

# CONDUCT AND DISCIPLINE OF STUDENTS

# [17]

## INTRODUCTION

1. These regulations are made by Senate and Council in accordance with the provisions of the **University of Nairobi Charter, 2013** whose object and purpose, Inter alia, is to provide for the control, governance and administration of the University.
2. The regulations came into effect on March 1, 2013 and shall be binding upon every student of the University upon registration and so long as such student remains so registered.
3.
  - a) Every student shall before he/she is registered be required to read these regulations and to sign a declaration appended hereunder, that he/she has understood the contents and meaning hereof and that he/she undertakes to be bound thereby.
  - b) Failure or refusal to comply with Clause(a) herein may constitute ground for denial registration of.
4.
  - a) Nothing in these regulations shall preclude the University from requiring any student to execute any bond, assurance or undertaking to be of good conduct throughout his/her stay at the University.
  - b) Such bond, assurance or undertaking when required and executed shall have the same effect as if it were part of these regulations.
5. For purposes of these regulations the term “student” means and includes:-

- a) Any person who has been formally admitted to a course of study for an undergraduate degree or diploma within the University.
- b) Any person registered for courses within the Institute of Adult Studies and all persons registered for degrees by External Studies.
- c) All occasional students who are registered students of another University but are admitted to courses of study within the University of Nairobi.
- d) All postgraduate students who are registered for higher degree courses within the University.

## ORGANIZATION OF STUDENTS

1.
  - a) There shall be established in each College of the University, an organization of students, (*hereinafter college students’ organizations*) whose objects and purposes shall be:-
    - i) the promotion of the welfare of students of that College;
    - ii) the promotion of the academic welfare of students of that college;
    - iii) the development and encouragement of worthy traditions of social and academic life on the College Campus;
    - iv) the establishment of co-operation with such other organizations of students within the University as may be recognised by Senate and Council.
  - b) Membership of College Students’ organizations shall be open to all students

registered in each college on payment, to the University, of such fees as may be prescribed by the Organization.

- c) College Students’ Organizations established in accordance with these regulations shall not be dissolved except by resolution of Senate and Council.
- d) College Students’ Organizations shall determine their own interim organs and procedures and, in particular shall develop in each case, a constitution setting out clearly:-
  - i) the officers of that organization,
  - ii) the duties and powers of such officers,
  - iii) the frequency of and procedures at meeting,
  - iv) the purposes to which the funds of the organization are to be applied.
  - v) The manner and form in which professional/academic associations of students are to be represented in the college Students’ organizations.
3. For purpose of students’ membership in Council, Senate and all academic bodies of the University, the following procedures shall apply:-
  - a) for purposes of Section 2(1) of the Act, the University Council recognises all College Students’ Organizations as Organizations representative of students of the University.
  - b) for purposes of membership in council:-
    - i) each college Students’ organization shall nominate two delegates to an electoral college whose sole purpose

- shall be to elect the two students' representatives required under Section 14(1)(e) of the Act.
- ii) The University administration shall initiate the procedures necessary for the Constitution of an Electoral College under this clause (iii) the Electoral College constituted under this clause shall stand dissolved as soon as it has held the elections referred to in (i) herein.
  - c) for purposes of membership in Senate, each College Students' Organizations shall elect one representative directly to that body,
  - d) for the purpose of membership in the Library and Bookshop, and Students' Welfare Committees of Senate, very college students' Organizations shall elect one representative each to those bodies,
  - e) for the purposes of membership in other academic bodies of the University, each College, Faculty and Department shall ensure that College Students' Organizations are involved in the election of representatives in accordance with applicable University Statutes and academic regulations.
4. In addition to any other permits required by the law, all meetings and other activities of the College Students' Organizations and of any association of students (whether professional, academic, or otherwise) to be held within University precincts shall not take place until permission is first obtained from the relevant College or University authorities, or where such meeting or activities are held in the halls, the permission of the Director of the Student Welfare Authority (SWA).

5.
  - a) As a transitional requirement, the Principal of each College shall convene a general meeting of all students in each College at which an interim committee of students shall be set up to run its respective organization.
  - b) All interim committees shall take such steps as are necessary for ensuring that a constitution is and representative election.

### III. THE CONDUCT OF STUDENTS

The following provisions shall apply with respect to the conduct of students within and so far as is applicable, outside University precincts:-

#### A) GENERAL CONDUCT:

All students shall conduct themselves in accordance with the highest standards of integrity, personal discipline and morality and in particular, shall:-

- i) respect and adhere to the administrative and academic procedures and structures established by the University of Nairobi Act for the control, governance and operations of the University,
- ii) respect the rights and privileges of the members of the University community at all times.
- iii) refrain from any conduct that might bring the University or any section or programme thereof to disrepute or public odium, and
- iv) carry themselves in all public places or fora with such humility and dignity as befits their status as mature and responsible citizens.

#### B) ACADEMIC CONDUCT:

All students shall apply themselves diligently to the courses of study approved by Senate and for which they are registered and, in particular, shall,

- i) except for good cause, attend all lectures, tutorials, seminars, practicals and other scheduled courses of instructions,
- ii) refrain from any conduct whose objects or logical consequences is to disrupt the operation of academic programmes of the University, and
- iii) comply with all other regulations made by Department, Faculties and Colleges for the proper conduct of specific programmes.

#### C) 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:-

- i) adhere to the list of collection of rooms determined by SWA Change of rooms, halls or hostel, once allocation has been made, will not be allowed without written permission of SWA.
- ii) share rooms, in addition to other facilities of common use.
- iii) admit visitors to their rooms only between the hours of 10 a.m. to 10 p.m. Any extension of these times will be made with the approval of SWA.
- iv) remove no furniture or equipment from their rooms or any other part of the halls and catering services except by permission from the Head of the Department concerned.
- v) report any losses, breakages or missing items immediately to the housekeepers or custodians of the hall in which the losses/breakages or missing items occur.
- vi) except with the written permission of SWA, vacate all rooms during vacations. Such permission will only be granted on advice from University authorities. Vacational residence will be in a specified hall and paid for in advance.

- vii) surrender all keys to the custodian/housekeeper at the end of every term.
- viii) report all absences from residence in the Halls to the Halls Warden and Halls Administrator responsible for that particular Hall. Any student absent from residence for a continuous period of two weeks without prior permission from SWA shall be deemed to have forfeited his or her residence
- ix) residence only on condition that the sound does not cause any disturbances, and that are played only between hours 6.00 a.m. and 11.00 p.m.
- x) appear for meals at the prescribed dining halls and times only. Students will be required to produce their meal cards or any other evidence as they enter the dining halls.
- xi) except where good cause is shown, carry no meals or beverages out of the dining halls. Such person must first seek permission from the Officer-in-charge of his dining hall and if necessary produce a certificate from a Medical Officer in charge of the Students' Health Services.
- xii) carry no utensils or crockery out of the dining hall.
- xiii) desist from entering the kitchen, servery or store without prior permission from the SWA.
- xiv) in the event of pregnancy either before or after taking residence in the Halls
  - move out of SWA residence at least three months before confinement. Such students should re-apply for accommodation three months after confinement.
  - Report that condition to the University Medical Officer within three months of its occurrence.
- xv) forfeit all monies paid to SWA if he/she decides to vacate his/her room during the term time

unless it is on medical grounds in which case the Medical Officer will notify SWA in writing.

2. In addition to any liability that may attach thereto, students remain accountable to the University in respect of their relationship with members of the general public, and of conduct and utterances, in matters that lie in the public domain, whereof:-
  - a) all correspondence to the press or other mass media by students, or officials or College Students' Organizations or to other association of students within the University in their individual capacities shall bear their names and private addresses,
  - b) all public statements affecting the University which are intended to be issued on behalf of any organization of association of students must receive prior approval of the Vice-chancellor.
  - c) Invitations to Government Minister, representatives of foreign governments or other public personalities to visit the University in their official capacity shall be channelled through appropriate University authorities.
3. The provisions of the above regulations notwithstanding, all students shall:-
  - a) not keep any motor vehicles on University premises without the written permission of the Deputy Vice-Chancellor (Human Resource and Administration); such permission to issue only on proof of a current driving licence, a valid road tax certificate, and a valid certificate of insurance. Such permission may be refused or withdrawn without assigning any reason thereof.

- b) refrain from all acts of hooliganism, unruly or rowdy behaviour (including fighting), emission of unreasonable or excessive noise, or conduct likely to cause annoyance or disturbance to others, within or outside University precincts,
- c) desist from tampering with fire-fighting appliances wherever installed, and shall use such appliances for fire-fighting purpose is only,
- d) desist from misuse of wilful damage to or destruction of University property, in default of which such student or group of students shall bear full responsibility thereof,
- e) avoid such drunkenness or drunken behaviour as would constitute a disturbance to other students and staff of the University, and
- f) desist from abuse of drugs, and totally refrain from the use of drugs possession of which is prohibited by law.

#### IV. THE DISCIPLINE OF STUDENTS

The following provisions shall apply to all disciplinary actions taken against students in respect to disciplinary offences specified herein, whether such offences are committed within or outside the University precincts:-

##### a) Disciplinary Authority:-

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

- i) vary or add to the list of disciplinary offences specified herein until, but such action shall cease to have effect unless approved at the next meeting of Council.

- ii) suspend any student suspected of committing any disciplinary offence under this regulation from the University pending disciplinary action;
- iii) take any other measures necessary for the proper operation of disciplinary procedures set out herein.

#### b) Disciplinary Offences

- i) Any infringement, infraction or persistent disregard or contempt of any of the Sections I - III above shall constitute a disciplinary offence for which disciplinary action will be taken against a student in accordance with Clause(b) herein.
- ii) Without prejudice to the generality of the above provision, the following conduct shall constitute specific disciplinary offences under these regulations:-
  - a) boycott of scheduled lecturers, tutorials, practicals and other courses of instruction, and assault of or issuance of threats to other students in contemplation or furtherance of any such boycotts,
  - b) assault of members of staff while discharging official duties,
  - c) any form of picketing or organised obstruction of students and staff in any manner whatsoever,
  - d) any attempt to conceive, design or effect any scheme or stratagem of whatever nature whose object or logical consequences is to disrupt the due operation of academic programmes.
  - e) malicious wilful damage to, or loss of University property,
  - f) disorderly conduct and molestation of other members of the University community,

- g) admission of unauthorised persons into the Halls of Residence,
- h) any attempt to convene or organise or any participation or involvement in demonstrations, gatherings, processions, or public ceremonies for which permission has not been obtained from the University or Government authorities.
- i) drunken and disorderly behaviour, and abuse of or use of drugs the possession of which is prohibited by law, and
- j) conviction in a court of law for commission of a criminal offence of such a nature as should, in the opinion of Council, warrant expulsion from the University.

#### C) DISCIPLINARY PROCEDURES:

- i) All Disciplinary offences shall in the first instance, be reported to and dealt with by Committees constituted as follows:-
  - a) At the residential level (*hereinafter the Halls Disciplinary Committee*)
    - The Warden-Chairman
    - The Dean of Students
    - The Director SWA
    - A representative of the Faculty of the student concerned
    - The Head Custodian of the Students Hall
    - The Student Hall Chairman - SWA Administrator - Secretary
  - b) At the College level (*hereinafter the College Disciplinary Committee*):
    - The Principal-Chairman;
    - The Dean of Faculty/Director of Institute of School;
    - The Chairman of the student's Department where appropriate;

- One representative nominated by the College Student's Organization;
- One representative from the Students' Hall of residence nominated by the Students' Hall Chairman; The College Registrar/Secretary-Secretary
- ii) a) All disciplinary offences committed within the Halls of Residence or all such offences as relate essentially to the proper conduct of residential affairs shall be reported to the Halls Disciplinary Committee for action.
- b) If any matter reported to Halls Disciplinary Committee is, in its opinion, essentially of an academic nature or involves issue extraneous to the residential affairs of the Hall Concerned, such a matter shall be transmitted at once to the appropriate College Disciplinary Committee for action.
- iii) All other disciplinary offences wherever committed shall be reported to the appropriate College Disciplinary Committee for action.
- iv) Senate Student Disciplinary Committees Membership:

#### A) EXAMINATION AND OTHER ACADEMIC MATTERS

- Deputy Vice-Chancellor (Academic Affairs) - Chairman
- Three Senate Representatives - Members
- Registrar, Academic - Secretary

#### In Attendance

- Principal of the College
- Dean of the Faculty/School/Institute
- Chairman of the Department

*Provided that student representation shall be excluded in matters related to examination offences.*

- b) For all matters other than Academic or Examination matters

Deputy Vice-Chancellor (Student Affairs) - Chairman  
 Three Senate Representatives - Members  
 Three Student Representatives - Members  
 Registrar, Student Affairs - Secretary

#### In Attendance

- Principal of the College - Dean of Students  
 - Director, SWA - Warden (SMU Manager)

*Provided that in both committees all persons who have previously participated in the primary committees shall be excluded from voting and/or consensus discussions for the purpose of determining the penalty.*

- c) All appeals from the decisions of the Halls and College Disciplinary Committees in respect of matters falling within their respective jurisdictions shall be made to the respective Senate Disciplinary Committee constituted as in (a) and (b) above.
- d) At all proceedings of a disciplinary committee before which he/she is summoned, the student shall be entitled to a fair hearing and to representation either in person or by someone of his/her choice, to call witness in his/her defence, and to appeal to the Senate Student Disciplinary Committee.

#### LEGAL REPRESENTATION IS NOT ALLOWED.

- a) All penalties from the Halls and College Disciplinary committees shall be tabled before Senate for consideration and approval before communication to the student
- b) All communication to the student shall be by the Vice-Chancellor.

#### C) PENALTIES

Disciplinary Committee at the Halls or College levels shall have power to impose any one or more of the following penalties:-

1. a letter of warning or reprimand,
2. the payment of damages commensurate with the nature and gravity of the offence committed,
3. suspension from the University for a specified period,
4. expulsion from the Halls of Residence
5. i) Any other penalty which the committee in question may deem fit to impose or recommend to the Senate Student Disciplinary Committee.  
 ii) No student may be expelled from the University and any penalty imposed by a Disciplinary Committee in accordance with sub-clause (1) - (5) herein shall not take effect without the approval of the Senate Student Disciplinary Committee.  
 iii) In arriving at an appropriate penalty or combinations thereof the appropriate Disciplinary committee shall be at liberty to consider the total conduct (*past and present*) of the student within or outside University and not merely the immediate circumstances furnishing the reason for disciplinary action against him/her.  
 iv) The record and decision of any disciplinary action taken against a student shall be reported to his/her Warden, Chairman of the Department, Dean of Faculty, College Principal and the Vice-Chancellor and shall form part of the students' record at those levels.

- v) The provisions of these regulations and any decisions made by Disciplinary Committee hereunder, shall not derogate from the right of the police or any member of the 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 in the interest of security and public order.

- d) All appeals from the decisions of the Halls and College Disciplinary Committees in respect of matters falling within their respective jurisdictions shall be made to the respective Senate Student Disciplinary Committee constituted as in (iv)(a) and (iv)(b) above.

*Provided that in both committees all persons who have previously participated in the primary committees shall be excluded from voting and/or consensus discussions for the purposes of determining the penalty.*

#### E) MISCELLANEOUS MATTERS

- 1) The University disclaims all responsibility for loss of or damage to any property belonging to students or their guests while such property is on University premises.
- 2) The University Council in consultation with Senate reserves the right to change, add to, amend, or otherwise vary these regulations at any time without notice.