



# **GARISSA UNIVERSITY**

**P.O. BOX 1801-70100**

**GARISSA.**

**[www.garissauniversity.ac.ke](http://www.garissauniversity.ac.ke)**

## **RULES AND REGULATIONS GOVERNING THE CONDUCT AND DISCIPLINE OF STUDENTS**

**July 2018**

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# **RULES AND REGULATIONS GOVERNING THE CONDUCT AND DISCIPLINE OF STUDENTS OF GARISSA UNIVERSITY.**

## **1.0 PREAMBLE;**

None of these rules and regulations is meant to make your life difficult. They are meant to help Garissa University function effectively for **ALL** its students, staff and residents. Students are required to sign a declaration form to confirm that they have read and understood, and will abide by the rules and regulations as stipulated.

## **2.0 PRELIMINARY;**

- 2.1 These regulations have been approved by the Senate and the University Council in accordance with the provisions of University Act 2012 whose objective and purpose are, among others, to provide for the control, governance and administration of the University.
- 2.2 The Vice Chancellor, as per the University Act 2012 and Statute shall be responsible to the Council for the general conduct and discipline of the students.
- 2.3 These regulations shall apply to **ALL** students of Garissa University, subject to any necessary changes therein. All students shall be required to read and abide by these regulations.
- 2.4 These regulations shall not preclude the University from requiring any student to execute any bond, assurance or undertaking to be of good conduct throughout his/her stay the University.
- 2.5 Such bond, assurance or undertaking when required and executed shall have the same effect as if it were part of these regulations.
- 2.6 Students are advised to acquaint themselves with the Constitution of Kenya 2010, the Universities' Act, University statutes and other relevant policies.

## **3.0 DISCIPLINARY AUTHORITY**

For the purpose of these regulations, the Vice Chancellor, acting on behalf of Council, is the disciplinary authority of the Garissa University and may in that capacity:

- 3.1 Vary or add to the list of disciplinary offenses specified herein.
- 3.2 Suspend any student(s), suspected of committing an offence under these regulations, from the University pending further disciplinary measures for a period not exceeding 4 months.
- 3.3 Take any other measures necessary for the proper operation of disciplinary procedure and maintaining law and order.

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#### 4.0 DEFINITION OF STUDENT;

In these Rules & Regulations, the term **student** means a person who is registered as a student of Garissa University during a current academic year for a first or higher Degree, Diploma, Certificate or such other qualifications or courses of the University as may be approved by the Senate as qualifying a person for status of a student, and includes a student of an affiliated institution who is registered for examinations leading to degree, diplomas, certificates and other academic awards of the University.

#### 5.0 THE CONDUCT OF STUDENTS

- 5.1 Bill of Rights;** The following provision shall apply with respect to the conduct of students within and outside the University precincts:  
 “Bill of Rights; as enshrined in Chapter IV (4), of the Constitution of Kenya, 2010 the University will guarantee your Bill of Rights subject to the limitations of the Bill of Rights of the other parties”.
- 5.2 General Conduct;** All the students of the University shall conduct themselves with the highest standard of integrity, personal discipline and morality and, in particular, shall:
- 5.2.1 Respect and adhere to the administrative and academic rules, procedures and structures established by the University and statutes for the control, governance and operations of the University.
  - 5.2.2 Respect the rights and privileges of the members of the University Community at all times.
  - 5.2.3 Refrain from any conduct that might bring the University or Section or Programme or Oneself thereof into disrepute or public odium/peril.
  - 5.2.4 Wear decent, acceptable and appropriate attire at all times and in particular while attending lectures, practical session or at any University functions.
  - 5.2.5 Desist from tampering with firefighting appliances whenever installed and use such appliances for firefighting purposes only.
  - 5.2.6 Desist from misuse or willful damage to or destruction of the University property in default of which such student or group of students shall bear full responsibility thereof.
  - 5.2.7 Not engage in/or use University facilities for political purposes.
- 5.3 Channels of Communication;** In the redress of grievances, students in consultation with the Dean of Students’ shall be expected to go through the laid down channels and procedures as follows:

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- 5.3.1 **Academic matters;** Class Representatives, Lecturer, Heads of Department, Deans of Schools and Deputy Vice Chancellor (Academic & Student Affairs) in that order.
- 5.3.2 **Residential matters;** Student Hostel representatives, Housekeepers/Janitors, Hostel Officers, Wardens, Catering and Hostels Manager, Dean of Students' and Deputy Vice Chancellor (Academic & Students' Affairs) in that order.
- 5.3.3 **Community matters;** Student representatives, Chief Security Officer, Dean of Students. (As may regard; Public Transport, Arrests, Tenancy, Trespass, Theft, Incitement, Power black-outs, etc.).
- 5.3.4 Students and their organizations shall be expected to adhere to the procedures in (5.3.1) and (5.3.2) above to ensure prompt processing of their grievances.
- 5.3.5 Failure to adhere to the above procedures shall be a violation of the University regulations.

## 6.0 RULES OF COMMUNITY LIVING

- 6.1 **Residential Conduct;** All students shall conduct themselves with responsibility and maturity while in residence at the University and in particular **shall strictly** observe the following:
  - 6.1.1 Share rooms in addition to other facilities of common use. However, it shall be an offence to '**pirate**' in the University hostels.
  - 6.1.2 Admit students who are hostel residents to their rooms only between the hours of **10.00 a.m.** and **10.00 p.m.** and in so doing shall pay due consideration and regard to the conveniences of their roommates.
  - 6.1.3 Not remove or damage any facilities or equipment in their rooms or any other part of the halls.
  - 6.1.4 No cooking or selling of food in the hostels.
  - 6.1.5 Not conduct any business in the hostels.
  - 6.1.6 Other than an iron box, radio, mobile phones, TV and computers, the use of all other electrical and electronic appliances is prohibited in the University hostels.
  - 6.1.7 Not reside with a member of the family in the University Hostels, e.g. child, mother, father or any other unauthorized persons unless in specified areas as may be identified by the University.
  - 6.1.8 Not **cohabit** in the university hostels or any other official residence.
  - 6.1.9 Not enter or remain in the opposite sex hostels between **10.00 p.m.** and **10 a.m.**
  - 6.1.10 Not sub-let University hostel rooms.
  - 6.1.11 Non-resident students should fill non-resident forms.
- 6.2 **Room Keys;** each student shall be required to surrender room keys promptly if and when required.
- 6.3 **Vocational Residence;** all students shall leave the University premises at the end of every academic session. Permission for vocational residence shall only be granted by Dean of Students' on the advice from the Dean of the Faculty. The residence shall

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be required for the purpose of carrying out an academic assignment or for others approved by the Dean of Students.

- 6.4 Vocational residence shall be in a specified hall and paid for in advance at least two weeks before the start of the vacation.
- 6.5 Students shall vacate University premises immediately they are asked to on disciplinary grounds.

## 7.0 UNIVERSITY PROPERTY

A student shall take reasonable care of properties of the University and shall be held responsible for loss or damage to any such property where it is deemed to have been caused by negligence, willful destruction or misuse of such property by the student or group of students.

## 8.0 MUSIC AND MUSICAL INSTRUMENTS

- 8.1 Radios, television sets, videos (VCR), musical instruments and percussion instruments and other such instruments may be used only between 5.00 a.m. and 11.00 p.m. and at no time should the sound be so loud as to cause disturbance to others.
- 8.2 Video entertainment shows are restricted to Friday and Saturday evenings only and at no time should the shows run past 2.00 a.m. On Sundays, the shows shall run until midnight.
- 8.3 Discos and other dances shall be held on Friday and Saturday evenings only with prior arrangement with the Dean of Students' and the Security department.

## 9.0 NOISE AND NUISANCE

Students are not allowed to create unreasonable noise, or engage in unruly and rowdy behavior to the disturbance or annoyance of University members.

## 10.0 GENERAL

- 10.1 **Fire-fighting Appliances;** It shall be an offence against University regulations to interfere with, damage or remove, other than for firefighting purposes any of the firefighting appliances.
- 10.2 **Security of Students Property;** Students are advised to take reasonable care to ensure safety of their personal effects. While reasonable security shall be provided, the University is not liable for losses of or damage to students' personal property while on University premises.
- 10.3 **Motor Vehicles/ Motor Cycles;** A student shall not keep a motor vehicle on University compound/ premises without prior written permission from Deputy Vice Chancellor- Finance, Administration & Planning through the Dean of Students.

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- 10.3.1 Permission shall not be given without proof of a valid insurance cover, a current driving license and a valid road license.
- 10.3.2 Permission may be refused or withdrawn at the discretion of the Deputy Vice Chancellor (Finance, Administration and Planning).The offence shall be treated as trespass to property.
- 10.3.3 Students with permission to use motor vehicles shall be issued with stickers that indicate clearly where they have permission to park.
- 10.3.4 Parking of vehicles shall be at the owners risk and the University shall not be held responsible for loss or damage for such vehicles.
- 10.3.5 However, students shall not be permitted to operate commercial vehicles in the University.

## 11.0 CRIMINAL OFFENCES

The University has no right of exclusive jurisdiction over its students in criminal matters and other offences covered by the Kenyan law. All crimes and other offences under the Laws of Kenya, THE PENAL CODE CAP 63 shall be reported to police. These shall include the following:

- 11.1 Being drunk and disorderly
- 11.2 Drug abuse/possession of illegal brew.
- 11.3 Drug trafficking.
- 11.4 Fighting (Affray).
- 11.5 Possession of dangerous weapons eg. Daggers, arrows, guns, etc.
- 11.6 Illegal assembly (Terror gang, Cults, )
- 11.7 Forceful ejection of students and staff from lecture halls, Library Hostels and Offices
- 11.8 Rape or attempted rape.
- 11.9 Kidnapping/abduction, detentions.
- 11.10 Sexual harassment, indecent assaults, defilement.
- 11.11 Indecent exposure/exhibition
- 11.12 Impersonation and false pretense
- 11.13 Forgery, fraud, counterfeiting.
- 11.14 Illegal/unlicensed trade, e.g. hawking.
- 11.15 Trespass.
- 11.16 Aiding Suicide and attempted suicide.
- 11.17 Concealing birth, killing of unborn child and abortion.
- 11.18 Abandonment of a minor
- 11.19 Subversion/Treason.
- 11.20 Murder, Manslaughter.
- 11.21 Use of abusive or profane language
- 11.22 Inviting unauthorized guests/dignitaries without permission

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- 11.23 Threats to endanger one’s life or property
- 11.24 Assault causing bodily harm/ Fighting (Affray).
- 11.25 Arson, attempts to commit arson or attempts to destroy or injuries to property.
- 11.26 Theft and other related offences, e.g. robbery and extortion.
- 11.27 Handling of stolen property
- 11.28 Obstruction to perform duty.
- 11.29 Rioting/Organizing and/or participating in unlawful demonstrations/processions/incitement.
- 11.30 Any other act that shall be deemed as a crime from time to time.

## 12.0 CIVIL CRIMES

Civil crimes shall include the following;

- 12.1 Failure to pay fines
- 12.2 Failure to honour summons
- 12.3 Failure to settle debts
- 12.4 Deviant behaviour such as willful breakage of bottles, etc.

## 13.0 CYBER CRIMES

Under the Kenya Cyber Crime Act, it is a crime to misuse internet or management information systems or electronic devices by:

- 13.1 Hacking examination questions and manipulation of examination results.
- 13.2 Defaming others in the social media or send abusive text messages.
- 13.3 Falsifying admission records.
- 13.4 Promoting ethnic hatred/incitement.
- 13.5 Transferring unauthorized information/materials.
- 13.6 Accessing unauthorized information.
- 13.7 Stealing cash from ATMs.
- 13.8 Manipulating fee balances.
- 13.9 Any other offence as per the Cyber Crime Act.

## 14.0 MISCELLENOUS OFFENCES

- 14.1 A student shall not threaten or hold hostage or extort or strike or physically harm any other student, or a member of staff or other employees of the University, or a member of the public.
- 14.2 It shall be an offence for a student to interfere with the movement of University vehicles or cause traffic obstruction in or outside the campus.

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- 14.3 Students shall be expected to maintain a high degree of hygiene in their halls of residence, dining halls and University campus in general. It shall therefore be an offence to litter or throw any waste items outside the dustbins provided.
- 14.4 University facilities like halls, lecture theatres and common rooms may not be used by students for business, meetings and parties without written approval from the Dean of Students.
- 14.5 Students shall not be permitted to enter places on campus designated as ‘Out of Bounds’ or ‘No Through Way’, such as Telephone Switchboards, Kitchens, Examination Offices, Water Treatment Works and other such areas as notified from time to time.
- 14.6 Students are not allowed to uproot/damage flowers/plants, deface buildings, harm/kill pets and domestic animals within the University precincts.
- 14.7 Students shall not be allowed to keep any kind of domestic animals and pets within the University precincts.

## 15.0 STUDENT WELFARE SERVICES

### 15.1 Health;

- 15.1.1 Apart from complying with the general Law of Health, all students shall be required to comply with health requirements as may be laid down by the University from time to time.
- 15.1.2 Students shall seek medical attention on all cases requiring such services at the University Dispensary.
- 15.1.3 All cases of emergency of serious illness in the Hall of Residence requiring medical attention must be reported at once to the Janitor/Hostel Officer.
- 15.1.4 In all cases of absence from classes on account of sickness, the University Medical Officer will submit a report to the Dean of Students, Dean of the relevant Faculty, Academic Registrar and Chairman of the Department concerned respectively.
- 15.1.5 Except in emergency cases, where a student wishes to seek medical services outside the University, he/she shall notify the Medical Officer.
- 15.1.6 In case of treatment required outside the University, the University will take the student to a public hospital. The costs incurred for treatment obtained in health facilities outside the University shall be the full responsibility of the parent/guardian/sponsor.
- 15.1.7 Injuries sustained by the students during official sporting activities will be the responsibility of the University to provide First Aid.
- 15.1.8 Students shall avail themselves for medical examination as and when required by the University administration.

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- 15.1.9 Students are informed of the availability of a Voluntary Counseling and Testing (VCT) unit service at the Dispensary in case one would wish to have information or know his/her HIV/AIDS status.
- 15.2 **Marriage of Students;** A student who gets married and remains a student of the University shall not be allowed to stay in the halls of residence as couples.
- 15.3 **Guidance and Counseling;** The Counseling Office provides services aimed at improving the wellbeing of students. Students with individual problems or concerns are advised to avail themselves for these services.  
All matters presented on a personal level to the Guidance and Counseling Office shall be treated in strict confidentiality.
- 15.4 **Sports and Recreation;** Students shall be expected to participate in as many of the University sporting and recreational activities as they are able. Observance of such rules as may be enacted by the Games and Sports Department will be obligatory. The Societies/Clubs rooms and Conference halls are not part of the University recreational facilities.
- 15.5 **Leave of Absence;** the request for leave shall normally be supported by **documentary evidence** and submitted to the Dean of Students’ Office. The University shall grant leave of absence from the University on the following grounds.
  - 15.5.1 Sick leave up to 21 days
  - 15.5.2 Maternity leave up to 21 days
  - 15.5.3 Compassionate leave up to 10 days
  - 15.5.4 Special leave up to 7 days
  - 15.5.5 Where the leave exceeds 21 days, the student shall be required to defer studies.
- 15.6 **Deferment and Withdrawal;**
  - 15.6.1 Students who wish to defer and or withdraw from the University shall be required to fill deferment/withdrawal form obtained from the Dean of Students’ Office or from the University **website:** [www.gau.ac.ke](http://www.gau.ac.ke) .
  - 15.6.2 The forms should be duly signed by the student, Dean of the School, the Dean of Students’ and Deputy Vice Chancellor (Academic & Student Affairs).
  - 15.6.3 The deferment period is allowed for one academic year. The student can subsequently re-apply for deferment of up to another one academic year, beyond that the studentship ceases.
  - 15.6.4 The student shall retain a copy Deferment and withdrawal for their record.
- 15.7 **Re-admission;**
  - 15.7.1 Student seeking re-admission after the lapse of deferment period shall submit the request to the Deputy Vice Chancellor-Academic & Students Affairs (DVC-ASA) through the Dean of Students. On the recommendation of the Dean of Students’ to the DVC-ASA the student shall be granted re-admission.

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- 15.7.2 In all cases of absence from classes on account of illness and maternity, a medical certificate to that effect shall be submitted by the University Medical Officer or any certified Medical Practitioner to the relevant Dean of School and the Dean of Students’ office. Where a private practitioner has treated a student the medical certificate shall be submitted to the University Medical Officer for record. The university is not responsible for student treatment outside its authorized medical facilities.
- 15.7.3 Leave Application Form is available at the Dean of Students’ Office or online [www.gau.ac.ke](http://www.gau.ac.ke). The form must be filled by the applicant and approved by the Dean of Students’ **at least one day before** the leave begins. The University shall not entertain any claims where a student leaves without prior official permission.

## 16.0 PROCESSIONS, DEMONSTRATIONS AND CEREMONIES

- 16.1 It shall be an offence for any student while on campus to organize or participate in demonstrations, processions, ceremonies, or any other meetings for which permission has not been granted by the university or a government authority.
- 16.2 In addition to any other permits which may be required by the law, permission to hold meetings in the University precincts shall be given by the Dean of Students’ and a report made to Head of University Security Services.
- 16.3 Where such processions, demonstrations and ceremonies have been organized unlawfully, the organizers shall be subject to appropriate disciplinary action.

## 17.0 CORRESPONDENCE

- 17.1 Correspondence to the press or other mass media by an individual or officials of the student’s organization shall bear the individual names and signatures.
- 17.2 It shall be an offence to make slanderous and/or irresponsible statements about matters affecting the University or Students’ Organization.
- 17.3 Publishing, writing or distributing of anonymous literature of a malicious nature, including placards, shall be subject to disciplinary action.
- 17.4 Advertising notices must be in approved/designated notice boards and shall be subject to approval by the Dean of Students’ office. However, those who are responsible shall remove such notices within one week after the advertised event takes place.
- 17.5 Correspondence through letters by individual students or by officials of the Students Organizations (including Student Societies) to the following in matters pertaining to the University shall be sent through the office of the Dean of Students’ who will forward as may be appropriate to:

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- 17.5.1 Government officers
- 17.5.2 Foreign governments
- 17.5.3 Cabinet Secretaries, Members of National Assembly, County Government, Senators and governors
- 17.5.4 Sponsoring bodies
- 17.5.5 Other such bodies
- 17.6 Invitations of Government, Ministers, Government Officials, Politicians, Representatives of Foreign Governments or any other important persons to visit the University in their official capacities shall be notified within adequate time to the Vice Chancellor, through the Dean of Students' and Deputy Vice Chancellor-Academic & Student Affairs.

**18.0 ACADEMIC RESPONSIBILITY**

- 18.1 Senate considers attendance of lectures, tutorials, seminars, practical sessions, field courses, University examinations and other such scheduled courses of instruction as compulsory.
- 18.2 It is therefore an offence for a group or class to boycott lectures/practical/fieldwork for more than 48 hours continuously or continually. Such an offence may lead the whole group or the ring leaders to be suspended from the University for a specified period.
- 18.3 It is an offence to interfere with or block scheduled activities.
- 18.4 Students who have missed more than 20% of scheduled lectures, tutorials, seminars, practical sessions and other instruction shall **NOT** be allowed to sit end of semester examinations and subsequently shall repeat the year or semester as shall be recommended by the Senate.
- 18.5 Absence from class for more than 20% contact period without permission is treated as abscondment and shall lead to disciplinary action.
- 18.6 Students shall be expected to comply with all other regulations laid out by Departments, Schools or any other such units of the University.

**19.0 STUDENTS' LEADERSHIP**

- 19.1 To contest for any elective post in the Students' Governing Council (SGC) of the Garissa University Students Organization (GaUSO), a prospective candidate;
  - 19.1.1 Shall adhere to the provisions of GaUSO Constitution, and
  - 19.1.2 Shall not cause to suffer or compromise his/her academic performance by so doing, and
  - 19.1.3 Shall have obtained at least Credit Pass of 60% average mean mark in the previous University Examinations, or

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- 19.1.4 Shall have obtained at least Credit Pass of 60% average of the 1<sup>st</sup> C.A.T. Marks in case of First Year student, and
- 19.1.5 Shall be confirmed by the respective Dean of School of fulfillment of the above requirements.
- 19.2 No student shall be allowed to contest if one;
  - 19.2.1 Is not a GaUSO member, or/and
  - 19.2.2 Has been suspended from the University at any one time, or/and
  - 19.2.3 Has suffered from mental sickness/temporary insanity or any other infirmity that may hinder academic performance and leadership, or/and
  - 19.2.4 Has been involved in any criminal offence, convicted and reported to the University.
- 19.3 Eligible candidates for elective posts in Students Governing Council (SGC) shall be limited to bona fide students who have paid ALL University fees as at that time as shall be confirmed by the Finance Officer.
- 19.4 The tenure of service in the SGC shall be restricted to **two terms** of one academic year each and no such student shall be eligible to serve in any other capacity thereafter.
- 19.5 A student who has completed undergraduate degree and enrolls for any other programme in the university shall not be eligible to contest for any elective post in the Students' Governing Council election.
- 19.6 Representation in the Senate will be restricted to:
  - 19.6.1 The two elected students as prescribed in the statutes that is the Academic Director and any other, who may not necessarily be the Chairperson of GaUSO.
  - 19.6.2 The Elected Representative in case of Post Graduate students.
- 19.7 Representation in Student Disciplinary Committee (SDC) meetings shall be restricted to **any two** members of SGC or any other recognized student leader.

## 20.0 STUDENTS' DISCIPLINARY ACTIONS

- 20.1 **Jurisdiction;** The following provisions shall apply to all disciplinary actions taken against students in respect of the disciplinary offences specified herein, whether such offences are committed within or outside the University precincts.
- 20.2 **Officers in Charge for discipline of students;**
  - 20.2.1 The responsibility of maintaining discipline in the University is vested with the Vice Chancellor who has delegated such powers on discipline of students to the Deputy Vice Chancellor (Academic & Student Affairs) for enforcement.
  - 20.2.2 Administrative and Academic Staffs of the University have authority to ensure that the rules and regulations are adhered to by all students.

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20.2.3 Students on field and Industrial Attachments, and Teaching Practice shall be subject to the supervision of the officers under whom the University places them.

20.3 **Enforcement of regulations;** In the event of breach of the regulations, and depending on the nature of the offence the officers referred to article 20.2 above shall adopt the following procedures;

20.3.1 Shall require the student to make a written statement in response to the charges **within two (2) days**.

20.3.2 Shall warn or caution the student either verbally or in writing **within two (2) days**.

20.3.3 Shall report the student to the office of the Dean of Students' in writing enclosing all documentary evidence for further processing **within 10 days of reporting the offence**.

20.3.4 The Dean of Students' shall;

20.3.4.1 Investigate and establish whether there is a case to answer. In this respect, the Dean of Students' may warn or caution the accused **within seven (7) days**.

OR

20.3.4.2 Process the disciplinary offence and forward to the Deputy Vice Chancellor -Academic & Student Affairs within **fourteen (14) days**.

OR

20.3.4.3 Take any other action that may be deemed appropriate at that time.

## 21.0 DISCIPLINARY PROCEDURES

21.1 There shall be a Students' Disciplinary Committee (SDC), which is a Standing Committee of the Senate.

21.2 Meeting of the SDC: The Chairperson (DVC-ASA or Representative) shall convene a meeting of the SDC within a reasonable time after the report being received.

21.3 Notice of the SDC Meeting: The Secretariat shall;

21.3.1 Notify the accused /and the complainant of the date, time and venue of the SDC meeting at least 7 (seven) days before the meeting and inform them of their rights to be present and to call witnesses.

21.3.2 Notify all the SDC Members of the meeting.

21.4 The student shall be required to attend the hearing in person.

21.5 Summons to attend the SDC Meeting shall take precedence over all other commitments of the invited student.

21.6 All disciplinary cases against students shall be handled fairly and competently in accordance with the procedures prescribed hereafter and in particular there shall be observance of "Principles of Natural Justice" namely;

21.6.1 No one shall be a judge of his/her own case.

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- 21.6.2 Each party shall have the right to be heard and call witnesses.
- 21.6.3 The accused has a right of appeal.
- 21.7 The SDC Meeting;
  - 21.7.1 Shall hold the due enquiry.
  - 21.7.2 Shall not be required to adhere to the rules of evidence or procedures as applied in a Court of Law.
  - 21.7.3 Shall ensure that both sides are heard.
  - 21.7.4 Shall ensure that persons required to be witnesses in the case do not sit as members of the SDC.
- 21.8 The proceedings of the SDC Meeting are of management nature and are internal to the administration of the University. Therefore, they shall not involve legal representation. However, if a student wishes to be legally represented he/she must give written notice to the SDC Secretariat to enable the University to instruct its lawyers appropriately.
- 21.9 The Committee’s decision shall be arrived at either by consensus or by simple majority of votes through secret ballot.
- 21.10 The Student Disciplinary Committee will be convened at least twice in a semester to deal with pending disciplinary cases.

**22.0 POWERS OF THE STUDENTS’ DISCIPLINARY COMMITTEE**

- 22.1 The Committee shall have powers to impose any one or more of the following measures, subject to ratification by the Senate.  
The Committee has powers to:
  - 22.1.1 Dismiss the case against the student.
  - 22.1.2 Warn or caution the student either verbally or in writing.
  - 22.1.3 Require the student to make good any loss or damages to commensurate with the nature and gravity of the offence committed or impose a cash fine.
  - 22.1.4 Forfeit bursary or goods to the University.
  - 22.1.5 Exclude the student from the Halls of Residence for such a period as the Committee may deem fit.
  - 22.1.6 Exclude the student from attendance of lectures or other courses of instruction for such a period as the Committee may deem fit.
  - 22.1.7 Suspend the student from the University for a specified period.
  - 22.1.8 Expel the student from the University.

**23.0 EXECUTIVE ORDERS OF THE VICE CHANCELLOR**

For the purpose of expediting disciplinary processes, the Vice Chancellor shall have authority to take appropriate action;

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- 23.1 Against the breach of these regulations upon recommendations of the Dean of Students’ and the Deputy Vice Chancellor-Academic and Students Affairs, pending appearance before the Students’ Disciplinary Committee in accordance with Article 22.1.2 of these regulations,
- 23.2 That shall be ratified during the regular Student Disciplinary Committee meeting.

**24.0 COMMUNICATION OF STUDENTS’ DISCIPLINARY DECISIONS**

- 24.1 The Deputy Vice Chancellor-Academic & Students Affairs shall communicate the Committee’s decision to the student; and such decisions shall take effect immediately.
- 24.2 **Appeal;** the student shall have the right to appeal to the Vice Chancellor against the decisions of the Students’ Disciplinary Committee and to the University Council against the decision of the Senate within 14 (fourteen) days after official communication through a letter, email or/and text messages.
- 24.3 **Notice of appeal** against the decision of SDC must be given in writing and addressed to the Vice Chancellor within fourteen (14) days of the communication of Committee’s decision.
- 24.4 **Notice of appeal** against the decision of the Senate must be given in writing to the Chairman of University Council through the Vice Chancellor within fourteen (14) days of the date of communication of the Senate decision.
- 24.5 **The Secretariat to the SDC** upon receipt of a copy of notice of appeal shall furnish the Vice Chancellor with a copy of all the relevant minutes and documents pertaining to the hearing of the case.
- 24.6 **The Secretariat to the University Council** upon receipt of a copy of notice of appeal shall furnish the Chairman of Council with a copy of all relevant minutes and documents pertaining to the case.
- 24.7 **Saving Clause;** the provision of these regulations and any decisions made by the Disciplinary Committee shall not derogate from the right of the Police or any member of public so entitled to bring any action or to institute criminal proceedings in respect of the same state of facts against any student in a Court of Law. Nor shall anything herein preclude the State from taking any action which it may deem necessary against any student.

**25.0 RULES FOR CLUBS AND SOCIETIES**

- 25.1 **Rationale of Forming Clubs and Societies;**
  - 25.1.1 Clubs and Societies may be formed for the advancement of the functions and objectives of the University.
  - 25.1.2 Clubs and Societies shall be self-supporting in all financial matters.

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**25.2 Procedures for Forming Clubs and Societies;**

25.2.1 The students proposing to form a club or a society shall prepare their Draft Proposal Documents that must include the following Registration Items:

- 25.2.1.1 Full Name of Proposed Club or Society including its Logo
- 25.2.1.2 Justification
- 25.2.1.3 Objectives
- 25.2.1.4 Proposed office bearers
- 25.2.1.5 Proposed Patron (a member of Academic Staff)
- 25.2.1.6 Proposed members’ list
- 25.2.1.7 Proposed sources of funding
- 25.2.1.8 Proposed Constitution
- 25.2.1.9 Proposed Calendar of Events (per Semester)
- 25.2.1.10 Registration Request (signed by Proposed Patron) to the Dean of Students introducing the Draft Proposal Documents.

25.2.2 The Proposed Office Bearers shall then

- 25.2.2.1 Discuss the Draft Proposal Documents with the Dean of Students
- 25.2.2.2 Draw up final Constitution and other Registration Items then surrender their copies to the Dean of Students

25.2.3 The Dean of Students shall then,

- 25.2.3.1 Seek approval for the club/society from the DVC-ASA
- 25.2.3.2 Seek appointment of the Patron for the club/society from the DVC-ASA
- 25.2.3.3 Offer a Registration Certificate of the Club/Society.

25.2.4 Routine Requirements to the Dean of Students

- 25.2.4.1 Calendar of Events by the second week of each Semester
- 25.2.4.2 Amendments to any of the Registration Items
- 25.2.4.3 Any other request (Not in Calendar of Events) at least two weeks prior

**25.3 Management of Clubs and Societies;**

25.3.1 Club/Societies shall be managed in accordance with their approved constitutions.

25.3.2 Calendar of events shall have prior approval of the Dean of Students.

**25.4 General Conduct of Clubs and Societies;**

25.4.1 Invitation of guests(Citizens) from outside GaU and their itinerary shall be approved by the Dean of Students

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- 25.4.2 Invitation of guests (non-citizens) and their itinerary shall be approved by the DVC-ASA through the Dean of Students.
- 25.4.3 University facilities may not be used for county or national political campaigns.
- 25.4.4 Fund raising by students on campus shall not be allowed unless authorized by the DVC-ASA through the Dean of Students.

**25.5 Protection of Name;**

- 25.5.1 Any individual, Students Organization, Club or Society may not use the name “Garissa University” without the written approval of the DVC-ASA through the Dean of Students.

**26.0 EXAMINATION OFFENCES**

**26.1 Examination Irregularities during Examinations shall include;**

- 26.1.1 Having unauthorized material and/or taking into examination rooms, written materials on clothes, handkerchiefs, hats, petticoats, caps, underside of shirts, Jackets/overcoats, clipboards, writings on adjacent walls, desks, tables, bags, electronic devices, such as mini computers, calculators, cell phones, pagers etc.
- 26.1.2 Any writing or drawings or other work found with or on a candidate during an examination other than in his/her answer-book or supplementary answer book shall be regarded as an attempt to cheat.
- 26.1.3 Reading answer scripts belonging to another candidate.
- 26.1.4 Copying from or making references to unauthorized material(s) in the examination room.
- 26.1.5 Obtaining assistance from another candidate/non-candidate, and/or giving assistance to another candidate, directly or indirectly in answering an examination paper.
- 26.1.6 Destroying evidence which may be used as proof of an examination irregularity.
- 26.1.7 Carrying examination scripts/answer sheets, one’s/or another candidate’s out of the examination room.
- 26.1.8 Writing on examination question papers.
- 26.1.9 Permitting another candidate to copy from or make use of one’s papers.
- 26.1.10 Presenting for examination the works of another person or persons without acknowledgement and with intent to deceive.
- 26.1.11 Attempting to copy from or make reference to unauthorized material in the examination room.
- 26.1.12 Any attempt to copy, read or write from written walls, toilets, tables, desks, parts of the body, or any other material.

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- 26.1.13 Threatening invigilators, and obstructing the invigilator from carrying out his/her duties or behaving in a manner likely to disrupt the examination process or cause a breach of the peace.
- 26.1.14 Causing actual bodily harm to the invigilators, those assisting in the invigilation or fellow candidates sitting for the examinations. The University shall provide security during examinations.
- 26.1.15 Being involved in examination leakage, by obtaining examination question papers before the date and time of the examination, either by stealing, buying or being aided by a member of staff, another student or any other person.
- 26.1.16 Committing a breach of any other examination rule or regulation which may be communicated to the candidates from time to time by the invigilators.

**26.2 Procedure for dealing with Examinations Irregularities;**

- 26.2.1 Invigilators shall, before each examination, inform candidates of the seriousness with which examination irregularities shall be treated.
- 26.2.2 When an invigilator suspects that a candidate has committed an examination irregularity, other invigilators shall be consulted and the candidate shall be informed that a report shall be submitted to the Deputy Vice-Chancellor: Academics & Student Affairs (DVC-ASA).
- 26.2.3 The Invigilator shall, if possible, confiscate the material that is suspected, but the candidate shall be allowed to complete writing the examination.
- 26.2.4 The candidate shall, at the end of the examination paper, be asked to make a written statement to be submitted to the DVC-ASA by the Main Invigilator.
- 26.2.5 Likewise, the invigilator shall at end of the examination make a report of the case to the Head of Department immediately after the examination by filling the incident form and in any case not later than 24 hours after the examination.
- 26.2.6 The Head of Department shall report the case of examination irregularity to the DVC-ASA within **Seven days** of receipt of irregularity report.
- 26.2.7 The Head of Department while reporting the case of the examination irregularity must submit the invigilator’s report, candidate’s statement and any unauthorized materials found with the student and the same recorded and signed for by an officer in the Examinations Centre receiving the materials.
- 26.2.8 The Chairman of the Standing Committee of Senate on Examination Irregularities shall set a date for hearing of examination irregularity cases occurring in the semester/term within three weeks after the end of the examination period for the affected case.
- 26.2.9 Chairman of the Standing Committee of Senate on Examination Irregularities shall communicate the date of the examination irregularity disciplinary meeting to the affected student and parents/guardians, members of the Standing

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Committee of Senate on Examination Irregularities and witnesses (invigilators) who detected the alleged offenders at least **14 days** before the case date.

- 26.2.10 A student appearing before the Standing Committee of Senate on Examination Irregularities shall pay a disciplinary fee of **Ksh.3000.00** or as may be determined by Senate from time to time.
- 26.2.11 A student who is alleged to have committed an examination irregularity shall be heard and given the opportunity to call witnesses and to cross-examine witnesses who have testified against him/her.
- 26.2.12 Those giving evidence shall not be members of the Committee.
- 26.2.13 The Standing Committee of Senate on Examination Irregularities shall meet, interview the affected student and witnesses to reach verdicts which are then communicated to the affected student within **Seven days** of hearing of the case by the DVC-ASA.
- 26.2.14 In the event that the Committee is unable to reach a verdict by consensus, a vote shall be taken by the three members of Senate, the Dean of the School, and the Dean of Students. If a tie is registered during voting, the chairman shall take a vote to unlock the tie;
- 26.2.15 The DVC-ASA shall present the report and recommendations of the Standing Committee of Senate on Examination Irregularities to Senate within **one month** of sitting for noting and ratification.
- 26.2.16 An Internal Examiner, who in the course of marking examination scripts, suspects that an examination irregularity has taken place, shall consult the Head of Department. If the Head of Department considers that an examination irregularity has occurred, a full report shall be made to the Chairman of the Standing Committee and the DVC-ASA.

**26.3 Examination Irregularities shall be Classified as follows;**

**26.3.1 Group I;**

- 26.3.1.1 Being found in the examination room in possession of the prohibited items stated in section 12(6) of this document.
- 26.3.1.2 Writing on the question paper.
- 26.3.1.3 Committing a breach of any other examination rule or regulation which may be communicated to the candidates from time to time by the invigilators.

**26.3.2 Group II;**

- 26.3.2.1 Having unauthorized material in an examination room written on paper or other materials.
- 26.3.2.2 Having unauthorized material in an examination room in electronic devices such as mini computers, calculators and cell phones or any other device.

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26.3.2.3 Reading or attempting to read answer scripts belonging to another candidate.

26.3.2.4 Forging an examination card and using it to sit an examination or sitting an examination when not authorized.

26.3.2.5 Refusing to write a statement

**26.3.3 Group III;**

26.3.3.1 Copying from, or attempting to copy from, or making references to unauthorized material(s) in the examination room.

26.3.3.2 Permitting another candidate to copy from or make use of one's papers to answer questions.

26.3.3.3 Copying from the examination papers of another candidate.

**26.3.4 Group IV;**

26.3.4.1 Carrying examination scripts/answer sheets, one's/or another candidate's out of the examination room.

26.3.4.2 Indicating conflicting registration numbers on the answer booklet and the examination attendance sheet.

26.3.4.3 Obtaining or attempting to obtain assistance from another candidate, student or person impersonation), and/or giving or attempting to give assistance to another candidate or student (impersonation), directly in answering an examination paper. If the imposter is not a student of Garissa University, the University shall be at liberty to file a criminal charge of impersonation in a court of law against the person.

26.3.4.4 Accessing a question paper or questions of an examination before the date and time scheduled for the examination.

26.3.4.5 Possessing a written or unwritten examination script, other than the one issued officially by an invigilator in the examination room.

26.3.4.6 Presenting for marking an examination answer script whose answers were written elsewhere other than in the examination venue at the time when the particular examination paper was scheduled to be done.

26.3.4.7 Destroying evidence which may be used as proof of an examination irregularity.

26.3.4.8 Threatening invigilators, and obstructing the invigilator from carrying out his/her duties and assaulting the invigilator or causing him or her actual bodily harm.

26.3.4.9 Presenting for examination the works of another person or persons without acknowledgement and with intent to deceive.

26.3.4.10 Sitting for examinations at a time when one is on suspension or has been expelled to show cause.

26.3.4.11 Committing a subsequent irregularity after being warned or suspended and readmitted.

26.3.4.12 Failing to appear before the Senate Standing Committee on Examination Irregularities when one has been summoned to do so after a suspected examination irregularity. In this case, the candidate shall be expelled to show cause.

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26.3.4.13 Any evidence of cheating in an examination that may be detected during or after marking.

**26.3.5 Group V;**

26.3.5.1 Being involved in an examination leakage.

**26.3.6 Group VI;**

26.3.6.1 Changing of marks in the mark sheet or transcript by a student or employee of the University.

26.3.6.2 Any emerging evidence of cheating, plagiarism, falsification of examination results or having committed any of the offences in group I-IV above after the student has graduated.

26.3.6.3 Forgery or falsification of academic testimonials and /or uttering of the same to derive benefit when one is still a student or after one has graduated.

**26.4 Disciplinary Action against Examination Irregularities;**

If it is evidently established that a candidate has committed an examination irregularity, disciplinary action shall be taken immediately.

Although an attempt has been made to match an examination irregularity with a disciplinary action(s) by making them fall in the same group, disciplinary action may include either one or a combination of the following:

**26.4.1 Group I;**

26.4.1.1 Issuance of a Warning letter to the candidate.

26.4.1.2 Cancellation of examination results in the affected course and issuance of a Warning letter.

**26.4.2 Group II;**

Cancellation of the examination results for the course and suspension of the candidate for one (1) academic year.

**26.4.3 Group III;**

Cancellation of the examination results for the course and suspension of the candidate for a period of two (2) academic years.

**26.4.4 Group IV;**

Cancellation of all examination results and expulsion of the candidate from the University.

**26.4.5 Group V;**

26.4.5.1 Expulsion of the student from the University.

26.4.5.2 Notifying the student's employer about the malpractice, if s/he is on employment.

26.4.5.3 Having a member of staff involved in the leakage face disciplinary action as per the terms of scheme of service.

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26.4.5.4 Preferring charges in a court of law on masterminds of examination leakage.

26.4.6 **Group VI;**

26.4.6.1 Expulsion of the student from the University.

26.4.6.2 Having a member of staff involved in changing of marks face disciplinary action as per the terms of service.

26.4.6.3 Withdrawal or cancellation of the degree/diploma/certificate conferred on or awarded to the Candidate.

26.4.6.4 Preferring charges in a court of law.

26.5 **APPEALS**

26.5.1 There shall be a Standing Examination Irregularities Appeals Board appointed by the Senate to hear Examination Irregularity Appeal Cases whose membership shall be as follows:

26.5.1.1 **Chair** - Chairperson of the Senate or Nominee,

26.5.1.2 Members – any three members of the Senate, Dean of the School, and Dean of Students,

26.5.1.3 Legal Officer.

26.5.1.4 In attendance;

a. The Registrar (Academic),

b. Deputy Registrar (Examinations) – **Secretariat**.

26.5.2 Any appeal shall be made in writing within 14 days of the decision of the Standing Committee on Examination Irregularities to the Chairman of Senate who shall assess the appeal request and if in his/her the opinion the appeal:

26.5.2.1 Merits another hearing, s/he shall cause a meeting of the Committee to be convened 14 days after receiving such a request.

26.5.2.2 Does not merit another hearing, dismisses the case and informs the appellant accordingly within 14 days of receipt of such a request.

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- 26.5.3 The Registrar (Academic) shall invite the student who has appealed to appear before the Standing Examination Irregularities Appeals Board
- 26.5.4 The Standing Examination Irregularities Appeals Board shall only consider the grounds of appeal presented by the student. There shall be no fresh hearing or presentation of new evidence during the hearing of the appeal.
- 26.5.5 The Standing Examination Irregularities Appeals Board may make any of the following decisions: confirm the earlier decision of the Standing Committee, amend, vary or arrive at a new ruling on the case.
- 26.5.6 The Standing Examination Irregularities Appeals Board shall report its findings to the Senate for consideration within one month of hearing the appeal and the outcome communicated to the student by the Chairman of Senate within one week after Senate consideration.
- 26.5.7 No other appeal shall be entertained after Senate has considered the report of the Standing Examination Irregularities Appeals Board and pronounced its verdict.

.....*end.*

**APPENDIX**

**DECLARATION BY THE STUDENT**

I.....

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REG. NO: ..... NATIONAL ID NO: .....

MOBILE NO: ..... Email Address: .....

Hereby declare that I have read the regulations governing the conduct and discipline of students at Garissa University, and understood their content and meaning, and that I undertake to abide by all of them.

Signed.....

Date.....

School Admitted to.....

Department.....

Dean of Students' .....Official Stamp:

Sign

**Note: This page should be filled and submitted within 14 days from the date of issue.**

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