



# **MASENO UNIVERSITY STATUTES**

Revised Edition 2017 [2013]

Legal Notice No.....

**UNIVERSITIES ACT 2012**  
(No.42 of 2012)

**MASENO UNIVERSITY CHARTER 2013**

**MASENO UNIVERSITY STATUTES 2013**

**In exercise** of the powers conferred by Section 23 and Section 35(1)(a)(ii) of the Universities Act and Section 19(2)(p) of the Maseno University Charter, Maseno University Council certifies that these Statutes have been made in accordance with the provisions of Section 28(3) of the Charter.

**Abdullah Naji Said**  
**Chairman, Maseno University Council**

## Preamble

The University, being a body corporate with perpetual succession and a common seal as enshrined under Section 20(1)(a) of the Universities Act 2012 and Section 3(3) of the Maseno University Charter 2013 shall adopt these Statutes as approved by the Maseno University Council to give effect to legislation on governance of the University.

In exercise of the powers conferred under Section 23 of the Universities Act, 2012 and Section 32 of Maseno University Charter, 2013 and amendments thereto, Council of the University hereby makes these Statutes.

It is recognized that the Maseno University Statutes will be in tandem with applicable provisions of the Constitution of Kenya, the State Corporations Act Cap 246, the Universities Act 2012, the Maseno University Charter 2013 and all other legislations relevant in the furtherance of university objectives.

These Statutes herein recognize the rights of Kenyan citizens as enshrined in the Constitution of Kenya.

These Statutes herein affirm to the Philosophy Vision, Mission and Core Values of Maseno University.

These structures and systems herein provide the support for the strategic direction adopted by the University.

The membership of the University shall be as defined under Section 11 of the Charter.

**ARRANGMENT OF SECTIONS**

Legal Notice No.....	2
UNIVERSITIES ACT 2012 .....	2
Preamble .....	3
<b>STATUTE I- PRELIMINARY .....</b>	<b>8</b>
1.1 Short Title and Commencement .....	8
1.2 Interpretation.....	8
<b>STATUTE II .....</b>	<b>11</b>
<b>2.0 GOVERNANCE .....</b>	<b>11</b>
2.1 Introduction.....	11
2.2 Principles and Values of Governance .....	11
2.3 Organs of Governance .....	11
2.4 Instruments of Governance and Authority.....	12
2.5 University Policies .....	12
2.6 The Chancellor .....	12
2.7 Meetings .....	13
2.8 University Council.....	13
<b>STATUTE III15</b>	
<b>3.0 MANAGEMENT BOARD OF THE UNIVERSITY.....</b>	<b>15</b>
3.1 Membership of the Board.....	15
3.2 Roles and Responsibilities of the Board.....	15
3.3 Management Board Committees.....	15
<b>STATUTE IV.....</b>	<b>16</b>
<b>4.0 THE UNIVERSITY SENATE .....</b>	<b>16</b>
4.1 Membership.....	16
4.2 Roles and Responsibilities of Senate.....	16
4.3 Conduct of Business.....	17
4.4 Senate Committees.....	17
<b>STATUTE V .....</b>	<b>17</b>
<b>5.0 ASSOCIATIONS AND ORGANIZATIONS .....</b>	<b>17</b>
5.1 Students Association .....	17
5.2 Alumni Association.....	18
5.3 TRADE UNIONS.....	19
<b>STATUTE VI.....</b>	<b>21</b>
<b>6.0 MEMBERS AND STAFF OF THE UNIVERSITY .....</b>	<b>21</b>
6.1 Membership.....	21
6.2 Staff of the University.....	21
6.3 Officers of the University.....	21
6.4 Appointment procedures and Responsibilities of University Officers.....	22
6.4.1 Chairperson of the University Council.....	22
6.4.2 Vice-Chancellor.....	22
6.4.3 Deputy Vice-Chancellors.....	23
6.4.4 Deputy Vice-Chancellor, Academic and Students Affairs (DVC ASA).....	24
6.4.5 Deputy Vice-Chancellor, Administration, Finance and Development (DVC AFD).....	25
6.4.6 Deputy Vice-Chancellor Partnerships, Research and Innovations (DVC PRI).....	26
6.4.7 Principals of Constituent Colleges.....	27
6.4.8 Principals of Colleges.....	27

6.4.9 Deputy Principal.....	28
6.4.10 Registrars.....	28
6.4.11 Registrar, Administration and Central Services.....	29
6.4.12 Registrar Academic and Students Affairs.....	29
6.4.13 Registrar Partnerships, Research and Innovations.....	29
6.4.14 Finance Officer.....	29
6.4.15 Director Information Communication and Technology (ICT).....	30
6.4.16 Librarian.....	31
6.4.17 Legal Officer.....	31
6.4.18 Internal Auditor.....	32
STATUTE VII.....	32
7.0 CAMPUSES.....	32
7.1 Establishment.....	32
STATUTE VIII.....	32
8.0 COLLEGES.....	32
8.1 Establishment.....	32
8.2 Colleges.....	32
8.3 College Management Board.....	33
8.4 College Academic Board.....	34
STATUTE IX.....	34
9.0 CONSTITUENT COLLEGE.....	34
STATUTE X.....	34
10.0 SCHOOLS AND INSTITUTES.....	34
10.1 Establishment.....	34
10.2 Schools and Institutes.....	34
10.3 Deans/ Associate Deans of School and Directors of Institutes.....	35
10.4 School Management Boards.....	36
10.5 Institute Management/Academic Board.....	36
10.6 Responsibilities of Management Boards of School and Institutes.....	36
10.7 School Academic Boards.....	36
10.8 Responsibilities of Academic Boards of School.....	36
10.9 Centres.....	37
10.10 Academic Departments.....	38
STATUTE XI.....	39
11.0 SCHOOL OF GRADUATE STUDIES.....	39
11.1 Establishment.....	39
11.2 Appointment of the Dean /Associate dean.....	39
11.3 Roles and responsibility for the Dean of the School of Post-Graduate Studies.....	39
11.4 Associate Dean of School of Post-Graduate Studies.....	40
11.5 Graduate School Board.....	40
11.6 Responsibilities of the Board.....	40
STATUTE XII.....	41
12.0 LIBRARY.....	41
12.1 Roles and Functions.....	41
STATUTE XIII.....	41
13.0 DIRECTORATES.....	41
13.1 Establishment.....	41
13.2 Directorate of Linkages, Outreach and Consultancies.....	42
13.3 Directorate of Quality Assurance and Performance Management.....	42

13.4 Directorate of Research, Innovations & Partnerships.....	44
13.5 Directorate of Information Communication and Technology.....	44
13.6 Directorate of Development.....	45
13.7 Directorate of Human Resource.....	45
<b>STATUTE XIV</b> .....	<b>46</b>
14.0 STUDENT AFFAIRS.....	46
14.1 Director Students Affairs.....	46
14.2 Roles and Responsibilities.....	46
<b>STATUTE XV</b> .....	<b>46</b>
15.0 DEGREES, DIPLOMAS CERTIFICATES AND OTHER AWARDS .....	46
15.1 Conferment of Degrees and Awards of Diplomas and Certificates .....	47
15.2 Qualification for Conferment of Degrees and Award of Diploma and Certificate.....	47
15.3 Honorary Degrees ( <i>Honoris Causa</i> ).....	48
15.4 Cancellation and Withdrawal of Degree, Diploma, Certificate and other Awards.....	48
15.5 Higher Doctorate Degrees .....	48
<b>STATUTE XVI</b> .....	<b>49</b>
16.0 EMERITUS PROFESSORSHIP .....	49
16.1 Appointment.....	49
16.2 Evaluation Panel for Emeritus Professor.....	49
16.3 Terms & Conditions of Appointment of Professor Emeritus.....	49
<b>STATUTE XVII</b> .....	<b>50</b>
17.0 UNIVERSITY EXAMINATIONS .....	50
17.1 Establishment, Rules and Regulations.....	50
17.2 Board of Examiners.....	50
<b>STATUTE XVIII</b> .....	<b>50</b>
18.0 STAFF MATTERS .....	50
18.1 Employment of Staff.....	50
18.2 Terms and Conditions of Service for University Staff.....	50
18.3 Disciplinary procedures.....	52
18.4 Disciplinary Committees.....	52
18.5 Allowances.....	53
18.6 Retirement and Resignation.....	53
<b>STATUTE XIX</b> .....	<b>54</b>
19.0 FINANCIAL PROVISIONS.....	54
19.1 General Provision.....	54
19.2 Procurement.....	54
19.3 Public Private Partnership.....	54
19.4 University's Financial Year.....	54
19.5 Annual Estimates.....	54
19.6 Accounts and Audit.....	56
19.7 Funds and Property of the University.....	56
19.8 Determination of Fees and Charges.....	56
19.9 Collection of Fees and Charges.....	56
19.10 Funds and Accounts of the University.....	56
19.11 Borrowing.....	58
19.12 Regulations.....	58
<b>STATUTE XX</b> .....	<b>59</b>
20.0 SUBSIDIARIES OF THE UNIVERSITIES .....	59
20.1 Establishment.....	59

## MASENO UNIVERSITY STATUTES 2013

20.2 Enterprises of Maseno University Limited.....	59
20.3 The Board of Directors.....	59
20.4 Managing Director.....	59
20.5 General Responsibilities of the Companies.....	60
STATUTE XXI .....	60
21.0 MISCELLANEOUS .....	60
21.1 TRANSITIONAL AND CONSEQUENTIAL PROVISION .....	60
SCHEDULE I.....	63
MEMBERSHIP AND TERMS OF REFERENCE OF COUNCIL, AND COUNCIL COMMITTEES .....	63
SCHEDULE II.....	69
ADMINISTRATIVE DEPARTMENTS.....	69
SCHEDULE III .....	74
SENATE STANDING COMMITTEES .....	74

## STATUTE I- PRELIMINARY

### 1.1 Short Title and Commencement

These Statutes shall be cited as the Maseno University Statutes, 2013 and shall apply to all members of the University as defined in Section 40 of the Universities Act and Section 11 of the Maseno University Charter, 2013. In furtherance to the implementation of these Statutes Council shall approve Regulations and Policies for the University. These Statutes shall come into effect on 30<sup>th</sup> day of August 2013.

### 1.2 Interpretation

The terms in the Act and Maseno University Charter shall be applicable in these Statutes as defined and interpreted therein and shall be further include the interpretations hereunder-

“**Academic Department**” shall mean an administrative academic entity associated with a particular discipline within a School;

“**Administrative Department**” shall mean a unit performing specialized professional functions so as to achieve strategic and operational objectives of the University;

“**Associate Dean**” shall mean the deputy of a Dean;

“**Associate Department**” shall mean a department which, though a full teaching department of one School, is administratively and academically a constituent department of another School, as designated by the University;

“**Cabinet Secretary**” shall mean the Cabinet Secretary for the time being responsible for University Education;

“**Campus**” shall mean a location within which the University units offer programs and academic activities;

“**Central Services**” shall mean common utility services provided in support of management of the University;

“**Centre**” shall mean a multi-disciplinary entity concerned with teaching, research and outreach;

“**Charter**” Shall mean the Maseno University Charter, 2013 whose effective date shall be deemed to be the date of assent by the President of the Republic of Kenya as provided therein;

“**College**” shall mean a college established within the University pursuant to section 8 of the Charter but does not include a constituent college;

“**Constituent College**” shall mean any institution declared to be or established as a constituent college of the University under Section 7 of the Charter;



“**The Constitution**” shall mean the Constitution of Kenya 2010;

“**Dean**” shall mean the head of a faculty school or administrative unit;

“**Department**” shall mean administrative or academic unit;

“**Designated officers**” shall mean officers assigned defined roles;

“**Directorate**” shall mean an administrative or academic entity under a division charged with coordination of particular activities as established under Statute XIII;

“**Division**” shall mean an organizational compartment charged with the full responsibility of coordinating various functions so as to be responsible for strategic direction of the University;

“**eCampus**” shall mean eCampus with a virtual presence and housed in Varsity Plaza, Kisumu City Campus College;

“**Higher Degree**” shall mean a Higher Doctorate degree as referred to under Statute 15.5;

“**Institute**”, shall mean an academic entity, consisting of centres engaged in specialized research and development in specific areas. An Institute as defined here shall be the full administrative equivalent of a School;

“**Lecturer**” shall mean a person or the staff of the University who is a full professor, associate professor, senior lecturer, lecturer or assistant lecturer or a person who holds any other teaching or research post which the Council, on recommendation of the Senate, has recognized as a post having academic status in the University;

“**Performance Report**” shall include documentation of target activities and achievements by the various administrative units of the University;

“**Regulations**” shall mean regulations of Maseno University made pursuant to Section 23 of the Act;

“**Rule book**” shall mean a compilation of policy statements that govern various operations and units of the University;

“**School**” shall mean an academic unit within the University, headed by a dean, comprising several departments, with focus on cluster of related disciplines;

“**Statutes**” shall mean statutes of Maseno University made pursuant to section 23 of the Act and Section 28 of the Charter;

“**The Act**” shall mean the Universities Act No 42 of 2012;

“**Visitation**” shall mean the visitation of the University as recommended by the Chancellor as provided for in Section 38(3)(b) of the Act;

**“Reserved area of business”** Reserved area of business include matters affecting the appointments, promotion, discipline and other personal affairs of student/members of the University, and matters affecting the admission and academic assessment of students whether in general or in any particular case pursuant to Statute 2.5. This interpretation shall further be applicable as provided for by the Public Officers Ethics Act and the Procurement Act in as far as the applicable legislations so provide.

## STATUTE II

### 2.0 GOVERNANCE

#### 2.1 Introduction

- a. The University subscribes to the letter and spirit of the Constitution and its operations shall be underpinned by the need for equality, equity, integrity, ethnic balance, inclusion of persons with disabilities, marginalized groups and gender representations.
- b. The University shall comply with all laws, Government circulars, adopt and apply reforms in the public sector as recommended from time to time.

#### 2.2 Principles and Values of Governance

- a. In pursuit of the objectives of university education, the University shall be guided by the following principles and values-
  - i. Promotion of national interests;
  - ii. Promotion of excellence in its outputs;
  - iii. Promotion of quality and relevance in its programmes and activities;
  - iv. Promotion of rights of all culture;
  - v. Promotion of systems and practices that embrace inclusivity, efficiency, effectiveness and transparency;
  - vi. Ethical conduct of business;
  - vii. Integrity in all its undertakings;
  - viii. Enhancement of equity in and access to all opportunities within its jurisdiction;
  - ix. Advancement of best practices in university management;
  - x. Institutionalization of non-discriminatory practices.

#### 2.3 Organs of Governance

- a. In furtherance to Section 35 of the Act and Section 18 and 19 of the Charter, the Council shall govern, control and administer the University.
- b. Pursuant to Section 35 of the Act and 21 of the Charter, there shall be a University Management Board which shall assist in the day to day management of the University.
- c. In furtherance of (b) above there may be advisory Committees that shall be appointed by the Vice-Chancellor as provided for in Statute III (3.1.3).
- d. Pursuant to Section 35 of the Act and 20 of the Charter there shall be a Senate which shall be responsible for academic matters and shall be assisted by Committees established under Schedule III of these Statutes.
- e. Pursuant to Section 29 of the Act and 14 of the Charter there shall be the Office of the Vice-Chancellor with Departments as established in Schedule II.
- f. In furtherance to Section 35(a)(v) of the Act and 15 of the Charter there shall be the following divisions headed by Deputy Vice-Chancellors with departments as established in Schedule II-
  - i. Academic and Students Affairs;
  - ii. Administration, Finance and Development;
  - iii. Partnerships, Research and Innovations;
  - iv. Any other that may be created by Council.
- g. There shall be Constituent Colleges of the University as established under Section 20(1) (d), 20(2) of the Act, Section 7 of the Charter and Statute IX.

## MASENO UNIVERSITY STATUTES 2013

- h. There shall be Campuses of the University as established under Section 20(1)(d), 20(2) of the Act, Section 8 of the Charter and Statute VII.
- i. There shall be Colleges of the University as established under Section 8 of the Charter and Statute VIII of these Statutes.
- j. There shall be Committees of the Council, Management and Senate which may transact business on its behalf.

### **2.4 Instruments of Governance and Authority**

- a. The governance, control and administration of the University shall vest in the Council.
- b. Subject to the provisions of this Statute, the University shall be governed as provided for in the Act, Charter and other relevant legislations and regulations issued by the Government of Kenya.
- c. The instruments of governance shall be;
  - i. The Universities Act, No. 42 of 2012;
  - ii. The University Charter
  - iii. The University Statutes 2013;
- d. The instruments of authority shall be as provided for under Section 65 and shall include:
  - i. The University Seal;
  - ii. The University Mace; and
  - iii. The University Logo

### **2.5 University Policies**

- a. There shall be policies of the University that will be formulated by the Management Board on administrative issues and the Senate on academic matters.
- b. These shall become operational once approved by Council as provided for under Section 35(1)(a)(3) and Section 19(2)(q) of the Charter.

### **2.6 The Chancellor**

#### **a. Appointment procedures**

- i. There shall be a Chancellor appointed pursuant to provisions of Section 38 of the Act and 12 of the Charter who shall hold office for a term of five years and be eligible for reappointment in accordance with the procedures set out in the Second Schedule of the Act.
- ii. No person shall be appointed as a Chancellor unless the person demonstrates high moral character, professionalism and integrity as outlined in Chapter Six of the Constitution of Kenya, 2010.

#### **b. Responsibilities**

- i. The Chancellor shall be the titular head of the University and shall, in the name of the University, confer degrees and grant diplomas, certificates and other awards of the University.
- ii. The Chancellor may from time to time, recommend to the Cabinet Secretary a visitation of the University.
- iii. The Chancellor may, from time to time, give advice to the Council which he/she considers necessary for the development of the University.
- iv. In exercising of its functions, the Chancellor shall be guided by Government Legislation, regulations and circulars.

## **2.7 Meetings**

- a. There shall be an annual Almanac for all meetings.
- b. At all meetings of governance organs of the University, the quorum shall be 50% plus one of the membership unless otherwise stated.
- c. Decisions of such organs and their committees shall be by a simple majority vote of those present and voting.
- d. The Chairperson of the meetings shall have an original and a casting vote.
- e. At a meeting of Council enacting the Statutes, the provision of Section 28(3) of the Charter shall apply.
- f. A student/member of staff of the university admitted to any meeting of Council, Senate, Management or any other body established under or in accordance with the Charter and these Statutes shall withdraw from the meeting when it is declared that the meeting is about to discuss a reserved area of business and shall not return to the meeting until the discussion on the reserved area of business is concluded.
- g. Papers for consideration at any such meeting as aforementioned in (f) shall not be made available to the affected parties.
- h. A member of a committee who has an interest in any area of business to be discussed shall declare their interest as provided for by the Public Officers Ethics Act Cap.183, Public Procurement and Oversight Act 2005 and any other Legislation.
- i. Members at the meeting shall decide whether a matter is a reserved area of business.

## **2.8 University Council**

### **2.8.1 Establishment**

- a. There shall be a Council as set out in Section 36(1) the Act and Sec 18(1) of the Charter.

### **2.8.2 Membership of Council**

- a. The membership of Council shall be as provided for under Sec 36(1) of the Act and Schedule I of these Statutes.
- b. There shall be a Chairperson of Council appointed as provided for under Section 36(1)(a)(2) of the Act.
- c. In accordance with the provisions of the State Corporations Act Cap 446 Section 5(1) and 60 of the Act, there shall be a Vice-Chairperson of Council who shall be appointed as provided for under 2.8.3 of these Statutes.
- d. The Vice-Chancellor shall be the Secretary to Council who shall be supported by a Secretariat whose roles and responsibilities shall be provided for under Schedule I(2.6).

### **2.8.3 Vice-Chairperson of Council**

- a. There shall be a Vice Chairperson of Council who shall be appointed from amongst members appointed under Section 36(1)(d) of the Act.
- b. He/ She shall be appointed at the first sitting of Council following the expiry of the term of the Vice Chairperson by a vote of the simple majority of members.
- c. He/ She shall hold office for the period commensurate to that of the substantial appointment under Section 36(1)(d) of the Act.
- d. He/ She shall assist the Chairperson in performing the functions of Council.

**2.8.4 Vacancy in the Office of Chairperson or Member of Council**

- a. A member of Council shall cease to be considered as such as provided for under Section 18(3) of the Charter.
- b. The Secretary to Council shall notify the Cabinet Secretary when the Office of a Council member falls vacant.

**2.8.5 Roles and Responsibilities**

- a. The functions of Council shall be as set out in the Section 35(1)(a) of the Act and 18 of the Charter. In discharge of its functions and the exercise of its powers under the Charter, the Council shall be guided by the national values and principles of governance set out under Article 10 of the Constitution of Kenya, 2010.
- b. In furtherance to Section 2.6(a) above the Council shall receive, note and forward the names of three nominees for the position of Chancellor to the Cabinet Secretary for appointment.

**c. Conduct of Business**

- i. Meetings of Council shall be held at least four (4) times in a calendar year.
- ii. Meetings of Council shall be presided over by the Chairperson in His/Her absence the Vice-Chairperson shall chair.
- iii. Meetings of Committees of Council shall be presided over by Chairperson provided for under Schedule I (2) of these Statutes.
- iv. In the absence of (ii) and (iii) above members present shall elect a temporary Chairperson from among themselves.
- v. The Chairperson may on behalf of Council execute transactions that do not require the immediate convention of Council and thereafter notify the Council for ratification of his/her actions at the next meeting.
- vi. Council may, subject to such limitations provided for under Section 37 of the Act, delegate any of its powers or duties to the Chairperson, or to committees consisting of members of Council and other persons, and it may empower such Committees to act jointly with any Committee appointed by Senate, provided that Council shall not delegate to the Chairperson or to a committee, the power to approve, without further reference to Council the annual estimate of expenditure of accounts.
- vii. Quorum for Council meetings shall be 50% of members of Council.
- viii. Subject to the provision of the Act, Council shall have power to regulate by such means as it may deem fit, its procedures and those of any of its Committees.

**2.8.6 Council Committees**

- a. The following are the Committees of Council-
  - i. Executive, Human Resource and Academic Committee
  - ii. Planning, Finance and Investment Committee
  - iii. Audit and Risk Management Committee.
- b. The membership and terms of reference of these Committees shall be as prescribed under Schedule one (I) of these Statutes.
- c. Unless otherwise specified in these Statutes, Council shall nominate the chairperson of each committee.
- d. Council shall vary the number of Committees as it may deem necessary and where need arises shall form *ad hoc* committees.

## STATUTE III

### 3.0 MANAGEMENT BOARD OF THE UNIVERSITY

- a. There shall be Management of the University as provided for under Section 35(1)(c) of the Act and Section 21 of the Charter.
- b. The Vice-Chancellor shall be the head of Management and shall be responsible for the day-to-day management of the University.

#### 3.1 Membership of the Board

- a. The University Management Board shall consist of the following-
  - i. Vice-Chancellor
  - ii. Deputy Vice-Chancellors
  - iii. Principals
  - iv. Directors of Campuses
  - v. Registrars
  - vi. Librarian
  - vii. Finance Officer
  - viii. Legal Officer
  - ix. Internal Auditor
  - x. Procurement Officer
  - xi. Planning Officer
  - xii. Director Student Affairs
  - xiii. Director ICT
  - xiv. Director Quality Assurance
  - xv. Director Human Resource
  - xvi. Director Development
  - xvii. Chief Medical Officer
- b. Other members as may be co-opted as and when necessary.
- c. The Deputy Vice Chancellor Administration Finance & Development shall be the Secretary

#### 3.2 Roles and Responsibilities of the Board

The Functions of the Management Board shall be-

- i. To provide advisory support to the Vice-Chancellor in the areas provided for under Section 35(1)(c) of the Act and Section 21(2) of the Charter.
- ii. Any other matters related to the management of the University.

#### 3.3 Management Board Committees

The Management Board shall form the following Committees as defined under Schedule II of the Statutes-

- i. Executive Committee;
- ii. Planning, Finance and Innovation Committee;
- iii. Human Resource Committee;
- iv. Academic Committee;
- v. Audit and Risk Management Committee;
- vi. Any such other committee as shall be deemed necessary

### **3.4 Conduct of Business**

- i. Management meetings shall be at least once every quarter.
- ii. The Vice-Chancellor shall preside over all meetings of the Management Board where He/She is present.
- iii. In the absence of the Vice-Chancellor, any one of the Deputy Vice-Chancellors shall preside and in their absence members present shall elect a temporary Chairperson from among themselves.
- iv. Meetings of Committees of the Board shall be presided over by Chairperson provided for under Schedule II of these Statutes.
- v. Each committee shall have a Secretary as provided for under Schedule II.

## **STATUTE IV**

### **4.0 THE UNIVERSITY SENATE**

- a. There shall be Senate of the University as provided for under Section 35(1)(b) of the Act and Section 20 of the Charter.
- b. The Vice-Chancellor shall be the academic head of the University.

#### **4.1 Membership**

- a. The membership of Senate shall include-
  - i. Vice-Chancellor;
  - ii. Deputy Vice-Chancellors;
  - iii. Principals of each Constituent College;
  - iv. Principals of each College within the University;
  - v. Deans;
  - vi. Directors;
  - vii. Chairpersons of academic departments;
  - viii. Librarian;
  - ix. Full professors;
  - x. Registrars
  - xi. Legal Officer
  - xii. Finance Officer
  - xiii. Chief Medical Officer
  - xiv. Managing Director of the Enterprises of Maseno University
  - xv. A Dean from each School within each Constituent College
  - xvi. Two members elected by Academic Board (if any) of each constituent college
  - xvii. One representative of each board of the Faculties, Institutes and Schools
  - xviii. President and Secretary General of Students Organization of Maseno University.
  - xix. Such other members as the Senate may admit from time to time
- b. Membership under xix above shall be in an advisory capacity only and without the right to vote at such meetings.
- c. The powers of the University Senate shall be as prescribed under Section 20 of the Charter.

#### **4.2 Roles and Responsibilities of Senate**

- a. The responsibilities of Senate shall be as outlined in Section 35(1)(b) of the Act and Section 20(3) of the Charter.
- b. Shall be responsible for the identification of the Chancellor as provided for under Section 38(1) and Second Schedule of the Act.



## MASENO UNIVERSITY STATUTES 2013

- c. In furtherance to (b) above, Senate shall forward the three names of short listed candidates for the position of a Chancellor to the Council in furtherance to the implementation of Section 38(1) and the Second Schedule (2-4) of the Act.
- d. Subject to random review, assess the entire qualification process for award of Degree, Diplomas and Certificates with the aim of identifying flaws upon which recommendation to Council for withdrawal and cancellation of degrees, diplomas and certificate can be made.

### 4.3 Conduct of Business

- a. Senate meetings shall be held at least twice in each academic semester.
- b. An almanac shall be prepared and forwarded to Senate for approval at the end of every academic year.
- c. The Vice-Chancellor shall be the Chairperson of the Senate and shall preside at all meetings except when absent then the Deputy Vice-Chancellor, Academic and Students Affairs, shall chair.
- d. In the event of (c) above the Registrar Academic and Students Affairs and Students Affairs shall be the Secretary to the Senate.
- e. In the absence of the Vice-Chancellor and the Deputy Vice-Chancellor, Academic and Students Affairs, the Vice-Chancellor shall appoint any other Deputy Vice-Chancellor to chair the meeting.
- f. The Senate may, subject to such limitations as it may deem fit, delegate any of its powers or duties to committees consisting of persons from amongst its members and may empower any such Committee or Committees to act alone or jointly with any committee appointed by Council.
- g. The Deputy Vice-Chancellor, Academic and Students Affairs shall serve as the Secretary to the Senate.
- h. The Secretary to Committees of Senate shall be provided for under Schedule III of these Statutes.
- i. Subject to the provision of this Statute, the Senate shall have powers to regulate, as it may deem fit, its own procedures and that of its Committees.

### 4.4 Senate Committees

- a. The following are the standing committees of Senate-
  - i. Deans Committee
  - ii. Library and ICT Committee
  - iii. Staff Welfare and Training Committee
  - iv. Students Disciplinary Committee
  - v. Any other Committee as may be approved by Senate
- b. Their membership and Terms of Reference shall be as established under Schedule II.
- c. The conduct of meetings shall be as provided for under Statute II(2.7)

## STATUTE V

### 5.0 ASSOCIATIONS AND ORGANIZATIONS

#### 5.1 Students Association

##### 5.1.1 Establishment

- a. There shall be a Students' Association established under Section 41(1) of the Act and Section 23 of the Charter known as the Student Organization of Maseno University (SOMU) to which students belong.

## MASENO UNIVERSITY STATUTES 2013

- b. There shall be a student's Council in accordance to Section 41(3) of the Act and Section 23(3) of the Charter which shall govern SOMU.
- c. There may be students clubs as may be approved by Senate from time to time.

### 5.1.2 Roles and Responsibilities of Students Council

- a. The Students' Council of SOMU shall perform such functions as provided under Section 41(2) of the Act in addition to the following-
  - i. Make subject to the approval of the University Council its Constitution, rules governing the day to day conduct of the affairs of the Students' Organization, its procedures and the conduct of the members thereof and the consequences of any breach of such rules;
  - ii. Draw the attention of management to threats to peace and order among students;
  - iii. Make proposal to enhance corporate social responsibilities;
  - iv. Provide leadership that would promote a positive image of the University.

### 5.1.3 Governance of SOMU

- a. *Membership of the Council shall be prescribed as provided by Section 41 of the Universities Act.*
- b. The appointment of members of the Council, powers and function shall be prescribed in the Constitution of the Association.
- c. The regulations may authorize the Students' Organization to provide or assist in the provision of services for the general welfare of the student body.
- d. Subject to the Act, Charter and these Statutes, all matters affecting the education, welfare and discipline of students shall be governed by the Students Rules and Regulations as provided for in the rule book.

## 5.2 Alumni Association

### 5.2.1 Establishment

- a. There shall be an Alumni Association as provided for in Section 42 of the Act and Section 24 of the Charter.
- b. Subject to this Statute Alumni Association shall consist of members as provided for under Section 42(1) of the Act and Section 24(1) of the Charter.
- c. There shall be kept an Alumni Roll under the custody of the Registrar, Academic and Students Affairs.
- d. There shall be a Council of the Alumni Association constituted of-
  - i. Chairperson
  - ii. Three Vice-Chairpersons
  - iii. Honorary Secretary
  - iv. Honorary Treasurer
  - v. Any other as may be deemed necessary
- e. The Vice-Chairpersons shall be responsible for the following divisions-
  - i. Fundraising,
  - ii. Linkages and Outreach
  - iii. Marketing, and Scholarships
- f. Committees of the Council shall be headed by Vice-Chairpersons.
- g. The Council shall be elected from among its members by secret ballot and shall hold office for a period of four years.

## MASENO UNIVERSITY STATUTES 2013

- h. The University Council, on the recommendation of Senate, shall prescribe the regulations governing the membership of the Alumni Association.
- i. Subject to approval by the University Council there shall be a Constitution of the Association to govern its operations.
- j. Members shall pay subscription as determined by the Constitution of the Association.
- k. Names of duly paid up members shall be entered in to the Alumni Roll.

### 5.2.2 Membership

- a. Subject to provisions of Section 42(1) of the Act and 24(1) of the Charter, other members shall include but not limited to-
  - i. All past and present Chancellors
  - ii. All Past and present members of Council, academic and administrative staff of the University shall be eligible to become members of Alumni.
- b. Distinction for corporate and individual membership shall be classified as listed hereunder-
  - i. Platinum;
  - ii. Gold;
  - iii. Silver ; and
  - iv. Bronze ;
- c. Qualifications under (b) above shall be stipulated in the Alumni Constitution.

### 5.2.3 Roles and Responsibilities

- a. Subject to provisions of Section 42(2) of the Act and notwithstanding Section 24(3) of the Charter the Alumni shall be an interactive forum for its members with regard to the areas below-
  - i. Linkages and Outreach;
  - ii. Fundraising for the University;
  - iii. Sourcing for Scholarships;
  - iv. Promotion of the University;
  - v. And any other activity deemed relevant to its mandate
- b. Shall perform such duties as stipulated under Schedule II of the Universities Act.
- c. May state its opinion upon any matters within the sphere of competence of the University relay its resolutions as recommendations to the Vice-Chancellor.

### 5.2.4 Conduct of Business

- a. The Registrar Academic and Students Affairs and Students Affairs shall be the Secretariat to the Alumni Association.
- b. Graduates of the University shall automatically be members of the Association.
- c. Name of members who are duly registered shall be entered in to the Alumni Role and shall be entitled to vote.
- d. The quorum for the Alumni Association meeting shall be 30% of the duly registered members.
- e. In case of incapacity or resignation of the Chairperson or the Vice-Chairperson the Secretary shall cause election of a successor within sixty days

### 5.3 Trade Unions

- a. There shall be Trade Unions in the university established in accordance with Section 12 of the Labour Relations Act No.14 of 2007.
- b. Unions shall manage its operations as provided under the Labour Relations Act.
- c. Unions shall enter into recognition agreement herein referred to as Collective Bargaining

Agreements as provided for under Section 54 of the Labour Relations Act.

## STATUTE VI

### 6.0 MEMBERS AND STAFF OF THE UNIVERSITY

#### 6.1 Membership

- a. Notwithstanding Section 11 of the Charter members of the University shall also include-
  - i. Managing Director of the Maseno Group of Companies;
  - ii. Staff of the subsidiary companies;
  - iii. Such other members of other bodies formally admitted into association with the University or with any of its Constituent College, as the Council may from time to time determine.

#### 6.2 Staff of the University

##### 6.2.1 Academic Staff

- a. The academic staff of the University shall consist of staff of the University who is a full professor, associate professor, senior lecturer or assistant lecturer or a person who holds any other teaching or research post which the Council, on the recommendation of the Senate, has recognized as a post having academic status.
- b. Council shall determine staff establishment in each School, Institute and Department.

##### 6.2.2 Administrative Staff

- a. Administrative staff of the University shall consist of all non-academic members of staff as the Council may, from time to time determine.

##### 6.2.3 Appointment

- a. Subject to Section 35(1)(a)(1) all members of staff shall be appointed by the Council in accordance with the terms and conditions of service set out under Statute XVIII.

#### 6.3 Officers of the University

- a. The appointment of Officers of the University will take cognizance of the Constitution and Government circulars issued from time to time.
- b. The period of occupation of officers shall be as stipulated in the terms and conditions of service.
- c. Renewal and termination of appointments shall be performance based.
- d. The Officers of the University shall be-
  - i. Chairperson of Council;
  - ii. Vice-Chancellor;
  - iii. Deputy Vice-Chancellors;
  - iv. Principals of Colleges;
  - v. Registrars;
  - vi. Finance Officer;
  - vii. Legal Officer;
  - viii. ICT Director;
  - ix. Librarian;
  - x. Internal Auditor
  - xi. Such other Members of the University as may be granted the status of University officer by Council.
- e. The officers here above listed from v to x shall serve at Grade 15 with defined roles and shall be responsible to Council as and when necessary.

**6.4 Appointment procedures and Responsibilities of University Officers**

**6.4.1 Chairperson of the University Council**

- a. The Chairperson of the Council shall be appointed in accordance with the provisions of Section 36(1)(a)(2) of the Act.
- b. He/ She shall ensure the performance of the responsibilities of Council provided for by the Act, Charter and these Statutes.
- c. He/she shall perform such functions of the office of the Chancellor as may be deemed necessary, where for unforeseeable circumstance the Chancellor is unable to perform such functions.

**6.4.2 Vice-Chancellor**

**a. Appointment procedures**

The Vice-Chancellor shall be-

- i. Competitively appointed, subject to the provision of Section 39(1)(a) of the Act and any other relevant Legislations and shall serve under the terms and conditions of service provided for by Council and shall be responsible to Council.
- ii. The Vice-Chancellor shall hold office for a period of five (5) years, and shall be eligible to reapply for a further term of five years based on relevant Legislations and Government circulars issued from time to time.
- iii. The Vice-Chancellor may resign from office by giving notice in writing, or paying salary in lieu of notice as provided for by the employment terms.
- iv. The Cabinet Secretary may on recommendation of Council terminate the appointment of the Vice-Chancellor on reasonable grounds by giving notice or salary in lieu of notice as provided for by the employment terms.

**b. Responsibilities**

The Vice-Chancellor shall-

- i. Be the Chief Executive and the Accounting Officer.
- ii. Be responsible as provided under Section 39(2) of the Act and other relevant legislations, regulations and circulars issued from time to time.
- iii. Ensure that obligations under the Public Procurement and Disposal Act, 2005 are complied with in accordance with Section 27(2) of the said Act.
- iv. Be the Chairperson of such Management committees provided for in the Charter and these Statutes.
- v. Represent the University nationally and internationally.
- vi. Oversee the efficient management of University resources, both human and material.
- vii. Make proposals on University Policies to Senate and Council for approval.
- viii. Prepare and table annual estimates and performance reports to Council for approval.
- ix. Authorize the initiation of legal proceedings or defend or compromise legal proceedings in the name of and on behalf of the University.
- x. Make proposals on establishment of any University charges and fees to Council.
- xi. Be responsible to Council for management of finances of the University.
- xii. Provide leadership in performance based management through performance contracting.
- xiii. Submit proposals on public-private partnership to Council.
- xiv. Be the Secretary of Council.
- xv. Have responsibilities and undertake duties as stipulated under the Public Finance Management Act.
- xvi. Oversee corporate social responsibility.
- xvii. Undertake such other responsibility as may be assigned or delegated.

**c. Duties**

- i. The Vice-Chancellor shall submit reports to Council on the following-
  - a) Academic and student matters;
  - b) Administrative matters;
  - c) Financial status;
  - d) Infrastructure and physical development;
  - e) Development plans;
  - f) Resolutions of Council decisions;
  - g) Procurement implementation process;
  - h) Strategic direction of the University;
  - i) Emerging opportunities and status of development of projects;
  - j) Staff establishment;
  - k) Statutory recommended progress reports;
- ii. Shall submit proposals to Councils on the following-
  - a) Policy formulation;
  - b) Budget estimates;
  - c) Procurement plans;
  - d) Infrastructure and physical development;
  - e) Development and strategic plans;
  - f) Biannual promotions reports;
  - g) Biannual review of staff appraisals;
  - h) Any other that shall be required by Council.
- iii. Oversee satisfactory performance of the University.
- iv. Make proposals on viable programmes for enhanced performance.
- v. Oversee relevant expansion, innovation and implementation of academic Programmes.
- vi. Coordinate University's corporate strategies and development plans.
- vii. The Vice-Chancellor may from time to time assign or delegate any duties to a Committee or a member of the University staff and may withdraw any such assignment when deemed necessary.
- viii. The Vice-Chancellor shall have such other powers and duties as may be conferred upon him/her.

**6.4.3 Deputy Vice-Chancellors**

**Appointment procedures**

Deputy Vice-Chancellors-

- i. Shall be appointed as provided for under Section 35(1)(a) (i&v) of the Act and 15 of the Charter.
- ii. Shall hold office for a period of five (5) years, and shall be eligible to reapply for a further term of five years based on relevant Legislations and Government circulars issued from time to time.
- iii. May resign from office by giving notice, in writing, or paying salary in lieu of notice as stipulated in the terms and conditions of service.
- iv. The Cabinet Secretary may in consultation with the Council terminate the appointment on reasonable grounds by giving three months notice or paying three months' salary in lieu of notice.

**6.4.4 Deputy Vice-Chancellor, Academic and Students Affairs (DVC ASA)**

a. The Deputy Vice-Chancellor Academic and Students Affairs-

- i. Shall be responsible to the Vice-Chancellor and the Council.
- ii. Shall provide leadership in Academic and students affairs matters;
- iii. Provide leadership in furthering University education as stipulated in Section 3(1) of the Act;
- iv. Further to the objectives in (ii) above she/he shall own and lead in the pursuit of the strategic direction adopted by the University on academic and student's affairs;

b. The DVC ASA shall report to the Vice-Chancellor on all matters relating to management of academic and student's issues.

**c. Responsibilities**

He/ She shall be the head of Academic Division, whose functions will include -

- i. Preparation of courses, syllabus and regulations; co-ordination of examinations, admissions and registration of students, and postgraduate studies;
- ii. Coordination of examinations, admissions and registration of students;
- iii. Coordinate undergraduate and post graduate studies;
- iv. Coordinate student's attachment and linkage with the industry;
- v. Plan and mobilize teaching resources;
- vi. Ensure the welfare of students;
- vii. Promote the use of modern technology in programme delivery;
- viii. Ensure that the academic departments operate effectively and efficiently;
- ix. Shall be the Secretary to the Senate;
- x. Coordinate the implementation of appropriate quality assurance mechanisms and ensure the conformity of University programmes with national standards and legal requirements;
- xi. Undertake such other responsibility as may be assigned or delegated.

**d. Duties**

The Deputy Vice-Chancellor Academic and Student Affairs shall-

- i. Manage the preparation of student certificates and transcripts.
- ii. Undertake training needs assessment and programmes of academic staff.
- iii. Continuously assess programmes for relevance to set guidelines and national policies.
- iv. Shall prepare and submit reports to the Vice-Chancellor on all areas required by the Act and its Regulations.
- v. Notwithstanding the generality of (iv) above She/he shall prepared and submitted the following reports to the Vice-Chancellor;
  - a) Academic reviews,
  - b) Academic infrastructure,
  - c) Student ratios
  - d) Tracer studies,
  - e) Programmes quality audit reports,
  - f) Self evaluation reports,
  - g) Alumni activities,
  - h) Activities relevant to the Division in the implementation of the University's corporate strategy
- vi. Undertake such other duties as may be assigned or delegated.



#### **6.4.5 Deputy Vice-Chancellor, Administration, Finance and Development (DVC AFD)**

a. The Deputy Vice-Chancellor Administration, Finance and Development shall carry out the following roles

- i. Shall be responsible to the Vice-Chancellor and the Council.
- ii. Shall provide leadership in administration, finance and development matters.
- iii. She/he shall own and lead in the pursuit of the strategic direction adopted by the University on administrative, financial and development aspects.

#### **b. Responsibilities**

He/ She shall be the head of administration, finance and development and whose functions shall include-

- i. To provide leadership and direction in the management of University resources including human, physical, financial and information resources;
- ii. Coordinate the preparation of Statutory financial statements and other management reports;
- iii. Advise the Vice-Chancellor and the Management Board on financial status of the University;
- iv. Coordinate the training and appraisal of administrative staff;
- v. Prepare and submit status and review reports on the status of human resource, procurement and information technology to the Vice-Chancellor and the Management Board;
- vi. Make proposals for develop and implement policies and appropriate procedures to ensure efficient performance management and delivery of service in the University;
- vii. Coordinate staff recruitment, training, promotion and discipline;
- viii. Oversee for transport, estates and general central services;
- ix. Coordinate health and well being services;
- x. Make proposals and Coordinate development projects;
- xi. Shall be the Secretary to the Management Board.
- xii. Undertake such other responsibilities as may be assigned or delegated.

#### **c. Duties**

He/ She shall-

- i. Make proposals for development of policies on human resource, administrative, finance and development matters;
- ii. Oversee the implementation of policies in (i) above;
- iii. Manage the budgeting process of the University;
- iv. Oversee projects and prepare periodic status reports;
- v. Quarterly review physical and infrastructure development and submit reports to the Vice-Chancellor;
- vi. Quarterly review academic and administration staff establishments and submit reports to the Vice-Chancellor;
- vii. Quarterly review and submit reports on the status of central services;
- viii. Shall prepare and submit relevant and Statutory reports on the division to the Vice-Chancellor;
- ix. Perform any such other duties as may be assigned or delegated.

#### **6.4.6 Deputy Vice-Chancellor Partnerships, Research and Innovations (DVC PRI)**

- a. The Deputy Vice-Chancellor Partnerships, Research and Innovations shall carry out the following roles-
- i. Shall be responsible to the Vice-Chancellor and the Council.
  - ii. Shall provide leadership in Partnership, Research and Innovation;
  - iii. Provide leadership in furthering University education as stipulated in Section 3(1) of the Act;
  - iv. Further to the objectives in (ii) above she/he shall own and lead in the pursuit of the strategic direction adopted by the University on matters of research, innovation and partnership;

#### **b. Responsibilities**

She/he shall-

- i. Coordinate research, innovation, partnerships, linkages, collaborations and outreach Services.
- ii. Oversee the development and implementation of research policy, discovery, storage and dissemination of knowledge; including indigenous knowledge;
- iii. Coordinate publication of journals and books by faculty and students in refereed journals;
- iv. Supervise centers and departments that comprise of the Research, Innovation and Partnership;
- v. Ensure that the University research performance are proactive, productive, dynamic and innovative in terms of quality, commercialized products and services in areas of strength and priority;
- vi. Build relationships with industries through local, national and international research networks to leverage research outcomes and opportunities;
- vii. Coordinate management of intellectual property
- viii. Oversee development of technology and innovation
- ix. Coordinate promotion of rights, culture, ethical behavior, national values and national interests among the students and faculty in research.
- x. Undertake such other responsibilities as may be assigned or delegated.

#### **c. Duties**

- i. Oversee the development and implementation of Research, Innovation, Intellectual property rights, linkages, partnership and Policies;
- ii. Oversee implementation of all Agreements and MoU's of the University;
- iii. Receive reports on all research, publications and consultancy and make proposals on their viability;
- iv. Develop proposals for research agenda for the University and oversee its implementation;
- v. Provide strategic leadership in Partnerships, Research and Innovations activities of the University;
- vi. Develop proposals to actualize benefits on collaborations, partnership, agreements, innovations and protocols;
- vii. Promote research, partnership and extension services in the university;
- viii. Disseminate research findings and publications;
- ix. Generate proposals for national policy review and formulations;

- x. Facilitate review of scientific research ethics, protocol and code of conduct;
- xi. Facilitate the development of technology and innovation;
- xii. Co-ordinate industrial linkages;
- xiii. Plan and mobilize resources for Partnership, Research and Innovation;
- xiv. Support community development services;
- xv. Develop and implement policies on research competitions;
- xvi. Promote public-private partnerships;
- xvii. Coordinate the development and implementation of programmes that enable the university contribute to community service;
- xviii. Shall be the Chairperson of such committees as he/she shall be appointed to by the Vice-Chancellor;
- xix. Shall prepare and submit relevant reports on the Division to the Vice-Chancellor;
- xx. Have such other duties as may be assigned or delegated.

#### **6.4.7 Principals of Constituent Colleges**

- a. The appointment and functions of Principals of Constituent Colleges shall apply *mutatis mutandis* as that of the Vice-Chancellor provided under Section 35(1)(v) and 39(5) of the Act, Section 16 of the Charter and Statute VI (6.3.2) in as far as is applicable.

#### **6.4.8 Principals of Colleges**

The Principal shall have the overall responsibility for the academic and administrative direction, organization and administration of the College, and shall be responsible to the Vice-Chancellor.

##### **a. Appointment procedures**

He/ She –

- i. Shall be appointed as provided for under Section 17 of the Charter.
- ii. Shall hold office for a period of five (5) years, and shall be eligible to reapply for a further term of five years based on relevant Legislations and Government circulars issued from time to time.
- iii. May resign from office by giving notice, in writing as stipulated in the terms and conditions of service.
- iv. The Council may terminate the appointment on reasonable grounds by giving notice as stipulated in the terms and conditions of service.

##### **b. Responsibilities**

He/ She shall be:

- i. The academic and administrative head of the College.
- ii. Have overall responsibility for the direction, organization, administration and programmes of the College.
- iii. Be responsible for the general conduct and discipline of the students.
- iv. Develop and co-ordinate the College corporate strategies.
- v. Provide leadership of strategic growth of the College/Campuses
- vi. Maintain efficiency and good order for the proper management of the College.
- vii. Efficiently manage College resources.
- viii. Make proposals on College policies to the University Management for approval.
- ix. Receive, consider and recommend to the University Management annual estimates and performance reports.

- x. To prepare and submit reports on student admission, recommended academic programmes, examiners, supervisors and list of graduates to Senate.
- xi. An ex-officio member of respective School/Institute/Centre Boards of the College.
- xii. The chair of the College Academic and Management Boards.
- xiii. May assign or delegate any responsibilities and duties to a committee or to a member of staff of the College.
- xiv. Prepare and submit periodic reports on financial, strategic direction, development and overall status to the Vice-Chancellor.
- xv. Prepare and submit statutory reports to the Vice-Chancellor.
- xvi. Undertake such other duties as may be assigned or delegated by the Vice-Chancellor and the Council.

#### **6.4.9 Deputy Principal**

The Deputy Principal shall deputize the Principal in the overall responsibility for the academic and administrative direction, organization and administration of the College, and shall be responsible to the Principal.

##### **a. Appointment procedures**

- i. Subject to the provision of the Charter, Council shall appoint through a competitive process, a Deputy Principal(s) of a college.
- ii. Shall hold office for a period of five (5) years, and shall be eligible to reapply for a further term of five years based on relevant Legislations and Government circulars issued from time to time.
- iii. May resign from office as stipulated in the terms and conditions of service.
- iv. The Council may terminate the appointment on reasonable grounds as stipulated in the terms and conditions of service.

##### **b. Responsibilities**

She/he shall be-

- i. Responsible for ensuring that the academic departments operate effectively and efficiently;
- ii. Responsible for student welfare;
- iii. Shall prepare and submit relevant reports to the Principal;
- iv. Undertake such other duties as may be assigned or delegated by the Principal.

#### **6.4.10 Registrars**

- a. Council shall competitively appoint a Registrar(s) to each Division who shall hold office for a period of five (5) years, and shall be eligible to reapply for a further term.

##### **b. Responsibilities**

- i. She/he shall be responsible to a Deputy Vice-Chancellor of the respective divisions and shall perform all administrative duties relevant to the respective Division as outlined below.
- ii. And such other duties as may be delegated or assigned to her/him.

**6.4.11 Registrar, Administration and Central Services**

- a. Shall be responsible to the Deputy Vice-Chancellor, Administration Finance and Development for administering the following-
  - i. Shall oversee the general administration of the University
  - ii. Ensuring adherence to University rules and regulations;
  - iii. Enforcement of University policies;
  - iv. Coordination management and provision of all central services;
  - v. Custodian of administrative University records;
  - vi. Coordinating all services in administrative departments;
  - vii. Secretary to Management Board Committees unless otherwise where so stated.
  - viii. Undertake such other responsibilities as shall be assigned.

**6.4.12 Registrar Academic and Students Affairs**

- a. Shall be responsible to the Deputy Vice-Chancellor, Academic and Students Affairs for administering the following-
  - i. Management of all academic records;
  - ii. Facilitate registration and enrolment of student;
  - iii. Maintain up to date examination schedules;
  - iv. Build secure student data files and sets procedure for their use;
  - v. Supervise the process of issuance of certificates, diplomas and degrees;
  - vi. Academic planning including time tabling, use of classrooms and other academic facilities;
  - vii. Interpretation and enforcement of academic policies and regulations;
  - viii. Secretary to Senate Committees.
  - ix. Undertake such other responsibilities as shall be assigned.

**6.4.13 Registrar Partnerships, Research and Innovations**

- a. Shall be responsible to the Deputy Vice-Chancellor Partnerships, Research and Innovations for administering the following-
  - i. Coordinate implementation policies on research, innovation and partnerships;
  - ii. Coordinate implementation of all agreements and collaborations of the University;
  - iii. Coordinate dissemination of research findings and publications;
  - iv. Coordinate community development services;
  - v. Coordinate implementation of research ethics policies;
  - vi. Coordinate implementation of partnerships in the university;
  - vii. Undertake such other duties as may be assigned or delegated.

**6.4.14 Finance Officer**

- a. Council shall competitively appoint a Finance Officer who shall hold office for a period of five (5) years, and shall be eligible to reapply for a further term.
- b. Shall be responsible to the Deputy Vice-Chancellor Administration, Finance and Development.

**c. Responsibilities**

He/ She shall-

- i. Prepare and submit annual estimates of revenue and expenditure;
- ii. Oversee compliance to budgetary allocation as per the approved annual budgets;
- iii. Receive and process proposals for subscription, donations and bequests for necessary approvals;

- iv. Prepare and submit financial reports on income, expenditure and assets of the University;
- v. Submit all necessary reports including all statutory reports relating to finances of the University;
- vi. Prepare and submit proposals on investment of funds for onward transmission to Council;
- vii. Prepare and submit reports on investment, movable and immovable property, shares, funds and securities of the University;
- viii. Prepare and submit proposal and advice on investing University funds subject to legal requirements;
- ix. Prepare reports on management and administration of University land and buildings; machinery and equipments, funds and vehicles;
- x. Prepare proposals for University fees and any other charges;
- xi. Oversee the development, review and implementation of the University financial management framework and policy;
- xii. Oversee the preparation of annual procurement plans of the University;
- xiii. Prepare proposals and submit reports on borrowing on behalf of the University; Mortgaging or charging all or any part of movable and immovable property.
- xiv. Perform any such other duties as may be assigned or delegated.

**6.4.15 Director Information Communication and Technology (ICT)**

- a. Council shall competitively appoint a Director of ICT who shall hold office for a period of five (5) years, and shall be eligible to reapply for a further term.
- b. The Director ICT shall be responsible to the Vice-Chancellor.
- c. The role of the Director ICT shall be responsible for overall development and application of ICT in the University.

**d. Responsibilities**

He /She shall -

- i. Make proposals for strategic direction on information technology and provide mechanisms for its implementation
- ii. Provide policy direction on ICT systems
- iii. Regularly review and make proposals for updating of the ICT policy;
- iv. Carry out system analysis, design & program specifications in liaison with the users;
- v. Promote use of ICT in the University;
- vi. Develop, implement & maintain systems;
- vii. Ensure adherence to established ICT standards;
- viii. Supervise installation certification, carry out repair & maintenance of all ICT equipment & associated peripherals;
- ix. Recommend and supervise hardware/software specifications for ICT equipment;
- x. Prepare and submit Information Communication Technology (ICT) status reports;
- xi. Provide user support including staff training, access and security of the system;
- xii. Ensure efficient delivery of ICT services;
- xiii. Schedule preventive maintenance of all ICT equipment in the University;
- xiv. Keep update with emerging information communication technology trends;
- xv. Perform such other duties as may be assigned from time to time

**6.4.16 Librarian**

- a. Council shall competitively appoint a librarian who shall hold office for a period of five (5) years, and shall be eligible to reapply for a further term.
- b. She/he shall be responsible to the Deputy Vice-Chancellor Academic and Students Affairs.

**c. Responsibilities**

He/ She shall-

- i. Be the custodian of academic resources of the University;
- ii. Regularly review academic resources and submit a report;
- iii. Make proposals for development of library policies;
- iv. Implement Library policy;
- v. Coordinating all the Library services in the University
- vi. Prepare and submit proposals for acquisition of library materials;
- vii. Acquire and conserve library research materials;
- viii. Be responsible for the organization and operation of library services;
- ix. Adoption and adherence to library standards;
- x. Manage the provision of conducive reading space for library users;
- xi. Establish and facilitate the use of the eLibrary;
- xii. Facilitate the networking and exchange of materials of with other libraries locally and internationally.
- xiii. Make proposals for acquisition and conservation of library research materials;
- xiv. Promote provision of library support services
- xv. Any other responsibility that shall be assigned.

**6.4.17 Legal Officer**

- a. Council shall competitively appoint a Legal Officer who shall hold office for term of five (5) years, and shall be eligible to reapply for a further term.
- b. The Legal Officer shall be the principal legal adviser to the University responsible to the Vice-Chancellor.

**c. Responsibilities**

He/ She shall-

- i. Be the custodian of legal instruments of the University;
- ii. Ensure that there is effective legal representation for the University when and where necessary;
- iii. Provide legal input in the development and execution of legal documents;
- iv. Regularly review all legal agreements for compliance with respective legal instruments;
- v. Witness the execution of legal documents;
- vi. Prepare legal documents and submit to the Vice-Chancellor for submission to the Council for approval;
- vii. Witness the application of the university seal on documents that require sealing;
- viii. Oversee legal compliance;
- ix. Enhance legal awareness in the University;
- x. Perform such duties as may be delegated or assigned by the Vice-Chancellor and Council.

**6.4.18 Internal Auditor**

- a. Council shall competitively appoint an Internal Auditor who shall hold office for a five year term and shall be eligible to reapply for a further term.
- b. The Internal Auditor shall be responsible to the Council shall have the overall responsibility for the internal controls, and risk management within the University.

**c. Responsibilities**

He/ She shall-

- i. Propose and develops annual audit plan and submit to the Audit Committee of Council for review & approval;
- ii. Implement the Annual Work Plan;
- iii. Undertake annual audit risk assessments and submit a report to the Audit Committee of Council;
- iv. Issue periodic reports to the Audit Committee and Management;
- v. Identify and manage audit risks;
- vi. Ensure compliance with policies, standards, procedures and applicable Laws & Regulations;
- vii. Ensure resources are acquired economically, used efficiently and adequately protected
- viii. Perform such duties as may be delegated or assigned by the Vice-Chancellor and Council.

**STATUTE VII**

**7.0 CAMPUSES**

**7.1 Establishment**

- a. There shall be established Campuses of the University as provided for in Section 20(1) (d) of the Act and Section 8 of the Charter shall apply to the establishment of Campuses.
- b. The University has the following Campuses;
  - i. Main Campus;
  - ii. Siriba Campus;
  - iii. Kisumu Campus;
  - iv. The eCampus;
  - v. Any other Campus that shall be established by Council on the recommendation of Senate.

**STATUTE VIII**

**8.0 COLLEGES**

**8.1 Establishment**

- a. The Council may establish colleges on the recommendation of Senate, as provided for in the Act and Section 8 of the Charter.
- b. The colleges shall be headed by a principal whose responsibilities and duties are as provided for under Statute 6.3.8 of these Statutes.

**8.2 Colleges**

- a. Colleges shall comprise of-
  - i. Schools,
  - ii. Institutes
  - iii. Department



- iv. Centres, as may be deemed necessary.
- b. There shall be the following Colleges-
  - i. College of Science and Engineering
    - a) School of Physical and Biological Sciences;
    - b) School of Environment and Earth Sciences;
    - c) School of Mathematics, Statistics & Actuarial Sciences;
    - d) School of Computing & Informatics;
    - e) School of Agriculture & Food Security;
    - f) School of Veterinary Sciences;
    - g) School of Engineering;
    - h) School of Planning & Architecture.
  - ii. College of Education, Humanities and Social Sciences
    - a) School of Arts & Social Sciences;
    - b) School of Development & Strategic Studies;
    - c) School of Business & Economics;
    - d) School of Law;
    - e) School of Education;
    - f) School of Psychology;
    - g) School of Ecotourism, Hotel, & Institution Management
    - h) Institute of Gender Studies.
  - iii. College of Health Sciences
    - a) School of Medicine;
    - b) School of Public Health & Community Development;
    - c) School of Nursing;
    - d) School of Pharmacy;
    - e) School of Dentistry.
  - iv. Any other College as may be established by Council on the recommendation of Senate.

### **8.3 College Management Board**

- a. There shall be, for each College, a College Management Board whose membership shall be:
  - i. The Principal - Chairperson
  - ii. The Deputy Principal (where so appointed)
  - iii. Deans
  - iv. College Librarian
  - v. College Finance Officer
  - vi. Legal Officer
  - vii. College ICT Officer
  - viii. Assistant Dean of Students
  - ix. College Registrar
- b. The College Management Board shall provide advisory support to the Principal of the Collage.
- c. Unless the College Management Board otherwise determines, a meeting of the College Management Board shall be held at least once in each month at such time and place as the Chairperson may determine.

#### **8.4 College Academic Board**

- a. There shall be a College Academic Board for each College whose membership shall be:
  - i. The Principal – Chairperson
  - ii. Deputy Principal (where so appointed)
  - iii. All Deans, Directors of Institutes within the College
  - iv. All Chairpersons of Academic Departments within the College
  - v. All Professors within the College not being members of the Board by virtue of any other provision of this Statute
  - vi. The College Librarian
  - vii. College Registrar – Secretary
  - viii. President of Students' Association of the respective College
- b. The College Academic Board shall provide advisory services to the Principal on matters of administration and management of the academic programmes of the College including:
  - c. Students for admission.
  - d. Academic programmes.
  - e. Propose examiners, appoint supervisors.
  - f. Process the list of graduands.
  - g. Unless the Academic Board otherwise determines, Academic Board meetings shall be held at least two times in each semester at such time and place as the Chairperson of the Academic Board may appoint.
  - h. The College Academic Board may form such *ad hoc* committees as shall be deemed necessary to address specific issues from time to time.

### **STATUTE IX**

#### **9.0 CONSTITUENT COLLEGE**

##### **9.1 Establishment**

- a. The Council may establish a Constituent College as provided for under Section 20(1)(d) of the Act and Section 7 of the Charter.

##### **9.2 Composition**

- a. Constituent Colleges shall comprise Schools, Departments, Centres and any other units as shall be established from time to time.
- b. The Constituent College shall be headed by a Principal.
- c. There shall be a College Management Board and College Academic Board as provided for under Statute

### **STATUTE X**

#### **10.0 SCHOOLS AND INSTITUTES**

##### **10.1 Establishment**

- a. There shall be established Schools and Institutes and such other units within the University provided under Section 8 (2) of the Charter.
- b. Each School and Institute shall consist of such bodies as Council may from time to time determine, upon the recommendation of Senate.

##### **10.2 Schools and Institutes**

The University shall have the following Schools and Institutes: -

- a. Institute of Gender Studies

- b. Institute of Tropical and Infectious diseases
- c. School of Agriculture and Food Security
- d. School of Arts and Social Sciences
- e. School of Business and Economics
- f. School of Computing and Informatics
- g. School of Dentistry;
- h. School of Development & Strategic Studies
- i. School of Ecotourism, Hotel & Institution Management
- j. School of Education
- k. School of Engineering
- l. School of Environment & Earth Sciences
- m. School of Law
- n. School of Mathematics, Statistics and Actuarial Science
- o. School of Medicine
- p. School of Nursing;
- q. School of Pharmacy;
- r. School of Physical and Biological Sciences
- s. School of Planning and Architecture
- t. School of Psychology
- u. School of Public Health & Community Development
- v. School of Veterinary Sciences;
- w. Any other School and Institute as shall be established by Council on recommendation of Senate

### **10.3 Deans/ Associate Deans of School and Directors of Institutes**

#### **10.3.1 Appointment Procedure**

- a. There shall be Deans of Schools and Directors of Institutes
- b. The Dean/Director (and Associate Dean) shall be competitively appointed by Council from amongst staff of senior lecturer and above for a term of three years' renewable once based on performance.
- c. She/ He shall be eligible to reapply for reappointment.
- d. Council may terminate the appointment by giving three months' notice.
- e. He/ She may resign from office by giving three months notice in writing.

#### **10.3.2 Functions of Dean of School and Directors of Institutes**

- a. The Dean of Schools and Directors of Institutes shall be responsible to the Deputy Vice-Chancellor Academic and Students Affairs and shall be-
  - i. The executive administrative and academic head of the school;
  - ii. An ex-officio member of Departmental meetings within the School/ institute;
  - iii. An ex-officio member of units within the institute;
  - iv. Coordinate the assessment and development of academic programmes within the institute;
  - v. Conduct teaching and research;
  - vi. Undertake fundraising for development of respective Schools;
  - vii. Promote linkages;
  - viii. Coordinate preparation and review academic programmes;
  - ix. Maintain effective communication between students, faculty and Chairs within the Institute;
  - x. Serve as liaison with relevant professional associations, regulatory and accrediting agencies;

## MASENO UNIVERSITY STATUTES 2013

- xi. Articulating University policies and procedures to members of the Institute;
- xii. Maintain good working relation with faculty and administrative members of staff; and the Chairperson of all Postgraduate Examination Boards within the School/ Institute.

### 10.3.3 Associate Dean

- a. Shall in the absence of the Dean discharge the functions of the Dean's Office.

### 10.4 School Management Boards

- a. Each School shall be governed by a Board which shall have the following membership: -
  - i. Dean of School - Chair
  - ii. Chairpersons of Departments
  - iii. Assistant Registrar (Academic and Students Affairs)–Secretary
- b. Each Board may, at its own discretion, invite other persons to attend its meetings in an advisory capacity; provided that the persons so invited shall not acquire rights of membership to the Board and shall have no voting rights.

### 10.5 Institute Management/Academic Board

- a. Each Institute shall be governed by a Board which shall have the following membership-
  - i. Director of Institute – Chairperson;
  - ii. Senior academic/research staff within the Institute;
  - iii. Representative of full-time technical staff; and
  - iv. Assistant Registrar (Academic and Students Affairs) – Secretary
- b. Each Board may, at its own discretion, invite other persons to attend its meetings in an advisory capacity; provided that the persons so invited shall not acquire rights of membership to the Board and shall have no voting rights.

### 10.6 Responsibilities of Management Boards of School and Institutes

The Management Boards shall have the following responsibilities:

- i. Provide advisory support to the Deans and Directors of the School/Institute.
- ii. To consider and make recommendations to the Senate upon all matters relating to facilities for teaching, research, students and staff welfare.
- iii. To prepare and manage budgets and procurement plans for the School/Institute.
- iv. To deal with and report on any matters referred to it by the Senate/University Management Board.

### 10.7 School Academic Boards

- a. Each School shall have an Academic Board which shall have the following membership:
  - i. Dean – Chairperson.
  - ii. Chairpersons
  - iii. Lecturers
  - iv. Coordinators
  - v. Representative of full-time technical staff.
  - vi. Student representative.
  - vii. Assistant Registrar (Academic and Students Affairs) – Secretary

### 10.8 Responsibilities of Academic Boards of School

The Academic Board shall have the following responsibilities:

- a. Consider and make recommendations to the Senate upon all matters relating to syllabuses, teaching, examination, students progress and research in the subjects of the School or Institute.
- b. Recommend to the Senate, persons for appointment as external examiners in that School.
- c. Submit proposals to the Senate for academic development.
- d. Deal with and report on any matters referred to it by the Senate.

## **10.9 Centres**

### **10.9.1 Establishment**

- a. The Council may establish Centres as provided for under Section 8(2) of the Charter.
- b. There shall be learning Centres.
- c. Centres shall be headed by Coordinators who shall be responsible to the Deputy Vice-Chancellor Academic and Students Affairs.

### **10.9.2 Appointment of the Centre Coordinator**

- a. The Coordinator of each Centre shall be appointed by the Vice-Chancellor from amongst members of the academic staff at the level of Senior Lecturer and above for a three year term renewable once based on performance.
- b. The Coordinator of a Centre may resign his appointment as such by giving the Vice-Chancellor one months' notice in writing.

### **10.9.3 Duties and Responsibilities**

The Coordinator shall-

- i. Be in charge of all academic matters in the Centre;
- ii. Be responsible for prudent management of resources;
- iii. Make proposals on viable programmes for enhanced performance of the Centre;
- iv. Conduct teaching and, research;
- v. Serve as Chairperson of Centre Board meetings;
- vi. Represent the Centre on University Committees and other bodies as required;
- vii. Ensure quality standards are maintained;
- viii. Make recommendations on human resource matters of staff within the Centre;
- ix. Prepare and submit progress reports on status of the centre.

### **10.9.4. Centre Board**

- a. There shall be a Board for each Centre which shall consist of:
  - i. The Coordinator of the Centre -Chairperson;
  - ii. All full-time members of the academic staff of the Centre;
  - iii. Where relevant, at least one representative of the technical staff in the Centre
  - iv. Other persons duly invited.

#### **10.9.4.1 Roles and Responsibilities of the Centre Board**

The Centre Board shall-

- a. Provide advisory support to the Coordinator;
- b. Exercise such powers as may be conferred upon it by the Faculty/School/Institute Board, the Senate or the Vice-Chancellor;
- c. Make recommendations in respect to procurement plans and estimates of expenditure for the Centre;
- d. Recommend candidates for Staff Development Programmes;
- e. Submit recommendations to the Senate in respect to academic matters.

- f. Undertake such other responsibility as may be assigned.

## **10.10 Academic Departments**

### **10.10.1 Establishment**

- a. There shall be established Academic Departments in Schools as established under Section 19(2)(n) of the Charter.
- b. Each Academic Department shall be regarded for administrative purposes as being a constituent part of one School but may in relation to other Schools/Institutes in which such a Department has teaching or other commitments be regarded as being associated with such Institute or School.

### **10.10.2 Chairpersons of Departments**

- a. There shall be Chairpersons of Departments who shall be the academic and administrative head of the department.
- b. They shall report to the Dean/Directors of respective Schools/Institutes

#### **c. Appointment**

- i. The Chairpersons of Departments shall be appointed by the Vice-Chancellor from amongst members of the academic staff at the level of Senior Lecturer and above for a three-year term renewable once based on performance.
- ii. The Chairperson of a Department may resign his appointment as such by giving the Vice-Chancellor one months' notice in writing.

#### **d. Responsibilities**

The Chairpersons shall-

- i. Conduct teaching and research;
- ii. Ensure quality standards of teaching and research;
- iii. Serve as Chairperson of Department Board meetings;
- iv. Solicit funds for the Department;
- v. Create linkages and partnerships;
- vi. Develop research programmes;
- vii. Represent the Department on the appropriate University Committees and other bodies as required;
- viii. Be the Chief Examinations Officer of the Department;
- ix. Make recommendations on human resource matters for academic staff within the Department;
- x. Implement Departmental policy, as determined by the Departmental Board and other University authorities.
- xi. While in office the key functions above shall not be delegated.

### **10.10.3 The Departmental Board**

There shall be a Departmental Board for each Department which shall consist of:

- i. The Chairperson of the Department.
- ii. All full-time members of the academic staff of the Department.
- iii. Graduate assistants as determined by the Departmental Board.
- iv. Where relevant, at least one representative of the technical staff in the Department.
- v. The Chairperson of the Department, after consultation with members of the Departmental Board, may invite other persons to attend Departmental Board meetings.
- vi. Each Departmental board shall meet at least twice every semester and shall maintain a proper system of Agendas and Minutes for such meetings.

#### **10.10.4 Roles and Responsibilities of the Departmental Board**

The Departmental Board:-

- a. Shall arrange for, conduct and regulate the teaching and instruction to students within the Department;
- b. Shall coordinate the setting and marking of examinations in accordance with regulations approved by Senate;
- c. Shall make recommendations to the School Academic Board for the establishment of new courses and the amendment of existing regulations and syllabuses relating to studies within the Department;
- d. May provide research and consultancy services.
- e. Shall recommend candidates for Staff Development Programmes;
- f. Shall submit recommendations to the Senate through the School Academic Board in respect to the appointment of External Examiners.
- g. May delegate functions and responsibilities to individuals or groups of individuals within the Department;
- h. Undertake such other responsibility as may be assigned.

### **STATUTE XI**

#### **11.0 SCHOOL OF GRADUATE STUDIES**

##### **11.1 Establishment**

- a. There shall be a Graduate School established in furtherance of Section 20(1)(e) of the Act and Section 9(1)(b) of the Charter.
- b. The School shall be responsible for the coordination of post graduate studies.
- c. The Graduate School shall be governed by a Board which shall be headed by a Dean.

##### **11.2 Appointment of the Dean /Associate dean**

- a. The Dean and Associate Dean shall be internally competitively appointed from amongst staff at the level of senior lecturer and above for a term of three years renewable once based on performance.
- b. S/he shall apply for be eligible for reapplication to Council.
- c. Council may terminate the appointment by giving notice as stipulated in the terms of appointment.
- d. S/he may resign from office by giving notice as stipulated in the terms and condition of appointment.

##### **11.3 Roles and responsibility for the Dean of the School of Post-Graduate Studies**

The Dean shall-

- a. Coordinate the assessment and development of academic programs of the school;
- b. Prepare and review academic program plans for the school;
- c. Maintain effective communication between students, faculty, administration, and academic staff;
- d. Support the growth of post graduate student body in line with the University strategic goals;
- e. Raise scholarship fund and effective use of the same;
- f. Develop policies and good practices for research supervision;

- g. Develop collaborative graduate programmes in partnership with other Universities, institutions and relevant industries;
- h. Oversee and direct the work of post graduate students.
- i. Undertake such other responsibility as may be assigned.

#### **11.4 Associate Dean of School of Post-Graduate Studies**

- b. Shall in the absence of the Dean discharge the functions of the Dean's Office.

#### **11.5 Graduate School Board**

- a. The Board shall be responsible for all post graduate matters and shall provide advisory support.
- b. The members of the Board shall be composed of-
  - i. The Dean of the Graduate School- Chairperson
  - ii. The Associate-Dean.
  - iii. The Chair of each School's Postgraduate Studies Committee.
  - iv. The University Librarian.
  - v. The Registrar Academic and Students Affairs and Students Affairs who shall serve as its Secretary.
  - vi. The Board may, at its discretion, invite other scholars of the University to attend its meetings in an advisory capacity only and without the right to vote at such meetings.

#### **11.6 Responsibilities of the Board**

- a. Notwithstanding the provisions of any other statute, the board shall be answerable to the University Senate in respect to the conduct of postgraduate studies throughout the University and shall, in particular, have responsibility over the following matters-
  - i. Developing and monitoring of postgraduate policy and regulations;
  - ii. The administration and processing of postgraduate dissertation, theses and projects;
  - iii. Ensuring the proper conduct and supervision of the postgraduate studies programmes;
  - iv. Promote excellence in graduate education and research;
  - v. Establishing a strategy and academic plan for graduate education
  - vi. Make recommendations to the relevant University programme Board regarding the structure and content of graduate programmes and any special regulations or policy;
  - vii. Be responsible for graduate research programmes and graduate research students;
  - viii. Approve the progression and/or transfer of graduate students;
  - ix. Appoint supervisor(s) and advisor(s) for research students;
  - x. Assure the quality of the supervisory arrangements for graduate research students;
  - xi. Provide oversight into the general admission criteria to graduate taught programmes;
  - xii. Maintain students' records;
  - xiii. Where a student's performance is deemed unacceptable make recommendations to the relevant University Programme Board regarding a student's eligibility to continue in the programme;
  - xiv. Monitor graduate student progression and completion rates.



## MASENO UNIVERSITY STATUTES 2013

- xv. Approve the appointment of internal examiners and recommend the appointment of special external examiners to the Senate;
  - xvi. Support the development of strategic and operational plans for graduate education;
  - xvii. Undertake such other responsibility that may be assigned.
- d. The Board may form such sub-committees as it deems necessary to execute its functions and discharge its responsibilities.
- e. The Chairperson of the board may nominate a chairperson, to any sub-committee established by the Board.

## STATUTE XII

### 12.0 LIBRARY

- a. In furtherance of Section 20(1) (b) of the Act there shall be established a library.
- b. The Library shall be composed of the Main Library and branches.
- c. The library shall be headed by the University Librarian who shall perform such duties and responsibilities under Statute 6.3.15.
- d. The following shall qualify to use the University Library Services-
  - i. Registered Students;
  - ii. Members of staff;
  - iii. Any others as may be determined by the Librarian upon request.

### 12.1 Roles and Functions

The library shall-

- a. Provide collections of information Collect, manage, preserve and archive books and other forms of records;
- b. Provide documentation for research to its users;
- c. Develop, publicize and offer new services and facilities appropriate for acquisition of knowledge;
- d. Circulate and disseminate knowledge and information;
- e. Manage Maseno University publications and coordinate issuance of ISBN/and ISSN numbers.

## STATUTE XIII

### 13.0 DIRECTORATES

#### 13.1 Establishment

- a. There shall be Directorates established in furtherance to Section 6(1)(g) of the Charter.
- b. A Director where so provided shall be competitively appointed to head the Directorates on a five year term and shall be eligible to reapply for a further term.
- c. There shall be Centres/Departments within each Directorate which shall be headed by a Coordinator/Head of Department.
- d. The University shall have the following Directorates-
  - i. Linkages, Outreach and Consultancies
  - ii. Quality Assurance and Performance Management
  - iii. Research, Innovations & Partnerships
  - iv. Information Communication Technology
  - v. Student Affairs
  - vi. Development
  - vii. Human Resource

- viii. And any other that shall be created by the University Council.

### **13.2 Directorate of Linkages, Outreach and Consultancies**

- a. The directorate shall be responsible to the Deputy Vice-Chancellor Partnerships, Research and Innovation.
- b. The Directorate shall perform the following functions-
  - i. Develop linkage, partnerships, outreach and consultancies policies;
  - ii. Continuously identify opportunities for linkages, partnership, outreach and consultancies;
  - iii. Promote capacity building for enhanced linkages, partnership, outreach and consultancies;
  - iv. Consider and make recommendations on collaborations, linkages, partnerships and outreach programmes;
  - v. Coordinate local and international exhibitions, shows and competition;
  - vi. Organizing conferences, symposiums, workshops and other dialogue platforms;
  - vii. Coordinate provision of educational, cultural, professional, technical and vocational services to the community;
  - viii. Implement, linkages, collaboration and outreach programmes;
  - ix. Develop consultancy framework and guidelines;
  - x. Coordinate and undertake consultancies;
  - xi. Constantly scout for and inform the university community on consultancy, research and fellowship or scholarship funding opportunities;
  - xii. Oversee and facilitate the uptake of corporate social responsibilities;
  - xiii. Undertake any other responsibility that shall be assigned.

### **13.3 Directorate of Quality Assurance and Performance Management**

- a. There shall be a Directorate of Quality Assurance in furtherance to Section 3(1)(e) of the Act.
- b. The Directorate shall be responsible to the Vice- Chancellor.
- c. The Directorate shall have the following departments-
  - i. Quality Assurance;
  - ii. Performance Management;
  - iii. Monitoring and Evaluation;
  - iv. Any other as shall be created by Council
- d. The Directorate shall have the following responsibilities distributed within its departments-
  - i. Promote the adoption, application and conformity to quality standards in education and research.
  - ii. Develop frame works and oversee the implementation of frameworks appropriate for Quality Assurance, Performance Management, Monitoring and Evaluation.
  - iii. Generate and ensure application of indicators in the areas of Quality Assurance, Performance Management, Result Based Monitoring and Evaluation.
  - iv. Compile and submit reports as provided for in the respective frameworks.
  - v. Provide liaison services with external agencies having responsibilities.
  - vi. Coordinate the cascading and evaluation of the Performance Contract.
  - vii. Develop, plan and implement staff training in the areas of Quality Assurance, Performance Management, Monitoring and Evaluation
  - viii. Coordinate collection and compilation of evidence in support of achievements.
  - ix. Coordinate and ensure submission of statutory reports including but not limited to quarterly performance contract reports, anticorruption, disability, gender mainstreaming, complaints handling, Vision delivery.

- x. Monitor and submit reports on the implementation of the annual action plans of the Strategic Plan.
- xi. Undertake any other duties that shall be assigned.

#### **13.3.1 Quality Assurance**

The Department Shall -

- a. Develop quality assurance policy for the University;
- b. Develop and regularly review quality assurance framework and guidelines for quality assurance which will include but will not be limited to-
  - i. Generating performance indicators
  - ii. Proposing targets for performance indicators
  - iii. Proposing guidelines for performance indicators
  - iv. Proposing weights for performance indicators
  - v. Proposing evaluation cycle and standards for Performance.
- c. Develop and oversee the application of standards for the validation/ verification and review of teaching, research and outreach programmes;
- d. Develop and regularly review quality standards and guidelines for performance management;
- e. Prepare and submit quarterly monitoring and evaluation reports, ISO audit reports, quality assurance reports to the Vice-Chancellor;
- f. Oversee implementation of quality standards.
- g. Undertake such other responsibility that may be assigned.

#### **13.3.2 Monitoring and Evaluation**

The Department shall-

- a. Ensure conformity to relevant quality standards in academic programmes
- b. Evaluate teaching/learning and research environment to determine quality, efficiency and relevance and submit annual reports to the Vice-Chancellor
- c. Conduct, monitor and evaluate and report on activities of the University as undertaken in the various divisions, departments
- d. Undertake the evaluation of academic programmes in relation to national development goals and submit annual reports to the Vice-Chancellor
- e. Evaluate programmes
- f. Conduct academic quality audits regularly to determine the efficiency and effectiveness of programme learning outcomes of the continuing Education programmes, approved centers and affiliated institutions;
- g. Support conducting of self assessment of academic programmes; and evaluation of lecturers and facilities by students.
- h. Coordinate implementation of Quality Management Systems and ISO Standards
- i. Undertake such other responsibility that may be assigned.

#### **13.3.3 Performance Management**

The Department shall-

- a. Develop and regularly review performance management framework as aligned to the national performance management guideline and appraisal system which will include but not limited to performance management; indicators, targets, standards and weights;
- b. Develop guidelines for implementation of the performance management framework which will include but not limited to performance contracting; cycle, tool, parties, criteria, reporting, ranking;

- c. Coordinate implementation of performance contracting and annual work plans;
- d. Compile and coordinate the announcement of performance evaluation results;
- e. Responsible for the development and submission of the proposed annual performance contract for the University; and
- f. Facilitate the cascading of the annual performance contract to the level of Principals of Colleges and Campuses.
- g. Undertake such other responsibility that may be assigned.

**13.4 Directorate of Research, Innovations & Partnerships**

- a. The directorate shall be responsible to the Deputy Vice-Chancellor Partnerships, Research and Innovation.
- b. Shall be responsible for the research centre.
- c. Shall perform the following functions-
  - i. Develop policy proposals on Research, innovations and Publication;
  - ii. Propose, review and oversee implementation of Intellectual Property rights;
  - iii. Organize research competition among students and staff;
  - iv. Promote ethical research standards;
  - v. Constitute research working groups;
  - vi. Promote application of research outputs;
  - vii. Set up liaison units for collaboration with the industry and other organizations for research;
  - viii. Provide support mechanisms for compliance with intellectual property rights laws;
  - ix. Keep a data base of research programmes and funding agencies and make these available to different user groups within the University;
  - x. Disseminate the outcomes of research;
  - xi. Promote publication of research findings and facilitate access through various channels;
  - xii. Undertake such other responsibility that may be assigned.

**13.5 Directorate of Information Communication and Technology**

- a. The Directorate shall be responsible to the Vice Chancellor.
- b. Shall perform the following functions-
  - i. Make proposals on ICT Policy;
  - ii. Develop ICT guidelines and regulations;
  - iii. Develop and promote implementation of ICT strategies and management support systems;
  - iv. Provide technical support to all units on ICT infrastructure and networks;
  - v. Review ICT implementation;
  - vi. Assist in capacity building for users;
  - vii. Develop, review and implement information management security systems;
  - viii. Update and manage University Management Information Systems (MIS) and the University Website;
  - ix. Conduct regular assessment on the level of university automation and undertake initiatives for its improvement;
  - x. Undertake such other responsibility that may be assigned.

**13.6 Directorate of Development**

- a. The Directorate shall be responsible to the Deputy Vice-Chancellor Administration Finance and Development.
- b. Shall perform the following functions-
  - i. Provide technical input in the development of the University Master plan and oversee its implementation;
  - ii. Develop a framework for monitoring implementation of University development projects;
  - iii. Cascade and provide oversight for the implementation of sector flagship projects associated with the University in the national development plans;
  - iv. Review agreements, protocols and conventions that provide opportunities for development and submit proposals for their realization;
  - v. Develop project proposals;
  - vi. Shall be the liaison point between the University, Government, service providers and development partners;
  - vii. Initiate proposals and oversee the uptake of opportunities under Public Private Partnerships;
  - viii. Regularly review and make proposals for the uptake of incidental opportunities for the development of the University;
  - ix. Assess and submit for consideration all related development needs;
  - x. Coordinate implementation of infrastructural development of projects;
  - xi. Develop and ensure the application of framework for monitoring and evaluation of University infrastructure;
  - xii. Prepare and submit reports on emerging opportunities and status of development;
  - xiii. Promotion of networks development agencies both local and international;
  - xiv. Develop and regularly submit progress reports on University development;
  - xv. Shall undertake any other responsibility that shall be assigned.

**13.7 Directorate of Human Resource**

- a. The Directorate shall be responsible to the Deputy Vice-Chancellor Administration Finance and Development.
- b. Shall perform the following functions-
  - i. Develop proposal and provide technical guidance on Human Resource policies;
  - ii. Oversee the implementation of Human Resource policies and guidelines;
  - iii. Regularly review staff establishment for the University and submit recommendations on necessary adjustments;
  - iv. Undertake annual Human Resource Audit and submit reports;
  - v. Develop and oversee the implementation of a comprehensive framework for effective succession management;
  - vi. Plan and facilitate strategic human resource development;
  - vii. Undertake Human Resource Management including recruitment, selection, placement, remuneration, induction, promotions, retention, rewards and incentives management;
  - viii. Facilitate the inculcation of an appropriate human resource culture;
  - ix. Manage staff deployment and related services and submit reports;
  - x. Custodian of Human Resource records;
  - xi. Secretary to Human Resource Committee of Management;

- xii. Undertake any other responsibility as shall be assigned.

## **STATUTE XIV**

### **14.0 STUDENT AFFAIRS**

There shall be a Directorate of students Affairs in furtherance of Section 3(1)(b)(i) and 41(1)(c) of the Act and Section 6(1)(P),19(2)(c) and 20(3)(k) of the Charter which shall be headed by a Director.

#### **14.1 Director Students Affairs**

- a. The Director shall hold office on such terms and conditions as provided for under Statute XIII (13.1).
- b. The Director shall be accountable to the Deputy Vice-Chancellor Academic and Students Affairs.
- c. Students Affairs shall be managed as provided in the Students rule book.

#### **14.2 Roles and Responsibilities**

The Directorate Shall-

- a. Co-ordinate students' activities and welfare.
- b. Make proposals and review on policies of students' welfare.
- c. Coordinate implementation of policies on student welfare.
- d. Coordinate student counseling services.
- e. Co-ordinate activities of Students' Organization of Maseno University.
- f. Manage student conduct and discipline.
- g. Coordinate education loans and bursaries.
- h. Coordinate counseling and career services.
- i. Coordinate implementation of policies on gender, disability and special needs for students.
- j. Undertake such other responsibility that may be assigned.

## **STATUTE XV**

### **15.0 DEGREES, DIPLOMAS CERTIFICATES AND OTHER AWARDS**

- a. The University shall have the following degrees, Diplomas and Certificates as provided for under Section 20(e) of the Act and Section 9 of the Charter:
  - i. Bachelor of Arts (BA) with Information Technology
  - ii. Bachelor of Business Administration (BBA) with Information Technology
  - iii. Bachelor of Law (LLB) with Information Technology
  - iv. Bachelor of Science (BSc) with Information Technology
  - v. Bachelor of Medicine
  - vi. Bachelor of Surgery (MBChB) with Information Technology
  - vii. Bachelor of Architecture (BArch) with Information Technology
  - viii. Bachelor of Education (BEEd) with Information Technology
  - ix. Bachelor of Information Technology
  - x. Bachelor of Computer Science
  - xi. Bachelor of Economics
  - xii. Bachelor of Hotel and Institution Management (with IT)
  - xiii. Bachelor of Procurement and Supplies Chain Management (BSPM)
  - xiv. Master of Economics
  - xv. Master of Science (MSc)

- xvi. Master of Medicine (MMed)
- xvii. Master of Arts (MA)
- xviii. Master of Education (MEd)
- xix. Master of Human Resource Management
- xx. Master of Business Entrepreneurship
- xxi. Master of Hospitality Management
- xxii. Master of Ecotourism Management
- xxiii. Master of Business Administration (MBA)
- xxiv. Master of Law (LLM)
- xxv. Master of Philosophy (MPhil)
- xxvi. Master of Public Health (MPH)
- xxvii. Doctor of Philosophy (PhD)
- xxviii. Doctor of Laws (LLD)
- xxix. Doctor of Science (DSc)
- xxx. Doctor of Education (EdD)
- xxxi. Doctor of Letters (DLitt)
- xxxii. Any other degrees, diplomas, and certificates as recommended by Senate, and approved by Council from time to time.

#### **15.1 Conferment of Degrees and Awards of Diplomas and Certificates**

- a. Conferment of Degrees and grant of Diplomas, Certificates or other awards shall be undertaken at a graduation ceremony of the University or any other occasion approved by Council.
- b. A candidate shall be granted a Diploma, Certificate and other awards, or conferred a Degree other than an Honorary Degree, provided that the candidate has paid such fees as may be prescribed by Council, and that Senate has certified that such candidate has satisfied all the conditions prescribed for such a Degree, Diploma, or Certificate.
- c. Graduations of the University shall be at least once a year and shall be presided over by the Chancellor.
- d. Graduation dates shall be set at least two months before the actual day.
- e. The procedure as to the conferment of Degrees and granting of Diplomas and Certificates, and the academic regalia to be worn and all other matters pertaining to graduation not provided for in this Statute shall be determined by the Senate.

#### **15.2 Qualification for Conferment of Degrees and Award of Diploma and Certificate**

- a. Save as otherwise provided by these Statutes, no candidate shall be awarded a Diploma or conferred a Bachelors degree unless He/she shall have undertaken approved courses and satisfied the requirements of the University as set by Senate.
- b. Senate may accept, as part of the attendance of a student of the University for qualifying him/her for the award of the Diploma/Certificate or conferment of a Bachelors Degree, the periods of attendance as a student at another University or Institution recognized by Senate for this purpose; and Senate may accept certificates of proficiency in any subject issued by a University or Institution as aforesaid, exempting him/her from the examination of the University in a course in such subject.
- c. A Student shall be conferred a degree or awarded the Diploma/Certificate having met all requirements as stated in the Common Rules and Regulations for Undergraduate and post graduate Examinations.

**15.3 Honorary Degrees (*Honoris Causa*)**

- a. A proposal to grant a Honorary Degree may be made by a member of Senate, and shall be communicated in writing to the Vice-Chancellor.
- b. Every such proposal shall be accompanied by a statement setting forth the degree recommended and the detailed grounds on which the recommendations are based.
- c. Upon Senate recommendation, the proposal shall be forwarded to Council for approval.

**15.4 Cancellation and Withdrawal of Degree, Diploma, Certificate and other Awards**

Subject to the charter, the University Council on recommendation of Senate may cancel or withdraw such certificates, diplomas, degrees, including honorary degrees or any other awards.

**15.5 Higher Doctorate Degrees**

- a. The Higher Doctorate Degree shall be designed to give formal public recognition of career achievements which represent substantive, original and distinguished contributions to knowledge.
- b. A candidate for the Higher Doctorate Degree shall be:
  - i. A holder of the Doctor of Philosophy degree from any recognized University.
  - ii. The Higher Doctorate shall be conferred only for original published work such as would give a candidate authoritative international standing in his/her particular field of research.
- c. The decision to confer must be based wholly or substantially on original work of distinction carried out by the candidate in association with Maseno. The term 'published' shall mean printed communicated in a refereed journal or book.
- d. A candidate for a Higher Doctorate Degree shall apply to the School of Graduate Studies (SGS) indicating the discipline in respect of which he/she wishes to be considered.
- e. Upon receiving the application, the School of Graduate Studies (SGS) shall make consultation with the Institute/School where-in the discipline in question falls, and if satisfied with the merits of the intended application, shall invite the applicant to place together the published contributions which must strongly support the application, and submit copies of the same in three sets.
- f. However, the Senate, on the recommendation of the Institute/School, may approve the consideration of the application under a different discipline.
- g. The applicant shall provide the following:
  - i. His/her curriculum vitae
  - ii. A concise statement (not exceeding 2,000 words) of the focus of the scholastic contribution of the work intended for submission.
- h. The application shall comply with the Regulations for submission of thesis for a Higher Doctorate Degree as provided for in the post graduate examination rules.
- i. All applicants for the Higher Doctorate Degree shall pay to the University, such fees as may be determined by the University from time to time.



## STATUTE XVI

### 16.0 EMERITUS PROFESSORSHIP

In furtherance to Section 35(1) (a)(i) of the Act and Section 19(2)(o) Council shall appoint Emeritus Professors.

#### 16.1 Appointment

- a. A person shall be considered for appointment as Professor Emeritus on satisfaction of the following conditions;
  - i. Must be a full Professor of the University;
  - ii. Demonstrated exceptional academic mentorship through teaching and supervision of postgraduate students;
  - iii. Demonstrated academic excellence through scholarship, as evidenced by outstanding research and publications.
- b. Nominations for consideration as Professor Emeritus shall originate from the Institutes/Schools for approval by for consideration by Senate and recommended and recommendation to Council for appointments.

#### 16.2 Evaluation Panel for Emeritus Professor

The following shall constitute the panel:

- a. Chairperson of Senate -Chairperson
- b. Deputy Vice-Chancellors -Members
- c. Principal of the relevant College -Member
- d. Dean of the relevant School -Member
- e. Director School of Graduate Studies -Member
- f. Three full Professors, one of whom shall be from the relevant discipline
- g. Registrar Academic and Students Affairs -Secretary

#### 16.3 Terms & Conditions of Appointment of Professor Emeritus

- a. A Professor Emeritus shall for all purposes be regarded as Professor of the University.
- b. The position of Professor Emeritus shall be personal to oneself.
- c. Council, taking into account all relevant matters, shall make provision for compensation for services rendered.
- d. A Professor Emeritus shall be provided with such facilities as may be required for the discharge of academic responsibilities.
- e. A Professor Emeritus shall be a member of the Senate
- f. An Emeritus Professor shall-
  - i. Supervise postgraduate students;
  - ii. Conduct high level research;
  - iii. Attract research funding;
  - iv. Facilitate linkages;
  - v. Any other responsibility that shall be considered appropriate.

## STATUTE XVII

### 17.0 UNIVERSITY EXAMINATIONS

#### 17.1 Establishment, Rules and Regulations

- a. In furtherance to Section 3(1)(e),(2)(a) of the Act and Section 6(t) of the Charter there shall be examinations conducted as prescribed hereunder.
- b. University examinations shall be conducted according to the examination rules and regulations for certificate, diploma, undergraduate and postgraduate studies as contained in these Statutes and the examination Rule book.
- c. There shall be internal and external examiners of the University appointed by Senate upon recommendations of the School/Institute, who shall moderate examination papers where appropriate and examine students in papers assigned to them by the Institute/School;
- d. External examiners shall be appointed from outside the University except in the case of a re-examination.
- e. Every candidate sitting for the University examinations shall pay to the University such fees as may be determined by the University from time to time.

#### 17.2 Board of Examiners

- a. There shall be a Board of Examiners of each School/Institutes which shall consist of all internal and external examiners.
- b. The Dean of School/ Institutes shall be the Chairperson of the Board of Examiners of his/her respective School/ Institutes.
- c. The function of the Board of Examiners shall be to consider examination results and to recommend them to Senate.

## STATUTE XVIII

### 18.0 STAFF MATTERS

#### 18.1 Employment of Staff

- a. There shall be staff of the University employed as provided for under Section 35(1)(a)(i),(v) and 39(1)(a) of the Act, Section 15(1) and 16(1) of the Charter, the State Corporations Act Cap 446, Legal notice No.93 of 2004 and relevant government circulars.
- b. All members of staff shall be employed as provided by the terms of service as provided by Section 22(1)(a) of the Charter.
- c. Subject to this Statute and Section 22(3)(a) of the Charter all members of staff of the University shall be subject to the general authority of Council and of the Vice-Chancellor.
- d. All staff will be deemed to employed as provided for in Section 22(3)(b) and relevant Sections of these Statutes and as per the terms spelled out in the employment contract.
- e. The Vice Chancellor may appoint staff under Grade 13 on terms provided for under the Employment Act subject to approval by Council.

#### 18.2 Terms and Conditions of Service for University Staff

- a. Council of the University shall determine the terms and conditions of appointment of all staff of the University as set out under this statute and take cognizance of the Act, Charter, Public Officers Ethics Act 4 of 2003, Employment Act 2007, Labour Relations Act 2007, Labour Institutions Act 2007, Occupational Safety and Health Act 2007, Work Injury Benefits Act 2007 and all other relevant provisions of the constitution of Kenya.

- b. Council may make other appointments, whether paid or honorary, as it may deem fit as provided in these Statutes.
- c. In furtherance of Section 22(3)(b) of the Charter and Section 18(1)(d) of these Statutes, staff of the University upon meeting their maximum workload satisfactorily may be engaged for additional responsibilities on contractual terms.
- d. In addition to the terms and conditions of appointment there shall be Collective Bargaining Agreements negotiated by respective Unions on behalf of the staff.
- e. Provided that, any changes in such conditions shall apply in individual cases only to the extent that substituting agreements, between the member of staff and the University permits.
- f. The Council may terminate an appointment of any member of staff by giving such notice as may be prescribed in the Terms and Conditions of Service under which such member of staff is engaged.
- g. A member of staff may resign his/her appointment in such manner and on giving such notice as may be prescribed in the Regulations or in the Terms and Conditions of Service under which such member of staff is engaged.
- h. Council shall approve Human Resource Manual and Guidelines to govern terms and conditions of service which shall include the following areas-
  - i. Succession management
  - ii. Performance Appraisals
  - iii. Terms of employment
  - iv. Recruitment
  - v. Career progression
  - vi. Code of conduct
  - vii. Employee relations
  - viii. Staff career development
  - ix. Grievance procedures
  - x. Disciplinary procedures
  - xi. Any other that shall be determined by the Council

**18.2A Appointments Committee for Staff in Grade 1-13**

- a. Membership
  - i. Vice Chancellor – Chairman
  - ii. Deputy Vice Chancellors
  - iii. Two Senate representatives (as appropriate)
  - iv. Chair of respective Department
  - v. Finance officer
  - vi. Legal officer
  - vii. Director Human Resource- Secretary
  
- b. Terms of reference  
To conduct appointment of staff in grade 1-13 and report to Council.

### 18.3 Disciplinary procedures

- a. The Council shall develop and approve and course to apply disciplinary procedure as provided for under Section 63 of the Act, Employment Act Cap.226, applicable Collective Bargain Agreements and other relevant legislations.
- b. In furtherance to Section 63 of the Act there shall be Disciplinary Committees to be constituted in accordance with the categories listed under 18.4 below.
- c. The Council shall undertake disciplinary procedures subject to Section 63 of the Act.
- d. The guiding principles on dispute resolution shall be the following:
  - i. No person may be removed from office or reinstated to office without approval of Council.
  - ii. No person shall be removed from employment by Council or from membership of anybody within the University by Council, unless he/she is given reasonable opportunity to be heard in person by Council.
  - iii. Subject to the Charter, these Statutes and Regulations, no person shall be removed from employment under this Statute unless he has been given adequate notice of any charge made against him and reasonable opportunity and adequate time to: be heard in person, call witnesses; and examine witnesses called against him/her.
- e. 'Good Cause' when used in reference to removal from office, membership or employment means;
  - i. Conviction of felony, misdemeanor or any other offence which Council shall deem to be such as to render the member of staff concerned unfit to continue to hold office; or;
  - ii. gross neglect of duty, professional misconduct or proven incompetence; or;
  - iii. Insubordination or any other conduct which Council shall consider scandalous or disgraceful thus rendering the member of staff unfit to continue holding office in the University or;
  - iv. When one is declared unfit to hold office under the Constitution of Kenya or any other Legislation.
- f. Subject to the provisions of the Employment Act, 2007 a member of staff may appeal a decision of the Disciplinary Committee within the categories outlined below:
  - i. Staff in Grade 11 and above, to the Council
  - ii. Staff in Grade 1-10, to the Vice-Chancellor and thereafter to the Council
- g. An appeal shall be made within 14 days from the date of receipt of the letter communicating the decision of the committee.
- h. Appeals shall be considered and dispensed with within 30 days from the date of the receipt of letter of appeal.

### 18.4 Disciplinary Committees

#### a. Staff in Grade 14 and above

##### Membership

- i. Council member –Chairman
- ii. Two Council members
- iii. Vice-Chancellor - Secretary
- iv. Principal Secretary for the time being responsible for Higher Education
- v. Principal Secretary for the time being responsible for National Treasury
- vi. Deputy Vice-Chancellor, (From relevant Division)
- vii. Legal Officer

## MASENO UNIVERSITY STATUTES 2013

- viii. One Union Representative
- ix. Director Human Resource
- x. Any other officers that shall be invited

### **b. Staff in Grade 11 to 13**

#### **Membership**

- i. Vice-Chancellor - Chairman
- ii. Deputy Vice-Chancellors
- iii. One Senate Representative.
- iv. Dean of respective School
- v. Chair of respective Department
- vi. Registrar Administration and Central Services
- vii. Legal Officer
- viii. One Union Representative
- ix. Director Human Resource- Secretary

### **c. Staff in Grade 1 to 10**

#### **Membership**

- i. Deputy Vice-Chancellor (A & F)
- ii. Deputy Vice-Chancellors
- iii. One Senate Representatives
- iv. Head of respective Departments
- v. Registrar Administration and Central Services
- vi. Finance officer
- vii. Legal officer
- viii. One Union Representative
- ix. Director Human Resource- Secretary

### **d. Terms of reference for all disciplinary committees**

To consider and report to Council matters on staff disciplinary.

## **18.5 Allowances**

- a. Designated officers shall be paid allowance at the rate determined from time to time by Council.
- b. The Vice-Chancellor may from time to time upon approval by Council make payments of such other allowances as deemed necessary to member(s) of staff for carrying out certain responsibilities as shall be deemed necessary.

## **18.6 Retirement and Resignation**

- a. Members of the University who are in the employment of the University shall retire from employment on the attainment of the retirement age as stipulated in the Human Resource manual.
- b. Subject to the Retirement Benefits Act and any subsequent legislation, it shall be presumed that the retirement month shall be June and the date shall be 15<sup>th</sup> of the said month where the said date or month is not clarified.

## STATUTE XIX

### 19.0 FINANCIAL PROVISIONS

#### 19.1 General Provision

- a. The Accounting Officer of the University Subject to provisions of the Public Finance Management Act 2012, Public Procurement and Disposal Act 2005, Public Audit Act 2003 and other subsequent and relevant legislations, shall be the Vice-Chancellor who shall undertake duties that include to-
  - i. Prepare and submit annual estimates to Council;
  - ii. Manage assets and liabilities of the University;
  - iii. Prepare and submit quarterly and annual financial reports to Council;
  - iv. Be responsible to Council for the resolution of operational and financial problems of the University;
  - v. Be responsible to Council for implementation of sound financial management of the University.
- b. Any other financial responsibility as provided for by legislation.
- c. Subject to Section 44 (1) of the Act the Council shall approve annual estimates before the commencement of the financial year to which they relate.
- d. Subject to Section 44(2) of the Act the University may incur expenditures.
- e. Subject to Section 44(3) of the Act the University may appeal for subscriptions, donations or bequests.

#### 19.2 Procurement

- a. In furtherance to Section 44-45 of the Act the University shall undertake procurement in accordance with the provisions of the Public Procurement Act 2005
- b. The Vice-Chancellor shall be responsible for preparation and submission of the annual Procurement plan to the Council for approval.
- c. The Vice-Chancellor shall be responsible for the implementation of procurement regulations.
- d. The Council shall provide oversight on procurement activities and in this respect receive regular reports on the implementation of the annual procurement plan.

#### 19.3 Public Private Partnership

- a. In furtherance of Section 3(2)(e) of the Act the University may enter in to Public Private Partnership in accordance with provisions of the Public Private Partnership Act 2013, Public Procurement and Disposal Act and any other subsequent of relevant legislation in the interests of functions of the University in accordance with the Charter.

#### 19.4 University's Financial Year

- a. The financial year of the University shall be the period of twelve months commencing on the 1st July and ending on the 30th June of the following year in accordance with Section 50 of the Act and Section 26 of the Charter.
- b. In the event of any changes in the financial year and for purposes of the transition from the old financial year to the new financial year consequent upon change, the transition period, whether more or less than twelve months, shall be deemed to be a financial year.

#### 19.5 Annual Estimates

- a. Council shall cause to be prepared annual estimates in accordance to Section 44 of The Act and shall approve the same in accordance with Section 19(2)(r) of the Charter .

- b. Before the commencement of a financial year, the Council shall cause to be prepared estimates of the revenue and expenditure of the University for that year.
- c. The annual estimates shall make provisions for all the estimated expenditure of the University for the financial year concerned, and shall provide for–
  - i. Expenditures on salaries, allowances and other charges in respect of members of the University;
  - ii. Expenditures of pensions, gratuities and other charges in respect of retirement benefits which are payable out of the funds of the University;
  - iii. Expenditures for proper maintenance of buildings and grounds of the University;
  - iv. Expenditures for proper maintenance, repair and replacement of equipment and other moveable property of the University;
  - v. Funding for the cost of teaching, research and outreach activities of the University;
  - vi. Development expenditures; and
  - vii. Creation of such funds to meet future or contingent liabilities in respect of retiring benefits, insurance or replacement of building or equipment and in respect of such other matters as the Council may determine from time to time.

**19.6 Accounts and Audit**

- a. The Council shall cause to be kept proper books of accounts of income, expenditure, assets and liabilities of the University in accordance to Section 47(1) of the Act.
- b. The accounts of the University shall be audited and reported upon in accordance to provisions of Section 47(2-3) of the Act and the Public Audit Act 2003.
- c. The accounts of the University shall be audited by the Auditor-General in accordance with the Public Audit Act, 2003 and the Public Finance Management Act 2012, together with all relevant financial management regulations provided by the Ministry for the time being responsible for public finance.

**19.7 Funds and Property of the University**

- a. Funds of the University shall be sourced in accordance with provisions of Section 44(3) and 45 of the Act and shall include;-
  - i. Capitation grants;
  - ii. Income generating activities;
  - iii. Loans from government and financial institutions;
  - iv. All monies from any other sources provided for or donated to the University;
  - v. Council may, subject to any other written law, regulations and guidelines, appeal to the general public for subscriptions, donations or bequest for the benefit of the University.
- b. Unexpected balances of grants may be expended from one year to the next in accordance with provisions of Section 36 of the Act.
- c. Funds of the University may be invested in accordance with Section 49 of the Act.
- d. All funds of the University, shares, immovable property and securities shall vest in the University as provided for under Section 48 of the Act.

**19.8 Determination of Fees and Charges**

- a. In accordance to Section 19(2)(h) fees and any other charges payable shall be proposed by Management and forwarded to Council for approval where necessary.
- b. There shall be the following charges-
  - i. Consultancy;
  - ii. Ethical review;
  - iii. Project management;
  - iv. Any other that shall be determined by Council

**19.9 Collection of Fees and Charges**

- a. Every person who wishes to be registered as a student for a degree, certificate or other award of the University shall pay the University such registration fees and thereafter, such other fees as Council may determine from time to time.
- b. Every cost centre shall collect such approved charges for goods and services provided.

**19.10 Funds and Accounts of the University**

- a. All the funds, assets and property, movable and immovable, of the University will be managed and utilized by Council in accordance with Section 45(2) of the Act, Charter and the Public Finance Management Act 2012 in such a manner and for such purposes which, in the opinion of Council, would promote the best interest of the University.
- b. Provided that Council shall not charge or dispose off any immovable property vested in it without the prior approval of the cabinet secretary in the Ministry in the mean time



- responsible for finance as provided in the Act and Charter as provided under Section 49(1) of the Act.
- c. There shall be an Endowment fund to which Council shall appoint trustees to oversee the Fund as provided under Section 49(1) of the Act.
  - d. The asset replacement fund shall be utilized for depreciation costs.
  - e. In accordance to Section 46 of the Act unexpended funds of the University shall be carried forward from one year to the other.
  - f. There shall be paid into Endowment Fund all such monies as are received by the University and declared specifically to be payable into that fund which shall include but not limited to donations and grants.
  - g. All the monies of the University shall be paid into any one of the following accounts opened in accordance to Section 60(e) of the Act and Section 19(2)(z) of the Charter-
    - i. Revenue Account;
    - ii. Capital Account;
    - iii. Research and Grant Account;
    - iv. Investment Account;
    - v. Endowment Account.
    - vi. Any other that shall be determined by Council.

**19.10.1 Revenue Account**

- a. There shall be paid into Revenue Account:
  - i. The interest received from the investment of the monies in the Endowment fund.
  - ii. All fees, dues and other amounts payable in respect of students.
  - iii. All revenue grants by the Kenya Government or by other Governments or person or institution.

**19.10.2 Capital Account**

- a. There shall be paid into the Capital Account all such monies as are received by the University for the purposes of capital expenditure and for the construction and improvement of the University.
- b. The capital monies and the interest therefore of the Capital Account, shall be used and applied on capital expenditure for the construction and improvement of the university.

**19.10.3 Research Grants Account**

- a. There shall be paid into the Research Grants Account all such monies as are received by the University for Research Purposes.
- b. Monies in the Research Grants Accounts shall be used and applied by Council for specific purposes in accordance with the agreements made between donors and the University.

**19.10.4 Investment Account**

- a. The University may invest any of the funds in securities as provided for under section 49 of the Act.
- b. The University may, subject to the approval of the Ministry for the time being responsible for finance or any other authorized body, place on fixed deposit with such banks as the University may determine, any monies not immediately required for the purpose of the University as provided in the sec 49(2) of the Act.

**19.10.5 Endowment Fund**

- a. Subject to the provisions of the Act, the monies standing to the credit of the Endowment fund, shall be invested by Council in such securities as trustees are authorized to invest in, under the provisions of the laws of Kenya
- b. Provided that where any sums are received by Council for any payment into the Endowment fund are in the form of stocks and shares of any kind other than securities, then Council may, in its discretion, retain such stocks or shares without converting them into such securities.
- c. The monies or any portion thereof standing to the credit of any of the accounts other than the Endowment Fund of the University may be invested by Council in such securities as Council may deem fit.
- d. Council shall not, save with prior approval of the Trustees, expend any Capital monies of the Endowment Fund and shall pay into the Revenue Account all interest received from investment of monies of the Endowment Fund.

**19.11 Borrowing**

- a. Subject to the Provisions of the Section 45(1)(c) of the Act and Section 19(2)(w) of the Charter, Council may borrow, either by way of overdraft from a bank or otherwise, such sums as it may from time to time require for the development of the University.

**19.12 Regulations**

- a. Council shall ensure that the Medium Term Expenditure Framework (MTEF) of the University are prepared and such estimates shall be approved by Council and the Ministry in accordance with provisions of the Public Finance Management Act 2012, Section 44(1) of the Act, Charter and relevant accounting standards prescribed and published by the National Accounting Standards board.
- b. Council shall ensure that annual estimates of revenue and expenditure (both recurrent and capital) of the University are prepared and such estimates shall be approved by Council and relevant Ministry in accordance with provisions of Section 44(1) of the Act and relevant accounting standards prescribed and published by the National Accounting Standards board.
- c. Council shall not without the prior approval of the Cabinet Secretary and the Treasury, incur any expenditure for which provision has not been made in an annual estimate prepared and approved in accordance with provisions of Section 44(2) of the Act.
- d. Council shall ensure that the final accounts of the University are prepared by Management in accordance with section 47 of the Act, Charter and relevant accounting standards prescribed and published by the National Accounting Standards board.
- e. The Vice-Chancellor shall submit to Council quarterly reports for approval and onward transmission to the relevant Ministry and the Treasury within ten (10) days after the end of each quarter.

## STATUTE XX

### 20.0 SUBSIDIARIES OF THE UNIVERSITIES

#### 20.1 Establishment

- a. There shall be established a wholly owned subsidiary Company under the provisions of Section 6(1)(o) of the Charter which shall be known as “Enterprises of Maseno University Limited”.
- b. Council shall establish any other Company as may be deemed necessary from time to time.

#### 20.2 Enterprises of Maseno University Limited

- a. The Enterprise shall be made up of the following;
  - i. Kisumu Hotel
  - ii. Maseno University Conference Centre
  - iii. Maseno University Press
  - iv. Hostels and Catering Services
  - v. University Farm
  - vi. University Bookshop
  - vii. Any other companies as approved by Council

#### 20.3 The Board of Directors

- a. There shall be a Board of Directors which shall include:
  - i. Council Member (appointed by Council)-Chairman
  - ii. Vice-Chancellor
  - iii. Deputy Vice-Chancellors AFD
  - iv. Two Members from the private sector
  - v. One Senate Representative
  - vi. Principal Secretary - Ministry for the time being responsible for University Education
  - vii. Principal Secretary – Ministry for the time being responsible for Finance
  - viii. Managing Director
- b. The Board of Directors shall be appointed in accordance to Articles and Memorandum of Association.
- c. The Board shall be responsible for providing policy direction to the Enterprise.
- d. The board shall establish the management structure of the Enterprise.
- e. The Board shall provide the business development strategy of the Enterprise
- f. The operations of the Board shall be guided by the Articles and Memoranda of Association and other regulations as set forth by Council.
- g. The Board shall submit quarterly reports to Council.

#### 20.4 Managing Director

- a. There shall be a Managing Director of the Enterprise of Maseno University, who shall be competitively appointed for a period of 5 years and shall be eligible to apply for a further term.
- b. The Managing Director shall be appointed under such terms and conditions as provided by the Board.
- c. The Managing Director shall be the Chief Executive Officer of the company and will serve under such terms as provided for by the Board.
- d. The Managing Director shall be in charge of the day to day operations of the company.

## MASENO UNIVERSITY STATUTES 2013

- e. The Managing Director shall be responsible for managers in charge of the various units under the Enterprise.
- f. The Managing Director shall be the Secretary to the Board

### 20.5 General Responsibilities of the Companies

- a. Develop strategy for new streams of investment and income.
- b. Optimize all the revenue generation activities.
- c. Explore, design and manage income generating ventures of the University.
- d. To channel the resources of the University in a commercial direction that provides maximum benefits to the University.

## STATUTE XXI

### 21.0 MISCELLANEOUS

- a. In furtherance to Section 23(2) of the Act and Section 19(2)(p) and 28(3) of the Charter these statutes shall come in to effect upon approval by Council.
- b. Further to (a) above regulations and rulebooks referred to herein shall come in to effect upon approval by Council.
- c. Where it is provided otherwise in any statute or regulations, such other date shall be deemed to be the commencing date for that particular statute or regulations.
- d. The University Council may amend, add or alter these regulations as it deems fit from time to time. Provided that in accordance with Section 23(1), 35(1)(b) of the Act 20(3)(o) of the Charter and notwithstanding provisions of Section 20(5) the Council shall receive recommendations from the Senate and other entities of the University.
- e. The rules and regulations in force on the day prior to the effective date of these Statutes shall, unless superseded by these statutes or the regulation referred to in paragraph (a) & (b) above of this statute, continue in force as though they were incorporated into these rules set out above and will in the event of any inconsistencies the provisions of these Statutes shall apply.

### 21.1 TRANSITIONAL AND CONSEQUENTIAL PROVISION

#### 21.1.1 Interpretation

Under these provisions, unless the context otherwise specifically states, the interpretation shall be as provided hereunder;

**“Assets”** shall mean all property movable or immovable, human capital, estates, easements and rights, funds equitable and legal, in or out of property, goodwill and any other situated in the Republic of Kenya or elsewhere.

**“Effective date”** shall mean the date on which the Council of the University approves a Statute, Regulation and Policies of the University;

**“Former University”** shall mean Maseno University established under the Maseno University Act 2000;

**“Liabilities”** shall mean all liabilities, debts, charges, liabilities arising out of duties and obligations in their generality current or future and any other situated in the Republic of Kenya or elsewhere.

#### **21.1.2 Repeals, Savings of Rules, Regulations, Processes and Instruments**

- a. Any Statutes in existence immediately before the effective date hereby stand repealed.
- b. Any rules, regulations, order, notification, policies and other administrative actions made or issued immediately before the effective date shall remain in force as long as they are not inconsistent with these Statutes subject to being brought in to conformity within a period not exceeding six months from the effective date.
- c. All pending disciplinary matters immediately before the effective date shall be determined as if they were commenced and conducted in accordance with these Statutes and in compliance with the Charter and the Act.
- d. All instruments issued under the repealed Statutes and in force immediately before the effective date shall be deemed to have been issued under these Statutes.

#### **21.1.3 Governance Organs and Associations**

- a. The Governance Organs and Associations of the former University will be predecessors to the Governance Organs and Associations created in accordance with corresponding provisions of these Statutes, the Charter and the Act.
- b. The Governance Organs and Association of the University shall take over the conduct of business, proceedings and responsibilities of all corresponding organs and associations in existence immediately before the effective date despite variation in title and in so doing facilitate seamless continuity in the overall governance of the University.

#### **21.1.4 Constituent Colleges, Campuses, Campuses, Schools, Institutes, Directorates, Departments**

- a. All Constituent Colleges, Campuses, Schools, Institutes, Departments of the former University in existence before the effective date shall continue to so exist under the University in accordance with these Statutes the Charter and the Act.
- b. The University will within a period not exceeding six months formalize the operations of Directorates in accordance with these Statutes.

#### **21.1.5 Licenses, Certificates and Registrations**

All Licenses, Certificates and Registrations issued by or to the former University shall be regarded as Licenses, Certificates and Registrations of the University.

#### **21.1.6 Property, Assets, Funds, Liabilities, Obligations and Rights**

- a. On the effective date all the funds, assets and other property both movable and immovable which immediately before such day were vested in the former University shall be vested in the University without further conveyance, transfer or assignment.
- b. On the effective date, all rights, obligations and liabilities which immediately before such day were vested in the former University shall be deemed to be the rights obligations and liabilities of the University.
- c. All references to the former University in any agreement or instruments relating to any property, assets, rights, obligations and liabilities under (a) and (b) above and subsisting before the effective date shall unless the context otherwise requires be read as references to the University.

#### **21.1.7 Staff of the University**

- a. Except as the former University otherwise directs, all persons who were members of staff of the former University shall be members of staff of the University and shall be

- deemed to have been appointed under these Statutes and the Charter on the same or improved Terms of Conditions of Service as may be provided for in these Statutes.
- b. The staff establishment of the former University shall be revised to bring it into conformity with provisions of these Statutes, the Charter and the Act and shall be approved by Council within a period not exceeding three months from the effective date.
  - c. Subject to (b) above the staff establishment shall be the establishment of the University from the effective date.

#### **21.1.8 Existing Officers of the University**

- a. Any person in office immediately before the effective date on contractual terms shall remain in office to the end of their term and shall be deemed to serve in the same capacity while undertaking additional responsibilities assigned under these Statutes.
- b. Any person in office immediately before the effective date on permanent and pensionable terms shall remain in office for the balance of the period to his/her retirement or ten years with effect from the effective date, whichever is less.
- c. In furtherance to (b) above any such persons shall serve under the terms and carryout responsibilities outlined under these statutes in the current or corresponding title whichever is the case from the effective date.
- d. A member of staff of the former University may be redeployed in the University upon mutual consent of any such member and the Council.

#### **21.1.9 Deans, Associate Deans and Directors**

Any person in office immediately before the effective date on terms at variance with those under these Statutes shall serve for a period not exceeding six months from the effective date during which period the University shall undertake appointment to the said offices in conformity with these Statutes.

#### **21.1.10 Fees, Levies and Charges**

On the effective date all fees, levies and charges of the former University, shall be deemed to be fees, levies and charges of the University in accordance with these Statutes, the Charter and the Act.

#### **21.1.11 Accounts and Financial Records**

On the effective date all accounts and financial records of the former University shall be deemed to be accounts and financial records of the University in accordance with these Statutes, Charter and the Act.

## **SCHEDULE I**

### **MEMBERSHIP AND TERMS OF REFERENCE OF COUNCIL, AND COUNCIL COMMITTEES**

#### **1.0 Council**

##### **1.1 Membership of Council**

Membership of Council shall be:

- a. Chair Person,
- b. Principal Secretary in the Ministry for the time being responsible for university Education
- c. Principal Secretary in the Ministry for the time being responsible for finance
- d. Five members appointed by the Cabinet Secretary in accordance with sec 36 of the Act
- e. Vice-Chancellor who shall be an ex-officio and the secretary to the council
- f. Any other officer that may be invited as required for a specified task during the meeting.

##### **1.2 Terms of Reference**

Council shall have power to:

- a. Administer the property and funds of the University in a manner and for the purposes which shall promote the interest of the University, however, the Council shall not charge or dispose of immovable property of the University except in accordance with the procedures laid down by the Government of Kenya;
- b. Receive, on behalf of the University, donations, endowments, gifts, grants or other moneys and make disbursements there from to the University or other bodies or persons;
- c. Provide for the welfare of staff and students of the University;
- d. Enter into association with other universities, university colleges or other institutions of learning, whether within Kenya or otherwise, as the Council may deem necessary and appropriate as provided for in section 29 of the Act;
- e. Approve regulations governing the conduct and discipline of the students of the University;
- f. Approve regulations governing the conduct and discipline of the staff of the University;
- g. Raise funds and secure financial support for the University;
- h. Determine University fees and other charges;
- i. Establish scholarships, bursaries and other awards;
- j. Approve the terms and conditions of service and criteria for recruitment, appointment and promotion of staff;
- k. Approve the regulations governing staff and student conduct
- l. Approve academic affiliations and associations with other colleges and institutions;
- m. Establish its Committees;
- n. Establish university colleges, campuses, departments, faculties, schools, institutes and any other teaching facility;
- o. Employ staff
- p. Approve the statutes of the University and cause them to be published in the Kenya Gazette;
- q. Approve the policies of the University;
- r. Approve the budget;
- s. Recommend for appointment of Vice-Chancellors, Deputy Vice-Chancellors and Principals of constituent colleges through a competitive process;

## MASENO UNIVERSITY STATUTES 2013

- t. To confer after receiving a report from the Senate, the title of Emeritus Professor, Visiting Professors, Honorary Professor, Honorary Lecturer or Honorary Fellow;
- u. To promote and to make financial provisions and facilities for execution of the functions of the University;
- v. Subject to the laid down government procedures to approve sale, purchase, exchange, lease, or take on, lease movable and immovable property on behalf of the University;
- w. Subject to the laid down government procedures, to approve the borrowing of money on behalf of the university; and for that purpose and subject to the Act, to mortgage or charge all or any part of the property unless the conditions of the property so held provide otherwise, and to give such other security whether upon movable and immovable property or otherwise as the Council may deem fit;
- x. To receive, on behalf of the University, donations, endowments, gifts, development grants or other moneys and make legitimate disbursements wherefrom;
- y. To approve the constitution of the Students Organization and so far as is reasonably practicable, to ensure that the Students' Organization operates in a fair and democratic manner;
- z. To approve the opening and/or closing of the University's bank account(s) for the funds of the university.
- aa. All documents, other than those required by law to be under seal, made on behalf of the Council, and all decisions of the Council may be signified under the hand of the Chairperson, the Vice-Chancellor, or any other member of the Council or management generally or specifically authorized by the Council to perform such function on its behalf.
- bb. The Council shall ensure that a proper management structure is in place and make sure that the structure functions to maintain corporate integrity, reputation and responsibility.
- cc. The Council shall monitor and evaluate the implementation of policies, strategies and management plans of the University.
- dd. The Council shall receive and evaluate reports on management and governance of the University as provided for by various legislations and the Statutes for effective monitoring and evaluation.
- ee. The Council shall constantly review the viability and financial sustainability of the University, and shall do so once every year.
- ff. The Council shall ensure that the University complies with all the relevant laws, regulations, governance practices, accounting and auditing standards.
- gg. The Council shall perform such other duties as may be contained in the Statutes and may have such other powers as contained in the Act.
- hh. In carrying out its duties the Council may delegate any of its powers or responsibilities to Committees as shall be deemed necessary.
- ii. Council may empower such Committees act jointly with any committee appointed by Senate provided that Council shall not delegate to a Committee the power to approve without further reference to Council the annual estimates of expenditure of accounts.
- jj. Undertake any other that shall be provided for by the Act, Charter, Legislation and Government Circulars

### **2.0 Committees of Council**

- a. The following are the committees of Council:
  - i. Executive Committee
  - ii. Planning, Finance and Investment Committee
  - iii. Human Resource Committee
  - iv. Academic Committee



- v. Audit and Risk Management Committee

## **2.1 Executive Committee**

### **2.1.1 Membership**

- i. Vice-Chairman of Council - Chairman
- ii. Chairman of Council –Ex-officio
- iii. Two other members of Council
- iv. Principal Secretary for the time being responsible for University Education.
- v. Principal Secretary for the time being responsible for Finance
- vi. Vice-Chancellor – Secretary
- vii. Any other officer that may be invited as required

### **2.1.2 Terms of Reference**

- a. Deal with urgent and critical issues on behalf of Council as need arises and submit to council for ratification.
- b. Receive, consider and recommend the University Statutes and make appropriate recommendations to Council for approval.
- c. Consider proposal for the application of the University Seal and submit to council for approval
- d. Consider and submit to council approvals from Senate on candidates for award of degrees of the University.
- e. Advertise, interview, and recommend for appointment of the Vice-Chancellor through a competitive process and report to the council for ratification.
- f. Advertise, interview and appoint the Deputy Vice-Chancellor through competitive process and report to council for ratification
- g. Advertise, interview and appoint Principals and Deputy Principals of Colleges and Campuses through a competitive process and report to council for ratification
- h. Co-ordinate the agenda and conduct of committees and advice council on their performance Authorize
- i. Authorize the virement of funds for emergencies and report to Council for ratification.
- j. Develop, execute, monitor and report to council on the performance of Vice-Chancellor, Deputy Vice-Chancellors and Principals of Colleges
- k. Conduct interviews for employment, appointment and promotion of senior members of faculty and management from grade 14 and above.
- l. Receive recommendation from Senate of the names of top three applicants for the position of Chancellor, ranked by the alumni association and report to the council for noting and onward transmission to the Cabinet Secretary.
- m. Receive, consider and/ or approve proposal for affiliations, linkages, partnerships and associations and report to the council for ratification
- n. Transact any other business as directed by Council.

## **2.2 Planning, Finance and Investment Committee**

### **2.2.1 Membership**

- i. Member of Council - Chairperson
- ii. Two members of Council
- iii. Principal Secretary for the time being responsible for University Education
- iv. Principal Secretary for the time being responsible for Finance
- v. Vice-Chancellor - Secretary

- vi. Any other officer(s) that may be invited as required

**2.2.2 Terms of Reference**

- a. Receive, consider and recommend for Council approval, annual estimates of revenue and expenditure
- b. Oversee compliance of budgetary allocation as approved within its annual budgets.
- c. Generate and receive proposals for subscription, donations and bequest for onward transmission to Council for consideration
- d. Oversee proper recording of accounts of the income, expenditure and assets of the University and submission of financial reports as by law required.
- e. Oversee proper vesting of all immovable property, shares, funds and securities in the name of the University
- f. Receive and consider for onward transmission to Council proposal for investing University funds subject to legal requirements
- g. Receive for consideration and onward transmission to Council reports on management and administration of University;
  - i. land and buildings
  - ii. machinery and equipment
  - iii. funds
  - iv. vehicles
- h. Receive and consider proposals for University fees and any other charges and recommend to the council for consideration and approval
- i. Receive recommendation for onward transmission to Council on scholarships, bursaries and other awards
- j. Receive proposals on opportunities for investments, for processing and onward transmission to council for consideration and approval
- k. Receive and consider proposals on acquisition of fixed assets and recommend to Council for appropriate action
- l. Receive reports on performance of University investments and submit proposals for Council consideration
- m. oversee the development, review and implementation of the University Strategic Plan in conformity with the medium term fiscal frame work and policy objectives
- n. Receive, consider and submit for Council approval the annual Procurement Plan of the University;
- o. Recommend for Council approval the sale, purchase, exchange, lease, or take on of movable and immovable property;
- p. Subject to the laid down government procedures, to recommend for Council approval:
  - i. The borrowing of money on behalf of the University;
  - ii. Mortgaging or charging all or any part of movable and immovable property.
- q. Receive for consideration and recommendation to Council opening, and/or closing of bank account(s) for the funds of the University;
- r. Receive, consider and make recommendation to Council on reports of implementation of the University Master Plan bi-annually;

- s. Receive, consider and submit for Council approval proposals on new projects;
- t. Review the performance of all ongoing projects and submit reports to Council on a quarterly basis;
- u. Transact any other business as directed by Council

## **2.3 Human Resource Committee**

### **2.3.1 Membership**

- i. Member of Council – Chairman
- ii. Two other members of Council
- iii. Principal Secretary for the time being responsible for University Education
- iv. Principal Secretary for the time being responsible for Finance
- v. Vice-Chancellor – Secretary
- vi. Any other officer(s) that may be invited as required

### **2.3.2 Terms of Reference**

- a. Oversee the conduct of interviews for employment, appointment and promotion of members of faculty and staff from grade 13 and below and submit reports to council;
- b. Consider and recommend for approval terms and conditions of service; criteria for recruitment, appointment and promotion of staff;
- c. Oversee the development and implementation of a Human Resource strategy;
- d. Receive and consider reports on staff welfare;
- e. Receive and consider proposals for the provision of Occupational Safety and Health facilities and systems for staff and students;
- f. Receive, consider and recommend for approval regulations governing students and staff conduct and discipline;
- g. Receive, consider, discuss and recommend to council proposals on staff establishment of the University;
- h. Adjudicate on staff and student disciplinary appeals;
- i. Oversee the mainstreaming into policies and practices on gender balance, equality of opportunities, equalization of persons with disabilities, minorities and other marginalized groups and submit reports to Council;
- j. Receive reports on gender balance, equality of opportunities, equalization of persons with disabilities, minorities and other marginalized groups;
- k. Transact any other business as directed by Council.

## **2.4 Academic Committee**

### **2.4.1 Membership**

- i. Member of Council – Chairperson
- ii. Two other members of Council
- iii. Principal Secretary for the time being responsible for University Education
- iv. Principal Secretary for the time being responsible for Finance
- v. Vice-Chancellor – Secretary
- vi. Any other officer(s) that may be invited as required.

**2.4.2 Terms of Reference**

- a. Receive and consider reports from Senate and make recommendations to Council on Academic Matters including:
  - i. Curriculum and academic standards of any course of study.
  - ii. The establishment, harmonization or abolition of Schools, Institutes, Units, Departments, and Centres.
  - iii. Academic affiliations, linkages, partnerships and associations.
  - iv. Promotion of research and innovation work in the University and dissemination of the findings.
  - v. Quality standards and assurance of education, training, research and innovation.
  - vi. Regulations for the eligibility of persons for admission to a course of study.
  - vii. Regulations for the standard of proficiency to be gained in each examination for a degree, diploma, certificate or other award of the university;
  - viii. The Constitution of the Students' Association.
- b. Receive and consider reports on students welfare;
- c. Oversee the constitution of an Alumni Association and receive reports on their proposals and recommendations;
- d. Transact any other business as directed by Council.

**2.5 Audit and Risk Management Committee**

**2.5.1 Membership**

- i. Member of Council – Chairman
- ii. Two other members of Council one of whom should be well-versed in financial matters
- iii. Principal Secretary for the time being responsible for Finance
- iv. Chief internal Auditor/Secretariat
- v. Any other officer(s) that may be invited as required.

**2.5.2 Terms of Reference**

- a. Receive, review and recommend internal control mechanisms towards improving efficiency, effectiveness, transparency and accountability;
- b. Receive and discuss internal and external audit reports and make recommendations to Council;
- c. Review and oversee the settlement and implementation of recommendations from the Public Accounts and Public Investments Committees (PAC/PIC)
- d. Review and regularly report to Council on the effectiveness and efficiency of the internal audit function;
- e. Review Management procedures and make proposals to Council for mainstreaming of Risk Management, Controls and Governance;
- f. Review and submit for Council approval the Audit and Risk Management Committee and internal audit department charters, and the internal audit annual work plans;
- g. Review and submit proposals to Council on improvement of efficiency and effectiveness of Management systems, including and not limited to high risk areas such as public finance, human resource, academic programs, and general internal controls;
- h. Review and submit a report to Council on compliance with policies, laws, regulations, procedures, plans, and ethics;
- i. Initiating special audit/investigation on any allegations, concerns and complaints regarding corruption, lack of accountability and transparency;

- j. Receive, consider and submit to Council progress reports from the head of internal audit unit including:
  - i. Work performed compared with work planned.
  - ii. Key issues emerging from internal audit work done.
  - iii. Status of management response to audit findings and recommendations.
  - iv. Changes to the annual work plan.
  - v. Any limitation in resources that may affect the implementation of internal audit work plan.
- k. Transact any other business as directed by Council.

## **2.6 Council Secretariat**

- a. The Council Secretariat shall be responsible to the Vice-Chancellor.
- b. It shall be made up of-
  - i. Council Affairs Officer
  - ii. Administration Assistant
  - iii. Support staff
- c. Under the directives of the Council Secretary the Secretariat shall undertake the following:
  - i. Assisting the Council and its Committee in the conduct of business by taking accurate recording of its deliberations;
  - ii. Providing effective and efficient service including provision of materials for all Council and Committee meetings;
  - iii. Custody of Council minutes and documents;
  - iv. Preparation of Council and Committee agenda documents;
  - v. Coordinating with relevant departments to provide information and documentation required by Council and Committee meetings;
  - vi. Ensure that running of all Council and meetings according to the schedule;
  - vii. Provide logistical support to Council;
  - viii. Compile documentation for council and Committee meeting
  - ix. Provide secretarial duties to Council
  - x. Any other duties assigned by Council

## **SCHEDULE II**

### **ADMINISTRATIVE DEPARTMENTS**

#### **1.0 Vice-Chancellors Office**

The Vice-Chancellor's office shall be made up of the following departments:

- i. Legal
- ii. Audit
- iii. Procurement
- iv. Public Relations and Marketing
- v. Directorate of Quality Assurance and performance Management
- vi. Directorate of Information, Communication and Technology
- vii. Any other department that shall be approved by Council from time to time

#### **2.0 Administration and Finance and Development Division**

Shall be made up of the following departments:

- i. Personnel
- ii. Recruitment training and welfare

- iii. Central Services
- iv. Estates
- v. Medical Services
- vi. Transport
- vii. Directorate of Development
- viii. Directorate of Human Resource
- ix. Any other department that shall be determined by Council.

**3.0 Academic and Students Affairs Division**

This shall consist of the following Departments;

- i. Registrar, Academic and Students Affairs
- ii. Library
- iii. The School of Graduate studies
- iv. Directorate of Students welfare
- v. Schools and Institutes
- vi. Any other that shall be determined by Council.

**4.0 Partnerships, Research and Innovations Division**

This shall consist of:

- i. Directorate of Publication, Research and Innovations
- ii. Directorate of Linkages, Partnership Outreach and Consultancies
- iii. Any other that shall be determined by Council.

**5.0 Management Committees**

The following are the committees of Management:

- a. Executive Committee
- b. Planning, Finance and Investment Committee
- c. Human Resource Committee
- d. Academic Committee
- e. Audit and Risk Management Committee

**5.1 Membership and Terms Reference**

**5.2. Executive Committee**

**Membership**

- i. Vice-Chancellor –Chairman
- ii. Deputy Vice-Chancellor AFD
- iii. Deputy Vice-Chancellor ASA
- iv. Deputy Vice-Chancellor, PRI
- v. Principals of Colleges
- vi. Finance Officer
- vii. Legal Officer
- viii. Director of Quality Assurance and Performance Management
- ix. Registrar Administration and Central Services - Secretary
- x. Any other that shall be invited from time to time

### **5.2.1 Terms of Reference**

- a. Deal with urgent and critical issues on behalf of the Management.
- b. Make proposals to the Management Board to request Councils' approval for application of the University Seal.
- c. Make proposal to the Management Board on vacancies.
- d. Make proposals to the Management Board for virement of funds for emergencies.
- e. Make proposals and recommendations for affiliation, Linkages, Partnerships & Collaborations to the Management Board.
- f. Oversee the implementation of Quality Assurance and Performance Management.
- g. Transact any other business as may be requested by council

### **5.3 Planning, Finance and Investment Committee Membership**

- i. Deputy Vice-Chancellor AFD – Chairman
- ii. Deputy Vice-Chancellor, PRI
- iii. Deputy Vice-Chancellor, ASA
- iv. Principals of Colleges
- v. Finance Officer
- vi. Legal Officer
- vii. Director of Development
- viii. Director of Linkages, Outreach and Consultancies
- ix. Director of Information Communication and Technology
- x. Registrar Administration and Central Services - Secretary
- xi. Any other that shall be invited from time to time

### **5.3.1 Terms of Reference**

- a. Present annual estimates of revenue and expenditure to the Management Board.
- b. Ensure proper recording of accounts of the income, expenditure and assets of the university.
- c. Submit statutory financial report to the Management Board.
- d. Present proposals for investing University funds.
- e. Make Proposals on University fees and any other charges.
- f. Submit reports on the management and administration of University's' land, buildings, machinery, equipment, funds, vehicles.
- g. Recommend to the management opportunities for Scholarships, Bursaries and other awards.
- h. Make proposals on opportunities for investments.
- i. Make proposals on acquisition of fixed assets for university.
- j. Present reports on performance of the University investments.
- k. Make proposals for the University framework and Policy objectives.
- l. Oversee the preparation of the annual Procurement Plan of the University.
- m. Make proposals on the sale, purchase, exchange, lease or take on of moveable and immovable property
- n. Oversee the implementation of ICT and submit reports to Management.
- o. Oversee the implementation of the University Master Plan annually and submit its implementation report to the management.
- p. Oversee the coordination and dissemination of benefits of linkages, outreach and consultancies.
- q. Make Proposals and recommendations for new projects.

- r. Present quarterly reports to the management on performance of all ongoing projects
- s. Transact any other business as may be directed.

#### **5.4 Human Resource Management Committee Membership**

- i. Deputy Vice-Chancellor AFD – Chairman
- ii. Deputy Vice-Chancellor, ASA
- iii. Deputy Vice-Chancellor, PRI
- iv. Principals of Colleges
- v. Registrar Administration and Central Services
- vi. Legal Officer
- vii. Finance Officer
- viii. Director Human Resource - Secretary
- ix. Any other that shall be invited from time to time

##### **5.4.1 Terms of Reference**

- i. Make proposals on terms and conditions of service, criteria for recruitment, appointment and promotion of staff.
- ii. Make proposals and oversee the implementation of human resource strategy and Policy.
- iii. Submit report on staff welfare.
- iv. Make proposals for the provision of Occupational Safety and Health facilities and systems for staff and students.
- v. Recommend to Management the regulations governing students and staff conduct and discipline.
- vi. Develop staff establishment of the university.
- vii. Report to Management on staff disciplinary matters.
- viii. Report to the Management the implementation of gender and disability policies, minorities and other marginalized groups.
- ix. Transact any other business as may be directed.

#### **5.4 Academic and Students Affairs Committee Membership**

- a. Deputy Vice-Chancellor ASA -Chairman
- b. Deputy Vice-Chancellor, AFD
- c. Deputy Vice-Chancellor PRI
- d. Principals of Colleges
- e. Registrar, ASA
- f. One admitting Dean
- g. Librarian
- h. Legal Officer
- i. Director Linkages, Outreach & Partnership
- j. Director Partnerships, Research & Innovations
- k. Director Student Affairs- Secretary
- l. Any other that shall be invited from time to time



#### **5.4.1 Terms of Reference**

- i. Receive and consider reports on academic matters from senate including but not limited to curriculum and academic standards of any course of study.
- ii. Make proposals for the establishment, harmonization or abolition of Schools, Institutes, Units, Departments, and Centers.
- iii. Oversee academic affiliations, linkages, partnerships and collaborations.
- iv. Oversee the promotion of research and innovation work in the University and dissemination its findings.
- v. Oversee the implementation of quality standards of education, training, research and innovation.
- vi. Oversee implementation of regulations on admission, examination and conferment of Degrees and award of Diplomas and Certificates.
- vii. Oversee the activities of the Students Association.
- viii. Oversee the activities of the Alumni Association.
- ix. Transact any other business as directed by Management board.

#### **5.5 Audit and Risk Management Committee Membership**

- a. Deputy Vice-Chancellor AFD - Chairman
- b. Finance Officer
- c. Internal Auditor
- d. Any other as may be required form time to time

#### **5.5.1 Terms of Reference**

- i. Make proposals for internal control mechanisms towards improving efficiency, effectiveness, transparency and accountability.
- ii. Receive internal and external audit reports and make recommendations to Management.
- iii. Ensure the settlement and implementation of recommendations from the Public Accounts and Public Investments Committees (PAC/PIC).
- iv. Review and regularly report to Management on the effectiveness and efficiency of internal audit function.
- v. Develop and implement internal audit annual work plans.
- vi. Identify any limitation in resources that may affect the implementation of internal audit work plan and report to Management.
- vii. Identify and manage audit risks.
- viii. Review and submit reports to management on compliance with policies, laws, regulations, procedures, plans, and ethics.
- ix. Submit to management special audit/investigation report on any allegations, concerns and complaints regarding corruption, lack of accountability and transparency.
- x. Ensure compliance with policies, standards, procedures and applicable Laws & Regulations.
- xi. Transact any other business as directed by the Management Board.

## SCHEDULE III

### SENATE STANDING COMMITTEES

#### 1.0 Deans Committee

##### 1.1 Membership:

- i. Deputy Vice-Chancellor, Academic and Students Affairs - Chairperson
- ii. All other Deputy Vice-Chancellors
- iii. Principals of Colleges
- iv. All Deans and Directors
- v. Librarian
- vi. Chairperson of Health Service
- vii. Dean of Students
- viii. Registrar Administration and Central Services
- ix. Legal Officer
- x. Registrar, Academic and Students Affairs - Secretary

##### 1.2 Terms of reference

- a. To look in to preparation of courses and curriculum.
- b. Develop relevant policies, and make recommendations to Senate for approval.
- c. Process and recommend University admissions to Senate.
- d. Consider deferment/readmission requests from students.
- e. Coordinate the scheduling of teaching programmes.
- f. To coordinate graduation procedures and arrangements.
- g. To grant scholarships, fellowships and awards and to revoke any such grants in accordance with Statutes and regulations.
- h. Receive and Approve examination results.
- i. Any other duties as shall be determined by Senate.

#### 2.0 Students' Disciplinary Committee

The Students disciplinary committee shall be a standing committee of Senate.

##### 2.1 Membership:

- i. Deputy Vice-Chancellor, Academic and Students Affairs - Chairperson
- ii. Deputy Vice-Chancellor, Administration, Finance and Development
- iii. Deputy Vice-Chancellor, Partnerships, Research and Innovations
- iv. Principal of relevant College
- v. Chairperson of relevant Department
- vi. Dean of Students
- vii. Dean of relevant School
- viii. Head of relevant Department
- ix. President and Secretary General of the Student Organization
- x. Legal Officer
- xi. Registrar Academic and Students Affairs (Secretary)

##### 2.2 Terms of Reference and Procedures

- a. Subject to these Statutes, the Disciplinary Committee shall have such powers in relation to matters of students 'discipline as shall be prescribed in the Regulations.
- b. Subject to these Statutes and the Regulations, a student may, within a period which shall be specified in the Regulations, appeal to the Vice-Chancellor against the decision

- or recommendation of the Disciplinary Committee and to Chairperson of Council against the decision or recommendation of the Vice-Chancellor.
- c. On receipt of an appeal by a student, the Chairperson of Council shall appoint an Appeal Board consisting of not less than two and not more than four members and the Chairperson of Council who shall be an *ex-officio* member. The decision of the Appeal Board shall be final.
  - d. On application to the Disciplinary Committee a student shall have the right to receive adequate notice of the charges made against him, to be heard in person, to call witnesses and to examine witnesses called against him/her.
  - e. Applications and appeals shall not be held in public and the Disciplinary Committee and the Appeal Board shall each have the right to summon and examine any member of the University and to invite and examine any other person.
  - f. Decisions of the Disciplinary Committee, of the Appeal Board and of Senate shall be by simple majority of the members attending. The Chairperson shall have a casting as well as a deliberative vote and, subject to the provisions of this Statute, all matters relating to the procedure of the Disciplinary Committee and of the Appeal Board shall be prescribed in the Regulations.
  - g. Subject to these Statutes, Regulations may prescribe penalties which may be imposed on students who are subject to disciplinary action and conditions under which such penalties shall be imposed as well as the procedure for their enforcement.
  - h. Without prejudice to the rights of the student specified in subsections (b), (c), (d) (e) and (f) above, the Vice-Chancellor may suspend any student from any class or classes and exclude any student from the whole or any part of the University or its precincts for such period as he may deem fit and shall report such suspension or exclusion to a special meeting of the Disciplinary Committee to be convened within fourteen days of date of such suspension or exclusion.
  - i. Subject to the rights of the students specified in the foregoing subsections, the Disciplinary Committee may amend, ratify or remove the suspension or exclusion of the student, and where a student who has been suspended or excluded is considered to have been guilty of grave misconduct the Committee may recommend to the Senate through the Vice-Chancellor the expulsion of the student from the University and the decision of the Senate shall be communicated to Council.
  - j. Subject to paragraph (g) above the Senate may not take any action on a decision or recommendation of the Disciplinary Committee where the student may appeal under paragraph (b) above until the period which he may appeal has expired or, if he has appealed within that period, until the decision of the Vice-Chancellor or the Appeal Board is made.
  - k. In the case of a student whom the Disciplinary Committee has recommended to the Senate to expel from the University, the Disciplinary Committee may direct that any such student shall be suspended from any class or classes or excluded from any part of the University or its precincts during the whole or any part of the time between the recommendation of the Disciplinary Committee to expel such a student and the decision of the Appeal Board or, in the case where a student does not exercise his right to appeal, the expiry of the period within which the regulations authorize that right to be exercised.

### **3.0 Library and ICT Committee**

#### **3.1 Members of the committee**

- i. Deputy Vice-Chancellor, Academic and Students Affairs– Chairperson
- ii. Principals of Colleges
- iii. Director, eCampus
- iv. Director, ICT
- v. Registrar, Academic and Students Affairs
- vi. Two nominees from admitting Deans,
- vii. One Senate Representative
- viii. Students Representative
- ix. University Librarian - Secretary

#### **3.2 Terms of reference**

- a. To consider University-wide information strategies and policies in relation to the Library and to contribute to the development of library and information strategy, policies, services and resources.
- b. To support the development of ICT policies.
- c. To set up systems for development of ICT infrastructure.
- d. To ensure that ICT services are adopted to enhance Decision Support Systems.
- e. To document information about the library and information requirements of the academic community.
- f. To share and disseminate information and good practice with respect to the provision of library services, delivered in collaboration between departments and the Library.
- g. To consider the financial needs of the Library and to provide relevant advice to the Senate and other appropriate bodies.
- h. To report to Senate on significant Library and ICT initiatives.
- i. To consider any other matters referred to it by Senate.

### **4.0 Staff Welfare and Training Committee**

#### **4.1 Members of the Committee**

- i. Deputy Vice-Chancellor, Administration, Finance and Development – Chairperson
- ii. Deputy Vice-Chancellor, Academic and Students Affairs
- iii. Deputy Vice-Chancellor, Partnerships, Research and Innovations
- iv. Principals of Colleges
- v. Two Senate Representative
- vi. One Non-Teaching Staff Representative
- vii. Relevant head of Department
- viii. Registrar Administration and Central Services
- ix. Director Human Resource-Secretary

#### **4.2 Terms of Reference**

- a. To consider issues dealing with the Welfare of staff including health, housing
- b. To make recommendations to Senate on issues affecting welfare of staff.
- c. To consider staff/institutions training needs
- d. To consider staff for training.
- e. Any other business as shall be determined by Senate.