

CONSTITUTION OF THE MOUNT KENYA UNIVERSITY SOUTH SUDANESE STUDENTS' ASSOCIATION (MKUSSA) - NAIROBI CAMPUS.



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PREAMBLE

We, the members of **Mount Kenya University South Sudanese Students' Association**—

ACKNOWLEDGING the supremacy of the Almighty God of all creations:

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

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

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

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

COMMITTED to academic excellence.

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

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

**GOD BLESS MOUNT KENYA UNIVERSITY SOUTH SUDANESE
STUDENTS' ASSOCIATION**

CHAPTER ONE: STUDENT ASSOCIATION AND SUPREMACY OF THIS CONSTITUTION

1) Establishment

1) There shall be established a Student Association which shall be known as

MOUNT KENYA UNIVERSITY SOUTH SUDANESE STUDENTS' ASSOCIATION herein after abbreviated as **MKUSSSA**.

2) There shall be created in accordance with this in Nairobi Campus.

2) Supremacy of this Constitution

3) This Constitution is the supreme law of Mount Kenya South Sudanese University Students' Association and binds all members and MKUSSSA organs to work towards the good of the University and all South Sudanese students in MKU, Nairobi Campus.

4) This Constitution shall be binding to *bone fide* students of MKUSSSA.

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

6) Every member of the MKUSSSA has an obligation to respect, uphold and defend this Constitution.

7) Any attempt to establish a MKUSSSA otherwise than in compliance with this Constitution is void.

8) Any MKUSSSA law that is inconsistent with this constitution is void to the extent of that inconsistency, and any act or omission in contravention to this constitution is invalid.

9) MKUSSSA constitution shall be in compliance with Universities (Amendment) Act, 2016.

3) Mission

To strive for social cohesion, cultural diversity, good governance and academic excellence for the betterment of members and society at large.

4) Vision

To empower our members and promote peace, good leadership, skills, unity and social development.

5) Values and Principles

- a. The values and principles in this Section bind all members and MKUSSSA organs whenever any of them;
 - i. Applies or interprets this Constitution
 - ii. Makes or implements decisions

- b. The values and principles include the rule of law, democracy, and participation of members, inclusiveness, non-discrimination, good governance, integrity, transparency and accountability

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

- i. Patriotism and National unity;
- ii. Good governance and accountability;
- iii. Integrity and transparency;
- iv. Gender equity;
- v. Inclusivity and diversity;
- vi. Respect for the Rule of Law;
- vii. Collective and responsible student leadership;
- viii. A willingness to listen to alternative views and judge them on their merits; and
- ix. Commitment to academic excellence

6) Aims and Objectives

- a. The aims and objects of MKUSSSA shall be:
 - a) To ensure and work for students' right to representation at organs of the University as determined by the University statutes.
 - b) To promote and help preserves the academic, socio-cultural and socio-economic welfare of South Sudanese students in Mount Kenya University.
 - c) To serve the interests of its members without any regard to ethnicity, culture and religion
 - d) To provide students with suitable opportunities for a healthy social life through arts, sports and entertainment.
 - e) Foster students' awareness of the rights and responsibilities as members of MKUSSSA.
 - f) Facilitate initiative among South Sudanese students, between Mount Kenya University students and members of other Universities, Institutions and associations with similar interest.
 - g) Strive to foster the spirit of unity and understanding among students, between students and the University Management, members of the University staff and the general public.
 - h) Endeavor to achieve its objectives devoid of political, social, religious, ethnical, racial bias or any other form of discrimination.
 - i) Ensure equitable gender participation in students' affairs at the University.
 - j) Raise funds through lawful means for purposes of achieving the aims and objectives of MKUSSSA.
 - k) Be committed to holding free and fair elections.
 - l) Work to contribute towards promotion of education in Kenya and South Sudan.
 - m) Work with other national or international organizations with similar interests.
 - n) To increase the awareness of the diversity and multicultural aspect of the MKUSSSA community by holding cultural events and other social activities.

- o) Uphold and defend the spirit and letter of this Constitution

CHAPTER TWO: MEMBERSHIP

1) Membership of MKUSSSA

- a) Any South Sudanese student admitted to *Mount Kenya University* for a course leading to the conferment of an academic award regardless of the mode of study and on session shall be a bona fide member of the MKUSSSA.
- b) Membership is inherent to all South Sudanese students of *Mount Kenya University – Nairobi Campus* and shall be free from discrimination of any kind.
- c) The subscription fee is non-refundable to any member.
- d) Each member shall pay a subscription fee of **Ksh 500** and Executive Board Member **Ksh 1,000** every semester.

2) Rights of Members

- a) Every member will have a fair and equitable right to access the services offered by MKUSSSA provided that such access shall not be by unlawful means.
- b) Right to take part in all MKUSSSA activities without hindrance.
- c) Participate in the proceedings of the general and special meetings and MKUSSSA's forum.
- d) Right to elect, be elected or be nominated to any of the MKUSSSA leadership positions and representative of MKUSSSA in any forum in accordance with this constitution.
- e) To express their opinion in any proper and appropriate means in any MKUSSSA meeting or any other force where MKUSSSA has interest provided that personal opinion may not necessarily represent the policy of MKUSSSA.
- f) Right to access the Executive books of accounts after having delivered a fourteen (14) day's written notice to the Minister of Finance copied to the MKUSSSA President and Patron of the Association.
- g) Student may seek clarification on Interpretation of any clause of the Constitution from the Executive Board.

3) Obligations of the Members

- a) Every member shall recognize and respect MKUSSSA officials as the legitimate representative of the students.

- b) Every member is solemnly bound and shall abide by the letter and spirit of this Constitution.
- c) Any member who uses or publishes abusive material shall be subject to the disciplinary provisions of MKUSSSA, the university and the Laws of Kenya.

4) Cessation of Membership

Membership shall cease where:

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

CHAPTER 3: STRUCTURE OF THE ASSOCIATION AND GOVERNANCE

1) Structure of the Association

The structure of the association shall comprise of the following; -

- (a) The Executive Board
- (b) The members (General Assembly)

i. The Executive Board

b. Composition of the Executive Board

1) The executive board shall comprise of:

- (a) The President
- (b) Deputy President
- (c) Secretary General
- (d) Minister of Finance
- (e) Minister of Information and Communication.
- (f) Minister of Academic affairs.
- (g) Minister of Culture, Sports and Social welfare

2) Executive Authority and Tenure of Office

- 1) The executive authority of MKUSSSA is vested in the executive board and shall be exercised directly or indirectly by executive board.
- 2) The tenure of office for executive shall be **One Year**.
- 3) The members of the executive board shall hold office for term of one year beginning on the date of election.
- 4) A member of executive can be re-elected into office but not more than **Two Terms**

3) Functions of the Executive

Executive Board shall have the following functions:

- (a) Responsible for the general administration of MKUSSSA
- (b) The executive board shall not dismiss any elected executive member without approval of the students.
- (c) Keep accurate and appropriate records of MKUSSSA.
- (d) Be responsible for the day to day running of MKUSSSA.
- (e) Protect the individual and collective rights of MKUSSSA member.
- (f) Ensure and work for Student's rights of representation at the organs of the University.
- (g) Debate, approve and adopt budgetary proposals of the MKUSSSA's activities.
- (h) Seek audience with the University administration to address issues of importance affecting MKUSSSA members.
- (i) Provide directions on emergency matters affecting the students in consultation with

the University Administration.

- (j) Be the supreme organ of MKUSSSA.
- (k) Uphold and protect the Constitution of MKUSSSA.
- (l) Determine the general principles of MKUSSSA.
- (m) Appoint Constitutional Review/amendment Committee.

4) Roles of the Office bearers in Executive Board

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

i. The President

The President shall: -

- (a) Be the head of Executive Board.
- (b) Preside over the joint meetings of the Executive Board.
- (c) Be the official representative of MKUSSSA at any function, conference or seminar on issues relevant to MKUSSSA's interest.
- (d) Be a signatory to all official documents of MKUSSSA.
- (e) Delegate or assign duties to any other member of the Executive Board.
- (f) Facilitate for the existence of cordial relationship between the members and the general University Administration.
- (g) Strive to ensure all committees have working relationship among them and that their goals articulate the policies of the MKUSSSA.
- (h) Only have a voting right when there is a tie to break.
- (i) Sign all the bills or amendments to effect.

ii. The Deputy President

The Deputy President shall: -

- a) Deputize the President in his or her absence.
- b) Perform any other functions delegated to him/her by the President.
- c) Ensure all members of the association receive valuable and quality medical assistance from the University dispensary.
- d) Shall be the chairperson of Ethics & Conduct Committee.

iii. The Secretary General

The Secretary General shall: -

- (a) Keep the records, correspondence and official documents of MKUSSSA.
- (b) In consultation with the President and the members of Executive Board, draw the agenda for association meetings.
- (c) Coordinate activities of MKUSSSA.
- (d) Issue notices concerning all meetings of the Executive Board, General Assembly, extra ordinary and general meetings; and file copies of communication and minutes with the Clubs & Associations Co-ordinator and Patron.
- (e) Take and keep minutes of MKUSSSA meetings in both the executive and general

assembly.

- (f) Keep all records of communication with external links.

iv. The Minister of Finance

The Minister of Finance shall: -

- a) Announce to the (new) students the financial obligation of each student
- b) Collect, keep and release where necessary, the funds of the association.
- c) Submit an up to date statements of accounts as reports indicating income and expenditure for each academic semester.
- d) Ensure that all books of accounts are made available to any of the members of the MKUSSSA provided that a written notice has been given seven days in advance.
- e) The Ensure all financial deposits and withdrawals are done subject to the minutes and approval of the Executive Board.

v. The Minister of Information and Communications

The Minister of information shall: -

- a) Announce the date, time and venue of meetings at least one week before the date of the meeting;
- b) Inform the members of MKUSSSA on latest updates concerning the students.
- c) Perform any other duties bestowed upon him/her by students Executive Board provided they do not violate the spirit of this Constitution or create a chance of collision of responsibilities of other members of the Executive board
- d) Manages media relations, coordinates press releases, and oversee documentation.
- e) Manages the association's digital present by updating websites, social media accounts, and other digital channels to engage members and the broader community.
- f) Promotes events, initiatives, and activities to the members and the public, enhancing participations and visibility.

vi. The Minister of Academic Affairs.

The Minister of Academics Affairs shall;

- a) Represent members of the association in the University Management and devotedly serve members of the association in the academic affairs.
- b) Keep all records on academic affairs of members of MKUSSSA before and during its tenure.
- c) Be available to members of MKUSSSA to receive recommendations and complaints from members of MKUSSSA on such issues concerning academic affairs.
- d) Take the initiative to provide feedback to the relevant members of MKUSSSA on matters of academic nature.
- e) Facilitate the orientation of new members of MKUSSSA in the University.
- f) Be a member of the Students Ethics and Conduct Committee.

g) The Minister of Culture, Sports And Social Welfare.

The Minister of culture, Sport and Social welfare shall;

- (a) In consultation with executives and the general assembly propose projects for cultural

- events and Games;
- (b) Promote unity, appreciation of cultural diversity, cohesion and cooperation among the students through sport and culture and;
 - (c) Promote creativity and competition among the students through sports and culture to improve various talents and/or skills.
 - (d) Ensure that no forms of violence or sexual harassment shall be projected directly or indirectly to any member of the association attending an entertainment event organized by MKUSSSA.
 - (e) Organize for and host forms of entertainment approved by the Students' Council appropriate to members of the association.
 - (f) Ensure that the Association's and the University's property is protected from damage during entertainment events organized by or hosted by the Executive Board.
 - (g) Is chief consultant to the Students' Council on any matter related directly or indirectly to entertainment of members of the association.
 - (h) Is chief consultant to Students' Council on any matter related directly or indirectly to sports and games activities?
 - (i) Ensure that no sporting activity recognized by the MKUSSSA is marginalized or neglected.
 - (j) Thoroughly examine sports and games problems in order to provide practical solutions.

CHAPTER FIVE: ELECTIONS

1) Election of Executive Board

- a) All occupants of the Executive Board shall occupy their respective positions by virtue of election by MKUSSSA members through Secret Ballot.

There shall be an election of MKUSSSA officials by The Secret Ballots as MKUSSSA constitution stipulated.

- b) Election of the MKUSSSA officials shall be held on the **first Thursday (First week)** of the month of **March each year**.

2) Qualification for MKUSSSA official candidacy

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

- a) Is of good moral standing in the society, the general public and the University.
- b) Is able to serve in the Executive Board for a continuous period NOT less than 12 months (excluding attachment period).
- c) Is a bona fide student of Mount Kenya University and be recognized as such having fulfilled the registration requirements of the University.
- d) Be having a good disciplinary history as per the Mount Kenya University requirement.

- e) Is a bona fide member of MKUSSSA.
- f) He or she does not have history of psychiatric illness.
- g) That he or she is a registered student in Nairobi Campus.
- h) He or she has read and understood the MKUSSSA Constitution.
- i) He or she Has registered as a voter with the ECMKUSSA.
- j) Be able to pay the mandatory application fee to the EC-MKUSSSA;
 - ✓ For the position of President for MKUSSSA, a fee of **1000 ksh** is required to be eligible to vie.
 - ✓ For the position of Deputy President for MKUSSSA, a fee of **1000 ksh** is required to be eligible to vie.
 - ✓ For the position of Secretaty General for MKUSSSA, a fee of **500 ksh** is required to be eligible to vie.
 - ✓ For the position of Minister of Finance for MKUSSSA, a fee of **500 ksh** is required to be eligible to vie.
 - ✓ For the position of Academics Affairs for MKUSSSA. A fee of **500 Ksh** is required to be eligible to vie.
 - ✓ For the position of Minister for Information for MKUSSSA, a fee of **500 ksh** is required to be eligible to vie.
 - ✓ For the position of Minister of Sport, culture and social Welfare for MKUSSSA, a fee of **500 ksh** is required to be eligible to vie.

(PAYMENT TO BE DONE THROUGH M-PESA PROVIDED BY EC-MKUSSSA)

3) Disqualification from Election

A person maybe disqualified to vie for election in to the Executive Board if;

- a) There is evidence of sponsorship by the University Administration.
- b) After clearance to vie by the EC-MKUSSSA, the candidate incites other students to use violence threat or ridicule any member of staff or students or *other contestants*..
- c) Candidates' Campaigns or encourage others to campaign before or after the official campaign period.
- d) There is evidence of removing and/or destroying other aspirants or opponent's campaign materials.
- e) They engage in acts or omissions which defeats the tenets of free and fair election procedure.
- f) Failure to abide by the electoral commission code of conduct and rules.
- g) If there is evidence of Bribery.

4) Election Procedure of Executive Board.

- a) All MKUSSSA elections shall be by secret ballots, simple majority system, on the principle of one-person-one-vote.
- b) No one shall be allowed to vote by proxy or by mail.
- c) The Electoral Chairperson shall be the supervisor of elections and will be the Chief Returning Officer (CRO) and shall be deputized by the Deputy chairperson of the

Electoral Commission.

- d) When there is a tie in a position, the election shall be repeated by the General Assembly within 24 hours from the time the results are declared.
- e) The Chief Returning Officer shall supervise the elections with the help of Returning Officers, who will constitute the Electoral Commission.
- f) The election to the posts of the Executive Board shall be done by universal suffrage vested on General assembly through secret Ballot voting.

5) Procedure for Appointment of Electoral Commission

- a. There shall be established an electoral commission which shall conduct the election and other roles provided in this constitution.
- b. The Electoral commission shall be comprised of:
 - a) Chairperson
 - b) Deputy Chairperson
 - c) Secretary General
 - d) Finance
 - e) Information officer
- 3. The electoral commission shall be appointed by the President and approved by the General Assembly.
- 4. Shall be appointed into office one (1) month prior to the election
- 5. Shall be dissolved after after inauguration of new Executive Board.

2) Role of the Electoral Commission

The Electoral Commission shall:-

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

3) Eligibility of members of Electoral Commission

The members of the electoral commission shall:

- (a) Be a member of MKUSSSA through admission.
- (b) Be on session
- (c) Be a first year and above and shall be available during the time of election.
- (d) Be not a member of the executive

4) The Duties of Electoral Commissioners

a) Duties and responsibilities of the Chairperson/Chief Returning Officer

The chairperson of electoral commission shall: -

- (a) Chair the meetings of electoral commission;
- (b) Announce the election results;
- (c) Brief the general assembly and candidates on the rules and regulations of election process;
- (d) Verify candidates with members of the commission;
- (e) Delegate any duty to any of the electoral commission;
- (f) Help in counting of the votes and;

b) Duties and responsibilities of the Deputy Chairperson/Deputy Chief Returning Officer

The Deputy Chairperson of Electoral Commission shall, through delegation by the chairperson: -

- (a) Chair the meetings of electoral commission;
- (b) Announce the election results;
- (c) Brief the general assembly and candidates on the rules and regulations of election process;
- (d) Verify candidates with members of the commission;
- (e) Delegate any duty to any of the electoral commission;
- (f) Help in counting of the votes and;

c) Duties and responsibilities of Secretary

The secretary of the commission shall:

- a) In consultation with the chairperson of the commission writes agendas of the meetings;
- b) Take the minutes of the electoral commission meetings;
- c) Receive the data of candidates in conjunction with the members of electoral commission;
- d) Perform any other duty delegated to him/her by the chairperson of the commission;
- e) Help in counting of the votes and;
- f) Prepare certificates of awards for the outgoing office holders.

d) Duties and Responsibilities of Finance

The Finance of the Electoral Commission shall:

- a) Collect and keep finances channelled to Electoral Commission
- b) Keep financial records
- c) In consultation with other commissioners, should formulate budgets of Electoral Commission

d) Duties and responsibilities of information officer

Information officer shall:

- (a) Inform the commission on the meetings of the commission.
- (b) Inform the general assembly on matters of election.
- (c) Helps in counting of the votes.
- (d) Perform any other duty assigned to them by the commission.

5) Results of Election

- a)The Chief Returning Officer (CRO) shall announce the results of the elections on completion of counting the ballot papers to the candidates present and shall order a recount if so requested by any candidate.
- b) Any decision as to what shall be designated as spoiled papers shall be taken by the Chief Returning Officer together with the members of the Electoral Commission whose decision shall be final.
- c)The CRO shall post the results of the elections on the Association’s WhatsApp group within three days after the elections.
- d) Accepted results shall be endorsed by the candidates and their chief agents.

6) Inauguration of MKUSSSA Leadership

Inauguration ceremony of the MKUSSSA shall be held on the **First Saturday (First week)** of the month of **April each year**.

7) Vacancy in the Executive Board

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

- a. It shall be announced by the Executive Board, stating the reason for the vacancy.
- b. The Executive Board shall distribute the duties of the affected position to the Executive members for the rest of serving term.

CHAPTER SIX: LEADERSHIP INTEGRITY AND DISSOLUTION

1) Vote of No confidence

- a) A motion of No confidence on a member of the Executive Board shall only be passed in the event of—
- i. Serious violation of this constitution or University statute.
 - ii. Gross misconduct
 - iii. Physical or mentally incapacity to perform the function of the office.
 - iv. Persistent inability to execute the duty of the office as provided by this constitution.
- b) Motion of such vote shall be circulated to all member of the General Assembly within 10 days of the intent, a meeting of the General Assembly shall be held within 7 days giving all members other than the affected member an entitlement to vote on the motion.

a. Resignation and Suspension from Office

- a) A member shall stand suspended in the event of;
- i. Misappropriation of MKUSSSA funds.
 - ii. Is convicted of a criminal offence by a court of law of the Republic of Kenya.
 - iii. Found to have breached, contravened or violated the Constitution, values and principles, rules and regulations or statutes of the University.
 - iv. Non-attendance of three consecutive General Assembly meeting without an apology.
 - v. Abuse of power.
 - vi. Gross misconduct and misbehavior.
 - vii. If a vote of no confidence has been passed against him/her.
- b) Any official of the Executive Board shall hand in his/her written notice of intent to resign, one week before resignation to the Secretary General and the Patron. Such a letter shall also be copied to all Executive Board members. At the expiry of the seven days' notice she/he shall also publish a notice to this effect on the WhatsApp group. Replacement of such an official will depend on the time of resignation or suspension. If within the first six months of office, nomination will be done to fill the post. In case it occurs after six months of office, the co-opting will be done by the student council.
- c) The Secretary General can resign by submitting a written notice to the President who shall then follow the procedure in this session.

b. Dissolution

The Executive Board shall stand dissolved under the two categories listed below

a) Formal Dissolution

The Executive shall be dissolved automatically as soon as the election date for the next year's Executive' Board is announced. However, the Executive members will continue to perform their day to day activities in a caretaker capacity. New elections shall be held as provided for under this Constitution.

b) Dissolution through Recall

- i. Should the Students' Association-wish to remove the officials of Executive' Board from office, a vote of no confidence may be initiated through a precisely stated petition bearing; Names and the signatures of at least two thirds 2/3 of the members of association.
- ii. The petition shall be handed to the Patron within a period of two weeks of intended date of ouster. The Patron shall investigate the allegations and may call a general meeting of the students to discuss the petition.
- iii. At the meeting the points of view of both the electorate and the Executive' Board member concerned shall be held before a vote of no confidence is taken.
- iv. The electorates shall then vote on the petition. The Executive' Board shall then be dissolved by a resolution passed at a general meeting of members by a vote of 2/3 of the members present.
- v. The quorum at the meeting shall be as for a General meeting. If no quorum is reached, the proposal to dissolve the Executive shall be submitted to a further general meeting which shall be held three weeks later. Notice of this meeting shall be given to all members of the association at least fourteen days before the date of the meeting. The quorum for this third meeting shall be the number of members present.

CHAPTER SEVEN: STUDENT ASSOCIATION KITTY

1) Students Association Funds

MKUSSSA shall have an account under the MKUSSSA Nairobi campus name to which it is opened to.

The signatories shall be the:-

- a) President
- b) Secretary General.
- c) Finance of Minister.

2) Sources of MKUSSSA funds

The finances of MKUSA shall be obtained from

- a) Subscription fees.
- b) Donations, gifts and grants.
- c) Revenue collected from MKUSSSA investment.
- d) Any other source approved by the Exexutive Board and General Assembly.

3) Handling of MKUSSSA funds

- a) The students fund account shall be in custody of the MKUSSSA Exucutive Board under the supervision of the General Assembly.
- b) Withdrawals from the students' funds shall be made only against all the three signatories after the approval of the Executive Board subject to the minutes taken.
- c) Administration of such funds shall be carried out by the Finance Minister in consultation with the General Assembly, on behalf of the MKUSSSA Students' Association.
- d) All financial records shall be kept by the Finance Minister.
- e) Needy member(s) shall be given financial subsidy if deemed necessary. Such subsidy shall depend on the need and shall be approved by the Executive Board in consultation with the General Assembly.
- f) The maximum expenditure from the fund for each academic year shall not exceed the total revenue for the year.
- g) 5% of total subscription/contribution fee (Per Semester) shall be used by the Executive Board for administrative purposes and 95% shall remain in the MKUSSSA Account.
- h) The funds of the organization may be used for the following purposes.
 - i. Recurrent expenses
 - ii. Capital development
 - iii. Operations and Maintenance
 - iv. Facilitate furtherance of MKUSSSA's objectives.
- i) In case of an emergency, the Executive Board may authorize the expenditure not provided for in the approved budget in which the Finance Minister shall report the expenditure to the General Assembly and request for its approval.
- j) The records of the MKUSSSA Membership upon paying the semester contribution fee to be availed to the General Assembly upon admission.
- k) In case of embezzlement of the funds, be subjected to the rules of this constitution, the university statutes and the laws of Kenya

CHAPTER EIGHT: OFFICE OF THE PATRON

1) Office of the Patron

The Patron shall:

- a. Offer impartial and dependable advice to the Executive Board and General Assembly from time to time and when consulted.
- b. Offer any assistance at his/her disposal to the benefit of the association and in line with the University policy.
- c. Upon recommendation of the Dean of Students suspend any MKUSSSA official accused of misconduct as per this Constitution

CHAPTER NINE: MEETINGS

1) Executive Board Meeting.

- a) All meetings shall be convened by the Secretary General in consultation with the President of the Executive Board plus any four (4) other members of the Executive Board.
- b) The Secretary General shall cause to be issued a 7 day written notice including the agenda to each member of the Executive Board.
- c) The Executive Board shall meet once every semester.

2) Standing Orders

- a) All meetings shall have a quorum of simple majority of its membership.
- b) In the event of a Executive Board meeting not realizing a quorum within 30 min after the time scheduled for the meeting to start, the meeting shall be cancelled by the President of the Executive Board presiding over the meeting. The next meeting should be reconvened within a period not exceeding seven days. If still the quorum is not reached, those present at the meeting shall convert it into a special meeting provided that the discussion made at that meeting shall be approved in the next meeting.

3) Those to preside at any meeting:

- a) The President of the Executive Board
- b) The Deputy President of the Executive Board, in the absence of the President of the Executive Board.
- c) In the absence of the Deputy President of the Executive Board, any other member.

4) Breach of Order

- a) Any member shall be guilty of breach of order if he/she:
 - i. Uses derogatory language and declines to withdraw the same or offer a satisfactory apology.
 - ii. Disobeys a lawful order from the chair.
 - iii. Conducts oneself in a manner showing disrespect to the chair and the entire Executive Board meeting.
- b) Any member who commits a breach of order shall be declared by the President to be guilty of disorderly conduct and may be punished by being suspended from attending a meeting or meetings until he/she presents a formal apology.
- c) Any person found guilty of violation of discipline shall be charged as stipulated in the policies made by the sitting Executive Board.

5) Procedure for the Meeting

- a) The President of Executive Board or whoever is presiding over the meeting shall call the meeting to order and lead the members systematically through the item of the agenda.
- b) Minutes of the previous meeting shall be read by Secretary General, confirmed after the reading and any amendment necessary done and shall be signed by the President of the Executive Board and Secretary General.
- c) Any matters arising from the minutes shall be received and reports given.
- d) All matters on the agenda shall take precedence over all other matters.
- e) The President of the Executive Board shall use his or her discretion to limit the time and number of speakers on any issue under debate. A simple majority shall be used to adopt a motion. In case of a tie, the President of the Executive Board shall give casting vote.
- f) Every agenda must provide for a question time at the discretion of the Chair. Any relevant question may be asked during this time, but no debate of policy of motion shall be allowed.
- g) The President of the Executive Board shall adjourn the meetings as appropriate.
- h) The President of the Executive Board shall maintain, order in the meeting

6) Minutes of the Meeting

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

7) Speeches during the Meetings

- a) A member shall speak only once about any subject before the meeting except on points of order, information or guidance.
- b) Members wishing to raise points of order guidance or information or ask a question for

a point of privilege must first obtain the permission of the President of the Executive Board

- c) When members put up their hands to speak the first to catch the President of the Executive Boards' eyes shall be given precedence.

8) Order of Precedence

During any meeting the following points may be accepted by the President of the Executive Board.

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

9) General Assembly Meetings

a) All meetings shall be convened by the Secretary General in consultation with the President plus any four (4) other members of the Executive board.

b) Secretary General shall issues a notice to General Assembly when need arises.

10) Standing Orders

- a) All meetings shall have a quorum of simple majority membership.
- b) In the event of a General Assembly meeting not realizing a quorum within 15 minutes after the time scheduled for the meeting to start, the meeting shall be cancelled by the chairperson presiding over the meeting. The next meeting should be reconvened within a period not exceeding seven days. If still the quorum is not reached, those present at the meeting shall convert it into a special meeting provided that the discussion made at that meeting shall be approved in the next meeting.

c) Those to preside at any meeting:

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

11) Breach of Order

Any member shall be guilty of breach of order if he/she:

- a) Uses derogatory language and declines to withdraw the same or offer a satisfactory

apology.

b) Disobeys a lawful order from the chair.

c) Conducts oneself in a manner showing disrespect to the chair and the general assembly.

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

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

12) Procedures for the Meeting

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

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

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

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

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

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

g) The President/Chairperson shall adjourn the meetings as appropriate.

h) The President/Chairperson shall maintain, order in the meeting

13) Minutes of the Meeting

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

14) Speeches during the Meetings

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

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

c) When members put up their hands to speak the first to catch the president/chairperson's eyes shall be given precedence

15) Order of Precedence

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

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

16) MKUSSSA Annual General Meetings

- a) There shall be an annual general meeting of the MKUSSSA with all the students called by the President of the Executive Board of the General Assembly which shall be held during the **2nd Friday of September in Nairobi campus** of the year in service. The notice of such meetings should be copied to the Dean of students/Associate Dean, Clubs and Association Coordinator & Patron.
- b) Notice of such an annual general meeting shall be communicated to all members by the Secretary General for not less than 14 days before the date of the meeting.
- c) Items of Agenda shall be forwarded to the general assembly seven days before the date of the meeting.
- d) The Secretary General shall circulate the items of agenda and file the same with the Dean of Students or Patron seven days before the meetings and strictly follow the items specified in the agenda during the meeting.
- e) The President/Chairperson shall harmonize the important issues raised at the meeting and adjourn the meeting.
- f) Minutes of the meeting shall be filed by the Clubs & Association Coordinator' office and be displayed/posted to the official communication website (Whatsapp) for the general assembly within fourteen days.

17) Extra-Ordinary Meeting

- a) An extra- ordinary meeting of MKUSSSA may he called by the Executive Board when deemed necessary.
- b) Such a meeting must have the approval of the Dean of Students or the Patron.
- c) A notice and agenda of such a meeting must be clearly stated and posted to students and filed with the Dean of students or Patron. No other business shall be discussed during an extra-ordinary.

CHAPTER TEN - AMENDMENT OF THIS CONSTITUTION

1) Amendment of this Constitution

- a) The Executive Board may move to amend the constitution by coming up with a constitution review committee after consultation and approval by the Clubs & Associations Coordinator and the MKUSSSA Patron.
- b) A member of MKUSSSA may move to amend the Constitution after gaining names and signature of at least 2/3 of members of association. This is after consultation and approval from the Clubs and Associations Coordinator and the Patron.
- c) Sitting members of the Executive Board shall not be members of the constitution review team other than for one member of the Executive Board, the custodian of the Constitution, who shall be the Chairperson of the review team.
- d) The constitution review committee shall consist of 1 or 2 non-MKUSSSA official members to be appointed by the Executive Board with the consultation of the Clubs & Associations Coordinator or the Patron.

SCHEDULE

OATH OF OFFICE

This is done in accordance with relevant provisions of the Constitution of the Mount Kenya University South Sudanese Students' Association - Nairobi Campus.

The Oath (to be recited)

I..... having been elected as
..... of **MKUSSSA - Nairobi Campus**, do hereby
solemnly pledge allegiance to South Sudanese Students Association at Mount Kenya
University Nairobi Campus,

That I will faithfully perform the duties and responsibilities of my position to the best of my
ability and support all **MKUSSSA's** activities and programs that will benefit the said
association and the members in particular,

That I will uphold the constitution and By-Laws of MKUSSSA, and that I shall impose this
obligation upon myself, voluntarily without fear, favor, affection or ill-will.

So, help me God!

.....
Office's Holder

Subscribed and sworn to before me this..... day of, **20**.....

.....

.....
Lawyer, Advocate-Trainee and Certified Professional Mediator (CPM).

Contact:

Email:

Approval of the Constitution

This Constitution became effective on the day of In the year.....

MKUSSSA President

..... Sign.....

MKUSSSA Patron

..... Sign.....

Clubs & Associations Coordinator

..... Sign.....

Associate Dean of Students (ADoS)

..... Sign.....