

VIHIGA KISII UNIVERSITY STUDENTS  
ASSOCIATION.

(VIKUSA)



THE CONSTITUTION

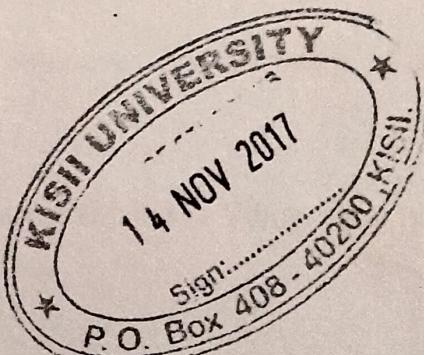
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# **THE KISII UNIVERSITY VIHIGA COUNTY STUDENTS ASSOCIATION**

## **CONSTITUITON**

### **Preamble**

We the Kisii university students of vihiga county affiliation, in realization and exercise of our right to freedom of association as secured under the kisii university student rules article 15.1 paragraph 1 and article 36 of the 2010 Kenya constitution do hereby come into association in promotion, protection and realization of our similar interests.

### **Part 1-establishment of the association**

#### **Article 1. Establishment and naming of the association**

**Article 1.1.** There hereby is established an association to be known as *The Kisii University Vihiga County Students association.*

**Article 1.2.** The association for purposes of continued recognition and or publicity may use the abbreviation *VIKUSA* (vihiga county kisii university students association) in advancing of its objectives and purposes.

#### **Article 2. Nature of the association**

**Article 2.1.** The established association herein shall be one tasked with realizing its objectives and purposes to its members who are recognized Kisii university students and are affiliated to Vihiga County either by way of birth, ethnicity and or residence.

#### **Article 3. Objectives and purposes of the association**

**Article 3.1.0.** Without prejudice to the others, the primary objectives and purposes of the association shall be to-

3.1.1 Foster the unity of all Kisii university students who are affiliated to Vihiga County;3

- 3.1.2 Establish a convenient forum where kisii university students affiliated to Vihiga county can air their views of similar interest;
- 3.1.3 Present/communicate kisii university students affiliated to vihiga county grievances before kisii university administration or any other relevant legal institution;
- 3.1.4 Initiate and maintain appropriate and efficient social welfare programs aimed at aiding in particular needy students in the association
- 3.1.5 Promote/encourage academic excellence among Kisii university students associated to Vihiga county
- 3.1.6 Where appropriate and reasonable, re-present the Kisii university students affiliated to Vihiga County in any legal and formal forum;
- 3.1.7 Promote, protect and maintain the identity and culture of vihiga county within and outside kisii university Main Campus;
- 3.1.8 Establish and maintain a long lasting effective, reliable and beneficial link between the association and Vihiga county;
- 3.1.9 Foster healthy relations between the association and the local community.

#### **Article 4. Motto and vision of the association**

**Article 4.1.** Notwithstanding any provision in this constitution, the motto and vision of this association shall be proposed and adopted in the first general meeting after the promulgation of this constitution, and may be subject to subsequent alteration but only during a general meeting.

## **Part 2-administration of the association**

### **Article 5. Administrative organ of the association**

**Article 5.1.** Within the said association, there shall be an administrative body organ to be known as the **executive council** and without any prejudice to the generality, the primary purpose of the committee shall be through administration realize the objectives of the association as saved under article 2(1) of this constitution.

**Article 5.2** Save as may be otherwise provided under this constitution the executive committee shall be composed of the following persons coupled with their functions respectively:

#### **5.2.0.Patron**

There is hereby established the position of the patron who may be a dormant executive member, save for the following functions-

- 5.2.1. Act as link between the association and the kisii university administration;
- 5.2.2. Act as the chief advisor of the association;
- 5.2.3. Assist the committee in searching and linking of the association to the corporate world for the benefit of the association;
- 5.2.4. Where possible lobby for funds from various legal avenues;
- 5.2.5. Carry out any other task in consultation with the other executive members, which might be appropriate and or necessary for the association

#### **5.3.0.Chairperson**

There is hereby established the position of the chairperson, whose functions/duties shall include-

##### **5.3.1.Summoning and chairing executive meetings;**

**5.3.2.** Proposing before the executive committee of any relevant and beneficial actions, initiatives, policies, and or programs for adoption to the association;

5.3.3. Submitting a detail report of account on the track record of the executive committee in every general meeting  
5.3.4. defending the existence and or interests of the associations at all times;  
5.3.5. Acting as a symbol of unity for the association;  
5.3.6. Representing the association in any legal and official forum within and outside the university;

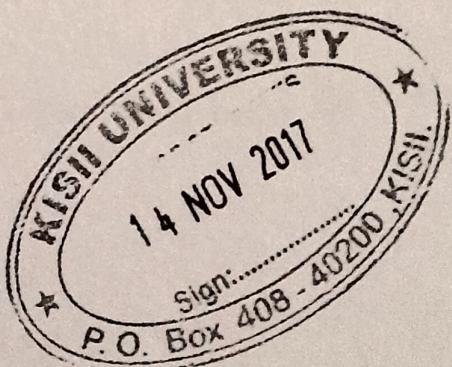
5.3.7. Defend and uphold this constitution and any other legal binding rules at all times  
5.3.8. Where possible lobby for funds from various legal avenues.

#### 5.4.0. Vice chairperson

There is also hereby procured the post of the vice chairperson, whose functions/duties shall include:

5.4.1. Act on behalf of the chairperson in his/her absence or directive;  
5.4.2. Taking part in the discussions, proposal and adoptions of agenda's in the executive committee meetings;  
5.4.3. Act as symbol of unity for the association;  
5.4.4. Defend and uphold this constitution and any other legal rule

#### 5.5.0. Secretary general



the following functions/duties:

- 5.5.1. Acting as the secretary to the executive committee;
- 5.5.2. Taking down and keeping a record of minutes for all meetings in the association;
- 5.5.3. Taking charge of the day to day administration of the association;
- 5.5.4. Taking part in the discussions, proposal and adoptions of agenda's in the executive committee meetings
- 5.5.5. Chairing any special or general meeting held by the association;
- 5.5.6. Communicating any relevant information to the association members and or to any other legal avenue as of that matter.
- 5.5.7. Safe keeping of the association property
- 5.5.8. Defend and uphold this constitution and any other legal rule
- 5.5.9. Perform any other function as may be directed by the executive committee.

#### 5.6.0. Treasurer

There is hereby established the position of the treasurer, whose functions/duties shall be-

- 5.6.1. Responsible and with utmost integrity register, collect and safely keep registration fees for all new members of the association
- 5.6.2. Responsible and with utmost integrity collect, record and safely maintain renewal fees received from the existing members of the association
- 5.6.3. Responsible and with utmost integrity receive and record any other income/funds acquired by the association in the books of accounts other than the registration and renewal fees;
- 5.6.4. Responsible and with utmost integrity make and or give a proper account of expenditure of the association funds;
- 5.6.5. Responsible for the conducting proper accounts and safe keeping of books of accounts the association;

5.6.6.Taking part in the discussions, proposal and adoptions of agenda's in the executive committee meetings

5.6.7.Uphold the law and defend existence and or interests of the association at all times.

#### 5.7.0. Organizing secretary

There is also hereby, established the seat of organizing secretary, whose sole duties/functions shall be-

5.7.1.Organizing with the aid of any other executive committee member avenues and necessities for smooth and efficient undertaking of the associations' meetings

5.7.2.Organize with the aid of any other executive committee member, the necessary requisites for efficient realization of any other event internal or external other than the meetings for the association

5.7.3.Taking part in the discussions, proposal and adoptions of agenda's in the executive committee meetings

5.7.4.Defending the existence and or interests of the association at all times.

### **Article 6. Delegation of duty(s)**

**Article 6.1.** Unless provided otherwise under this constitution, the executive council may where necessary, appropriate and primary interest of the association delegate part of its duties, powers and or functions to another entity that shall realize such obligation effectively and effectively compared if it would have done by itself to the association

## **Article 7. Creation of other seats**

**Article 7.1.** Save as otherwise demanded by this constitution, the executive council may establish any other post or committee for the purposes of efficient and effective administration of the association, subject to approval by members in a general meeting of the association.

## **Article 8. Decisions of the council.**

**Article 8.1.** The council shall reach their decisions by way of majority's vote, whereby each person shall represent one vote.

**Article 8.2.** pursuant to article 8.1 of this constitution where there arises an instance of stale mate or even in the outcome votes then the chairperson's shall be the only person permitted to vote for a second time and that vote shall be used to break the stalemate earlier on.

## **Article 9. Values and principles of administration**

**Article 9.1.0.** Notwithstanding any other provision in this constitution, the executive council shall at all times in its exercise of administrative powers of the association, shall embrace the following but not limited to values and principles as a matter of good administration.

9.1.1. Loyalty, honesty, courtesy, respect, creativity, hard work and self-devotion;

9.1.2. Accountability, transparency, integrity, equity and equality, membership participation, democracy and respect to members rights and their human dignity and fundamental rights

**Article 10. Requisites for appointment of the patron**

**Article 10.1.0.** The patron shall not be qualified for appointment unless he/she satisfies the following requirements-

- 10.1.1. Is a qualified and recognized staff of Kisii university;
- 10.1.2. Is a person of integrity and good reputation in Kisii university
- 10.1.3. Has shown interest in the ideas, objectives and purposes of the association ;
- 10.1.4. Is well in-formed of Vihiga County.

**Article 10.2.0** Before a person is appointed as a patron of the association he/she shall make an application in writing indicating his/her interest before the executive committee of such seat.

**Article 10.2.1.** Thereafter upon being satisfied that the applicant(s) have met the requirements saved under article 10.1 of this constitution, the committee shall within fourteen days from the date of receipt of such an application and its consideration, cause for call of a special meeting to its members and hold an election where there is more than one proposed applicant for election.

**Article 10.2.2.** Where an applicant pursuant to article 10.2.1 has been successfully elected by the members of the association and declared by the council, the said executive council shall within two days from the date of such election, submit such recommended applicant's name before the dean of students for approval.

**Article 10.2.3.** Where the dean of students considers for the approval of such elected applicant or upon fulfillment of a pre-condition for appointment, the elected applicant shall therewith immediately and henceforth be regarded as the patron of the association until such a time when he/she shall cease to be the patron.

**Article 11. Grounds and procedure for removal of the patron**

**Article 11.1.0** The patron shall be removed from his/her position only on the grounds of-

- 11.1.1. Physical or mental Incapacity;
- 11.1.2. Gross misconduct;
- 11.1.3. Serious violation of this constitution;
- 11.1.4. Incompetence ;
- 11.1.5. Under a reasonable and justifiable directive from the dean of students ordering for his/her removal

**Article 11.2.0** Notwithstanding any other provision in this constitution, the patron shall be removed by way of petition.

**Article 11.2.1.** Such petition shall be in writing, clearly specifying grounds for removal, valid reasons supporting such removal and any other evidence attached thereto by any person qualified as an active registered member of the association

**Article 11 .2.2.** Pursuant to article 7(2) (1) of this constitution such petition shall be presented before the council through any accessible official person, and upon its reception by the council, the council shall there after within ten days from the date of such reception proceed immediately convene a forum and put to trial such matters before it, taking into consideration the rules of fair trial and thereafter guided by the dictates of impartiality and integrity in making of its finding and recommendation

**Article 11.2.3.** With regard to article 11.2. under this constitution, the council shall within three days from the date of closure of the hearing make and publish its findings and recommendation to the members using the most conspicuous and convenient mode of mass communication, in furtherance such notice shall contain information calling for a special meeting of all its members indicating the time and venue and reason for such.

**Article 11.2.4.** With respect to article 11.2.3, such special meeting shall be for the purpose's of giving the members the opportunity and authority to make a final decision by way of vote on the fate of the patron after being well informed on the findings and recommendation of the council, such final decision shall be arrived by way of simple majority vote

## **Article 12. Vacancy of the post of the patron**

**Article 12.1.0** the position of the patron shall be declared vacant by the executive committee on the following events-

12.1.1. By submission in writing a letter of resignation by the patron one month to resignation

12.1.2. By death of the patron

12.1.2. Without any reasonable excuse absent for one semester academic semester without attending the association's meeting or other activities

## **Article 13. Requisites for the appointment of other executive members.**

**Article 13.1.0**. Notwithstanding any other provision in this act, the following shall be the primary requirements for the election of the chairperson, vice chairperson secretary general, treasurer and organizing secretary and any other as the case may be otherwise-

13.1.1. must be a fully registered member

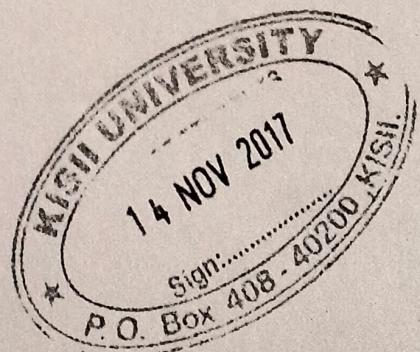
13.1.2. must not be in the final year of study

13.1.3. must not be holding any executive position in any other association registered in kisii university.

13.1.4. must be affiliated to vihiga county

13.1.5. must be well informed with the history of Vihiga of county

13.1.6. must be a person of good conduct and reputation in kisii university



**Article 13.2.0.** with regard to article 13 of this constitution, before a person is elected as an executive member of the association he/she shall make an application in writing indicating his/her interest of election, if it is for a general election, a selected panel of three elder students in their final year, two weeks to the date of the second general meeting from the last general election and for a by election seven days to a special meeting before the existing executive council.

**Article 13.3.0.** Thereafter upon being satisfied that the applicant(s) have met the requirements saved under article 13.1 of this constitution, the three elected elders or executive council shall organize and manage the general election or a by election in their respective meetings.

**Article 13.4.0** The elections shall be done in a democratic manner, whereby each registered member shall have one equal vote and by way of majority a winner of the candidates in either of the respective seats shall be declared to as the winner by the body Managing the election .

**Article 13.5.0.** A person declared the winner pursuant to article 13.4 of this constitution shall automatically and or immediately acquire such position.

#### **Article 14.1.0. Gender equality of the elected persons**

**Article 14.1.1.** The body or persons in charge of any elections under this constitution and pursuant to article 13, may where possible and favorable circumstance cause for ensuring at least not more than two thirds of the elected persons are of the same gender

#### **Article 15. 1.0.Term of service of the council**

**Article 15.1.1.** The tenure of service for any member of the executive council shall be unless otherwise valid for only two consecutive semester, thereon such persons shall not be eligible for re-election

## **Article 16. Grounds and procedure for removal of any of the executive council members.**

**Article 16.1.0.** An executive member shall be removed from his/her position only on the grounds of-

- 16.1.1. Physical or mental Incapacity;
- 16.1.2. Gross misconduct;
- 16.1.3. Serious violation of this constitution;
- 16.1.4. Incompetence ;
- 16.1.5. Under a reasonable and justifiable directive from the dean of students ordering for his/her removal

**Article 16.2.** Notwithstanding any other provision in this constitution, the a forenamed executive members shall only be removed by way of petition.

**Article 16.2.1.** Such petition shall be in writing, clearly specifying grounds for removal, the reasons supporting removal and any other evidence attached thereto by any person qualified as an active registered member of the association

**Article 16.2.2.** Pursuant to article 16.2.1 of this constitution such petition shall be presented before the incumbent committee t, and upon its reception by the committee, the chairman shall there after immediately notify that executive member suspending him/her from his position until the full determination of that matter, thereafter the committee shall proceed within ten days to try such matter(s) in issue before it taking into account the doctrines of fair trial on the defendant, after which it shall with impartiality, integrity and objectivity make its finding and recommendation in pursuit of justice.

**Article 16.2.3.** With regard to article 16.2.2 under this constitution, the council shall within three days from the date of closure of the hearing make and publish its findings and recommendation to the members using the most conspicuous and convenient mode of mass communication, in furtherance such notice shall contain information calling for a special meeting of all its members indicating the time and venue and reason for such.

**Article 16.2.4.** With respect to article 16.2.3 such special meeting shall be for the purpose's of giving the members the opportunity and authority to make a final decision by way of vote on the fate of the said executive member(s) after being well informed on the findings and recommendation of the council, such final decision shall be arrived by way of simple majority vote

#### **Part-4 registration, suspension and termination of membership**

##### **Article 17. Qualifications for one to be eligible for membership.**

**Article 17.1.** Membership shall be open and voluntary to any person interested in the association save as may be otherwise provided under this constitution.

**Article 17.2.** Notwithstanding anything under this constitution, a person shall be eligible for membership only under the following grounds-

- 17.2.1. Is a student/alumni of kisii university;
- 17.2.2. shown interest in support of the association of objectives;
- 17.2.3. have an affiliation to vihiga county;
- 17.2.4. caused to be registered at a prescribed fee by the association;
- 17.2.5. Has consented to renewal of his/her membership at prescribe fee and given period.

##### **Article 18. Types of membership**

**Article 18.1.** Without any prejudice to the generality, the executive committee may procure the various types of membership coupled with their benefits and privileges basing on and among others the continuous renewal of registration, achievements done and or active participation of the registered members.

**Article 18.2.** Nevertheless and without any foul to article 18.1 there shall be a type of membership to be known as elders membership, which shall be accorded to members who are in their last academic year of study and or of good reputation to the association.

**Article 18.3.** Members who have been accorded such title shall be entitled to certain privileges, rights, duties and benefits in the association as may be decided by the association save for the following-

- 18.3.1. Shall act as the interim executive council where all of the elected executive councils seats become vacant thereby rendering difficulty in the management of the association;
- 18.3.2. Shall by their wisdom, give profound advise to the executive council and the association in general on pertinent issues;
- 18.3.3. Shall among elected persons in them by the association conduct, supervise and manage every general election ;
- 18.3.4. Shall at every last semester of their final academic year be acknowledged and celebrated by the association

#### **Article 19. Duties, rights and powers of the members**

**Article 19.1** member of the association herein shall bear the following duties, rights and powers-

- 19.1.1. Right to equal vote in any recognized matter of the association, where members vote is required
- 19.1.2. Right to where reasonable, justified and necessary take part in the meetings and activities of the association
- 19.1.3. Right not to be discriminated on unfair grounds
- 19.1.4. Right to equally benefit from the proceeds of the association
  
- 19.1.5. Duty to attend and actively take part in each and every matter of the association
- 19.1.6. Duty to pay/ contribute any funds and provide any other viable assistance as may be required of him/her by the association

- 19.1.7.Duty to prolifically exercise his/her reasoning guided by impartiality where he/she is demanded of such
- 19.1.8.Duty to uphold and protect this constitution
- 19.1.9.Duty to and with the utmost integrity uphold and promote the good reputation of the association at all times.
- 19.2.0.Duty to respect other members and the executive administration.

#### **Article 20. suspension and termination of membership.**

**Article 20.1.** a member of the association shall not be suspended from the membership unless such member is found to have-

- 20.1.1.Failure to three consecutive times to pay the required renewal fee as may be postulated by the executive committee;
- 20.1.2.Gross misconduct;
- 20.1.3.Serious violation of this constitution.

**Article 20.2.** In pursuant to article 18.1 a person shall only be suspended from the membership and or participation in the association's activates only after being given a fair hearing before council or otherwise a relevant established committee, the council or established committee in its finding conducted in a fair and impartial and manner and in the interest of justice make its determination which shall be final and binding.

**Article 20.3.** Unless otherwise a persons membership shall be terminated on the following occasions-

- 20.3.1.Pursuant to article 14.2 a further decision of vitiation from the membership;
- 20.3.2.On voluntary ground a written notice submitted to the secretary general;

## **Article 21. Types of meetings**

**Article 21.1.** The main and recognized meetings to the association shall be:

21.1.1. General meeting- which is to be conducted at every opening and closure of the semester by the executive committee and members only.

21.1.2. Special meeting- shall be that one called at any time of the semester and shall involve the executive committee , members and any other invited guest(s)

21.1.3. Executive meeting- shall be that one which involves the executive members only and conducted within the semester period.

21.1.4. Annual general meeting- shall be a meeting conducted at the end of an academic year and involves the executive members and the association only.

**Article 21.2.** Unless otherwise provided under this constitution, meetings tendered under this constitution shall be notified prior to such events within a reasonable time and published in a conspicuous place easily accessible to members.

## **Part 6-Sources of funds to the association**

### **Article 22. Source of funds**

**Article 22.1.** The funds to the association herein shall only be-

22.1.1. Registration fee;

22.1.2. Renewal fee;

22.1.3. Funds allocated by the university;

22.1.4. Income generating activities by the association;

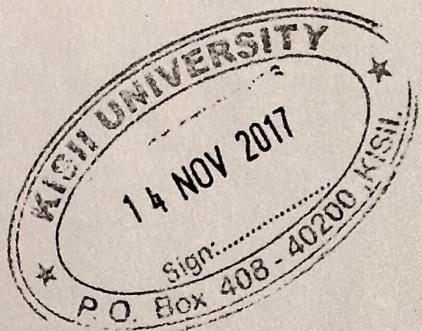
22.1.5. Grants, donation, pledges and gifts from other legal sources.

## **Part 7- dissolution of the association**

### **Article 23. Dissolution**

**Article 23.1.** Unless otherwise, the association shall only be dissolved under the following circumstances and procedure-

- 23.1.1 Two-thirds majority decision by the registered members of the association during the associations meeting;
- 23.1.2. An order/direction from the university administration directing its dissolution under lawful and reasonable grounds;
- 23.1.3. Two-thirds withdrawal of membership from the association.



**Articles 24: Acceptance and adoption.**

**24.1. Students council acceptance clause .**

We the undersigned students council of VIKUSA of Kisii University named herein do hereby accept and adopt these bylaws on behalf of members together with any changes that are initiated and thereafter signed by us.

NAME	REG.No	CONTACT	DESIGNATION	SIGN
HUMPHREY	DOLI	PS111	15 07 5626 CH	SDM
CHARIT	TILA	AS191	15 07 2460 VIC	REPERS
WINNIE		AS1016	07 4714 SEC	MEMBER
MESHA	SIENWA	HE18/40	0 33451 ORE	SECRETARY
SUSAN	ZA	HE1614	26975 T	TR
KEVIN	DE	CB141	01 319 P	SECRETAR
DERIC	AZA	IN11	14 070 13 A	MEMBER
ALUD	AN	ED1	117 07 510	ORGANIZ
DIAN	ILA	XH	117 07 786 SEC	ARY
JOSPEH	IABIA	AM	30114 0714 8 FNU REF	GENERAL
OCH	ANCIS	ED1	116 079 381 FIRST	RC
			116 079 381 REF	MEMBER
			115 071 65 THIRI	ITIVE
			115 071 65 REP	ITIVE

**Articles 24.2. Patron acceptance clause.**

I the undersigned patron of Vihiga Kisii University Students Association do hereby accept and adopt these bylaws for and on behalf of the members of the association.

Name ... Kabwive Jonui .....

Date ... 17/10/2017 .....

Signature ... Kabwive .....



**Article 24.3. Approval and registration.**

I certify that the foregoing bylaws have been approved for use by VIKUSA and as such, the said association is hereby registered to conduct in line with these bylaws and within the university policies.

