



UNIVERSITY OF DAR ES SALAAM

MKWAWA UNIVERSITY COLLEGE OF EDUCATION (MUCE)

STUDENT BY-LAWS [REVISED]

ISSUED BY THE OFFICE OF THE DEPUTY PRINCIPAL (ADMINISTRATION)

NOVEMBER, 2021

PREAMBLE

WHEREAS, the College was established by the Mkwawa University College of Education Charter, 2009 within the dictates of the Universities Act, Cap 346 of the Laws of Tanzania to, among others, advance knowledge through teaching and research as its fundamental purpose;

MINDFUL of the fact that the College's fundamental purpose can only be achieved if the teaching and learning environment is peaceful and it fosters the freedom of thought and expression within the framework of respect for the rights of other persons and the College authorities;

COGNIZANT of the statutory mandates vested to the Governing Board of the Mkwawa University College of Education to provide for the control, governance and administration of the College through the promulgation of the Rules and other directives;

NOW THEREFORE, these By-Laws are made and promulgated by the Governing Board to maintain the peaceful and orderly running of the College, and thereby protecting the College from actions which may otherwise damage its academic reputation or the good standing of the College and its members.

PART 1
PRELIMINARY PROVISIONS

- 1.1 These By-Laws shall be cited as the Mkwawa University College of Education Student (General Conduct, Disciplinary offences, Disciplinary proceedings and penalties) By-Laws, 2021 (hereinafter referred to as the "By-Laws") and shall come into force on such date as the Governing Board may approve. *Citation*
- 1.2 These By-Laws are made by the Governing Board in accordance with the provisions of Article 25 of the Mkwawa University College of Education Charter 2009 and Rule 29(1) of Mkwawa University College of Education Rules 2009 whose object and purpose is, inter alia, to provide for the control, governance and administration of the College.
- 2.1 In these By-Laws, unless the context otherwise requires: *Definitions*
- "The Act" means the Universities Act No.7 of 2005 as amended from time to time;
- "Advisory Disciplinary Panel" means a panel established under Part V Rule 15.1 of these By-Laws;
- "Baraza" means College Student Baraza constituted by all students at the College;
- "Campus" includes any place where the activities or affairs of the institution may under lease, licence or other arrangement take place, be conducted or where the residence of a student is established, provided, organized or overseen whether regularly or intermittently or on a particular occasion or occasions;

“Charter” means the Mkwawa University College of Education Charter 2009;

“Competent Authority” shall have the same meaning as “competent organ”;

“Competent Organ” includes such Board, Committee, Office or Officer of the College vested with express or implied legal powers to do or to disallow or to order the doing or disallowance of such act or acts as is or are referred to in any of the respective provisions of these By-Laws;

“Dean of Students” for the purpose of these By-Laws, means the Dean of Students, Students Welfare Officers;

“Disciplinary Offence” includes offences provided under Part II of these By-Laws;

“Governing Board” means the Governing Board of the Mkwawa University College of Education;

“Halls of Residence” shall mean and include halls of residence, hostels and blocks of residence supervised or recommended by the College, or rented by a student or otherwise accommodated during his/her studentship.

“Media” shall mean and include but not limited to Radio, Television, Newspaper, Magazine and social media.

“Natural Justice” shall include the right to be heard by an impartial body; the right to be informed of the specific offence alleged to have been committed and the specified law alleged to have been violated; the right of tender defence and the right to appeal;

“Premises” include Campus and Halls of residence.

“Student” means any person duly or conditionally registered by the University as a candidate for a degree, diploma, certificate or other award of the University including short-term and occasional students, and for disciplinary purposes, shall include any person authorized to pursue and continue with studies at the University pending registration;

“Students Disciplinary Authority” means the Students Disciplinary Authority’ established under rule 30 of the first schedule of Mkwawa University College of Education Charter 2009;

“Students Disciplinary Appeals Committee” means the Students Disciplinary Appeals Committee’ established under Rule 31 of the first schedule of Mkwawa University College of Education Charter of 2009.

“The Students’ Organization” means the Student Organization established under the provision of Article 27 of Mkwawa University College of Education Charter 2009 and which is compliant with the Universities (Students organizations) regulations 2009 as shall be amended from time to time

“The College” Means Mkwawa University College of Education established by the Mkwawa University College of Education Charter 2009 ;

“Vehicle” includes motorcar, motor scooter, motor cycle, tricycle, bicycle and other mechanical means of conveyance on land;

- 2.2 Wherever it appears in these By-Laws, a singular shall include a plural form and vice-versa;
- 3.0 Acceptance of a place in the College is conditional upon agreement by the student to abide by the By-Laws. The operation and application of the By-Laws is without prejudice to the constructions and the general laws of the United Republic of Tanzania.

*Acceptance of
By-Laws;
Conditions for
Admission*

Every student shall be presumed to be aware of the existence of these By-Laws and any other laws and it shall not be a defence for any student in relation to any proposed disciplinary measure that these By-Laws were not brought to his/her attention by the College.

- 4.0 Payment of prescribed fees shall be a condition for registration to pursue and/or to continue with studies at the College; provided that the manner of payment shall be in accordance with instructions enunciated from time to time by the College.

*Payment of
Fees;
Conditions for
Registration*

For avoidance of doubt, prescribed fees shall be such fees as are approved by the Sanate and Governing Board and shall include students' organization membership subscriptions or "Students' Union Fees".

PART II DISCIPLINARY OFFENCES

- 5.1 For the purpose of these By-Laws, general disciplinary offences shall include the following:
- (i) Disobedience of any orders, directions or instructions issued by Competent Authority in the superintendence of the students of the College;
- (ii) Breach of any Regulations, Rules and established procedures at the College;

*General
Disciplinary
Offences*

- (iii) Conduct that is likely to put the College into disrepute or erode or otherwise undermine the administration of the students or College affairs.

5.2 Without prejudice to the generality of paragraph 5.1 the following shall constitute disciplinary offences:

- (i) Conduct which does or is likely to cause damage, defacement or violence to person or property within the College provided that such conduct is that of a student towards another student, member of the public, or any other employee of the College, provided further that the conduct in question occurred at any of the College premises, campus or places where College activities are held/carried out;
- (ii) Using force or offering violence or threats against or striking a fellow student, an officer or any member of the public, or any other employee or employees of the College provided further that such violence occurs at any of the College premises, campus or places where College activities are held/carried out;
- (iii) Stealing any property by any means from a fellow student, College staff or any other member of the public;
- (iv) Unauthorised publication of any information, pictures, videos, symbols, icons and the like of the College on any media;
- (v) Breach of a Students' Dress Code as provided for under the Mkwawa University College of Education Students' Dress Code;
- (vi) Damaging, defacing or destroying a wall, gate, fence, post or any other property of the College whether or not such property has

been leased to any public or private company or person;

- (vii) Act or conduct which is likely to obstruct or obstructs or to frustrate or frustrates the holding of any academic or administrative activity(ies) or both academic and administrative activities authorized by the College;
- (viii) Unauthorized use of, or interference with, any technical, electrical or other service or installation of the College, College staff, fellow student or any member of the public;
- (ix) Where a student is charged with a criminal offence under the law;
- (x) Unauthorised possession of a key to College property;
- (xi) (a) Refusal or failure to comply with a lawful order or directive given by any officer of the College acting on his/her behalf or under an order from any competent organ or officer of the College;

(b) Giving information known to be false or not believed to be true by the giver thereof or any other person in that behalf;
- (xii) Use of slanderous, abusive, obscene or threatening language by any student against any other student or students or against any officer or employee of the College in the course of performance of such officer's or employee's duties;
- (xiii) Forging a document or any information therein uttering a false document or any information therein or perpetrating such forgery with or without loss to any person, College, or any other institution whether in cash or otherwise;

- (xiv) Knowingly inviting or entertaining a student or students in the College whose name or names appear on the University/College notice boards as having been barred or otherwise known to have been barred from the University/College premises by a competent authority;
- (xv) Refusal or failure to obey any lawful order issued under the College regulations or rules promulgated by a competent organ of the College;
- (xvi) Failure or refusal to attend a meeting called or authorized by the Disciplinary Authority or any other competent organ of the College when summoned to do so by a proper written notice by such Authority or organ as prescribed under Rule 15.2 of these By-Laws;
- (xvii) (a) Wilful obstruction of the work of or proceedings conducted by the Disciplinary Authority, Advisory Disciplinary Panel or any other competent organ of the College or interference with witnesses in disciplinary proceedings conducted under these By-Laws;

(b) If a student, having been called upon to give evidence before the Advisory Disciplinary Panel, turns hostile or refuses without lawful excuse to give evidence or to answer a question or to produce a document or any other thing required by such a panel;
- (xviii) Refusal or failure to abide by the ruling, decision and/or penalty made or imposed by the Disciplinary Authority or any other competent authority of the College;
- (xix) Unauthorized holding of College and/or campus Baraza or general meeting. For avoidance of doubt, such meetings scheduled in the College Almanac currently in force shall be deemed to be authorized. Emergency Baraza may be held only after the Deputy

Principal (Academic) has approved provided that the same have the effect of obstructing or frustrating the holding of any lecture, class or laboratory work given or authorized by the College, provided further that in any other case three days notice be given to the Deputy Principal (Administration) prior to the holding of such emergency Baraza;

- (xx) Inviting outsiders as guest speakers and/or social entertainers without the permission of the relevant organs of the College namely, Principal, Dean of Students, Dean, of relevant Faculty/Institute, Head of relevant Department, or Students' Organization, as the case may be depending on the intended audience and status of the guest speaker/social entertainers;
- (xxi) Forming and/or establishing unauthorized students' groups which are likely to cause disunity and disorder at the College or in the wider Community;
- (xxii) Without derogating the right to freedom of expression, wilful writing of defamatory literature and uttering insults or obscene language by any student or group of students against any other student or group of students or any employee of the College, or against the College, Government or any civil leader;
- (xxiii) Mismanagement and/or embezzlement of students' organization funds and/or of any other recognized student society established under the auspices of the students' organization in accordance with the relevant provisions of the students organization's constitution for the time being in force;
- (xxiv) Collecting or charging money from any student or student groups without prior permission of the Deputy Principal Administration;

(xxv) Failure to repay a loan made under any arrangement or authorised service provider within the College

(xxvi) Unauthorized carrying of weapons within the campus which is likely to jeopardize peace;

For avoidance of any doubt, weapons shall include but not limited to the following: firearms, sticks, knives, panga, clubs, etc.;

(xxvii) Unauthorised entry into another student's room;

(xxviii) Instigating or inciting students to boycott classes;

For the avoidance of doubt, instigating or inciting shall mean and include persuasion, pressure, threats or encouragement with the intention that the student or students persuaded, pressured, threatened or encouraged commit(s) the offence in question;

(xxix) Planning or participating in an unlawful demonstration which shall include planning the route for the demonstration, encouraging the organizers of the demonstration and providing banners or posters for the demonstration;

(xxx) Possessing, using, administering, distributing or otherwise offering to any person or dealing in any prohibited drugs, narcotics or any other illicit intoxicating substances;

(xxxi) No students' organization shall engage in any political party's activities on campus, conduct its affairs or have a constitution which in any way or manner whatsoever offends or conflicts with the provisions of the Act or Charter or of any other written law;

For the purpose of this section:-

- (a) "campus" includes any place where the activities or affairs of the institution to which a students' organization belongs may under lease or license take place, be conducted or where the residence of students is established, provided, organized or overseen whether regularly or intermittently or on a particular occasion or occasions;
- (b) "engaging in political parties activity" includes regular recruitment, training, registering or enrollment of political party members, regular organization of meetings, seminars and conferences for a political party or political parties, operating a branch office or cell or the like of a political party or political parties and matters of a similar nature; and
- (c) "Students' organization" includes its members.

(xxxii) Impersonating another student, College staff or any member of the public by words or conducts.

5.3

The following shall be acts of sexual harassment and shall constitute disciplinary offences:

- (i) Sexual jokes, innuendoes, noises, lewd suggestions, foul language, obscene gestures;
- (ii) Belittling comments on a person's anatomy, persistent demands for dates;
- (iii) Pressuring for sexual activity or favours;
- (iv) Asking about personal sex life, explicit sexual suggestions in return for reward;
- (v) Telling lies or spreading rumours about a person's sex life with the purpose of assassinating the character of the victim;

- (vi) Unwanted physical contact of any sort which is sexual in nature including touching of sensitive body parts, brushing against another's body, hair or clothes, kissing, pinching, patting, grabbing, or cornering;
- (vii) Displaying of pornographic and sexually suggestive pictures and/or sexual objects;
- (viii) Transmitting offensive written, telephone or electronic communications of sexual nature;
- (ix) Indecent exposure;
- (x) The use of one's authority or power, either explicitly or implicitly, or coerce another into unwanted sexual relations or to punish another for his or her refusal;
- (xi) The creation by a member or a group of people of an intimidating, hostile or offensive working or educational environment through verbal or physical conduct of a sexual nature;
- (xii) Rape or indecent assault;
- (xiii) Public and/or group sex;

- 6.1 (i) Students may be offered accommodation in the University/College Halls of Residence or any hostel or residence rented to the College. Where campus or hostel accommodation is not available to all for residence in the campus halls or in College rented hostels, priority shall be given to students with disabilities and such other categories as Governing Board shall determine from time to time;
- (ii) The rooms are furnished with beds, mattresses, tables, chairs and in some cases armchairs. Occupants are not allowed to remove permanent fittings in the rooms and are responsible for the proper care of all
- Provisions and Offences Relating to Residence*

property and any damage or loss must be reported immediately to the Warden;

- (iii) Payment of rental fees shall be made at the beginning of each semester. All excuses shall be channelled through the Dean of Students and approved by the Deputy Principal (Administration);
- (iv) The occupants shall be required to sign an accommodation contract at the beginning of each semester, vacation, programme and return the copy of the contract to the Hall/Block/hostel Warden
- (v) Accommodation fees shall be payable through the College Bank Account in a single instalment at the commencement of each semester, vacation or programme.

No refund will be effected in favour of a student who, for any reason whatsoever, vacates the granted accommodation save for medical exigency

6.2

The following shall be the mandatory regulations relating to residence the breach of which shall constitute disciplinary offences:

- (i) Students shall be enjoined to take good care of the rooms they occupy. They shall themselves be responsible for the general cleanliness and tidiness of the rooms;
- (ii) Cooking is not allowed in the Halls of Residence except in designated premises. For avoidance of any doubt, disallowed cooking which amounts to disciplinary offence includes: frying, roasting, baking and boiling (except boiling water using electric kettle) by use of any source of energy;

- (iii) Students shall not interfere with or transfer furniture or fittings of any kind from any part of the College building without prior written permission from the office of the Dean of Students/Auxiliary police or Warden of the Hall of Residence as the case may be. Notwithstanding the generality of this paragraph, any student wishing to install any additional furnishing in his/her room may do so subject to prior knowledge and written permission from the office of the Dean of Students;
- (iv) No cooking or cooling appliances and no electric devices other than reading lamps, table fan, electric iron, electric razor, electric hair dryer, electric kettle, radio, record player, TV, VCR and computer shall be used in students rooms or in any other unauthorized place or space;
- (v) Students shall not use electric appliances which exceed the maximum current of 13 amps at wall power points;
- (vi) Musical appliances and equipment, such as radio, TV, computer and other noise making equipment may be used provided that music shall not be played at noise levels that are a nuisance and annoyance to other residents of the hall;
- (vii) For specific official student functions, permission to extend musical performance in specified places within the College may be granted by the Dean of Students until but not beyond 12.00 midnight.
- (viii) A resident shall obey rules and instructions made in respect of Halls of Residence and shall refrain from conduct which may bring discredit upon his/her Hall of Residence or is prejudicial to the welfare of other residents of the Hall such as drunken and disorderly conduct, over blasting music, etc.;

- (ix) No student shall be allowed to entertain visitors of either sex in his/her room beyond 6.00 pm for outside visitors and 12.00 midnight for Mkwawa University College of Education students;
- (x) Students shall not be expected to live with any unauthorized person or persons in their rooms, including their children or other relatives;
- (xi) Students shall be expected to live peacefully with one another in their allocated rooms. If at all one student is found to be misbehaving towards his/her roommate the misbehaving student shall be evicted from the room;

For avoidance of any doubt misbehaviour includes but is not limited to being drunk, smoking and/or drug abuse inside the room, bringing unauthorized guests into the room, immoral acts in the presence of roommates in the room and/or within the hall/hostel premises;

- (xii) Regulations for College residence within the campus shall apply *mutatis mutandis* to the students living in off-campus residences supervised by the College;
- (xiii) Subletting any unauthorized person in the Halls(s)/ Hostel(s) of residence;

For avoidance of any doubts, unauthorized person includes student(s) and/or any other person not allocated to the particular room/hall/ hostel of residence;

- (xiv) Failure or delay to pay accommodation fees within the stated period without approval of respective College authorities;
- (xv) Breach of accommodation contract in halls/hostels of residence.

- 6.3 (i) All students shall be required to vacate the Hall of Residence at the end of each semester when the College closes for vacation; *Provisions Relating to Residence During Vacation*

Students may, under special circumstances not specified above, be permitted to live in Halls/Hostels of residence during the vacation with recommendation of the Dean of Students and approval of the Deputy Principal (Administration) and at prescribed rates at that particular time;

- (iii) Students who have particular assignments or an exceptional reason to stay in Halls of Residence at reduced rates, as may be stipulated with the terms of such permission and who secure the recommendation of Dean of Students, may be permitted to stay in Halls of Residence by the Deputy Principal (Administration);
- (iv) Loss of keys by a student must be immediately reported to the Hall Warden or Janitor on duty. The key will be replaced on payment of the cost of a new lock by the student responsible for its loss or for its safe custody (hereinafter referred to as "Key holder");

Keys must be returned on leaving the Hall/Hostel of residence at the end of each semester. Failure to do so shall involve the paying of full residential charges from the beginning of vacation to the time the key is returned;

Each key holder must ensure that he/she has signed in the key book when the key is returned to the Hall Warden or Janitor.

- 7.0 (i) No student shall travel during semester time outside Iringa Region without permission; *Permission to Leave Campus*

- (ii) Permission for travel for a weekend/ public holiday outside Iringa Region may be granted by the Dean of Students;
- (iii) Permission for travel for less than a week and involving missing lectures, seminars and/or laboratory work may be obtained in writing from Dean of the relevant Faculty/Institute and notified to the Dean of Students and the Warden;
- (iv) Permission for travel for more than a week shall be obtained from the Deputy Principal (Academic) through Dean of the relevant Faculty/Institute and notified to the Dean of Students and the Warden;
- (v) Permission for travel outside the country shall be granted by the Deputy Principal (Academic); through the Coordinator Undergraduate/postgraduate studies; Dean/Director of the relevant College/School/Institute and notified to the Dean of Students.

- 8.0 Students have freedom of worship, which shall not be exercised in a manner that causes interference with College academic and/or administrative activities. *Religious Activities*
- 9.0 Students utilizing the College catering system are required to observe cafeteria regulations. Failure to observe any of the following rules shall constitute a disciplinary offence. *Provisions and Offences Relating to Cafeteria and Kitchen*
- (i) The kitchens shall be out of bounds to all students except for student leaders appointed to oversee cafeteria matters;
 - (ii) Smoking is not allowed in the cafeteria, halls and/or any other public place;
 - (iii) Any complaints about catering service shall be made through a suggestion box or to students' organization leaders and/or Dean of Students.

PART III
GENERAL REGULATIONS

- 10.0 Students shall wear and show identity cards in all places at all times when required to do so by an authorized person.
- 11.0 Students may undertake paid employment during semester time subject to prior permission from Dean/Director of the relevant Faculty/Institute. Assurance shall be provided that the academic work of such students would not suffer through such employment. *On Part-time Employment*
- 12.0 Students may communicate with outside institutions and the news media in their private capacity. All official correspondence by students or by officials of the Students' Organization or by officials of recognized student societies to Government ministries, parastatals, non-governmental organizations, etc. shall be routed through the Dean of Students or Heads of Department Dean/Director of the relevant Faculty/Institute, as the case may be; correspondence to the Chancellor, the State House, representatives of foreign governments and international non-governmental organizations or any other such official body shall be routed through the Principal. *On Official Correspondence*
- 13.0 Application for permission to make general collection of money other than student's organization subscriptions or entrance fees from film shows and other functions shall be made to the Dean of Students through the student's organization. Collectors shall ensure that the money collected is deposited in the College account through the Dean of Students for DARUSO-MUCE and show how the money has been or is to be expended. *On Collection of Money in the College*

Collectors shall ensure that this procedure is strictly adhered to.

14.0

Any student who wishes to bring a vehicle to the College shall comply with the general law of the land governing the driving and parking of vehicles as well as the relevant rules which are in force on the College campus and shall register the vehicle with the Dean of Students;

*On Keeping
Vehicles on
Campus*

Provided that registration shall be conditional upon production for inspection of:

- (a) Student identity card;
- (b) The motor vehicle registration card;
- (c) The current certificate of insurance;
- (d) When demanded, a certificate of road worthiness;
- (e) A clean current driving license in the applicant's name;

Provided further that such registration shall be renewed each academic year. Any student who fails to meet any or all of the above conditions shall not be allowed to register his or her vehicle.

PART IV

EXERCISE OF DISCIPLINARY POWERS

15.1

- (i) In the exercise of his statutory functions, the Deputy Principal (Administration), as the Disciplinary Authority, shall normally be assisted by an Advisory Disciplinary Panel which shall be appointed by the Deputy Principal (Administration):
- (ii) The Advisory Disciplinary Panel shall consist of:
 - (a) One senior academic member of staff who shall serve as Chairperson;

*Advisory
Disciplinary
Panel*

- (b) One senior administrative member of staff who shall be the secretary
 - (c) One Senior Legal Officer
 - (d) One student appointed by the students' organization; provided that the Deputy Principal (Administration) is satisfied that the appointed student is not directly related to the case;
 - (e) Dean/Director or his /her Deputy/ Associate of the Faculty/Institute to which the charged student belongs; and
 - (f) One academic member of staff with experience in handling students' matters selected from amongst a list of three names recommended by the Academic Staff Assembly (UDASA MUCE).
- (ii) The Deputy Principal (Administration) shall appoint or designate such officers of the College, as he deems fit, to assist the disciplinary authority in the prosecution or conduct of disciplinary proceedings before the Advisory Disciplinary Panel or the Students Disciplinary Appeals Committee as the case may be.
- 15.2 (i) When a complaint is made to, and information is received by the Disciplinary Authority that a student has committed a disciplinary offence, the Disciplinary Authority shall make preliminary investigation of the case; *Preliminary Procedure*
- (ii) Where a complaint is made by any person or body charging a student with a disciplinary offence, such complain shall be in writing and addressed to the Disciplinary Authority;
- (iii) For the avoidance of doubt, the Disciplinary Authority may summon the student or any other student or person who is conversant or supposed to be conversant with the

information or facts of the complaint to appear before the Disciplinary Authority or an investigation officer for examination or interrogation;

- (iv) If the Disciplinary Authority is of the opinion that no *prima facie* case has been made out against the student, he/she shall inform both the student and the complainant of his/her decision not to hold any disciplinary proceedings, in which case, no further proceedings shall lie in respect of that complaint or information;
- (v) Where the Disciplinary Authority is of the opinion that a *prima facie* case for a disciplinary action is disclosed, disciplinary proceedings shall be held so as to determine the case in dispute;
- (vi) The Disciplinary Authority shall serve upon the student and the complainant a proper notice. Such notice shall specify the charge or charges in respect of which the disciplinary proceedings are to be held, and shall inform the charged student (hereinafter referred to as "the student") and the complainant of the time and place for holding the disciplinary proceedings;

In this paragraph "a proper notice" in terms of time means notice given within a reasonable time provided that such time shall not be less than seven days from the date of service of the notice on the student to the date of holding the disciplinary proceedings;

- (vii) Either party shall, for the purpose of his/her defence or reply as the case may be and upon request in writing for that purpose to the Disciplinary Authority be entitled to be supplied by the Disciplinary Authority with a copy of an explanation, answers or other documents given or sent to the Disciplinary Authority by or on behalf of the other party;

- (viii) Either the complainant or the student may at any time prior to the date of holding the disciplinary proceedings serve upon the other, notice in writing asking him/her to admit in writing any facts or produce any documents which are specified in such notice material to the complaint or information or defence, as the case may be;
- (ix) The Disciplinary Authority may summon any witness to attend the disciplinary proceedings at the prescribed venue and time on the appointed day;
- (x) The disciplinary proceedings shall be open to authorised persons only;

Provided that the Disciplinary Authority may, if he/she thinks fit, at any stage of the disciplinary proceedings exclude the public generally or any particular person;

- (xi) At the opening of the disciplinary proceedings the charge or charges shall be read, and, if the student concerned is not present, the Disciplinary Authority shall satisfy himself/herself that proper notice of the disciplinary proceedings was duly served on the student as prescribed in paragraph (vi) of this sub-section.

16.1

- (i) The complainant shall open the case and produce his/her evidence in support thereof; *Procedure During Proceedings*
- (ii) The Disciplinary Authority shall then give an opportunity to the student to state his/her case and produce evidence in support thereof;
- (iii) At the conclusion of the case by the student, the complainant shall not, without special leave of the Disciplinary Authority, make an address in reply;

- (iv) The Disciplinary Authority shall investigate and determine any dispute referred to him/her with due regard to the law of evidence and subject to these By-laws, shall be entitled to determine his/her own procedure for any proceedings before him/her;
- 16.2 (i) Evidence may be taken by the Disciplinary Authority by oral or written statement; *Adducing Evidence*
- (ii) Where a witness is called by a party, he/she shall be first examined by the party which called him/her and then cross-examined by the other party and then if necessary again by the party which called him/her.
- 16.3 The decision of the Disciplinary Authority arrived at with due regard to the advice of the Advisory Disciplinary Panel, shall be recorded under his/her own hand and shall be announced by himself/herself in any manner he/she may deem fit. *Decision of Disciplinary Authority*

PART V PENALTIES

- 17.1 Upon breach of any of the disciplinary offences specified in these By-Laws, the Disciplinary Authority may impose penalties including warning, reprimand, fine, compensation, exclusion from Halls of Residence, suspension, rustication, and expulsion as herein under provided; namely, he/she:

- (i) (a) May give an ordinary or a stern warning or reprimand to a student who contravenes the regulations in PART II, sub-paragraph 5.2 (xii) and (xx) may
- (b) May warn, reprimand, suspend for a maximum of three weeks or rusticate for a maximum of two academic years the student who contravenes the regulations in PART II, Sub-paragraph 5.2(iv), (xv), (xvi), (xvii)(b), (xxii), (xxiv) and (xxvii).

- (ii) (a) Shall order the student to pay compensation to the value of the damaged property for a disciplinary offence under PART II, sub-paragraph 5.2(vi). This is in addition to a warning, reprimand or suspension for a maximum of two academic years;

- (b) Shall fine a student for an amount as it shall be determined by relevant authority or pay compensation equivalent to the value of the damage (whichever is higher) for a disciplinary offence under PART II, sub-paragraph 5.2(viii);

- (c) Shall order a student to refund money collected and unaccounted for under PART III, paragraph 13.0;

- (iii) (a) May suspend a student found guilty under PART II, sub-paragraph 5.2(x), (xi) (a), (xi)(b), and (xiv), for a maximum of two academic years;

- (b) May suspend the student for a maximum of three weeks or rusticate him or her for a maximum of two academic years found guilty under PART II, sub paragraph 5.2(i), (xviii), (xxxi) and (xxxii);

- (iv) May rusticate a student for a maximum of nine months or one academic year for a disciplinary offence under PART II, sub-paragraph 5.2(ii),(iii) (vii), (xiii), (xix), (xxi), (xxiii), (xxvi), (xvii)(a), (xxviii), (xxix), (xxx),

and all the sexual harassment offences under PART II, sub-paragraph 5.3;

- (v) (a) The College may suspend a student from studies until such time as his/her case is determined by a Court of law and where he/she is convicted he/she shall be terminated from studies for a disciplinary offence under PART II, sub-paragraph 5.2(ix);

(b) Where criminal proceedings have been concluded by the court and the student is acquitted on a legal basis or the lack of witness cooperation, the disciplinary proceedings may be instituted against the student and he/she may be punished for the offence.

- (vi) Shall fine a student an amount as shall be determined by a relevant authority from time to time and /or evict him or her from the room or halls of residence for Disciplinary offences found under Sub –paragraph 6.2(i), (ii), (iii), and (x)
- (vii) Shall fine a student an amount as shall be determined by a relevant authority from time to time and/or evict the student from the room or halls of residence or withhold a student’s University examination results., transcript, and/or University certificate for an offence under Sub-paragraph 6.2(xiv)
- (viii) May warn/reprimand the student and withhold his or her University examination results, transcript and/ or University certificates for an offence under Sub-paragraph 5.2 (xxv) until the loan is paid back;
- (ix) May warn the student and/or prevent him/her to access any services at the College for contravening the provisions under Part III in paragraph 10.0;

- (x) May warn or reprimand the student and/or prevent him/her to enter College's offices, Lecture rooms or any other places within the Campus where services to such student are provided for the offence under sub-paragraphs 5.2 (v);
- (xi) Any student found guilty under PART III paragraph 14.0 shall be fined an amount as shall be determined by a relevant authority from time to time and shall remove his/her vehicle out of the College premises at his/her own costs;
- (xii) May expel any student found guilty of disciplinary offences under PART II, sub-paragraph 5.2 (i), (ii), (vii), (xv), (xviii), (xxviii), (xxx) and sub-paragraph 5.3(xii);
- (xiii) (a) Any student found guilty of a disciplinary offence under PART II, sub-paragraphs 5.2(xxiii) or (xxiv) may, in addition to the penalty specified for the offence, be required to pay the money embezzled or collected as the case may be, with or without interest on;

Provided that such first mentioned penalty may be compounded upon repayment of the money; Provided further that the Disciplinary Authority may instead require that such a student found guilty of a disciplinary offence under PART II, sub-paragraphs 5.2(xxiii) and (xxiv) not graduate or obtain his/her certificate, diploma and/or academic transcript, until the debt is discharged;

(b) Offences under PART II: sub-paragraph 6.1 and remaining offences under sub-paragraph 6.2 of these By-Laws shall be punished with penalties ranging from warning, reprimand, fine, to exclusion from College residence;

(c) Offences under PART II: sub-paragraph 7, 8 and 9 and PART III: sub-paragraph 11 and 12 of these By-Laws shall be punished with

penalties ranging from warning, reprimand, suspension to rustication from the College;

- (xiv) Compensation may be charged in full or in part for the loss suffered as a result of the breach of the provisions under sub-paragraph 5.2 (i) and (ii) as shall be determined by the Disciplinary Authority on the advice of the Advisory Disciplinary Panel;
- (xv) The student who was previously warned reprimanded or suspended for three weeks or more shall be rusticated for a maximum period of two academic years or expelled from the University upon being found guilty of another offence of similar or higher gravity. However, a student who was previously rusticated shall be expelled from the university.
- (xvi) The College Principal may, on advice of the Disciplinary Authority and subject to the approval by Council, suspend the student from studies while proceedings of his/her case are going on, if in the Principal's opinion, the remaining on campus of such a student poses a threat to peace and security of the College.

The power of the Principal

PART VI APPEALS

- 18.0 (i) An appeal by an aggrieved party against a decision, of the Disciplinary Authority shall lie to the Appeals Committee composed of:
- Appeals as per Article 32 (1) of the First Schedule to the Charter*
- (a) Chairperson appointed by the Governing Board;
 - (b) Four members elected by the Governing Board one of whom shall be elected to the Governing Board by Students' Organization; and

(c) A legally qualified person from the office of the Attorney General's Chambers nominated in that behalf by the Attorney General;

Save that any person who was or is involved in the investigation, hearing or decision of any matter connected or otherwise associated with any particular appeal to the committee in which such matter is directly or indirectly relevant prior to the commencement of the appeal process, shall not take part in the hearing of such appeal;

- (ii) Any aggrieved party, upon giving notice within seven days after the decision of his/her intention to appeal, may appeal to the Appeals Committee within 30 days from the date the decision was passed and such appeal shall be in writing, setting out the grounds of appeal;
- (iii) The Appeals Committee shall meet within 14 days following the receipt of an appeal;
- (iv) When an appeal has been lodged with the Students' Disciplinary Appeals Committee, such an appeal does not operate as an automatic stay of execution of any penalty imposed by the Disciplinary Authority unless a request is made and granted by the Vice Chancellor to stay of execution of such penalty pending determination of such an appeal;
- (v) At the hearing of an appeal by the Students' Disciplinary Appeals Committee, the parties concerned shall be entitled to be heard. No other person in defence of or representative capacity for the aggrieved party shall be allowed to appear before the Students' Disciplinary Appeals Committee;
- (vi) In determining an appeal, the Appeals Committee shall have powers to confirm, vary

or set aside any decision reached or, within the prescribed limits, to enhance, or to reduce or set aside any penalty imposed by the Disciplinary Authority;

- (vii) The Disciplinary Authority or any officer of the College appointed in that behalf may defend any appeal before the Students' Disciplinary Appeals Committee.

PART VII
MISCELLANEOUS PROVISIONS

- 19.1 (i) Where there is an emergency need for overt operations of security officials or Policemen amidst students in student compounds, the students' organization will be informed as soon as possible of such presence;
- (ii) These By-Laws are not exhaustive of Rules and Regulations governing students' conduct at the College and do not exclude the application of special Regulations applicable in specific organs of the College such as the College Library services, accommodation etc.
- (iii) Any penalty imposed against any student by a Disciplinary Authority or any other authority under these By-Laws or any other law in force and be applicable to such a student shall be recorded and kept in a respective student's personal file. *Record of Penalty*
- (iv) The Deputy Principal (Administration) shall make and put in place a Dress Code for all College students.
- 19.2 (i) The 2012 Student By-Laws are hereby repealed and replaced by these By-Laws; *Repeal Provision*
- (ii) Notwithstanding the repeal of the 2014 Student By-Laws, nothing done or continues to be done and no pending proceedings commenced under those By-Laws shall be deemed as void by virtue only of the repeal of

the said By-Laws and all other regulations not expressly repealed shall continue to be in force and shall have effect as if made under these By-Laws.