7) days.

ARTICLE 16: RESIGNATION

(a) A member wishing to resign from the SGC shall tender his/her resignation by a notice giving reasons to the Chairman of the SGC who shall table the notice to the SGC immediately.

(b) The SGC shall have power to accept or reject any resignation from a member.

(c) On acceptance of a resignation, the Dean of Students shall be informed by the Chairman within 24 hours and a by-election carried out in accordance to Article 18 on Elections and By-elections.

ARTICLE 17: DISSOLUTION OF THE STUDENTS' GOVERNING COUNCIL

(a) The SGC may be dissolved only by a sixty five percent (65%) majority of the total ordinary membership of UESO obtained by signatures for the purpose of putting a motion for dissolution to test, and submitted to the Dean of Students.

(b) On receipt of the request, the Dean of Students will conduct a referendum where all UESO members shall be entitled to vote.

(c) If more than 65% votes cast are in favour of dissolution, the SGC shall stand dissolved and elections conducted within a period of 21 days.

ARTICLE 18: ELECTIONS AND BY-ELECTIONS

(a) The General Principles

- (i) The Electoral system is based on the principles of equality of the vote and the right of every ordinary member to vote stand for election and hold electoral office.
- (ii) That the election must be free and fair conducted through secret ballot and must ensure fair representation of all members to reflect the regional and ethnic diversity of the people of Kenya, gender and persons with disabilities.

(b) Election of SGC Officials

The election of every UESO officials shall be conducted according to the provisions of this Constitution and the Students Electoral Commission rules and regulations governing the conduct of elections.

(c) Students' Electoral Commission

- (i) The Students' Electoral Commission (SEC) shall normally be appointed, constituted and established on the eighth week of the second semester of the academic year to start its work; provided that such appointment shall be ratified by UESO.
- (ii) The SEC shall consist of:
 - 1) The Returning Officer and deputy (ies) who shall be appointed by the Vice Chancellor;
 - 2) The Dean of Students; who shall have the responsibility of administrative and financial matters of the commission;
 - 3) Such number of final year students interviewed and appointed by religious associations, representatives of the Students' Governing Council and two (2) Senior staff from the office of the Dean of Students;
 - 4) At most (2) two members who are finalists appointed by the Office of Dean of Students and have not previously served in Students Governing Council.
- (iii) Decisions at every meeting of the Commission shall be reached by consensus.
- (iv) The Students Electoral Commission shall have powers to investigate and may dismiss a member of Students Electoral Commission where there shall be evidence of misconduct or reasonable dissatisfactions from UESO members and such decisions shall be final.

(v) The Electoral Commission in its first sitting once constituted shall elect from among themselves a Chairman and a Secretary.

(d) Authority and Responsibilities of the Students Electoral Commission

- (i) The Students Electoral Commission has the authority and responsibility to:
 - a) Conduct and supervise elections.
 - b) Promote free and fair elections.
 - c) In consultation with the Dean of Students determine and announce the dates for nomination and election.
 - d) Cause the preparation of voters register, ballot papers, ballot boxes and designation of polling stations.
- (ii) The Students' Electoral Commission shall publish the list of successfully nominated candidates and the disqualified candidates, and shall post such notices of disqualification together with such reasons visibly and numerous in the University.
- (iii) The Electoral Commission must ensure that qualified candidates represent the face of Kenya (regional and ethnic diversity of the people of Kenya, gender, people with disabilities and special interest groups) in line with the constitution of Kenya 2010.
- (iv) The Electoral Commission must ensure that the voting procedure is simple and precise.
- (v) The Returning officers at all polling stations announce the results.
- (vi) The Electoral Commission shall oversee only elections of the SGC.

e) Qualification for Candidates

Eligible candidates for elective posts in Students Governing Council (SGC) shall;

- i. Be bona fide students of the University of Eldoret
- ii. Have cleared payments of ALL University fees that are due at that time as shall be confirmed by the Finance Officer.
- iii. Demonstrate that class work would not suffer by obtaining an average mean mark of credit pass (60%) in the previous University examinations.
- iv. A First year student intending to contest should have obtained credit pass (60%) average of C.A.T. marks.
- v. Not have been found guilty by the University Students' Disciplinary Committee and the Kenyan court of law or have pending disciplinary case(s) and to show proof of this by

- obtaining a clearance certificate from the Deputy Vice-Chancellor (Academics and Students Affairs)
- vi. Neither gender should be more than 2/3 of the seats. In the event this happens, affirmative action will prevail.
 - vii. There shall be a nomination committee chaired by the Returning officer which shall be composed of Registrar (academics), the Dean of Students and SGC to select three names to be forwarded to the SEC to pick one name for the special member and in case of affirmative action to the SGC.
 - viii. To qualify for election to represent students at any level, a candidate shall not be a member of staff of University of Eldoret.
 - ix. Persons nominated for the post of Director of persons with disabilities shall be a person with disability.
 - x. Provide additional testimonials to prove their capability to serve as Director Editorial Services for those vying for the same.

(f) Election Procedures

- (i) The election polling date shall be held latest Friday two weeks prior to the start of the second semester examinations.
- (ii) The Election Day shall be free from lectures, CATs, practical, Field attachment/trips to allow elections to proceed without interruptions.
- (iii) The Electoral Commission shall in two weeks before the polling date;
 - 1. Declare all positions open for contest;
 - 2. Announce the date of elections;
 - 3. Call for nomination of candidates to the positions declared vacant;
 - 4. Receive nomination papers from aspiring candidates;
 - 5. Determine and publish the names of candidates qualified or otherwise;
 - 6. Prepare and display the register of voters for inspection a week before the election date.
 - 7. Determine the number and location of voting centers with appropriate number of student commissioners to manage the voting process.
- (iii) The Students' Electoral Commission shall declare not more than 7 days, for campaigns, such that;

1. The candidate shall be allowed to organize and conduct individual campaigns;
 2. The candidate for election to the SGC shall attend and take part in formal campaigns, including question and answer sessions organized, conducted and directed by the Students' Electoral Commission
 3. Students Electoral Commission (SEC) comes into effect 8th week prior to the start of the second semester examinations.
 4. The SEC shall dissolve the previous SGC
 5. The SEC shall oversee the nominations and conduct elections.
 6. Campaigns shall normally begin on Friday of the 9th week and go on for six (6) days until Wednesday.
 7. There shall be no campaigns on Thursday, the seventh day.
 8. Voting shall normally be on the 8th day, Friday
 9. Time for campaigns shall be from 8 am to 10 pm.
 10. 'Kamukunji' and crossfire shall commence at 3pm.
 11. Campaign processions shall begin at 5 pm. and end at 10 pm. (Students with lectures after 5 PM should use the normal procedure to be excused from classes).
 12. Door to door campaigns shall begin at 8 am and end at 10 pm and 10 to 10 rule **MUST** be observed.
 13. Upper limit of money used by candidates to campaign shall not exceed Kenya Shillings twenty thousand only (Ksh. 20,000 only). This shall be verified and reviewed by the Dean of students in consultation with the Deputy Vice Chancellor, Academic and Students Affairs.
 14. Motorized campaigns shall not be allowed.
 15. Localized campaigns within satellite hostels shall be carried out without interference with members of the public (e.g. public road, public vehicles, pedestrians, private residential areas and private vehicles)
 16. Connotation of language used during campaigns shall not be ethnicized.
- (iv) In the event that only one candidate has been nominated for any one electoral position, the candidate shall be declared elected unopposed.
- (v) A candidate shall be allowed to nominate an agent who shall witness the voting and counting of the ballot papers.

(vi) A candidate may voluntarily be personally present and at no time shall a candidate be barred from witnessing the counting of the ballot papers.

(vii) A candidate may withdraw his/her candidature by notice of such withdrawal authenticated by the said candidate and the agent to the Returning Officer through the Dean of Students before the list of candidates is declared.

(viii) A candidate shall be declared winner upon acquiring the highest number of the valid votes cast.

(ix) The Returning officer shall announce all election results immediately after the counting has been concluded.

(x) The Dean of Students shall post the same results visibly and numerously in the University within seventy two hours after the results are announced.

(g) Spoilt Votes

For purposes of this section a spoilt vote shall mean that which is obliterated or damaged or ambiguous or illegible and it can't be deciphered which candidate for whom it was cast. During the counting of ballot papers A spoilt vote shall not be assigned to any of the candidates

(h) Election Offences

(i) An election offence shall disqualify a candidate.

(ii) For purposes of this section, an election offence shall include;

1. Rigging
2. Bribery
3. Harassment
4. Use of forceful means
5. Intimidation
6. Giving False information
7. Campaigning on the day before polling day
8. Hate speech
9. Being a nuisance to members of the public
10. Motorized campaigns
11. Any other act of omission which defeats tenets of free and fair elections.

(i) Re-Run Elections:

- (a) In case of two leading contestants getting an equal number of votes in an election the Chairman of the Electoral Commission and the Returning Officer shall declare a re-run of elections between those two leading contestants within five days after the election.
- (b) Where elections are nullified due to non-compliance with the provisions of this Constitution, the Chairman of the Student Electoral commission shall issue notice for a re-run of election within five days of the election.

(k) Elections Appeals Committee

- (i) There shall be UESO Elections Appeals Committee established by Student Electoral Commission three working days before the polling day; and that committee will be composed of:
 - 1) One officer from the office of the Dean of Students appointed by the Dean of students as the Chairman,
 - 2) One member from the University Chaplaincy, and
 - 3) Two final year students who shall not be eligible election, appointed by SGC.
- (ii) Appeals must be lodged with the commission Chairman before the expiry of twenty-four (24) hours following the announcement of results.
- (iii) The UESO Elections Appeals Committee shall exercise authority and has responsibility as provided in this Constitution and in particular shall;
 - (1) Review any written petition against the election results within twenty-four hours following the announcements of such results.
 - (2) Hear oral and written evidence on the petitions
 - (3) Within two (2) days of receipt of such petitions, uphold or nullify the results as it may determine and notify the electoral commission.
- (iv) Any resolutions made by the UESO Elections Appeals Committee shall be final binding and conclusive.

(v) In the event that no appeal is received within the prescribed time or the UESO Election Appeals Committee has completed its work in accordance with this section, then the committee shall stand dissolved.

(l) By-Elections

- (ii) By election will be conducted at any time of the academic year in the event of any office falling vacant before the next general election is due or in case the election outcome does not meet the threshold of representativeness as per this Constitution.
- (iii) Any vacancy shall be announced by the Chairman of that SGC in conjunction with the Dean of Students.
- (iv) That by-election shall be conducted within the next fourteen (14) days after the declaration of the vacancy
- (v) By-election shall be conducted in accordance with the procedures of the general elections in this constitution.

(m) Handing Over

- (i) Within six(6)days and in particular the first Friday after the election results are announced, the Students Electoral Commission shall organize, oversee and preside over the handing over of office from the outgoing members of the SGC to the newly elected members of the SGC.
- (ii) Newly elected members to the SGC shall be inaugurated to office in a ceremony held in public within the University by the Vice-Chancellor or his/her representative.

(j) Dissolution of the Electoral Commission

The Electoral Commission shall stand dissolved, if there is no election petition against election results and hand over their returns to the Dean of Students, when new officials are inaugurated into office.

In the event of a petition against election result by any person, the Electoral Commission shall wait to act on the resolution reached by the election appeals committee on the said petition before it stands dissolved.

ARTICLE 19: TRANSITIONAL ARRANGEMENTS

All rights, duties, obligations, assets and liabilities of UESO existing immediately except authority to incur expenses before the dissolution of the previous SGC shall be deemed to be under the custody of SEC and, thereafter, SEC will transfer the same to the new SGC swearing in.

ARTICLE 20: INAUGURATION

- (a) The swearing - in ceremony shall be held at the first Special General Meeting and shall be presided over by the Vice Chancellor or his representative in the Presence of the Legal Counsel.
- (b) The swearing - in ceremony shall be held within the University grounds.
- (c) Citation of Pledge of Commitment shall be recited by every elected/nominated member as in (d) below.
- (d) The Pledge:

I,having been elected asof the SGC of University of Eldoret Students Organization do hereby swear and pledge that;

I shall uphold and defend the Constitution of University of Eldoret Students' Organization;

I shall seek to defend and respect the democratic rights and liberties of all UESO members;

I shall execute my duties with due diligence and competence as provided for in this Constitution without fear or favour, hate or hindrance, and without personal biases;

I shall serve all members equally irrespective of race, creed, colour, gender or tribe, and I shall not compromise the rights and privileges of any member;

I swear this pledge with full knowledge of my responsibilities and bind myself by the same.

So help me God

Signed by:.....at.....on this.....day of.....20.....

Before me

Legal Counsel of University of Eldoret Students' Organization

ARTICLE 21: THE STUDENTS' NEWSLETTER AND THE EDITORIAL BOARD

- (a) The SGC shall establish, on behalf of UESO, a registered Students' Newsletter.
- (b) The editor of the Newsletter shall be elected member of the S G C.
- (c) The Editorial Board of the Students' Newsletter shall consist of;
 - (i) The Director Editorial Services as Chairman
 - (ii) The Director of Academic Affairs
 - (iii) One other member of the SGC appointed by SGC
 - (iv) Not more than three ordinary members outside SGC nominated by the Director Editorial Services and appointed by the SGC
- (d) The Editorial Board shall liaise with the SGC in approving the articles and photographs to be used in the newsletter.
- (e) The Editorial Board shall be responsible for the standard of articles and photographs published in the newsletter which must meet the threshold of both academic and community living in the University.
- (f) The SGC shall be responsible for the financial control of the Editorial Board, but all the Editorial policies will be the Board's responsibility.

ARTICLE 22: FINANCE, INVESTMENTS AND ALLOWANCES

(a) Sources of Finance

The finances of UESO shall be obtained from-

- (i) UESO membership and subscription fees as provided in this Constitution;
- (ii) Revenues earned from investments;
- (iii) Fund raising activities and donations;
- (iv) Any other sources as approved by University of Eldoret.

(b) Collection of Revenue

Collection of UESO fees shall be done and posted into the UESO bank a/c in a manner prescribed by the UESO Constitution.

(c) Expenditure

- (i) All monies received for the purpose of UESO must be applied with thrift and stewardship to provide maximum benefit to UESO.
- (ii) Any expenditure of funds in excess of the provisions of the budget must be approved by the office of the Vice-Chancellor in case of an emergency.

6. Books of Account:

All financial transactions shall be accounted for as stipulated by the University accounting procedures.

7. Auditing of Books of Account

- (a) The accounts of UESO shall be audited by the External Auditor appointed by the University at least four weeks before the AGM.
- (b) The audited accounts and the balance sheet shall be published after approval by UESO not later than seven calendar days before the AGM.

(f) Petty Cash:

- (i) The Finance Director UESO may access such amounts for petty cash disbursements as may be determined by S.G.C in consultation with the Dean of students and approved by DVC(ASA)
- (ii) The Finance Director shall, through the Dean of students, withdraw and account for the petty cash approved as appropriate.

(g) Financial Benefits to Office Bearers

- (i) The financial allowances and benefits paid to office bearers will be determined, subject to income of UESO, by the *SGC* provided however that such determination shall be guided by the dean of students and approved by the Committee of Deans and:
 - 1. Such determination is based on evidence of sustained increase in the income of UESO.
 - 2. Such a determination shall not be to the disadvantage of incoming office bearers.
- (ii) Financial allowance and benefits for office bearers must not take effect during the term of those office bearers who determined or approved them.
- (iii) The *SGC* shall be paid a monthly allowance as determined by the *UMB* subject to the revenue collected and in relation to the other students' activities as per the approved budget at the Deans' Committee.

(h) Student Centre Facilities

The University Management Board shall use the existing University mechanism to tender the Students Centre. The revenue collected from these premises shall be part of the UESO income to be used for students' activities and welfare.

ARTICLE 23: MISCELLANEOUS

- (a) The minutes of every meeting under this Constitution shall be certified by the Secretary; approved by the Chairman of such meeting and adopted at the next meeting.
- (b) The organization or its members are capable of suing and being sued.
- (c) The name University of Eldoret Students' Organization (UESO) or Head Logo of **UESO** shall not be used without the authority of the **SGC**.

ARTICLE 24: AMENDMENT

- (a) This Constitution may be amended only by at least 2/3 (two-thirds) majority of members present and voting at a meeting convened for that purpose provided that for the purpose of Constitution amendment the quorum will be at least forty percent (40%) of the total UESO membership. Proposal for amendment shall be brought forward by the Secretary General on behalf of SGC
- (b) Any ordinary member of UESO may also move a motion for an amendment to the Constitution. Such a motion should be forwarded to the Secretary General of UESO and published at least two weeks prior to the meeting constituted to consider and decide on the proposed amendment.

ARTICLE 25: THE LEGAL COUNSEL

- (a) The SGC shall in consultation with the office of the Vice-Chancellor appoint a Legal Counsel from amongst the professionally qualified lawyers in the country.
- (b) On appointment he/she shall be an automatic honorary member of UESO and shall have the following duties;
 - (i) Advise the organization on Legal issues in accordance with Article 10(e)
 - (ii) Witness the swearing in ceremony as provided for under Article 19 of this constitution.
 - (iii) Perform such duties as stipulated under Article 10(e)

(iv) Interpret the Constitution in case of any disagreement in accordance with Article 26.

ARTICLE 26: INTERPRETATION

- (a) In case of any disagreement(s) on any section or clause of this Constitution amongst members of SGC or ordinary members, the Legal Counsel shall interpret the Constitution.
- (b) In case of a disagreement between members of SGC or ordinary members and the University Administration, the Registrar of Societies or his representative shall interpret the Constitution. Such interpretations shall be binding on all parties thereto.

ARTICLE 27: EFFECTIVE DATE

This Constitution shall be effective from 18th day of July, 2014.

ARTICLE 28: REVIEW

This Constitution shall be reviewed from time to time as need arises.