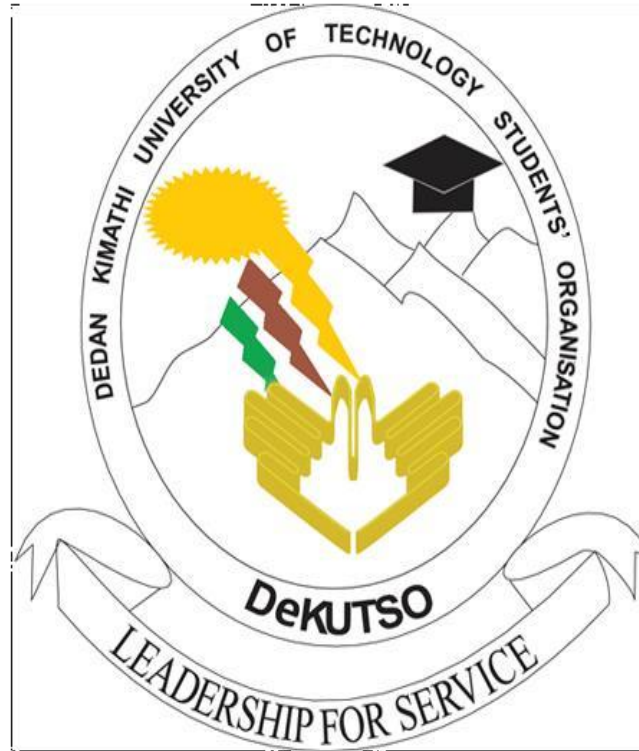


**THE CONSTITUTION OF
DEDAN KIMATHI UNIVERSITY OF TECHNOLOGY STUDENTS'
ORGANISATION**

2017



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PREAMBLE

WE, the Students of Dedan Kimathi University of Technology:-

ACKNOWLEDGING the supremacy of the Almighty God of all creation and recognizing our responsibility before Him, humanity and to ourselves;

AWARE that Dedan Kimathi University of Technology Students' Organization was created to serve the students community in its pursuit of academic excellence, social welfare, peace, competitiveness in the job market, and integrity;

RECOGNIZING the authority of the DeKUT Charter, DeKUT Statutes, Universities Act and the laws of the Republic of Kenya;

HONOURING the selfless efforts, setbacks, and successes of the pioneering and succeeding members;

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

PROUD of the diverse cultural and religious backgrounds of our members;

RECOGNIZING that we have a Constitutional right of freedom of assembly, organization, and expression and thus capable of joining this organization as enshrined in the Constitution of the Republic of Kenya;

UNITED by common purpose and aspirations;

RESPECTING the environment which is our heritage and determined to sustain it for the benefit of future generations:

GUIDED by the principles, reason, courtesy, and genuine search of all virtues to live in comradeship, peace and to develop salubrious concord with other students bodies, person(s), institutions and all who believe in the ideals of justice, equality and truth:

DO HEREBY, with the consent of the University Council, adopt this Constitution.

MAY THE ALMIGHTY GOD, BLESS DEDAN KIMATHI UNIVERSITY OF TECHNOLOGY STUDENTS' ORGANISATION

CHAPTER ONE: NAME, STATUS, PURPOSE, SYMBOL, SCOPE OF OPERATION, AIMS AND OBJECTIVES OF THE ASSOCIATION

Article 1: Name

The name of the organization shall be referred to as DEDAN KIMATHI UNIVERSITY OF TECHNOLOGY STUDENTS' ORGANISATION here after referred as "DeKUTSO".

Article 2: Status

- a) DeKUTSO shall be an internal, community oriented organization, responsible for governance, representation and the well-being of its members in their academic, communal and social life in the University.
- b) DeKUTSO shall be subject to the Universities Act 2012 and its amendment(s) thereof, DeKUT Charter and Statutes, regulations and policies of the University.
- c) DeKUTSO shall be the supreme students' organ mandated to represent the interests of the entire students' body.

Article 3: Purpose

DeKUTSO is established for the purpose of promoting and protecting students' rights and interests, nurturing and developing leadership skills, encouraging and promoting worthy traditions of social, cultural, sports, arts and academic nature at the University.

Article 4: Symbol

The DeKUTSO Symbol shall be the logo as per Schedule One.

Article 5: Scope of Operation

1. This Constitution shall apply to all DeKUTSO members.
2. DeKUTSO shall, in accordance with this Constitution, consist of the students in the General meetings, the Students' Council and all the associated committees of the Students' Council established under this Constitution.
3. The Headquarters of DeKUTSO shall be at Dedan Kimathi University of Technology Main Campus.
4. With the approval of the University Management, campuses declared to be part of Dedan Kimathi University of Technology may establish branch offices of DeKUTSO.

Article 6: Aims and Objectives

The aims and objectives of DeKUTSO shall be:-

1. To uphold the University's Mission, Vision and Core Values,
2. To contribute towards a healthy academic, communal and social life for all the students in the University by ensuring the rights of students in academics, disciplinary actions, health services, catering and accommodation, welfare services, and security, are upheld and protected.

3. To act as a link between the students' association and the University Management.
4. To develop and nurture leadership skills and talents among its members.
5. To establish linkages with other students organizations of other universities and other external organizations.
6. To promote a positive students institutional culture and attitude towards the society.
7. To promote co-existence in a diversified student community by promoting equity and integration of persons with special needs.
8. To promote members participation in DeKUTSO activities.
9. To promote sustainable environmental conservation.
10. To raise funds through lawful means for purposes of achieving the aims and objectives of DeKUTSO.
11. To carry out such other activities that may be incidental to achievement of the above objectives.

Article 7: Interpretation of the Constitution

1. This Constitution is based on the ultimate supremacy of the students of Dedan Kimathi University of Technology (DeKUT) with regard herein and this Constitution shall be interpreted in a manner that:
 - a) Promotes the tenets of good education; permits creative development of the students; avoids technicalities which defeat the purpose of this Constitution; and advances the preamble statement of this Constitution.
 - b) A person or authority interpreting this Constitution may refer to matters and/or facts, which will assist in the purposive interpretation of this Constitution.
2. Unless, expressly otherwise, provided in this Constitution references to:
 - a) "Academic Year" shall refer to a period of study as determined by the University Council.
 - b) "Semester" shall mean a period of study as defined in the University Statutes.
 - c) "University" shall mean Dedan Kimathi University of Technology.
 - d) "Student" shall mean a student admitted to DeKUT programme for an award of a certificate, diploma or conferment of undergraduate or postgraduate degree.
 - e) "Act" the Universities Act No. 42 of 2012 and its amendments thereof.
 - f) "*Bona fide* member" means and includes only those DeKUT students who have duly paid the non- refundable subscription fee.
 - g) "Annual Accounts" mean the balance sheet; the statement of income and expenditure; the statement of sources and application of funds.
 - h) "University Senate" shall mean the Dedan Kimathi University of Technology Senate.
 - i) "Electoral College" shall be as provided for in Schedule Two of this Constitution.
 - j) "Delegate" shall be the students' representative elected by the Electoral College.
 - k) "Convention" means a meeting of all the delegates elected in all the Electoral Colleges.
 - l) "Disability" includes any physical, sensory, mental, psychological or other impairment, condition or illness that has, or is perceived by significant sectors of the Community to have a substantial or long term effect on the individuals' ability to carry out day to day activities.
 - m) "Auditor" refers to the University's Internal Auditor.

- n) “University Management” shall mean and include the University Management Board, Senate, Deans, and Directors.
- o) “Special Interest Groups” shall be as defined and provided for in Schedule Five.
- p) “The Constitution” means the Constitution of DeKUTSO.
- q) “The Students’ Council” refers to the body comprising of seven (7) elected officials of the Students’ Association vested with powers to perform the main administrative and managerial roles of DeKUTSO and shall represent all the students including special interests groups.
- r) “Main Campus” shall mean the Campus of Dedan Kimathi University of Technology situated along Nyeri-Mweiga road.
- s) “Term” shall mean one calendar year.
- t) “Nominal roll” shall mean the list of students provided by the Registrar Academic Affairs for the previous semester for continuing students and current semester’s list for first year students, and students who will be re-admitted during the semester during which elections will take place.
- u) “Constituency” shall mean a unit of representation in the organisation and shall include a department in a given School/Institute, a registered club/society, or any other DeKUT Campus.
- v) “Schools Committee” shall comprise of Deans or representatives of all Schools/Institutes and the Director of Students’ Welfare (DSW) charged with the responsibility of overseeing the DeKUTSO electoral process.

CHAPTER TWO: MEMBERSHIP

Article 8: Determination of Membership

1. DeKUTSO shall openly admit students to its membership regardless of their race, color, sex, creed, marital status, age, nationality, political affiliation, ethnic orientation or physical disability.
2. Any student admitted to the University for a Course leading to qualification for the award of a certificate, diploma or conferment of a degree of the University shall be a member of DeKUTSO and shall pay a non-refundable subscription fee every year as may be proposed from time to time by DeKUTSO Students' Council and approved by the University Council.

Article 9: Cessation of Membership

Membership shall cease where one ceases to be a DeKUT student.

CHAPTER THREE: RIGHTS, PRIVILEGES AND OBLIGATIONS OF MEMBERS

Article 10: Rights and Privileges of DeKUTSO Members

1. Every member shall have the right to inspect DeKUTSO books of accounts upon a written notice by the member to the Treasurer.
2. Every member shall have the right to attend the Annual General Meeting (AGM) and Special General Meeting (SGM) of DeKUTSO.
3. Every member shall have the right to take part in all legal, valid, and legitimate activities organized and run by the organisation.
4. Every member will have a fair and equitable right to access the services and facilities offered by DeKUTSO, provided that such access shall not be through unlawful means, access by use of physical force, occupation of building or misuse of DeKUTSO facility or service.
5. Subject to the provisions of this Constitution, every member, except any member appointed to the Electoral Commission shall have the right to vie for any position declared vacant.
6. Every member of DeKUTSO shall be entitled to participate in the electoral process by electing delegates through their respective Electoral Colleges.
7. Members shall have the right to requisition for a vote to be taken in the AGM/SGM.

Article 11: Obligations of DeKUTSO members

Every member shall abide by DeKUTSO Constitution.

CHAPTER FOUR: THE ORGANS OF DeKUTSO

Article 12: The Organs of DeKUTSO

The organs of DeKUTSO shall be:

- a) The Students' Council.
- b) Standing Committees.

Article 13: Meetings of DeKUTSO

DeKUTSO meetings shall be categorized as follows:

- a) The Annual General Meeting, also referred to as the AGM,
- b) The Special General Meeting, also referred to as the SGM.

Article 14: AGM AND SGM

1. Every member shall have the right to attend the AGM and any SGM.
2. Every member shall have the right to requisition that a vote be taken at the Annual General Meeting.
3. The Annual General Meeting, which shall normally take place before the date of dissolution, shall—
 - a) Approve the minutes of the last AGM as presented by the Secretary General: The Secretary General should prepare minutes for that AGM and submit to the DSW within 3 working days from the date of the AGM who will be the custodian of those minutes.
 - b) Receive an overall report on DeKUTSO operations from the outgoing Chairperson,
 - c) Receive the annual financial report from the outgoing Treasurer,
 - d) Discuss any other business relevant to enhancing the functions and operations of DeKUTSO.
4. The Chairperson shall call the AGM through a notice given at least seven calendar days before the designated date of the meeting.
5. Unless otherwise provided for in this Constitution, every resolution of the Annual General Meeting (AGM) & Special General Meeting (SGM) shall be by a simple majority vote of those present and voting at the meeting.
6. Voting at the AGM & SGM shall be by the raising of hands, unless two-thirds of the members present and voting resolve otherwise.
7. Subject to the provisions of this Constitution, any member may petition the Chairperson to convene a Special General Meeting, and for such a meeting to occur, a written proposal, detailing the agenda for the meeting and signed by not less than five hundred members, shall be submitted fourteen calendar days before the proposed meeting to the Chairperson who must respond to the proposal in writing to the person who proposed the SGM within seven days of the proposal being served to him/her.
8. After receiving the petition for the SGM, the Chairperson shall bring the proposal before the Students' Council which shall decide whether the proposed meeting shall take place.
9. In consultation with the Students' Council, the Chairperson may call a Special General Meeting to address emergency issues.
10. Notices for holding an AGM or SGM shall be issued by the Secretary General.
11. In the absence of the Secretary General, notices to hold AGM or SGM shall be by any other member of the Students' Council as shall be determined by the Students' Council.

CHAPTER FIVE: ELECTORAL COLLEGES

Article 15: Electoral Colleges

1. Electoral Colleges shall be as defined in Schedule Two.
2. Each Electoral College shall elect three delegates to the Convention.
3. Not more than two-thirds of the delegates shall be of the same gender.
4. Members of the Convention shall elect the Students' Council.

Article 16: Qualifications for Delegates

For one to qualify he/she;

- 1) Must not be vying for any elective position in the Students' Council.
- 2) Must be a duly registered student in DeKUT.
- 3) Must not be a member of the DeKUTSO Electoral Commission.
- 4) Must not have been found guilty of offence(s) as per University Rules and Regulations.
- 5) Must have been cleared by the DeKUTSO Electoral Commission.
- 6) Should not have served as a delegate for two electoral cycles.

Article 17: Election of Delegates

1. The Electoral Commission shall call for applications from students interested in vying for Delegates position and shall announce the deadline for elections within the first 4 weeks of the semester in which the elections shall be conducted.
2. The contestants for Delegates position shall submit their applications and supporting documents to the Electoral Commission for vetting.
3. The qualified candidates in each Electoral College shall be subjected to an election exercise through secret ballot in order to pick three (3) delegates to the Delegates Convention as per Article 15 (Clause 3) and Article 19 (Clause 8) of this Constitution.
4. The nominal roll for Main Campus students shall exclude names of students from other DeKUT campuses to avert double voting.

Article 18: Procedure for Election of Delegates

1. The Chairperson of the Electoral Commission shall announce the date of elections within the fourth (4th) week of the semester within which the elections are to take place.
2. DeKUTSO Electoral Commission shall announce the dates and time for collection and submission of nomination papers which shall be available for collection from designated offices.
3. Duly completed nomination papers shall be submitted by the aspiring candidates to the office of Electoral Commission.
4. Upon receipt and scrutiny, the Electoral Commission shall release the names of the nominated candidates within four days after the nomination deadline subject to Article 15 (Clause 3) of this Constitution.
5. The list of successful nominees shall be publicized widely through University website or notice boards.
6. The Electoral Commission shall declare a seven-day campaign period upon the release of the names of the qualified candidates. Candidates shall be required to conduct their

campaigns peacefully and lawfully within the University premises.

7. Any candidate who, before nomination results are released and the campaign period declared, starts or purports to start campaigning or behaves in a manner likely to suggest that he/she is campaigning, creates disturbance or does not abide by the election rules shall be disqualified from contesting by the Electoral Commission.
8. The Electoral Commission shall set aside one day as the official campaign day. The Electoral Commission shall organize and release rules for the day.
9. The Electoral Commission shall register one nominated agent not later than four days before the polling day.
10. The election shall be conducted in Main Campus and other designated campuses between 0800 hours and 1700 hours on the voting day.

Article 19: Voting for Electoral College Delegates

1. The delegates' elections shall be by secret ballot, simple majority system, on the principle of one student one vote.
2. That a student should only vote in one Electoral College.
3. Each voter shall be issued with a ballot paper bearing names of all the contesting candidates and he/she shall indicate in the box against the names of his/her candidate by either mark X or a tick.
4. Any voter who may need assistance shall inform the electoral officials, who in the presence of the candidates' agents shall assist the voter to elect his/her preferred candidate.
5. Rubbing, writings or any other mark outside a box will render the ballot null and void.
6. Counting of votes will be done at designated polling station(s).
7. The counting shall be presided over by the designated Electoral Commissioners in the presence of all candidates and/or their agents.
8. The votes for the contestants for the delegate position shall be ranked for the purpose of selecting winners or replacing those who vacate office subject to Article 22 Clause 2.
9. A candidate shall be declared the winner upon acquiring the highest number of the valid votes cast subject to Article 35 Clause 16. If the first two highly ranked candidates are of the same gender, then the third Delegate shall be the highest ranked candidate of the opposite gender.
10. Upon receiving the election results, the Chairperson of DeKUTSO Electoral Commission shall announce them within one (1) day. The list of successful delegates shall be publicized widely through the University website or notice boards immediately thereafter subject to Article 15 (Clause 3) of this Constitution.
11. However, Electoral Commission shall be empowered to fill through, a nomination, any uncontested post(s) for an Electoral College within seven days after the Election.
12. If only contestants from one gender in a given Electoral College apply for the Delegates position, the Electoral College members of the unrepresented gender shall be allowed to select one of their own to serve as a Delegate.

Article 20: Role of the Convention

1. All the three delegates from each Electoral College shall constitute the Convention.
2. The Delegates Convention shall then elect the Students' Council as per Articles 32 and 33.

3. The Delegates shall be entitled to allowances only during the DeKUTSO general elections or By-elections. The allowance shall be determined by the Electoral Commission but subject to approval by the University Management Board.

Article 21: Disqualification of a Delegate

A delegate shall be disqualified from participating in the electoral process if;

1. Found canvassing with Students' Council contestants or their agents.
2. Found taking bribes from the contestants.
3. Found campaigning for a particular Students' Council candidate.
4. He/she expresses in writing his/her unwillingness being a delegate.
5. He/she is found in violation of the University rules and regulations by the University Disciplinary Committee or conviction for an offence during their term in office.

Article 22: Term of Office of Delegates

- 1) A delegate's position shall be a one (1) calendar year term unless one ceases to be a delegate for whatever reason(s).
- 2) If a delegate vacates office before expiry of the term, the Electoral College can replace the delegate from the next highly ranked candidate (of the same gender as the one who vacates) on the Electoral Commission's list subject to Article 15 and Article 19 (Clause 12) of this Constitution.
- 3) The replacement of a delegate shall only take place if a position in Students' Council falls vacant.

CHAPTER SIX: STUDENTS' COUNCIL ELECTIONS

Article 23: Elections

1. DeKUTSO general elections for various positions in the Students' Council shall be conducted within the semester in which the elections are to take place which shall be determined by the University Senate.
2. For the purpose of achieving gender balance, all Students' Council positions shall be paired up except that of the Campuses Secretary. The following posts shall be contested during the general elections.
 - a) Chairperson
 - b) Vice Chairperson (shall be a running mate of the Chairperson and must be of the opposite gender)
 - c) Secretary General
 - d) Gender and Disability Mainstreaming Secretary (shall be a running mate of the Secretary General and must be of the opposite gender)
 - e) Treasurer
 - f) Sports, Entertainment and Security Secretary (shall be a running mate of the Treasurer and must be of the opposite gender)
 - g) Campuses' Secretary
3. The contestants and their running mates shall be required to observe national diversity.

Article 24: General Principles of DeKUTSO Election

1. The electoral system is based on the twin principles of equality of the vote and subject to the provisions of this Constitution, the right of every member to vie for election and hold elective office.
2. Voting for members of the Students' Council shall be through Electoral College delegates system.
3. Elections must be free and fair, conducted through secret ballot and must ensure fair representation of all members.
4. The Electoral Commission in consultation with the Schools Committee will have powers to design rules and regulations for the proper conduct of election.
5. The candidates shall commit themselves to abide by the rules and regulations by signing a copy of the rules and regulations. Such rules shall be submitted to the Chairperson of the Electoral Commission.

Article 25: Election of DeKUTSO Students' Council

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

Article 26: Composition and Establishment of the Electoral Commission

1. The Chairperson of the Electoral Commission shall be determined by the Schools Committee.
2. Chairperson of DeKUTSO Electoral Commission shall specifically apply for the position of the Chairperson.
3. The DeKUTSO Electoral Commission shall consist of: –
 - a) Eleven (11) students as follows:
 - i. The Chairperson
 - ii. The Vice Chairperson
 - iii. The Secretary
 - iv. Eight (8) members with representative(s) from other Campuses.

Provided that, in the absence of getting a suitable person from the Campus(es), the Schools Committee shall determine the candidate for that position.

 - b) The Director of Students' Welfare or his/her representative;
4. The Electoral Commission members shall be appointed by the Schools Committee.
5. The Schools Committee shall comprise of:-
 - i) Representatives of all schools
 - ii) Director of Students' Welfare

The Schools Committee shall appoint amongst themselves one member as the chair.
6. Before assuming office, the Electoral Commissioners shall be sworn-in by the University Legal Officer or his/her representative within four (4) days after their election.
7. The Electoral Commission shall be entitled to allowances only during the period in which the elections or By-elections take place.

Article 27: Qualification for Appointment to the Electoral Commission

For one to be qualified for appointment to the Electoral Commission he/she:-

- a) Shall be a full-time student.
- b) Must have a cumulative average of at least 60% and above.
- c) Must have been a DeKUTSO member for at least one academic year.
- d) Must be students who still have at least one academic year remaining in their programme.

Article 28: Authorities and Responsibilities of the Electoral Commission

1. Manage and oversee the delegates and DeKUTSO Students' Council elections in consultation with the Schools Committee.
2. Conduct civic education or polling exercise to the voters before elections.
3. Determine and announce the dates for the delegates and DeKUTSO Students' Council elections.
4. Receive and scrutinize nomination papers and clear eligible candidates for Students' Council elections.
5. Give reasons in writing to the ineligible candidates.
6. Ensure compliance and adherence to election procedures and rules.

7. Publish the lists of successful, unsuccessful and disqualified candidates for the delegates and DeKUTSO Students' Council elections on the University Notice Boards or website.
8. Take custody of the election materials before and after polling day.
9. Ensure the security of ballots and cast votes.
10. Counting of votes.
11. Announce the results immediately the counting process is over at the polling station and submit certified copies of the election results to the Chairperson of the Schools Committee within three (3) working days after elections.
12. Oversee the inauguration of the Students' Council.
13. Authorize vehicular processions.

Article 29: Qualification for Election and/or Nomination to the Students' Council

A candidate to be nominated for the election to the Students' Council:

- a) Must be a student at the University with at least two semesters left for study.
- b) Must be a student studying at any of the campuses other than the Main Campus, to qualify for the position of a Campuses' Secretary.
- c) Must be a full time student.
- d) Must have a cumulative average of 60% and above.
- e) Must have been registered at the University for at least one academic year.
- f) Should not have been suspended or received a warning letter from the University Students' Disciplinary Committee.
- g) Must have completed at least CPA section 2 or have completed at least 2 accounting course units in the University level or have an equivalent qualification, for the post of the Treasurer.
- h) Must be cleared by DeKUTSO Electoral Commission.

Article 30: Disqualification from Election and/or Nomination to the Students' Council

1. Those who after being nominated express in writing their unwillingness to contest for any post during the elections. This has to be done within forty eight (48) hours after the nominations
2. Those who have held office as a member of the Students' Council in DeKUT or any other Kenyan University or Constituent College for two terms.
3. Those who have not been cleared by the Electoral Commission.
4. Those who have ever been suspended from the University after the University Disciplinary Committee hearing for violation of the student code of conduct or for any other reasons.
5. Students who have violated the University fees payment policy in the past as may be determined by the Finance Officer.
6. Members of the DeKUTSO Electoral Commission.
7. Candidates who fail to attend or send a representative and take part in the formal question and answer campaign and/or debate organized by the Electoral Commission in defense of their written manifesto as submitted to the Chairperson of the Electoral Commission.
8. Conviction of any offence by a court of law or imprisonment.

Article 31: Terms of Office of Students' Council

1. The office bearer(s) shall hold office for a term beginning on the date on which he or she is sworn in, and ending when the next elected office bearer(s) is sworn in, provided that the term does not exceed 1 (one) calendar year.
2. A person shall not serve as a member of the Students' Council for more than two terms.

Article 32: Procedures for Students' Council Members Elections

1. The Chairperson of the Electoral Commission shall announce the date of elections within the fourth (4th) week of the semester within which the elections are to take place.
2. DeKUTSO Electoral Commission shall announce the dates and time for collection and submission of nomination papers which shall be available for collection from designated offices.
3. Duly completed nomination papers shall be submitted by the aspiring candidates to the office of Electoral Commission.
4. Upon receipt and scrutiny, the Electoral Commission shall release the names of the nominated candidates within four days after the nomination deadline.
5. The Electoral Commission shall declare a seven-day campaign period upon the release of the names of the qualified candidates. Candidates shall be required to conduct their campaigns peacefully and lawfully within the Campuses.
6. Any candidate who, before nomination results are released and the campaign period declared, starts or purports to start campaigning or behaves in a manner likely to suggest that he/she is campaigning, creates disturbance or does not abide by the election rules shall be disqualified from contesting by the Electoral Commission.
7. The Electoral Commission shall set aside at least one day for debate. The Electoral Commission shall set the rules for the day.
8. The Electoral Commission shall set aside one day as the official campaign day. The Electoral Commission shall organize and release rules for the day.
9. The Electoral Commission shall register one nominated agent not later than four days before the polling day.
10. Voting shall be conducted in Main Campus between 0800 hours and 1700 hours on the voting day.

Article 33: Voting of Students' Council Members

1. The election of the Students' Council members shall be through the delegates system.
2. The DeKUTSO Students' Council elections shall be by secret ballot, simple majority system, on the principle of one delegate one vote.
3. Counting of votes shall be done at the designated polling station at the main campus.
4. The counting shall be presided over by the Electoral Commission Vice Chairman or any other designated Electoral Commissioner in the presence of all candidates and/or their agents.
5. The Chairperson of DeKUTSO Electoral Commission shall announce the results immediately the counting process is over at the polling station and submit certified copies of the election results to the Chairperson of the Schools Committee within three (3) working days after elections.

6. A candidate shall be declared the winner upon acquiring the highest number of the valid votes cast by delegates subject to Article 35 Clause 16.

Article 34: Counting of Votes for Students' Council Members

During the counting of ballot papers:–

1. Counting of votes shall be done by the polling clerks at the designated polling station;
2. Ballot papers shall be displayed to the candidates or their agents present;
3. A spoilt vote shall not be tallied to any of the candidates;
4. A candidate may voluntarily be personally present; and at no one time shall a candidate be barred from witnessing the counting of ballot papers.
5. For purposes of this section, a spoilt vote shall mean one that is obliterated, or damaged or ambiguous or illegible that it cannot be deciphered the candidate for whom it was cast.

Article 35: Election Rules

1. Each candidate shall be allowed to register agents with Electoral Commission. Each candidate shall not have more than one (1) agent at a time inside a polling station.
2. Before casting a vote, a delegate shall be identified through his/her student identification or any other identification system authorized by the Electoral Commission. The Electoral Commission shall crosscheck delegate in the official list after which the name shall be crossed out.
3. In the election, each delegate will be issued with four (4) ballots as follows; one (1) ballot for the Chairperson and the Vice Chairperson, One (1) ballot for the Secretary General and the Gender and Disability Mainstreaming Secretary, one (1) ballot for the Treasurer and the Sports, Entertainment and Security Secretary and one (1) ballot for the Campuses' Secretary.
4. In the election of the Chairperson and the Vice Chairperson, the Secretary General and the Gender and Disability Mainstreaming Secretary and the Treasurer and the Sports, Entertainment and Security Secretary each delegate shall indicate in the box against the pair of his or her choice by either mark "X" or "√".
5. In the election of the Campuses' Secretary, each delegate shall indicate in the box against the candidate of his or her choice by either mark "X" or "√".
6. Any delegate who may require assistance shall inform the electoral officials who, in the presence of the candidates' agents, shall assist the voter to elect his/her preferred candidate.
7. Where the method adopted in the election is marking "X" or "√" inside the box on the ballot paper, writing names, rubbing or any other marks shall not be accepted. Consequently, ballot papers with such marks will be declared null and void.
8. No campaign of any kind shall be allowed within the polling station. No member in possession of campaign material e.g. photos, leaflets, and portraits or any other campaign material will be allowed in the polling station or its vicinity. Any member found uttering campaign slogans or flashing signals or symbols will be barred from participating in the elections.
9. Candidates, agents or supporters will not conduct campaign in the voting halls during the polling day. Any contravention of this rule shall disqualify the candidate from the elections.
10. A candidate who conducts his/her campaign outside University premises or involve nonstudents in his/her campaign shall be disqualified from contesting in the elections.
11. At the expiry of voting time, the Electoral Commission officials shall immediately seal all

ballot boxes.

12. The Vice Chairperson or designated Electoral Commission official(s) shall then open the ballot boxes. The clerks shall start counting the votes immediately at the polling station in the presence of the candidates or agents. The Electoral Commission shall come up with rules that will guide the order of counting the candidates votes.
13. The Electoral Commission Chairperson shall announce the results immediately the counting process is over.
14. The Electoral Commission shall ensure that order is maintained during and after the elections.
15. In case there is only one candidate contesting for a post, the DeKUTSO Electoral Commission shall arrange for a special ballot paper where voters shall either vote **for** or **against** that candidate. A simple majority must vote for the said candidate. If the candidate fails to be voted for by a simple majority, the Electoral Commission Chairperson shall declare new dates for a by-election. If in a By-election only one candidate contests for that post, and the said candidate fails to secure a simple majority vote, the Students' Council shall appoint another person to fill the post.
16. In case of a tie, the Electoral Commission Chairperson shall order a recount. If there is still a tie after a recount, the Chairperson of the Electoral Commission shall declare a new date for polling. Only the tying candidates will contest in such a repeat election.
17. DeKUTSO Electoral Commission Chairperson shall submit to the Chairperson of the Schools Committee the names of the elected officials within three (3) working days of announcing the election results.
18. The venues for campaigns and display of posters shall be determined and /or approved by the Electoral Commission in consultation with the Schools Committee.

Article 36: Election Offences

1. The Electoral Commission shall disqualify a candidate from election for any of the following offences committed either by the candidate him/herself or systematically carried out by his/her election team:—
 - a) Rigging,
 - b) Use of physical force,
 - c) Use of violence,
 - d) Intimidation,
 - e) Bribery,
 - f) Giving false or malicious information,
 - g) Mounting campaign posters outside places designated for such posters,
 - h) Holding campaign rallies in non-designated areas,
 - i) Hate speech,
 - j) Verbal abuse,
 - k) Foul language,
 - l) Slurs based on ethnicity, religion, gender, mode of study (i.e., Self Sponsored Programme, Kenya Universities and Colleges Central Placement Services) or year of study,
 - m) Drunkenness and rowdiness during campaigns,
 - n) Unauthorized vehicular processions inside and outside of campus,

- o) Campaigning before the official campaign period,
 - p) Provocative and incendiary attacks on the Statutes, Regulations, and Policies of the University,
 - q) Defamation of any member of the University community,
 - r) Receipt of funding from political parties, interest groups/individuals and other illegal sources.
2. If the Electoral Commission convicts a winning candidate of a campaign offence, then it shall declare the candidate with the next highest number of votes to be the winner of election.

Article 37: By-Elections

1. The By-election for the Students' Council members shall be through the delegates system.
2. By-elections shall only be conducted within the semester a vacancy arises and not during ordinary examinations period or two months to the expiry of DeKUTSO Students' Council term of office.
3. By-elections shall be held whenever an office or seat falls vacant for the following reasons:-
 - a) Nullification of elections results.
 - b) Resignation of a member(s) of the Students' Council.
 - c) Cessation of an official to be a full time student.
 - d) Cessation of studentship through expulsion or discontinuation by the University.
 - e) Medical reasons or death.
 - f) Imprisonment and conviction by a court of law.
 - g) Mental infirmity.
 - h) Vote of no confidence in a member of Students' Council.
 - i) Suspension from the University of a Member of the Students' Council.
4. DeKUTSO Electoral Commission shall circulate a notice to this effect within a period of seven days after a position has fallen vacant.
5. DeKUTSO Electoral Commission shall conduct a By-election within seven (7) days of the office or seat falling vacant and shall follow the same procedure as provided for in this Constitution.
6. The Students' Council with the approval of the School Committee, shall be allowed to fill through nomination any unfilled posts in the DeKUTSO Students' Council within seven days after the By- Election date.

Article 38: Dissolution of the Electoral Commission

1. The Electoral Commission shall hold office for a period of one (1) year from the date of its swearing in.
2. The Commission shall be called upon in case of a By-election.
3. The Electoral Commission shall hand over their returns to the DSW during the swearing in of new officials into office.

Article 39: Election Petitions

1. A petition may be lodged to the Elections Appeals Committee by a candidate or any member

of DeKUTSO on the following grounds:

- a) Whenever such a candidate or member has evidence that there has been a contravention of any election procedure or rule during the election period;
 - b) Whenever there is evidence of bribing of voters, intimidation, and/or harassment of voters and/or candidates;
 - c) Whenever there is evidence that a candidate has breached this Constitution.
2. A petitioner may bring a petition regarding nominations and campaigns and/or elections.
 3. A petition must be lodged within the election period but not later than twelve (12) working hours after the announcement of results.
 4. The Elections Appeals Committee shall determine petitions regarding nominations and campaign.
 5. The Elections Appeals Committee shall determine petitions one day after the receipt of the complaints.
 6. The hearing of the petition shall be *inter partes* (all parties present) save where a party fails to attend without any reasonable excuse, in which case an *ex parte* (one party present) judgment will be entered.
 7. The results and recommendations of the Elections Appeals Committee shall be implemented.
 8. Any resolution made by the Elections Appeals Committee shall be concrete, binding and final.

Article 40: Elections Appeals Committee

1. There shall be an Election Appeals Committee, hereinafter referred to as “The Appeals Committee”.
2. The Appeals Committee shall consist of members of the Schools Committee. The decision of the Appeals Committee shall be final.
3. The Chair of the Appeals Committee shall be the Chair of the Schools Committee.

Article 41: Transition of Office

1. The order for taking over office shall be as follows:
 - a) Swearing in of the Students’ Council.
 - b) Handing over.

Article 42: Swearing in of the Students’ Council

1. Newly elected members of the Students’ Council shall be sworn into office by the Legal Officer or his/her representative in a ceremony held in public within the University or as may be determined by the Electoral Commission in consultation with Schools Committee, within 7 days after Elections.
2. No member of the Students’ Council shall be sworn in where there has been a petition against them.
3. Elected officials shall take office upon being sworn-in.

Article 43: Handing Over

During the swearing in of the Students' Council, the outgoing officials of the Students' Council shall hand over all the documents/records, instruments of office and any property of the association to the incoming officials of the Students' Council.

Article 44: Interim Students' Council (ISC)

1. In an event, for one reason or the other, there are no elected officials; the Schools Committee shall oversee elections of an Interim Students' Council (ISC).
2. The Schools Committee shall make rules and regulations for the conduct of the elections. In so doing, they shall ensure that the provisions of this Constitution on national diversity and gender are complied with.
3. The election of ISC shall be conducted by voters nominated from various constituencies, each nominating one individual. These constituencies shall comprise of the following;
 - a) Each department in every School or Institute.
 - b) Each registered club and society.
 - c) Each registered sports and games clubs.
 - d) Each religious group registered by the University.
4. The nominated members shall then elect among themselves the members of the ISC.
5. The ISC shall comprise of;
 - a) Three (3) elected members from the Schools/Institutes.
 - b) One (1) elected representative from campuses.
 - c) One (1) elected member from clubs and societies.
 - d) One (1) elected sports and games representative.
 - e) One (1) religious groups' representative.
6. The ISC shall assume the roles of the Students' Council, and any other roles that may be allocated to them by the University.
7. During the 1st meeting of the elected ISC members, they shall elect among themselves the officials as per Article 23 of this Constitution.
8. The ISC shall be in the office for a period starting from the day they are sworn into office until the next elected DeKUTSO officials are sworn in or as may be determined by the Schools Committee.

CHAPTER SEVEN: THE STUDENTS' COUNCIL

Article 45: Establishment of the Students' Council

1. There shall be established a Students' Council of DeKUTSO.
2. Subject to the provisions of this Constitution, the Students' Council shall be the chief administrative and managerial organ of DeKUTSO.
3. The office of the Students' Council shall be located at the Main Campus of Dedan Kimathi University of Technology.
4. Meetings of the Students' Council shall be held at the Main Campus of the University.

Article 46: Composition of the Students' Council

The Students' Council shall consist of—

- a) Chairperson
- b) Vice Chairperson
- c) Secretary General
- d) Treasurer
- e) Gender and Disability Mainstreaming Secretary
- f) Sports, Entertainment and Security Secretary
- g) Campuses Secretary

Article 47: Executive Authority

- a) The executive authority of DeKUTSO must be exercised for the benefit of DeKUTSO members in accordance to this Constitution, the laws of the Republic of Kenya, the Universities Act and its amendments thereof, DeKUT Charter and DeKUT Statutes.
- b) Executive authority in DeKUTSO is vested in the Students' Council.

Article 48: Authorities and Responsibilities of the Students' Council

- 1.) The Students' Council shall have the authority and responsibility provided for in this Constitution and in particular shall—
 - a) Be fully responsible for the general administration of DeKUTSO.
 - b) Ensure that all members uphold this Constitution and that this Constitution is free from all willful interference.
 - c) Propose and approve policies and By-laws for the proper operation of DeKUTSO and its organs.
 - d) Make and implement their resolutions.
 - e) Appoint and supervise other persons to manage DeKUTSO assets.
 - f) Keep accurate and up to date records of DeKUTSO.
 - g) Observe in all its activities, the University Policies as per the Statutes and be guided by the DeKUTSO Constitution.
 - h) Prepare budgetary proposals, and submit to the Director of Students' Welfare (DSW) for approval.

- i) Consider and propose amendments to this Constitution as provided in Article 71.
 - j) Review allowances and remunerations of DeKUTSO officials subject to the approval by the University Management but applicable to the next successive Students' Council.
 - k) Delegate functions to any of the Standing Committees of DeKUTSO.
 - l) Consider and vote on motions of no confidence as stipulated in Article 51.
2. While carrying out its functions, the Students' Council shall be expected to embrace good governance and adhere to the national values and principles of governance and the leadership and integrity principles as outlined in Article 10 and Chapter 6 of the Constitution of Kenya 2010 respectively. This shall include:-
- a) Patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people.
 - b) Human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized.
 - c) Good governance, integrity, transparency and accountability and sustainable development.
 - d) Objectivity and impartiality in decision making, and ensuring that decisions are not influenced by nepotism, favoritism, other improper motives or corrupt practices.
 - e) Selfless service based solely on public interest, demonstrated by:-
 - i) Honesty in the execution of official duties.
 - ii) The declaration of any personal interest that may conflict with official duties,
 - f) Accountability for decisions and actions.
 - g) Discipline and commitment in their service to the students.

Article 49: Meetings of the Students' Council

1. The Students' Council shall hold at least three meetings in a semester and the Campuses' Secretary shall attend at least one of these meetings in a semester.
2. The Chairperson shall convene every meeting of the Students' Council in a manner to be determined by the Students' Council during its first meeting following swearing in into office.
3. The quorum for the commencement and holding of a meeting by the Students' Council shall be two-thirds of the members who should be present for not less than half the entire time of the meeting.
4. A member who fails to attend three meetings of the Students' Council without a valid reason shall lose his/her financial allowance for the month in which he/she is absent for a third time from a meeting of the Students' Council and for any subsequent month(s) until they attend a meeting.
5. At a meeting of the Students' Council, the following shall preside—
 - a) The Chairperson.
 - b) In the absence of the Chairperson, the Vice Chairperson.
 - c) In the absence of both the Chairperson and the Vice Chairperson any other member of the Students' Council elected by members at that time.

Article 50: Decisions in the Students' Council

1. Voting in the Students' Council shall be mandatory for all members present and this includes voting in support of a resolution or rejecting a resolution.

2. Any matter proposed for a decision during a meeting of the Students' Council shall be determined by a majority vote of the members present.
3. Regarding a matter proposed for a decision during a meeting of the Students' Council, the member presiding at the meeting shall have a primary vote. In a case of a tie in the vote, he/she shall also have a casting vote.

Article 51: Vote of No Confidence or Impeachment of Students' Council

1. A vote of no confidence may be moved against any member of Students' Council for:-
 - a) Blatant violation of this Constitution.
 - b) Gross misconduct.
 - c) Persistent inability to execute the duties of office.
2. A vote of no confidence against any Students' Council member shall originate from the Students' Council or DeKUTSO members as provided hereunder:
 - a) The vote of no confidence against the whole of the Students' Council or any elected member of Students' Council thereof shall be successful only if at least two thirds of the DeKUTSO members sign and reach *consensus idem in* favor of the impeachment.
 - b) In the event of a vote of no confidence against the whole of the Students' Council as provided for herein, a general election in respect thereof shall be held within twenty-one (21) working days thereafter.
3. The procedure for a vote of no confidence as addressed under Article 51, Section 1 shall be as follows—
 - a) The proposer of the motion shall provide all members of the Students' Council including the member to be subjected to the proposed vote, and the DSW with a written notice of the intended motion detailing the grounds for such action as stipulated in Section 2, subsections (a) and (b) of this Article. The motion shall be served through the Students' Council office.
 - b) Following notification of the members of Students' Council, the Students' Council shall discuss the motion,
 - c) If the subject of the motion is the Chairperson, then the Vice Chairperson shall preside at the sitting,
 - d) If two-thirds of all members of Students' Council agree to the member's request, the entire Students' Council shall then consider the motion and the subject of the motion shall have an opportunity to respond to the charges before Students' Council.
 - e) A vote of no confidence shall be passed by not less than a vote of two-thirds of all members of the Students' Council.
 - f) If a vote of no confidence is passed, the Students' Council member will lose their position and the process of replacement shall be commenced in line with this Constitution.
 - g) Any member of the Students' Council who is the subject of motion may attend the sitting but shall not be allowed to vote.

PROVIDED that in the event of the vote of no confidence against the whole Students' Council, the Electoral Commission shall facilitate a general election. In case DeKUTSO members fail to elect new leaders, the Schools Committee shall facilitate election of an Interim Students' Council (ISC) as provided for in Article 44 to run the affairs of DeKUTSO pending election.

Article 52: Communication to DeKUTSO Members

All resolutions of the Students' Council shall be communicated officially to members of DeKUTSO by the Secretary General through the appropriate means/media within forty eight (48) hours and copied to the DSW.

Article 53: Standing Committees of the Students' Council

1. All members of the Standing Committees of the Students' Council shall be constituted from the members of the Students' Council, as provided hereunder such that:-
 - a) The Academics, ICT and Library Facilities Committee shall be presided over by the Vice Chairperson; and the members shall be;
 - i. Vice Chairperson
 - ii. Treasurer
 - iii. Campuses Secretary
 - b) The Sports, Entertainment and Security Committee shall be presided over by the Sports, Entertainment and Security Secretary; and the members shall be;
 - i) Sports, Entertainment and Security Secretary
 - ii) Chairperson
 - iii) Secretary General
 - c) The Finance, Investment and Tendering Committee shall be presided over by the Treasurer; and the members shall be;
 - i) Treasurer
 - ii) Secretary General
 - iii) Chairperson
 - d) The External Affairs and Public Relations Committee shall be presided over by the Chairperson, and the members shall be;
 - i) Chairperson
 - ii) Gender and Disability Mainstreaming Secretary
 - iii) Campuses Secretary
 - e) Health, Catering and Accommodation Committee which shall be presided over by the Secretary General, and the members shall be;
 - i) Secretary General
 - ii) Gender and Disability Mainstreaming Secretary
 - iii) Campuses Secretary
 - f) Gender and Disability Mainstreaming Committee which shall be presided over by the Gender and Disability Mainstreaming Secretary, and the members shall be;
 - i) Gender and Disability Mainstreaming Secretary
 - ii) Treasurer
 - iii) Sports, Entertainment and Security Secretary
2. All Students' Council Committees shall meet at least twice per semester and at most Five (5) times in a semester.
 - a) Subject to the provisions of this Constitution, the Students' Council shall determine the terms of reference for Students' Council Committees, their rules and procedures of conduct.

Article 54: Director of Students' Welfare

1. The Director of Students' Welfare shall –
 - a) Be an *Ex-Officio member* of Students' Council.
 - b) From time to time address Students' Council on matters pertaining to the University Policies.
 - c) Provide oversight to Students' Council.
 - d) Be a mandatory signatory to DeKUTSO bank account.
 - e) Shall appoint a designee to attend to his / her responsibilities in his/ her absence.
 - f) Shall in consultation with the finance department provide oversight on financial matters.
 - g) Shall cause auditing of DeKUTSO accounts.
 - h) Shall be an ex-official member of all Students' Council committees and may attend the meetings.
 - i) Shall ensure compliance with ISO standards and observance of best practices.

Article 55: The Chairperson

1. There shall be a Chairperson of DeKUTSO Students' Council.
2. The Chairperson shall have authorities and responsibilities as provided in this Constitution and in particular shall—
 - a) Preside at meetings of the Students' Council, the Annual General Meeting, and any Special General Meeting.
 - b) Address, at the invitation of the University, public functions of the University,
 - c) Represent DeKUTSO at the University Senate.
 - d) With the consent of the Students' Council, and the University's management, represent DeKUTSO at the national and international levels on issues relevant to DeKUTSO interests.
 - e) Ensure proper and cordial relations among the various organs of DeKUTSO and the University's administration.
 - f) Be a signatory to the DeKUTSO bank account for the purpose of withdrawals from these accounts,
 - g) Be responsible for the overall administration of the Students' Council.
 - h) Be the custodian of this Constitution and ensure that it is free of willful and malicious interference.
 - i) Subject to the provisions of this Constitution and with the approval of the Students' Council, delegate or assign duties to any other member of the Students' Council.
 - j) Address the first meeting of the Students' Council and every first sitting of Students' Council of the semester or as need arises.
 - k) Request members of the Students' Council to provide reports during AGMs.
 - l) Preside over the External Affairs and Public Relations Committee.
 - m) Attend Standing Committee meetings in which he/she is a member.

Article 56: The Vice Chairperson

1. There shall be the Vice Chairperson of DeKUTSO.
2. The Vice Chairperson shall have authorities and responsibilities as provided in this Constitution and in particular shall—
 - a) In the Chairperson's absence, assume and act on the authority and responsibility of the Chairperson.

- b) Coordinate the activities of the Students' Council with other organs of DeKUTSO.
- c) Be in charge of any disciplinary matters within DeKUTSO's jurisdiction.
- d) Coordinate and facilitate community services and related projects.
- e) Address issues arising directly from the academic interests of the members.
- f) Work towards the enhancement of high quality academic facilities, resources, and services for world class academic programmes at the University.
- g) Address issues concerning ICT.
- h) Promote awareness among the members regarding student-related policies, procedures, and regulations of the University.
- i) In consultation with the Students' Council, assist in the orientation of new members.
- j) Preside over the Academics, ICT and Library Facilities Committee.
- k) Attend Standing Committee meetings in which he/she is a member.
- l) Perform other duties as may be assigned by DeKUTSO Chairperson or Students' Council from time to time.

Article 57: The Secretary General

1. There shall be a Secretary General of DeKUTSO.
2. The Secretary General shall have authorities and responsibilities as provided in this Constitution and in particular shall—
 - a. Keep, in a proper manner, true, accurate and up to date records of the proceedings of every meeting of the Students' Council, the AGM, and SGM.
 - b. Subject to the directions of the Students' Council, maintain and have custody of all DeKUTSO correspondence.
 - c. Maintain the register of members.
 - d. Communicate the Students' Council's decisions to the members and administration,
 - e. Issue notices of meetings of the AGM and SGM.
 - f. Be a signatory of the DeKUTSO bank account.
 - g. Represent DeKUTSO at the University Senate.
 - h. Manage and regularly update the DeKUTSO website and liaise with the University's Public Relations Office.
 - i. Receive written Semester reports from members of the Students' Council.
 - j. Serve as the spokesperson in all matters pertaining to DeKUTSO.
 - k. Preside over the Health, Accommodation and Catering Committee.
 - l. Attend Standing Committee meetings in which he/she is a member.
 - m. Spearhead students' environmental conservation initiatives.
 - n. Perform other duties as may be assigned by DeKUTSO Chairperson or Students' Council from time to time.

Article 58: Treasurer

1. There shall be the Treasurer of DeKUTSO.
2. The Treasurer shall have authorities and responsibilities as provided in this Constitution and in particular shall—
 - a. Observe acceptable fiducial practice in all DeKUTSO transactions.
 - b. Be the custodian of DeKUTSO books of accounts.
 - b) Ensure that every payment and expenditure is duly authorized by the Students' Council.
 - c) At the beginning of the term of the Students' Council, prepare and present the annual budget to the Students' Council.

- d) Present accounts as per Article 67 of this Constitution to the Students' Council at its last sitting before the AGM.
- e) Preside over the Finance, Investment and Tendering Committee which determines who to award DeKUTSO tenders for desired supply of goods or services; and/or determine how DeKUTSO can invest for profit.
- f) As determined by the Students' Council, supervise the procurement of supplies and facilities for DeKUTSO operation.
- g) Attend Standing Committee meetings in which he/she is a member.
- h) Monitor the use of DeKUTSO Benevolent Fund and present accounts to the Students' Council as per Article 67 of this Constitution.
- i) Oversee the management of DeKUTSO investment projects if any.
- j) Perform any other duty as may from time to time be assigned by the DeKUTSO Chairperson or Students' Council.

Article 59: The Gender and Disability Mainstreaming Secretary

1. There shall be a Gender and Disability mainstreaming Secretary of DeKUTSO.
2. The Gender and Disability mainstreaming Secretary shall have authority and responsibility as provided in this Constitution and in particular shall—
 - a) In consultation with the Director of Students' Welfare shall address gender and disability mainstreaming matters.
 - b) Supervise all DeKUTSO activities directly related to gender welfare, in particular, to network with organizations concerned about gender issues.
 - c) Liaise with the Gender, Disability and Equity Affairs Directorate of the University in disseminating information among members about the University's gender and sexual harassment policies and, in particular, keep the Students' Council informed of these policies.
 - d) Promote gender equity in DeKUTSO and the University.
 - e) Receive and record grievances and requests on gender and forward them to the Students' Council for deliberation.
 - f) Preside over the Gender and Disability Mainstreaming Committee.
 - g) Maintain updated records of members with disabilities.
 - h) Promote the integration of members with disabilities in the University community.
 - i) Survey and disseminate information on programmes, facilities, and services available to persons with disabilities.
 - j) Coordinate Disability Day and related activities
 - k) Advise DeKUTSO and the appropriate University bodies on ways of implementing progressive national and international policies regarding persons with disabilities within Dedan Kimathi University of Technology.
 - l) Attend Standing Committee meetings in which he/she is a member.
 - m) Perform any other duty as may from time to time be assigned by the DeKUTSO Chairperson or Students' Council.

Article 60: The Sports, Entertainment and Security Secretary

1. There shall be a Sports, Entertainment and Security Secretary of DeKUTSO.
2. The Sports, Entertainment and Security Secretary shall have authority and responsibility as provided in this Constitution and in particular shall—

- a) Be responsible for sports, entertainment and security matters.
- b) Liaise with the Directorate of Students' Welfare, University Sports and Games Department and the Chaplaincy Office to ensure members' welfare in matters pertaining to sports, games, entertainment and spiritual matters.
- c) Develop Sports, Games, and Entertainment policy of the organization.
- d) Be the chairperson and nominate members to the Sports, Games, and Entertainment Committee, as provided for under this Constitution.
- e) Work in conjunction with the Gender and Disability Mainstreaming Secretary to ensure equal opportunity in provision for and participation in sports, games, entertainment and spiritual matters programmes.
- f) Preside over the Sports, Entertainment and Security Committee.
- g) Attend Standing Committee meetings in which he/she is a member.
- h) Perform any other duty as may from time to time be assigned by the DeKUTSO Chairperson or Students' Council.

Article 61: Campuses' Secretary

1. There shall be a Campuses' Secretary of DeKUTSO.
2. The Campus Secretary shall have authority and responsibility as provided in this Constitution and in particular shall—
 - a) Act as the liaison person between DeKUTSO Students' Council and the association members in other campuses.
 - b) Report to the Students' Council matters pertaining to other University campuses.
 - c) Attend meetings of all the Standing Committees in which he/she is a member.
 - d) Perform any other duty as may from time to time be assigned by the DeKUTSO Chairperson or Students' Council.

CHAPTER EIGHT: DeKUTSO FINANCE AND PROJECTS

Article 62: Sources of DeKUTSO Funds

DeKUTSO funds shall be derived from –

- 1) DeKUTSO membership fees.
- 2) Revenue earned from investments.
- 3) Fund raising activities.
- 4) Donations and Grants approved by the University Management.
- 5) Grants by the University
- 6) Nomination fee from DeKUTSO elections.
- 7) Revenue from rental premises.
- 8) Fees/levies collected during DeKUTSO activities.

Article 63: DeKUTSO Expenditure

1. All monies received for the purpose of DeKUTSO must be applied with thrift and stewardship as per the budget approved by Students' Council and the DSW to provide maximum benefit to DeKUTSO members.
2. DeKUTSO funds may be used for the following purposes:
 - a) Remunerations and allowances.
 - b) Students' benevolent purposes.
 - c) DeKUTSO Elections.
 - d) Bursaries and any other philanthropic activities.
 - e) Any other DeKUTSO expenses authorized by the Students' Council within the budgetary limits set by the Students' Council and the DSW.

Article 64: Remunerations of Students' Council Members

1. The financial remuneration paid to DeKUTSO office bearers will be determined by the Students' Council from time to time, subject to approval of University's Management Board. Such determination is based on evidence of sustained increase in the income of DeKUTSO.
2. The financial remuneration for the DeKUTSO office bearers must not take effect in the life of the term of office of the bearers that determined or approved save for the 1st group of office bearers following the enactment of this Constitution.

Article 65: Allowances

1. Allowances shall be paid for any special duties assigned in consultation with DSW.
2. The paid allowance shall be from the Petty Cash and the amount to be paid shall be determined by the Students' Council in consultation with DSW.

Article 66: Signatories to the DeKUTSO Bank Accounts

1. DeKUTSO may, subject to approval by the Students' Council operate any type of bank account with 4 (four) signatories as follows:
 - a) DSW
 - b) Chairperson
 - c) Secretary General
 - d) Treasurer
2. Any transaction shall require 3 (three) signatories with the DSW as a mandatory signatory.

Article 67: Auditing of DeKUTSO Books of Accounts and Reports

1. The accounts of DeKUTSO shall be audited by the University's Chief Internal Auditor twenty one (21) days before the AGM.
2. The audited accounts and balance sheet shall be published after approval by the Students' Council not later than seven (7) calendar days before the AGM.
3. The Treasurer shall cause the audited accounts to be published in the DeKUTSO website.
4. The Treasurer shall table the report at the AGM indicating whether DeKUTSO has kept proper books of accounts.

Article 68: Petty Cash

1. The DeKUTSO Treasurer may keep such amount for petty disbursement as may be determined by the Students' Council and approved by Director of Students' Welfare.
2. The Treasurer shall be required to account for use of the petty cash to the Students' Council before any other petty cash is withdrawn from the DeKUTSO account, failure to which, the Director of Students' Welfare will not approve subsequent withdrawals.

CHAPTER NINE: DeKUTSO DISCIPLINARY PROCEDURES

Article 69: DeKUTSO Members' Code of Conduct

1. All DeKUTSO members are subject to the University rules and regulations governing the conduct of students and discipline in the University as per Schedule XII of the University Statutes.
2. The University shall deal with any violation of the Code of Conduct as per the University Statutes, regardless of whether the offence is prosecutable under the Law or not.
3. All cases pertaining to indiscipline in the organisation shall be forwarded to the DSW for further actions.

CHAPTER TEN: RULES AND REGULATIONS, TRANSITION AND MISCELLANEOUS

Article 70: DeKUTSO Rules and Regulations

1. Subject to this Constitution, rules and regulations to govern the functions of DeKUTSO shall be drawn by the Students' Council provided they are not in any way contradictory or inconsistent with any provision of the Constitution of Kenya, University Charter, DeKUT Statutes, Universities' Act (2012) and its amendment thereof, and this Constitution.
2. The rules and regulations approved by Students' Council, and the Schedules annexed hereto may be amended by at least two-thirds majority vote in Students' Council

Article 71: Amendments of DeKUTSO Constitution:

1. Any proposals for review and amendments to this Constitution shall be by a vote supported by at least 65% of DeKUTSO members in an AGM, after approval by at least 75% of the members of the Students' Council.
2. These proposals shall be tabled to the Senate for their recommendations to the University Council.
3. This shall not in any way prevent the University Council from making amendments it deems fit.

SCHEDULE ONE: DeKUTSO Logo



SCHEDULE TWO: Electoral Colleges

Three delegates from each Department, Institute or Campus shall constitute the Electoral Colleges. DeKUTSO Electoral Colleges are listed below:

1. Civil Engineering
2. Electrical and Electronic Engineering
3. Mechanical Engineering
4. Mechatronics Engineering
5. Procurement and Logistics
6. Accounting and Finance
7. Business Administration
8. Computer Science
9. Information Technology
10. Nursing
11. Chemistry
12. Mathematics and Physical Sciences
13. Statistics and Actuarial Science
14. Institute of Geomatics GIS and Remote Sensing
15. Geothermal Training & Research Institute
16. Institute of Tourism and Hospitality Management
17. Institute of Food Bio-Resources Technology
18. Institute of Technical and Professional Studies
19. Other Campuses.

Any new department/Institute established in the University shall be considered as an Electoral College. Provided that, Senate reserves the right to determine the Electoral Colleges every year prior to students' elections

SCHEDULE THREE: Remuneration

| MONTHLY REMUNERATION | (%) |
|-----------------------------|------------|
|-----------------------------|------------|

| | |
|--|------|
| 1. Chairperson | 100 |
| 2. Vice Chairperson | 87.5 |
| 3. Secretary General | 87.5 |
| 4. Treasurer | 85.0 |
| 5. Gender and Disability Mainstreaming Secretary | 85.0 |
| 6. Sports, Games and Security Secretary | 85.0 |
| 7. Campuses' Secretary | 85.0 |

- i. Where 100% means the monthly remuneration paid to the Chairperson of DeKUTSO as proposed by the Students' Council in consideration of the financial ability of DeKUTSO and approved by the University's Management Board subject to Article 64 (1).
- ii. The annual remuneration and allowances shall not exceed sixty (60) percent of DeKUTSO annual contribution save DeKUTSO Benevolent fund contribution.

SCHEDULE FOUR: Letters of Appreciation

DeKUTSO shall award letters of appreciation or certificates to:

- a) Students' Council.
- b) Electoral Commissioners.
- c) Constitution Review Team.
- d) Club and Sports officials/office bearers.
- e) Members of the Interim Students Committee.
- f) Delegates
- g) Any other student/ group of students with outstanding contribution to DeKUTSO.

SCHEDULE FIVE: Special Interest Groups

Special Interest Groups of DeKUTSO shall include:

1. Gender and disability
2. Students extracurricular activities and security
3. Students in other DeKUT campuses

4. **SCHEDULE SIX: Approval**

The Council on this day 18th of September 2017 approves and declares this Constitution the Constitution of Dedan Kimathi University of Technology Students' Organisation (DeKUTSO).

EXECUTED FOR AND ON BEHALF OF THE DeKUT COUNCIL

Name Dr. Jane B. Nyakang'o

Signature [Signature]

Council Chairperson - Dedan Kimathi University of Technology

Name Prof. P. N. Kioni

Signature [Signature]

Vice Chancellor - Dedan Kimathi University of Technology