



THE CONSTITUTION OF

RONGO UNIVERSITY STUDENTS ASSOCIATION

(RUSA)

TABLE OF CONTENTS

TABLE OF CONTENTS	2
PREAMBLE	5
CHAPTER ONE- DECLARATION	6
ARTICLE 1: NAME	6
ARTICLE 2: INTERPRETATION OF TERMS	6
ARTICLE 3: AREAS OF JURISDICTION	6
ARTICLE 4: AIMS AND OBJECTIVES	7
CHAPTER TWO –MEMBERSHIP	8
ARTICLE 5: COMPOSITION	8
ARTICLE 6: OBLIGATIONS	8
ARTICLE 7: RIGHTS AND PRIVILEGES.....	8
ARTICLE 8: CESSATION	9
CHAPTER THREE - ORGANS OF RONGO UNIVERSITY STUDENTS ASSOCIATION	10
ARTICLE 9: GENERAL FORA.....	10
ARTICLE 10: EXECUTIVE COUNCIL.....	11
ARTICLE 11: THE CONGRESS	14
ARTICLE 12: FUNCTIONS OF THE CONGRESS	14
ARTICLE 13: SUMMONING OF THE CONGRESS AND ELECTION OF THE SPEAKER	15
ARTICLE 14: DISSOLUTION OF THE CONGRESS	15
ARTICLE: 15: ROLES AND DUTIES OF CONGRESS MEMBERS	16
CHAPTER FOUR- ELECTORAL PROCESS.....	17

ARTICLE 16: ELECTION DATES	17
ARTICLE 17: QUALIFICATIONS OF CANDIDATES OF VARIOUS POSTS	17
ARTICLE 18: ELIGIBILITY TO VOTE	18
ARTICLE 19: ELECTION OFFENCES	18
ARTICLE 20: SPOILT VOTES	19
ARTICLE 21: ELECTION PETITION	19
ARTICLE 22: ELECTION APPEALS BOARD.....	19
ARTICLE 23: ROLES OF ELECTION APPEALS BOARD.....	19
ARTICLE 24: ELECTION OF MEMBERS OF THE CONGRESS/ELECTORAL COLLEGE	20
ARTICLE 25: VACATION OF OFFICE	20
ARTICLE 26: RECALL OF A MEMBER OF CONGRESS/EXECUTIVE COUNCIL.....	20
ARTICLE 27: PROCEDURE FOR RECALL	21
ARTICLE 28: VOTE OF NO CONFIDENCE	21
CHAPETR FIVE- INDEPENDENT COMMISSIONS.....	22
ARTICLE 29: STUDENTS ELECTORAL COMMISSION	22
ARTICLE 30: ELIGIBILITY OF THE STUDENT ELECTORAL COMMISSION	22
ARTICLE 31: FUNCTION OF THE ELECTORAL COMMISSION	23
ARTICLE 32: COMMENCEMENT OF ELECTORAL COMMISSION	23
ARTICLE 33: ALLOWANCES OF THE ELECTORAL COMMISSIONNERS	23
CHAPTER SIX- PRINCIPLES OF RESOURCE AND FINANCE UTILIZATION	24
ARTICLE 34: SOURCES OF FUNDS	24
ARTICLE 35: FISCAL PERIOD.....	24
ARTICLE: 36: BUDGETTING	24
ARTICLE 37: SIGNATORIES AND BANKING	24

ARTICLE 39: AUDIT AND AUDIT REPORT 25

CHAPTER SEVEN- DIVERSITY..... 26

ARTICLE 40: TRANSITIONAL SYSTEM OF OFFICE 26

ARTICLE 41: DISSOLUTION OF THE ASSOCIATION..... 26

ARTICLE 42: BOARD OF TRUSTEES 27

ARTICLE 43: CODE OF CONDUCT 27

ARTICLE 44: POWERS 28

ARTICLE 45: AMENDMENTS OF THE CONSTITUTION 28

RONGO UNIVERSITY STUDENTS ASSOCIATION (RUSA)

PREAMBLE

ACKNOWLEDGING THE SUPREMACY OF THE ALMIGHTY GOD, we the students of Rongo University, aware that the students association was created to serve the students community in the pursuit of social academic welfare, peace, prosperity, integrity, dignity, equity and equality of students at large irrespective of the age, gender, colour, disability and tribe exercising our rights to determine the form of leadership we deem suitable for our association, conscious of our sacred role as the foundation upon which the promotion of our solidarity and strength depends.

NOTING that the democratic values of transparency, accountability, respect for students rights and social justice must be initiated in our system of association as to ensure that the democracy is enjoyed by all members.

CONVINCED that this Constitution shall guarantee continued peaceful co-existence between Rongo University (RU) and RUSA, as a self-determining association

DO HEREBY dedicate our effort to declare, adopt the spirit of this Constitution and bind ourselves by it as the Constitution of RONGO UNIVERSITY STUDENTS ASSOCIATION.

GOD BLESS RONGO UNIVERSITY

CHAPTER ONE- DECLARATION

ARTICLE 1: NAME

We, the students of Rongo University declare that the name of our association shall be called Rongo University Students Association (RUSA).

ARTICLE 2: INTERPRETATION OF TERMS

- a) **Bona Fide Member:** Is a student who has fully subscribed to Rongo University Students Association.
- b) **The Constitution:** This shall refer to the Constitution of Rongo University Students Association (RUSA) unless stated contrary to this Constitution.
- c) **Books of Accounts:** This shall refer to the balance sheet, income statements, and all sources and application of funds.
- d) **Congress:** Is the body that brings together the elected Representatives, Speaker and the Dean of Students as an ex-officio member and any other member as may be permitted by this Constitution.
- e) **Standing Orders:** The rules and regulations in the performance and proceedings of the Congress as adopted by the Congress.
- f) **Student:** Refers to a person duly registered by the University for the purposes of obtaining a qualification of the University or any other person determined by the Senate/Council to be a student.
- g) **Commission:** Refers to any independent body as may be provided in this Constitution or any other approved by the Congress.
- h) **Membership of the students association:** Subject to this Constitution any student registered at Rongo University shall be an ordinary member of RUSA upon payment of registration fees as may be determined by the association in consultation with the University Management from time to time.
- i) **Persons with special needs:** Shall be taken as defined in the persons with disability as provided for in the Constitution of Kenya.
- j) **Speaker:** Refers to an individual elected by the Congress upon application, to direct and govern the deliberation of Congress proceedings.
- k) **Association Meetings:** Shall be understood as the Annual General Meeting, Special General Meeting and/or *Kamukunjis* as stipulated by this Constitution.

ARTICLE 3: AREAS OF JURISDICTION

- a) This Constitution shall be applicable to all the campuses of Rongo University as may be declared by University/Council/Senate from time to time.

- b) The head office shall be situated at the main campus of Rongo University.
- i. There shall be branch offices situated in various campuses as may be directed from time to time.
- ii. The office bearers of such branches shall operate within the provisions of this Constitution.
- iii. This Constitution is subject to the Universities Act of 2012 and subsequent amendments, the Rongo University Statutes and the T.V.E.T.A Act of 2013 and the Constitution of Kenya 2010.

ARTICLE 4: AIMS AND OBJECTIVES

Unless stated contrary in this Constitution, the aims and objectives of the association shall be:

- a) To establish a strong, association effective and efficient Students Association that will advocate for the members' welfare, rights and privileges through fair representation at all organs of the University thus to be a means by which members' interests shall be channeled to the relevant authorities.
- b) To foster unity and understanding amongst the members, University Administration , general staff and the community around the University.
- c) To strive for academic freedom and excellence in line with the University vision of transforming the University into a Goldmine of knowledge and innovation.
- d) To promote the welfare of members of Rongo University Student devoid of tribal, political, social, religious, gender, racial and any other bias.
- e) To discuss and declare an opinion on any matter affecting members, foster and mobilize members in matters pertaining their welfare.
- f) To promote and enhance participation of members in national development and any other field promoting nationalism and patriotism members as may be prescribed by the association.
- g) To liaise and steer cooperation between the students and the University Administration so as to seek, enhance, and maintain the freedom, rights and privileges' accruing to members by virtue of humanity, sex, status, age, citizenship and other appropriate criteria.
- h) To provide quality services geared to anticipate and meet the needs of its members.

CHAPTER TWO –MEMBERSHIP

ARTICLE 5: COMPOSITION

- a) Ordinary members shall be one who has paid the requisite membership and subscription fees.
- b) Associate members shall be alumni of Rongo University.
- c) Honorary members shall be a person(s) who have rendered valuable services to the association as may be determined by the Congress from time to time.

ARTICLE 6: OBLIGATIONS

Unless stated otherwise in this Constitution, the obligations of the association members shall be:

- a) Every member of the association shall pay the requisite registration fee and subsequent subscription fees.
- b) Every member shall be obliged to uphold and respect the Constitution of Rongo University Students Association (RUSA).
- c) Every member shall respect and protect the property endowed by RUSA, University and the entire public and any member who causes damage to such in malice shall be subjected to University Disciplinary Committee.
- d) Every member shall be required to participate in the Annual General Meeting as shall be organized by the association leadership.
- e) Every member shall be required to respect the RUSA offices established by this Constitution in this institution.
- f) Every member shall be required to respect the legal and documented decisions made by the association and by the Congress from time to time.

ARTICLE 7: RIGHTS AND PRIVILEGES

Unless stated contrary in this Constitution, the rights and privileges shall be:

- a) Every ordinary member shall have the right to seek and access information into any office established.
- b) All the members shall have the right to take part in all the activities organized and run by the association for its members.
- c) All ordinary members shall have the right to vote.

- d) Every member has the right to access and use the facilities of the association provided that the access shall not be by use of unlawful means such as the use of physical, force, fraud or misuse of facilities and services.
- e) Every member shall have the right to access all books of accounts of the association freely and seek clarification within 72 hours' notice prior to the effect and a copy of the same to be availed to the Dean of Students.
- f) Every member has a right to promote aims and objectives as stated in Article 4 of this Constitution.
- g) Right to freedom of speech, association, expression and movement.
- h) Right to worship in any religion of choice without victimization of the day of worship.
- i) Every member has a right to enjoy all the privileges as provided in the Kenyan Constitution.

ARTICLE 8: CESSATION

One shall cease to be a member:

- a) Upon death;
- b) Suspension from the University for more than an academic year;
- c) Expulsion and discontinuation by University Administration and/or Inter-University transfer.
- d) Upon completion of an academic programme.
- e) One who violates this Constitution and is considered as an intent or *mensurea* by the Executive and the Congress shall be expelled as a result of a referendum.

CHAPTER THREE - ORGANS OF RONGO UNIVERSITY STUDENTS ASSOCIATION

ARTICLE 9: GENERAL FORA

a) Annual General Meeting (AGM)

- i. The AGM shall be held at least 21 days before the end of an academic year;
- ii. The Secretary General in consultation with the Executive shall provide a notice to the office of the Dean of Students seven days prior to the effect for approval.
- iii. The memo shall outline:
 - a. The venue
 - b. The date
 - c. The agenda
- iv. The Executive shall give the general progress of the association and matter pertaining to financial reports.
- v. All RUSA members shall be required to attend the meeting without any victimization;
- vi. The meeting shall commence when a quorum of 65% (2/3) of the registered members of RUSA in session present at the venue.
- vii. The above clause (vi) shall not apply if the number is not achieved after thirty minutes within the time stipulated.
- viii. The occasion shall be presided over by the RUSA Chairman.
- ix. The decision of the AGM shall be by simple majority.

b) Special General Meeting (SGM)

- i. The Executive through the approval of the Congress shall convene a special general meeting at any time provided that the Dean of Students shall have been served with a reasonable notice seven days before the arrangements.
- ii. The SEC in liaison with the Dean shall organize for open forum (Kamkunjis) where the contestants shall air out their policies and manifestos to the electorate during electoral period.
- iii. 35% of bona fide members entitled to vote shall through the Speaker of the Congress call for a special general meeting after giving reasons, thereof.

ARTICLE 10: EXECUTIVE COUNCIL

This shall consist of:

1. Chairman
2. Vice Chairman
3. Secretary General
4. Treasurer
5. Secretary, Ladies Affairs
6. Secretary, Sports and Entertainment
7. Secretary, Special Needs

1. CHAIRMAN

The Chairman shall have the following responsibilities and authority as provided by this Constitution unless stated otherwise:

- a) Shall be the head of the Executive and preside over the association's meetings.
- b) Shall summon the Executive meetings.
- c) Shall be an automatic co-signatory of RUSA bank account and any other negotiable instrument stipulated in the Constitution.
- d) Shall represent RUSA at the University Council/Senate when necessary and the Disciplinary Committee unless he or she is an affected party or have a special interest, in event of such, the Vice Chairman shall represent him or her.
- e) Shall give an opening address to the Congress in the first meeting after every election.
- f) Shall be the spokesperson of RUSA.
- g) Shall remain a symbol of unity to the RUSA.
- h) Shall represent the Executive Council, Congress and RUSA at national and international levels.
- i) Shall assent to all the bills passed by Congress.
- j) Shall ensure proper and cordial relations among various organs of RUSA and University Administration.

2. THE VICE CHAIRMAN

Unless stated otherwise, the responsibilities of the Vice Chairman shall be:

- a) To deputize the Chairman in his or her absence or as shall assign.
- b) The representative of the Executive in the Congress.
- c) In conjunction with club officials coordinators, liaise with the Dean of Students on the activities of registered clubs/movements/associations.

- d) In liaison with the Dean of Students, organize students leadership or training programs.
- e) To work in close liaison with the office of chief Security officer and head of hostels and catering department to ensure efficient provision of services to RUSA members.
- f) To be the custodian for all the facilities and equipment acquired for students use.
- g) Shall present the interests and grievances of all the RUSA members pertaining their well-being to the relevant authorities.
- h) Perform any other relevant duty as may be assigned by the Executive and/or the Congress.

3. SECRETARY GENERAL

Unless stated otherwise in this Constitution the responsibilities of the Secretary General shall be:

- a) To prepare the agenda for the Executive secretariat meetings, Annual General Meeting, and any other meetings as directed by the Chairman.
- b) One of the co-signatories to RUSA financial transactions documents.
- c) To publish notices of meetings as required under this Constitution as approved by the Chairman.
- d) To take and keep proper records of all the proceedings of all Executive, Secretariats, Annual General Meeting and any other as directed by the Constitution .
- e) To manage and regularly update the RUSA website in liaison with the University authorities.
- f) Represents the RUSA in Senate and Bookshop Committees.
- g) Promote and urge the provision of academic facilities, resource and services for better academic programs.
- h) Address issues arising directly from the academic interest of the members of RUSA;
- i) Participate in allocation of bursaries to the needy students in liaison with the Director Finance from RUSA account.
- j) Enhance dissemination of information to students on matters related to academic policies, procedures and regulations among others in liaison with the Secretary General.
- k) Perform any other duties related to academic affairs as shall be assigned by the Executive and/or Congress.

4. TREASURER

Shall be charged with the following responsibilities unless stated otherwise in the Constitution:

- a) Shall serve as the Chairman of Financial Committee as shall be decided by the Congress.
- b) Shall ensure the safety of RUSA books of accounts and avail them for audit and inspection as stipulated in the Constitution.

- c) Shall be an automatic co-signatory member to the RUSA banks accounts and any other negotiable instruments.
- d) Shall present a budget within fourteen days after swearing in of the Congress in liaison with the Executive Council.
- e) Shall present the financial report during the Annual General Meeting (income and expenditure report).
- f) Shall avail funds for payment for all official commitments subject to annual budget as shall be approved by the Congress.
- g) Shall be in charge of the financial management, mobilization of resources, income generating activities and projects of RUSA and answerable to the Congress.
- h) Shall perform any other function relating to finances as may from time to time be directed by the Congress and the Executive.

5. SPORTS AND ENTERTAINMENT SECRETARY

Subject to the provision of this Constitution unless stated contrarily the duties shall be:

- a) To liaise with the office of the Dean of Students and University Sports Department to ensure students welfare in matters pertaining to sports are protected.
- b) To organize friendly games within the institution in consultation with captains and games tutors;
- c) To organize practice sessions for games and sports.
- d) To take care of games and sports equipment.
- e) Represent RUSA in management of University sports team.
- f) Work in liaison with the University games tutor to identify problems.
- g) Shall preside over democratic elections of each team captain by the team members.
- h) Liaise with the Universities cultural week committee and the office of the Dean of Students to ensure success of the cultural week and other social events.
- i) Coordinate recreational activities upon the approval of the Executive Council as well as make arrangements for entertainment.
- j) Promote gender equality in RUSA and University community.
- k) Promote integration of those with special needs and interests as well as supervise the RUSA activities relating to members welfare especially social and gender services.
- l) Liaise with the guidance and counseling office to ensure the promotion of guidance and counseling services to members and other general students support services.
- m) Perform other duties as may be assigned by the Executive Council.

6. SECRETARY LADIES AFFAIRS

Subject to this constitution the duties shall include:

- a) Represent the interests of ladies as stipulated in this Constitution.
- b) Perform any other function as shall be defined by Congress.
- a) Recommend the introduction of relevant health transport services which may be deemed necessary from time to time.
- b) Liaise with the University's department of health and transport services in providing possible assistance to the students.
- a) Identify problems in health and transport unit and forward them to the relevant authorities.
- b) Perform such other duties as may be assigned by the Executive Council and the Congress.

7. SECRETARY SPECIAL NEEDS

Subjected to this Constitution, he/she shall:

- a) Represent the interest and the grievances of specially challenged people.
- b) Perform any other duty as assigned by the Executive or Congress from time to time.

ARTICLE 11: THE CONGRESS

As stipulated in this Constitution the Congress shall be composed of :

- a) Persons elected to represent the Electoral areas identified hereunder:
 - i. Academic Schools for all undergraduate students in each School
 - ii. School of Graduate Studies
 - iii. Religious representatives
- b) Off- Campus Electoral College
- c) RUSA Vice Chairman as an ex-officio member.
- d) Dean of Students or his/her appointed representative as an ex-officio member.

ARTICLE 12: FUNCTIONS OF THE CONGRESS

The Congress shall be charged with the responsibilities as provided for in this Constitution and shall:

- a) Be the Congress of the Association
- b) Elect the Speaker at its first meeting /sitting after general elections.
- c) Be the supreme legislative and policy making organ of RUSA.

- d) Debate and approve RUSA policies, proposals and decisions tabled by the committee, Executive Council, Speaker or an ex-officio member.
- e) Monitor the implementation of its resolutions by the Executive Council.
- f) Debate, approve and adopt the budget.
- g) Make their own standing orders as shall be directed by the Speaker.
- h) The Congress shall be entitled to an agreed sitting allowance as shall be decided by the Congress and approved by the Dean of Students
- i) The Congress shall have four sittings in a semester and can hold special meetings whenever necessary.

ARTICLE 13: SUMMONING OF THE CONGRESS AND ELECTION OF THE SPEAKER

- a) The first meeting of the Congress shall take place within seven days following the inauguration of the Executive Council by the legal officer where Congress shall elect the Speaker.
- b) The Chairman in consultation with the Dean of Students shall summon the first Congress sitting where the Speaker shall be elected and sworn in by the University Legal Officer in the presence of the Dean of Students.
- c) The Dean of Students shall declare a vacancy through public notices in all the campuses.
- d) A person wishing to be elected as the Speaker shall apply to the Office of the Dean of Students.
- e) A person shall be qualified to hold office of the Speaker provided that he or she at the time of election is not in his/her last semester or first semester of his/her first year of study.
- f) A person shall be qualified to hold the office of the Speaker if he or she has a mean aggregate grade of at least a B in the University examinations.

ARTICLE 14: DISSOLUTION OF THE CONGRESS

- a) The Chairman shall dissolve the Congress with the approval of the Dean of Students three days before the date of return of nomination/approval papers for the next general elections as shall be determined by the independent Electoral Commission of the Association.
- b) The Dean of Students shall then declare the seats vacant.
- c) The existing Executive Council shall run the affairs of RUSA from the day of Congress dissolution up to the swearing in and handing over to the new Executive Council.

ARTICLE: 15: ROLES AND DUTIES OF CONGRESS MEMBERS

1. SPEAKER

The Speaker shall have the authority and responsibility to:

- a) Be the head of Congress
- b) Swear in members of the Congress and the entire formed commissions.
- c) Preside over the Congress meetings.
- d) Maintain law and order in the Congress;
- e) Address the Congress in its first meeting after the swearing in.
- f) Receive and prepare the relevant business of the Congress.
- g) Perform any other duty as the Congress may deem fit to enhance its efficiency and performance.

2. CAMPUS REPRESENTATIVES

The duties and roles of Campus Representatives shall be:

- a) To represent RUSA members from their respective campuses in the Congress.
- b) Act as a link between the campus members and the Executive Council.
- c) To perform any other duty as shall be directed by the members of their respective campuses through the Congress.

3. SCHOOL REPRESENTATIVE

Conferred in this Constitution shall bear the following responsibilities:

- a) Represent the school he or she comes from in the Congress.
- b) Shall present the interest of their respective schools to the Executive.
- c) Perform any other duty as shall be assigned.

4. RELIGIOUS REPRESENTATIVES

- a) Shall represent the interest of the religious groups in the congress.
- b) Shall link the respective religious group activities to the entire student council and the university administration.
- c) Perform any other duty as shall be assigned by Congress or Executive

5. CAMPUS LADIES REPRESENTATIVE

- a) shall present the interest of ladies to the Congress
- b) Perform any other duty as shall be assigned by Congress or Executive

CHAPTER FOUR- ELECTORAL PROCESS

The elections of RUSA office bearers shall be conducted within the provisions of Universities Act, this Constitution and the University rules and regulations.

ARTICLE 16: ELECTION DATES

a. General Elections

- i. Elections shall be held on the eleventh week of the second semester of each academic year. The establishment of the Students Electoral Commission (SEC) shall be done a month earlier before the Election Date as shall be directed by the Dean of Students.
- ii. The Executive Council and Congress members shall be elected by bona fide members of the Association unless otherwise specified.
- iii. Religious representatives shall be elected by each registered religious group in the University.

b. By-Election

A by-election shall take place within thirty (30) working days upon vacation/cessation of the office bearer as provided for by this Constitution.

c. Re-run of Elections

In a case of lead tie, the returning officer shall declare a re-run of the elections for the two particular contestants within fourteen working days after the general election.

ARTICLE 17: QUALIFICATIONS OF CANDIDATES OF VARIOUS POSTS

All subscribed members of RUSA shall be eligible to contest for any post declared vacant provided that they:

- a) Shall not be in their final year of study.
- b) Shall not have less than a credit pass of 60% cumulative average of examination results.
- c) Shall not have been suspended from the University at any one time and is of sound mind.
- d) Shall not have been involved in the previous election malpractices.
- e) Shall not be a member of Electoral Commission.
- f) Shall not have served for two terms in any past regime of the students association or successive students association.
- g) Must be a member of the Association.

- h) Must bear a valid Rongo University student's identity card and be a registered member of the Association
- i) Shall have cleared payments of all University fees that are due at that time as shall be determined by the finance office.
- j) The above shall apply to all elective posts while the Chairman, Vice-Chairman shall in addition to the above comply with the following:
 - i) Shall present to the Students Electoral Commission (SEC) a list of signatories of at least 10% of the total number of students from each campus which will be approved by the Electoral Commission and the Dean of Students.
 - ii) The Chairperson and Vice chairperson shall contest as a ticket composed of persons of opposite gender
 - iii) Must have completed a full academic year in the University.

ARTICLE 18: ELIGIBILITY TO VOTE

Conferred in this Constitution, a member is eligible to vote on the grounds that:

- a) He or she is a registered student of the University.
- b) He or she bears a valid Rongo University Student's identity card.

ARTICLE 19: ELECTION OFFENCES

An election offence shall disqualify a candidate for the purposes of this section, the offences include:

- a) Rigging.
- b) Bribery of voters and/or the Electoral Commission.
- c) Use of foul and/or profane language (hate speech) using any media.
- d) Giving false and/or malicious information in regard to electoral process.
- e) Destruction of electoral process and materials and/or use of coercive force.
- f) Intimidation, drunkenness disorder and rowdiness.
- g) Slurs based on ethnicity, religion, gender, and mode of studying among others.
- h) Destroying or mounting on other candidates' campaigning materials.
- i) Campaigning on the polling day and/or any other act that compromise the tenets of free and fair election.
- j) Unnecessary noise and disturbance in polling and tallying stations by supporters of a particular candidate
- k) Campaigning before the election period.

- l) Deliberate delay during the day of *kamukunji(s)*.

ARTICLE 20: SPOILT VOTES

This shall mean one that is obliterated, damaged, ambiguous or illegible that cannot be deciphered to a candidate for whom it was casted and/or as shall be determined by the Electoral Commission whose decision shall be final.

ARTICLE 21: ELECTION PETITION

A petition may be lodged to the Election Appeals Board by a contestant or a member of the association whenever such has a reason to believe that there has been a contravention of any election procedure or rule during the election period.

ARTICLE 22: ELECTION APPEALS BOARD

- a) In the event of election petition or irregularity, there shall be a board appointed by Deputy Vice Chancellor, Academic and Students Affairs which comprises of:
 - i. Dean of Students as a chairperson.
 - ii. Legal Officer and/or a Dean of a School.
 - iii. University Chaplain.
 - iv. Two students in final year who shall have not served in the association's Executive Council and/Congress.
- b) The petition shall be directed to the dean of students within a period of three working days following the election declaration and endorsed by at least fifty signatories of members of RUSA.
- c) The person facing the petition shall not be sworn in until approved innocent by the Election Appeals Board.

ARTICLE 23: ROLES OF ELECTION APPEALS BOARD

- a) The Dean of Students shall receive a written petition against the results that shall be raised within three working days.
- b) Shall hear oral submissions and review written evidences on the petition.
- c) Shall uphold or nullify the election results as it may deem fit and notify the Electoral Commission of its resolution.
- d) Shall determine all the petitions filed before it within the seven days of reception.
- e) The decision and/or the ruling made by the Election Appeals Board is final.

ARTICLE 24: ELECTION OF MEMBERS OF THE CONGRESS

- a) Subject to this Constitution, RUSA shall be divided into areas of interest and each area shall elect three members to the Congress in such a manner as may be prescribed by this Constitution.
- b) Every person who is registered in an area of interest unless he/she is under suspension from the association or the University or is disqualified from voting be entitled to vote in that area of interest in accordance to this Constitution and no other person to vote.
- c) Congress shall have to adhere the $\frac{1}{3}$ gender rule of representation.

ARTICLE 25: VACATION OF OFFICE

- a) If the person completes his or her residential academic program.
- b) If the person resigns from the office through a notice in writing addressed to Speaker and a copy of the same presented to therein Dean of Students.
- c) Upon dissolution of the Congress and the Executive.
- d) If the member is absent for two consecutive sitting of the house without permission in writing from the Speaker during any period when the house is continuously meeting and is unable to offer satisfactory explanation for the absence.
- e) If the member is found guilty by the Disciplinary Committee of violation of leadership code of conduct and the punishment imposed on includes vacation of office.
- f) If recalled by the electorate and the member's area of representation in accordance to this Constitution.

ARTICLE 26: RECALL OF A MEMBER OF CONGRESS/EXECUTIVE COUNCIL

Subject to this section, the electorate of any area of representation has the right to recall their member of Congress/ executive before the expiry of their term of Congress.

A member may be recalled from the office on any of the following grounds:

- a) Physical or mental incapacity that leads to incapability of performance of the said office bearer.
- b) Misconduct likely to stir hatred, contempt and/or disrepute to the office.
- c) Persistent desertion of the electorate without reasonable cause.
- d) Neglect of their assigned duties.
- e) Embezzlement of RUSA funds.
- f) Upon violation of any clause of this Constitution.

ARTICLE 27: PROCEDURE FOR RECALL

- a) A petition shall be presented to the Dean of Students signed by at least 75% of RUSA members from the area of representation.
- b) Upon reception and validation of the signatures, the Dean of Students shall forward it to the Speaker.
- c) Upon reception the Speaker shall within seven days convene an extra ordinary session of Congress in the affected Congressional area/Executive to receive complaints, submissions and evidences and give the accused an opportunity for self-defense if there may be.
- d) The Speaker shall then call a special Congress sitting to debate and vote if necessary.
- e) In case of a vote, the Speaker shall request a vote in support or contrary to the impeachment of the implicated leader.
- f) If the simple majority wins in favor of impeachment, then the accused shall stand impeached, thereafter the chair of that meeting after declaring the result, shall in writing give the Dean of Students a report who shall in turn declare the seat vacant.
- g) If the result is contrary to the point above, the report of the same shall be availed to the Dean of Students who shall then proceed with the reconciliation process.

ARTICLE 28: VOTE OF NO CONFIDENCE

RUSA is registered for common benefit, protection and security of all students. When an elected candidate is proved inadequate or contrary to the purpose, majority of RUSA members have in alienable and indefeasible right to reform or vote out that leader, Congress and/or the Executive Council as per the procedures above.

CHAPTER FIVE- INDEPENDENT COMMISSIONS

These commissions shall be put in place when need arises and shall be affirmed by office of the Dean of Students. These commissions shall include:

ARTICLE 29: STUDENTS ELECTORAL COMMISSION

- a) This shall comprise of its:
 - i. Chairperson
 - ii. Vice-Chairperson
 - iii. Secretary
 - iv. Other members of the commission
 - v. Dean of Students
 - vi. One member representing Office of the Dean of Students
- b) Interested members shall apply to the Dean of Students.
- c) The Office of the Dean of Students shall form a committee that will carry out the vetting process of the applicants.
- d) The number of the commissioners shall not be less than twelve or exceed sixteen.
- e) The Chairperson shall be appointed by the Vice Chancellor from a list of names of Senior University Staff members as proposed by the Congress.
- f) The outgoing Executives together with the Dean of Students shall appoint other students to the commission through the procedure which would be open, democratic and fair taking into consideration; gender, special needs and population of the campuses.
- g) Only members of the Executive who are not seeking re-election will participate in the appointment of the Students Electoral Commission

ARTICLE 30: ELIGIBILITY OF THE STUDENT ELECTORAL COMMISSION

Applicants for appointment as members to the Electoral Commission must meet the criteria indicated below. He/she:

- i) Must be a bona fide student of the University and registered member of the Association.
- ii) Must have not been in any disciplinary cases.
- iii) Must be a finalist.
- iv) Must have not served in the Association in any capacity.
- v) Must have cleared all fees.

vi) Must be of sound and moral behavior.

ARTICLE 31: FUNCTION OF THE ELECTORAL COMMISSION

- i) The Electoral Commission in liaison with the office of the Dean of Students shall oversee the election of the students RUSA officials.
- ii) At any election, the Electoral Commission must ensure that the voting procedure is simple, precise and results announced by the presiding officer at the polling station.
- iii) The Electoral Commission shall publish the list of successfully nominated candidates in liaison with the Dean of Students.
- iv) The commissioners should offer civic education to members who are eligible to vote ten days before such a date.
- v) The commission shall have a mandate to:
 - a) Supervise the preparation of voters register, ballot papers and boxes and designating polling stations.
 - b) Promote free and fair elections.
 - c) Conduct and supervise all RUSA elections in accordance with the elections norms and shall be empowered to supervise a by-election in the event of resignation and/or any other factors as stated in the Constitution.
 - d) Shall declare election results after counting and tallying of the votes.

ARTICLE 32: COMMENCEMENT OF ELECTORAL COMMISSION

It shall be affirmed by the Dean of Students and commence its operations officially after affirmation by the Dean of students.

It will officially be dissolved upon swearing in and handing over of the newly elected officials but can be re-convened as an *ad hoc* commission if there is any by-election within the first six weeks in the office.

ARTICLE 33: ALLOWANCES OF THE ELECTORAL COMMISSIONERS

Every member of the commission shall be entitled to such allowance as shall be proposed in their budget and approved by the office of the Dean of Students.

CHAPTER SIX- PRINCIPLES OF RESOURCE AND FINANCE UTILIZATION

Matters of finance and resource utilization shall be managed by the Executive, Auditors and the Dean of Students.

ARTICLE 34: SOURCES OF FUNDS

- a) The RUSA student membership and subscription fee as provided in the Constitution.
- b) Grants.
- c) Fundraising activities and donations.
- d) Incomes earned from investments.
- e) RUSA may raise funds through films, shows, dances, and such other lawful activities as the officials may declare from time to time.

ARTICLE 35: FISCAL PERIOD

The financial period shall be one academic year only.

ARTICLE: 36: BUDGETTING

- a) The Treasurer in consultation with the Dean of Students shall submit to the regular meetings of the Congress a detailed budget estimates for the ensuing fiscal period.
- b) He or she in consultation with the Executives shall prepare annual budget.
- c) The budget will include the program of the work for the fiscal period.
- d) The budget estimates shall cover income and expenditure for the period which they relate and shall be prescribed in Kenyan Shillings.

ARTICLE 37: SIGNATORIES AND BANKING

The signatories of RUSA accounts shall consist of:

- a) The Dean of students who shall be a mandatory signatory.
- b) The Chairman who shall alternate with the Vice Chairman in case of his or her absence who shall be mandatory.
- c) The Secretary General who shall be a mandatory signatory.
- d) The Director Finance who shall be a mandatory signatory.

ARTICLE 39: AUDIT AND AUDIT REPORT

The financial report shall be prepared by the Audit Board and be approved by the Dean of students and the Executives before being reported by the Treasurer.

The Auditoria Board shall consist of; the chief Executive, the Dean of students and the University auditor.

CHAPTER SEVEN- DIVERSITY

- i. Subject to this Constitution, the Congress shall have the powers to enact other rules and regulations for the implementation of this Constitution.
- ii. Any rule passed by the Congress shall be binding to the Executive Council and any other organ of the association provided in this Constitution and any violation shall invite disciplinary measures as provided for in this Constitution.

ARTICLE 40: TRANSITIONAL SYSTEM OF OFFICE

- i. The amendments passed by Congress in March 2016 will come to operation in the 2016/17 Academic year.
- ii. All rights, duties, obligations, assets and liabilities of Rongo University Students Association existing immediately before the adoption of this Constitution shall be deemed to be transferred to RUSA upon adoption of this Constitution.
- iii. All existing offices immediately before the coming into force of this Constitution shall continue to execute and exercise their authority and responsibility until the next general elections are held under this Constitution..
- iv. Any new office created in this Constitution shall be affected by operation of law through the first general election held under this Constitution.
- v. Whereas a student has completed his or her studies, he or she automatically ceases to be a member of RUSA and the remaining members upon an agreement in liaison with the dean of students shall charge one of the members with a double responsibility.

ARTICLE 41: DISSOLUTION OF THE ASSOCIATION

- i. The proposal of dissolution of the association shall be submitted, in writing to the Chairman and to all interested parties through public notices endorsed by 75% of members of the association, and meetings to discuss the dissolution are convened by the Dean of Students within one month upon reception of the notice.
- ii. All members shall be entitled to attend the above meeting and it shall only commence upon attaining two thirds majority of all registered members of the association.
- iii. Such meeting shall be presided over by the Dean of Students accompanied by the Vice-Chancellor (ASA) after which referendum by physical tally be conducted and 75% in support or contrary shall determine the then decision.

ARTICLE 42: BOARD OF TRUSTEES

- i) The Trustees shall consist of:
 - a) Deputy Vice Chancellor in charge of Administration Finance Planning.
 - b) Deputy Vice Chancellor in charge of Academic and Student Affairs.
 - c) Registrar in charge of Student affairs.
 - d) Dean of Students.
 - e) Finance Officer.
 - f) University Legal Officer.
- ii) The Board of Trustees shall subject to this Constitution, do the following:
 - a. Organize and evaluate the assets of the association upon dissolution of the association.
 - b. Pay creditors.
 - c. Be the custodian of the remaining assets.

ARTICLE 43: CODE OF CONDUCT

- a) RUSA official shall not be in a situation where the personal interest conflicts with the duties and responsibilities of the office or compromises the honesty, impersonality and integrity of the officer and the office.
- b) The following are the serious offences which are in conflict with leadership and integrity code:
 - i) Misappropriation of the funds of the office and destruction of the property of the Executive office.
 - ii) Engaging in corrupt practices, seeking or accepting a bribe for performing or not performing a duty or a task.
 - iii) Engaging in sexual or physical abuse to obtain service or any other undue advantage from members of RUSA.
 - iv) Abuse of elected or appointed officer to obtain a direct or an indirect undue advantage or enrichment.
 - v) Deliberately disrupting meetings and interfering with the orderly functions of any office of the association.
- c) An officer shall not ask for or accept property or benefits for any other person on account of anything done or omitted by the officer in the performance of a function as an office.
- d) A gift or donation to an office or public or ceremonial occasion is a gift to the appropriate committee, tribunal or office represented by the officer and accordingly the mere acceptance or receipt of the gift or donation is not a contravention of the code so long as the office hands over the gift to the appropriate, commission tribunal or office within 7 days.
- e) Any member guilty of any of the above shall be subject to a vote of no confidence.

ARTICLE 44: POWERS

In order to achieve any or all its aims and objectives but for no other purpose, the association may alone or with others do any of the following:

- a) Establish and administer such services as deemed necessary to meet the needs of the members and such charges as appropriate for provisions of such services.
- b) Solicit and invest money subject to the financial status of the association.
- c) Adopt and implement the policies of the association.
- d) Coordinate the efforts of persons and bodies concerned with its members and future members.
- e) Enter into reciprocal agreements regarding use of facilities by members of other educational establishments and internal bodies.
- f) Consult with and make recommendations to educational and other bodies.
- g) Adopt any other cause of action in line with the aims and objectives subjected to approval of the appropriate body.

ARTICLE 45: AMENDMENTS OF THE CONSTITUTION

- a. A proposed amendment to this Constitution shall be enacted in accordance to the provisions of this article.
- b. Amendments relating to any of the items listed below shall be approved by a simple majority of the students voting in a referendum. The matters to be approved through referendum are:
 - i. Supremacy of this Constitution
 - ii. Areas of jurisdiction
 - iii. Rights and privileges
 - iv. The terms of office for members of Congress and Executive
 - v. Provisions of the chapter on amendments
- c. Any amendment to the Constitution that does not relate to the matters identified above shall be enacted either by Congress or an initiative of a member of RUSA
- d. The meeting to discuss an amendment shall have a quorum of 2/3 of the Congress members.
- e. **Amendment by Congress**
 - a) Any member of the Congress may propose an amendment bill to the Constitution by bringing it to the- Congress for debate.
 - b) The bill shall be deemed passed if approved by at least two thirds of the members of Congress

f. Amendment by popular initiative

- i. Any member of the association can issue an amendment notice through a member of the Congress purposing the article and the reason for the desired amendment to the Congress Speaker.
- ii. The notice must have the details of the proposer, three seconders and at least 51% of all the Bona fide association members.
- iii. The Speaker shall summon Congress within 7 days of the receipt of the notice and table it for deliberations.
- iv. The Congress resolution shall be tabled before the Executive meeting for that purpose.
- v. Any amendment to this Constitution shall be affected when approved by at least 2/3 majority of the Congress RUSA members.
- vi. The resolution of the amendment shall be presented to the Dean of Students who shall in consultation give a written copy of the amendment and as such call the necessary changes in this Constitution.

RONGO UNIVERSITY
OFFICE OF THE DEAN OF STUDENTS
CONGRESS/EXECUTIVE OATH OF ALLEGIANCE

I swear
to uphold the dignity and statutes of Rongo University during my tenure of office as
.....

and promise solemnly to work in close co-operation with the Vice Chancellor and the entire University
Administration, uphold the statutes of the University, Rongo University Students Association's
Constitution for academic excellence for the good name and for its smooth running.

I undertake to abide by this oath and I understand that I shall forfeit my office if I do not abide by the
oath.

So help me God.

Name:

Registration Number:

School:

Signature:

.....
Dean of Students

.....
Date

.....
Vice Chancellor

.....
Date

RONGO UNIVERSITY

OATH OF AFFIRMATION OF OFFICE FOR THE ELECTORAL COMMISSION OF RONGO UNIVERSITY AND ANY OTHER COMMISSION

ISolemnly swear that I shall diligently serve the students of Rongo University in the office of the Students Electoral Commission

That I shall discharge my duties in accordance to the Constitution of Rongo University Students Association (RUSA)

That I shall at all times promote the interest of Rongo University in accordance to the laid down rules and regulations

That I shall at all times do justice to all students without fear, favor or ill will
So help me God

Name:

Registration Number:

School:

Signature:

.....
Dean of Students

.....
Date

.....
Vice-Chancellor

.....
Date