

# **UNIVERSITY OF NAIROBI**

## **STUDENT CODE OF CONDUCT (REVISED), 2021**

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## **PART I – INTRODUCTION**

- 1.1. The rules and regulations in this Students’ Code of Conduct 2020 have been made by the Senate and the Council of the University of Nairobi in accordance with the provisions of the Universities Act, the University of Nairobi Charter, University Statutes and all other applicable laws.
- 1.2. For the good order of all students, staff and other persons, the University of Nairobi (hereinafter referred to as “the University” or “the Campus”) has an obligation to discipline any student who violates the rules and regulations of the University, as failure to do so would set a bad precedent and affect students who are willing to abide by the University Rules and Regulations. This Code assists the University to adhere to the aforesaid obligation as it provides a framework within which students are to undertake their studies within a safe and conducive environment on the Campus. The rules set out herein thus serve as guidelines to regulate the students conduct while within the Campus.
- 1.3. The Code gives students notification and explanation of the University’s expectation of students’ behavioral standards while acknowledging that not everything can be codified. It sets out the actions and forms of behaviour that are unacceptable within the Campus. It further sets out the disciplinary procedure that is applicable in the event of a breach of this Code, and the nature of sanction(s) likely to be imposed on a student found to be in breach of this Code.
- 1.4. Ignorance shall not be accepted as an excuse for breach of this Code. Accordingly, each student is expected, upon admission to the University, to familiarize himself/herself with the rules and regulations set forth in the Code and where necessary seek interpretative assistance from the University through the Dean of Students. Students are expected to show good judgment and apply common sense at all times. Students already enrolled in the University at the date of enactment of the Code are obligated to immediately familiarize themselves with the Code and will be deemed as having read, understood and accepted to abide by this Code.
- 1.5. Whenever violations of the Code occur, the University will treat them as matters of serious concern as they disrupt the individual lives of students and the shared life of the entire University community. The University aims to deal with all disciplinary cases in an expeditious, fair and consistent manner, appreciating that disciplinary processes are disruptive to both the student and the University.

1.6. Careful note should be taken that the University is not, and cannot be considered as a protector or sanctuary from the application of the Laws of Kenya by the relevant institutions.

1.7. Nothing in this Code precludes the University from requiring any student to execute an additional bond, assurance or undertaking to be of good conduct.

## **PART II- DEFINITIONS AND INTERPRETATION**

2.1 In this Code, unless the context otherwise requires;

“**alcohol**” means the product known as ethyl alcohol or any product obtained by fermentation or distillation of any fermented alcoholic product, rectified either once or more often, whatever the origin, and shall include synthetic ethyl alcohol;

“**alcoholic drink**” includes alcohol, spirit, wine, beer traditional alcoholic drink, and any one or more of such varieties containing one-half of one per cent or more of alcohol by volume, including mixed alcoholic drinks, and every liquid or solid, patented or not, containing alcohol, spirits, wine, or beer and capable of being consumed by a human being;

“**academic records**” include all information and documents in the University database relating to a student’s academics and include all applications, registrations and examination results obtained by the student;

“**Campus**” includes all premises occupied by the University or affiliated colleges.

“**Cooking**” include frying, rotisserie, preparing food for consumption, grilling food over an open fire or source of heat, using electric stoves, baking in various types of ovens or chemical reactions both inside and outside halls of residence or University premises.;

“**Day**” means a calendar day;

“**Disciplinary Committee**” includes any of the Committees established under Part V of the Students’ Code of Conduct;

“**electronic devices**” include smart phones, digital watches, PDF material, tablets, ear/head phones, recorded material in mp3 format;

“**electronic records**” include- a record generated in digital form by an information system, which can be transmitted within an information system or from one information system to another and stored in an information system or other medium;

**“Examination material”** includes;

- (a) any material whether in print or electronic form and includes an examination paper, notes whether typed, handwritten or in whatever format, instructions for the setting up of equipment or the preparation of instruments for an examination, materials meant for practical exams or
- (b) any other document or material which is intended to form part of an examination paper or to enable an examination paper to be prepared, but does not include examination papers from previous examinations or any other material which is legitimately published in order to assist candidates in preparation for any examination.

**“examination paper”** includes a question paper, examination instructions, the draft or copy of an examination paper or instructions in respect of an intended examination or examination which has not been taken, and includes an electronic form thereof;

**“examination irregularities”** includes examination malpractice other than examination cheating, including possession of a phone in the examination room, neglecting to sign the attendance register, refusing to produce an examination card during a University Examination, picking and or removing examination answer sheet from designated examination room or platform,

**“examination cheating”** includes actual, intended, or attempted deception or dishonest act in relation to any academic work; or impersonation; or being in possession of examination materials; or use of unauthorized materials or unauthorized equipment, in any form, during an examination; or collusion; or copying work from or using work written by another person without acknowledging the source, or soliciting or commissioning work, or making work available to another person to copy, or submitting for assessment work that has been previously submitted for another assessment (self-plagiarism), or plagiarizing publications, or falsifying results.

**“Unauthorized equipment”** include smart watches, pens and other similar tools, mobile telephones, tablets, computers, models of calculators and electronic devices not specifically approved for an examination when carried into an examination room.

**“Plagiarism”** includes pretending or passing off the work done by the student as original work whilst it is not. The work done is copied from existing work without appropriate acknowledgement of the source. Plagiarism can occur not only in essays and dissertations, but also in scientific experimentation, diagrams, maps, fieldwork, computer programs, and all other forms of study where students are expected to work independently and produce original material.

**“collusion”** includes the act of two or more students in concert with a fellow student or any other person preparing answers or papers which are examinable when the work should be carried out by each student individually; or a student knowingly allowing any part of the student’s academic work to be acquired by another person for presentation as if it were that person’s own work.

**“offensive weapon”** includes any tool made, adapted or intended for the purpose of inflicting mental or physical injury upon another person and include but are not limited to knives, swords, arrows, sticks and metal bars.

**“officer, agent, employee or member of staff”** includes;

(a) any person who is engaged by the University as an employee or worker and/or who holds a post in the University

(b) any person to whom the University makes available any of the privileges or facilities normally afforded to its employees provided that a graduate student working for the University in a teaching or related capacity and prior to clearance from the University, the graduate shall be treated as a student for purposes of this Students’ Code of Conduct;

**"property"** includes money, all forms of property, real or personal, heritable or moveable, or a thing owned, leased, controlled, used, or occupied by the University and other intangible and incorporeal property;

**"public area"** includes any enclosed indoor area open to and frequented by the students, staff and the general public and where, during a representative 24-hour period the number of public occupants exceeds the number of employees, except private residences;

**“Smoking”** includes but is not limited to the use of cigarettes, cigars, pipes, e-cigarettes, and personal vaporizers or other devices associated with vaping.

**“records”** include all information and documents in whatsoever form relating to a student and entail all correspondence, forms, reports, statements, recordings, or other tangible evidence presented during or as part of a disciplinary procedure;

**“student”** includes:

(a) any person admitted to a course of study for any academic programme offered by the University whether full-time or part-time and includes a person admitted for online or distant courses;

- (b) any person registered as a student of another University, college, school or institution, and who is admitted to a course of study at the University on full-time, part-time or as part of an exchange or other programme or arrangement between the University and that other institution;
- (c) A graduate student working for the University in a teaching or other capacity and who has not cleared from the University;
- (d) Any other person determined to be a student by the Senate;
- (e) Any person on suspension order in terms of this Code; or
- (f) A postdoctoral fellow is a student for the purposes of this Code;

provided that any person who, having graduated but not cleared from the University and who has reapplied for admission to a course of study at the University within the next academic year or applied for transfer from one course of study at the University to another remains a student during the intervening period;

“**suspension**” necessitates demanding a student(s) to leave and/or vacate the University precincts for a period of not more than three (3) years as a form of penalty for violating University’s Rules, Regulations and the code of conduct and discipline for students;

“**Students’ Code of Conduct**” comprises the Students’ Code of Conduct, Rules and Regulations for the time being governing students’ conduct and discipline, and prescribing the penalties for breach thereof, and includes any lawful additions, amendments and modifications thereto;

“**unauthorized material**” includes books, papers, notes, notes written on clothing or on a part of the body and other graphic or recorded material, not specifically approved for or allowed during an examination when carried into an examination room; dangerous and crude weapons, narcotic and psychotropic substances, illegal substances in the Halls of Residence and within the precincts of the Halls of Residence;

“**University**” means the University of Nairobi and all its constituent colleges and affiliates;

“**Visitor**” means any person who is within the precincts of the Campus and also includes a student who visits another student in the Halls of Residence.

## **PART III- PURPOSE, OBJECTIVES AND SCOPE OF APPLICATION**

### **A. Purpose of the Code**

3.1 The purpose of this Code is to-

- 3.1.1 Guide the behaviour and discipline of all the students of the University;
- 3.1.2 Provide guidance and mentorship to the students towards becoming responsible citizens;
- 3.1.3 Guarantee an effective, expeditious and impartial students' disciplinary procedure and process in tandem with the applicable laws; and
- 3.1.4 Develop mechanisms for monitoring and evaluating the effectiveness of students' disciplinary procedures and processes at the University;

### **B. Objectives of the Code**

3.2 The objectives of this Code are to:-

- 3.2.1 Set out acts and omissions or commissions that constitute unacceptable conduct and behaviour by students;
- 3.2.2 Be a tool for mentoring the students into useful and responsible members of the society;
- 3.2.3 Establish and set out the functions of the various disciplinary committees and other officers involved in students' disciplinary processes;
- 3.2.4 Define the standard procedure and process of handling students' disciplinary cases and the nature of sanction(s) likely to be imposed upon a student found in breach of this Code; and
- 3.2.5 Guide on general conduct, behaviour and actions of students of the University.

### **C. Scope of application of the Code**

3.3 This Code applies to all students of the University, including those on University exchange programmers. It applies to

- (a) Activities in which students participate or engage in by virtue of being students of the university;
- (b) Services or facilities extended to students by virtue of being a student of the University;
- (c) The presence of students within the campuses, or their access to, any premises owned or occupied by the University;
- (d) Coaching and mentorship of University students; or
- (e) Any activity not covered by a), b), c) or d) above, which is considered to affect adversely the safety, interests or reputation of the University, its students, employees or authorized representatives as outlined in this Code.

3.3.1 The University reserves the right to investigate allegations of misconduct arising against former students under this code, in order to ascertain the facts and determine any penalties which should be imposed in such cases. The reservation may extend and include contacting the parents and or guardians of the concerned students, mitigating factors and remorsefulness of the student.

3.3.2 The Vice-Chancellor or his assignee and any Disciplinary Committee established under this Code shall have administrative flexibility and independence while executing and implementing the provisions of this Code and shall only be subject to the law.

## **4 PART IV - CONDUCT OF STUDENTS**

The provisions set out hereunder shall apply with respect to the conduct of students within the Campus, as well outside the Campus on University field placement, practical training, industrial attachments, teaching practice or other University activity including student-staff relationship.

### **4. General Conduct**

4.1 Every student of the University is expected to:-

- 4.1.1 Respect and comply with the administrative, academic and other procedures and structures established by the Universities Act, 2012 and amendments thereto, the University of Nairobi Charter 2013, the University Statutes enacted for the control and governance of the operations of the University and any other rule, regulation or policy of the University;
- 4.1.2 Conduct himself or herself in accordance with the highest standards of integrity and personal discipline and in particular;
  - (a) Respect the rights and privileges of members of the University community and the general public at all times;
  - (b) Carry himself or herself in a civil and dignified manner; and
  - (c) Act honestly and treat the University employees, students, honorary appointees, consultants, contractors, volunteers and any other persons with respect and dignity.

- 4.1.3 Desist and or refrain from any conduct that might bring the University or any section thereof to disrepute, ridicule or public odium without prejudice to the right to fair and justified comment and criticism;
- 4.1.4 Desist and or refrain from any conduct which may disrupt the operation of academic and/or non-academic activities of the University; maintain a co-operative and collaborative approach to inter-personal relationships;
- 4.1.5 Desist and or refrain from all acts of violence, sexual harassment, hooliganism, unruly or rowdy behavior or any conduct likely to cause a breach of the peace or disturbance to others within the Campus;
- 4.1.6 Wear decent, acceptable and appropriate attire at all times so as to maintain the integrity, dignity, and nobility of University education;
- 4.1.7 Maintain an appropriate standard of dress and personal hygiene and grooming that enhance public confidence in the integrity of the University and wellbeing of the student; and
- 4.1.8 Refrain from engaging in activities that undermine or bring the University into disrepute and public odium.

## **5. Academic Guidelines**

- 5.1.1 Students are required to attend lectures and online teachings, tutorials, seminars, practical and other scheduled courses and activities specified in respective courses of study unless the student's absence from class is permitted by an authorized officer of the University.
- 5.1.2 A student who fails to attend a specified number of lectures, tutorials, seminars, practical lessons in respect of a particular course without permission from the officers set out in 5.1.1 above shall not sit an examination for that course and/or shall be deregistered from the course altogether.
- 5.1.3 A student shall ensure that his/her registration and progress in academic course and programme is in conformity with the University's statutes, rules and regulations.
- 5.1.4 Students shall ensure full payment of registration fees, tuition fees and other fees and charges as the University Council shall from time to time determine.
- 5.1.5 No student shall attend lectures, tutorials, practical lessons and/ or participate in University activities that a student has not fully paid for unless duly authorized to do so.

5.1.6 Students shall desist and/or refrain from engaging in any activity or behaviour that would unfairly confer an advantage or disadvantage to another student academically.

5.1.7 Students are expected to avoid engaging in any form of activity or behavior including but not limited to misrepresentation, dishonesty, abuse of authority, rudeness, favouritism, bias, misfeasance, corruption, bribery, academic cheating so as to obtain the academic advantage of any kind.

5.1.8 Students shall abide by all rules and regulations as shall be prescribed by the various departments and faculties of the University relating to the conduct of specific courses and programmes.

## **6. Examinations**

6.1.1 Students shall comply with all directives issued in relation to an examination, homework assignment, seminar paper, term paper or any other assignment given to the student in relation to his/her studies, including the rules of conduct during a written or oral examination.

6.1.2 Students shall ensure participation in all assignments, seminar papers, term papers, examinations and other tasks as shall be given in a particular course of study.

6.1.3 All examinations shall be taken in the designated examination room(s) or approved electronic online platform(s).

6.1.4 A student shall be required to register for a University Examination prior to sitting for the examination.

6.1.5 A student shall carry a valid Student Identification Card as well as an Examination Card to the examination room. In absence of the said documents, a student shall not be permitted to sit for an examination.

6.1.6 Communication in whatever format between students in the examination room is absolutely prohibited.

6.1.7 Students should not be in possession of any written, graphic, or recorded material, mobile phone, tablet or any other material or device in the examination room unless with prior approval of the course instructor and/or supervisor.

6.1.8 If after an examination has started, a student is found in possession of unauthorized material or unauthorized equipment, including any information inscribed on the student's body or on clothing, it shall be presumed that examination cheating has taken place.

6.1.9 Upon the conclusion of an examination, students shall hand over the examination answer booklets whether written or unwritten to the course instructor or supervisor and in case of electronic online examinations, the examination answer booklets shall be submitted as prescribed and approved by the platform used.

6.1.10 At the end of each examination, a student shall not take away from the Examination Room or electronic online platform any Examination answer booklets, whether used or unused.

## **7. Motor Vehicles**

7.1.1 Students shall not park Motor Vehicles within the Campus and/or Halls of Residence without prior written approval from the University designated officer from their respective college, school, faculty, institute or center.

7.1.2 The University has no obligation to provide parking bays for students' motor vehicles. However, in instances where parking space is available, students shall park their vehicles at such designated parking slots whilst fully aware that the University shall not bear responsibility for any damage or loss to the vehicle.

7.1.3 Prior to grant of access to the Students' designated parking bays, a student shall at all times produce valid student identification to the designated officer, agent or employee of the University.

## **8. Property**

8.1.1. Students are expected to take reasonable care of the University property.

8.1.2. Students shall not misappropriate or cause damage or engage in activities that expose University property to misappropriation, loss or damage.

8.1.3. Students shall not remove furniture or equipment from lecture halls, Halls of Residence and or other University premises without prior authorization by the relevant officer.

## **9. Firearms and Offensive Weapons**

9.1.1 Students are expressly prohibited from being in possession of firearms and/or offensive weapons of any kind whether such possession is licensed by any Statute or not.

9.1.2 Students are prohibited from carrying or in any other manner being in possession of firearms while within the Campus.

9.1.3 Possession and/or use of offensive weapons within Campus is strictly prohibited.

## **10. Alcohol and Drugs**

10.1.1 The University is an alcohol and drug-free public Academia in compliance with the provisions of the Alcoholic Drinks Control Act,

10.1.2 Students shall not use, be in possession of, peddle or distribute narcotic drugs or psychotropic substances within the Campus. For the purpose of this provision, Narcotic Drug and Psychotropic Substance shall have the meaning stipulated under the Narcotic Drugs and Psychotropic Substances (Control) Act,

10.1.3 A student should not attend lectures, tutorials, examination Centres and/or practical lessons while being drunk, in a state of intoxication or under the influence of any narcotic substance.

10.1.4 Alcoholic drinks and cigarettes shall not be consumed in lecture halls, libraries, examination Centres, computer rooms, cafeteria, - halls of residence, offices or any other non-designated areas.

10.1.5 Students shall not smoke in public areas within the Campus. The entire university is a non-smoking zone.

10.1.6 Students shall not act in a violent and /or disorderly manner whilst within the Campus.

## **11. Demonstrations**

11.1.1 Students seeking to participate in demonstration shall obtain necessary permission(s) and approval (s) from the National Police Service, and thereafter notify the University of such Permission and approval (s).

11.1.2 Students engaging in demonstrations shall not cause injury to any person and/or cause damage or destruction to any public or private property, nor shall they litter the area within which such demonstration is conducted.

11.1.3 Any student who participates in demonstrations, riots and/or picketing shall be personally liable for any damage and/or loss that will emanate from the demonstrations/riots/picketing.

11.1.4 In the case of litter, the organizers and/or conveners shall be ordered to ensure a clean-up of the area or in lieu thereof, pay the cost of the clean-up.

## **12. Utterances to the Public**

12.1.1 All correspondence to the press or other mass media by students or officials of Students' Associations or Organizations, in their individual capacities, shall strictly bear their names and private addresses and shall not bear any reference to the University. The student shall be held personally liable for any statements made to the media or the public.

12.1.2 It shall be a violation of this Code to issue defamatory statements in respect of matters concerning the University or Students Association and Organization, without prejudice to the right to fair and justified comment and criticism.

12.1.3 Advertising notices must be in approved designated notice boards and shall be subject to approval by authorized officers.

Student Associations or Organizations shall not invite any government official(s), politicians, and representatives of foreign governments or any distinguished guests without first obtaining the written approval of the Vice-Chancellor, Associate Vice-Chancellor (Academic Affairs), and/or Executive Deans.

## **13. Accommodation Services**

13.1.1 All students shall at all material times act lawfully and conduct themselves responsibly while in the University's Halls of residence and or premises.

13.1.2 Accommodation services fees for the academic year cover the period from the day of official University check-in through 10 a.m. of the day after the completion of examinations or 10 a.m. on the day following Commencement. The day of official University check-in for first-year students, transfer students, and other participants in Halls of Resident will be designated by the relevant University officer.

13.1.3 In addition to the terms of any tenancy agreement entered into between a student and the University, all students are expected to;

- (a) Submit authentic documents in support of an application for accommodation within the University's Halls of Residence;
- (b) Abide by the terms and conditions of contract for accommodation;
- (c) Submit authentic and accurate personal information in Halls Management Information System (HAMIS);
- (d) Adhere to the list of allocation of rooms as prepared by the University and vacate such rooms during any University holiday period;

- (e) Admit visitors to the student's allocated room only between 10.00 a.m. and 10.00 p.m. while taking into account the need for privacy and convenience of the students' genuine roommates;
- (f) Desist from hosting parties or other gatherings at their student residence. Students who do so shall be held directly responsible for conduct occurring at their residence, including outside areas, and for their visitors' behavior;
- (g) Desist and/or refrain from harbouring persons who are not students of the University in the Halls of Residence;
- (h) Desist and/or refrain from harbouring in the Halls of Residence students who have either been suspended or expelled from the University;
- (i) Desist from removing furniture or equipment without authority from his/her room or importing and disfiguring furniture from lecture rooms or other premises within the Hall except by prior written permission from the Halls Administration Officer or any other authorized person;
- (j) Take reasonable care of furniture, fittings and other items in the Halls of Residence;
- (k) Surrender all keys issued in respect of the rooms to the Halls Administration Officer before proceeding on vacation;
- (l) Be responsible for any indoor games facilities that they sign for;
- (m) Desist from subletting, exchanging, swapping and/or subleasing the room allocated to the student by the Halls Administration Officer;
- (n) Desist from cohabiting within the Halls of Residence;
- (o) Desist and/or refrain from cooking in the Halls of Residence or being in possession of cooking appliances in the Halls of residence. Cooking and cooking appliances, including electric jugs, kettles, immersion heaters, microwave ovens, toaster ovens, crock pots, hot plates, toasters, and grilling machines, are strictly prohibited in the Halls of Residence;
- (p) Ensure that no form of cooking takes place at the student's allocated room for the safety of all residents in the Halls of Residence;
- (q) desist and/or refrain from handling and/or being in possession and/or using of any form of unauthorized materials including dangerous and crude weapons, firearms, narcotic and psychotropic substances, illegal substances in the Halls of Residence and within the precincts of the Halls of Residence;
- (r) Desist and/or refrain from operating any business and/or hawking within the Halls of Residence;

- (s) Desist and/or refrain from hosting functions within the Halls of Residence unless expressly authorized by the Halls Administrator;
- (t) Ensure that no obstruction and/or attempted obstruction is made against any officer, employee or agent of the University in the performance of his or her duties;
- (u) Only be in possession of keys to rooms or buildings within the University which have been obtained through the official University's channels.
- (v) Avoid keeping or harbouring animals or pets inside University Halls of Residence;
- (w) Be answerable for depositing trash or refuse from their duly allocated rooms into the proper and designated disposal containers positioned in common areas.

13.1.4 A student who for whatever reason vacates his/her room prior to the lapse of the period in respect of which the accommodation charges apply shall forfeit the accommodation charges for the remaining period.

13.1.5 All room allocations are final unless the Chief Halls Office authorizes a room change. A student who makes a room change without authorization and or permission violates this Code.

13.1.6 Visits to the Halls of Residence is a privilege, not a right, and must be respected in command to maintain law and order in the University. The privilege of visitation in University's Halls of Residence does not supersede a roommate's/housemate's right to privacy, study time, and sleep.

13.1.7 In case of any conflict between the terms of a tenancy agreement and the provisions of this Code, this Code shall prevail.

## **14. CATERING SERVICES**

14.1.1 To facilitate satisfactory and efficient services in the catering department, students are expected to;

- (a) Conduct themselves in a civil and orderly manner while in the dining halls and cafeterias and be courteous to the catering staff and other students;
- (b) Pay for meals before being served;
- (c) Address complaints or grievances arising from catering services to the office of the Strategic Management Unit Manager;
- (d) Produce valid Student Identification Card before being allowed entry into the dining halls;

- (e) Desist and/or refrain from engaging in violent and/or disorderly behaviour while in the dining halls;
- (f) Desist and/or refrain from using University cutlery and utensils outside dining halls;
- (g) Desist and/or refrain from causing damage to University catering facilities; and
- (h) Desist and/or refrain from bringing food and drinks into the dining halls unless with the permission of the official in charge of the University catering unit.

## **PART V – OFFENCES**

15.1 Failure by a student to adhere to any of the provisions of Part IV of the Code above shall constitute a disciplinary offence.

15.2 The offences listed in this Code are not exhaustive, but only indicative and the University shall, from time to time modify and/or amend the list of offences in such manner as it thinks fit to address emerging and cross-cutting violations of the Code.

15.3 For purposes of clarity, the undernoted constitute offences in respect of which disciplinary action shall be instituted against a student.

## **16. VIOLATIONS RELATING TO PROPERTY**

16.1.1 Intentionally, recklessly or unlawfully destroying or damaging the property of or in the custody of the University.

16.1.2 Intentionally, recklessly or unlawfully destroying or damaging the property of other students, officers, employees or agents of the University.

16.1.3 Misusing the property of or in the custody of the University

16.1.4 Interfering with any equipment or apparatus installed within the University.

16.1.5 Behaving in a manner that causes or is likely to cause, death, unnecessary suffering, harm or distress to any of the University's species of wildlife or domesticated or semi-domesticated animals.

16.1.6 Directly or indirectly handling stolen and/or illegally obtained property.

16.1.7 Committing or attempting to commit arson and/or being accessory thereto.

16.1.8 Destroying or attempting to destroy property by use of a flammable substance.

16.1.9 Selling or supplying whether directly or indirectly any of the University's property of whatever description.

16.1.10 Stealing the property of the University, Staff, Student or any other person.

16.1.11 Embezzlement or any form of misappropriation of the property of the University, staff, student or any other person.

16.1.12 Committing break-ins and burglary.

16.1.13 Infraction of regulations or instructions governing the use of the University facilities or facilities of institutions in which the University operates, including academic materials, apparatus, halls, libraries, offices, vehicles and transportation facilities , parking lots and open areas.

## **17. INJURY OR HARM TO PERSON(S)**

17.1.1 Taking part in a fight within the University premises.

17.1.2 Assaulting, maiming or inflicting harm upon an officer, agent or employee of the University, student or any other person.

17.1.3 Harassing, bullying, trolling or psychologically assaulting an officer, agent or employee of the University, student(s) through e-mail, telephone, pictures, gesture or any other medium of whatever description.

17.1.4 Exhibiting or threatening to use violence or abusive language towards, an officer, agent or employee of the University, student or any other person substance.

17.1.5 Harassing, intimidating, victimizing or discriminating an officer, agent or employee of the University or a student in any form on grounds of age, disability, race, ethnic or national origin, religion or beliefs, sex, sexual orientation, gender reassignment, pregnancy, marriage or civil partnership or socio-economic background.

17.1.6 Engaging in activities that put the health, well-being and safety of an officer, agent or employee of the University or a student at risk.

17.1.7 Unwarranted raising of a false fire alarm or any other fabricated alarm within the University.

17.1.8 Failure to evacuate any part of the University or University-owned or administered accommodation when a fire alarm or any other alarm is made and/or returning before being authorized to do so by a fire officer or authorized member of the University staff.

17.1.9 Possession of knives, swords, sticks, metal bars or any other implements or articles which might endanger the lives of members of staff or students or any other persons.

17.1.10 Making fabricated allegations against the University, an officer, agent or employee of the University staff or another student which are deemed to be injurious, vexatious, malicious or false.

17.1.11 Commission of sexual violations and mistreatment as defined in the Sexual Offences laws and the relevant University Policy against a member of staff or a student or any other person.

17.1.12 Harboring suspended or expelled students within University precincts.

17.1.13 Commission of any misconduct prior to enrolment at the University, the commission of which poses a threat to staff or student or good order in the University.

17.1.14 Obtaining, forcing, extorting or coercing an officer, agent or employee of the University, a student or any other person to part with money or any other valuable substance.

## **18. VIOLATIONS RELATING TO DISRUPTIONS OF UNIVERSITY ACTIVITIES, FUNCTIONS & EVENTS**

18.1.1. Obstructing or impeding and/or attempting to obstruct or impede an officer, employee or agent of the University from carrying out his/her duties.

18.1.2. Behaving in a manner which obstructs, intrudes, limits , frustrates or disrupts any lecture, laboratory practical's, meeting(s), examination(s) or any other University's activity authorized to be held, given or undertaken within or outside the University precincts

18.1.3. Boycotting scheduled lectures, tutorials, field trips and other courses of instruction.

18.1.4. Convening, organizing or participating in any demonstrations, gatherings, ceremonies or processions for which approval has not been obtained from the University administration.

## **19. VIOLATIONS RELATING TO INFORMATION**

19.1.1 Knowingly giving false information, concealing information or submitting forged documents to the University in order to gain privileges or advantages at the University.

19.1.2 Using electronic and social media in a manner that constitutes breach of this Students' Code of Conduct.

19.1.3 Failing or refusing to disclose correct identification or other relevant details/information to the University or any other state agency when required to do so.

19.1.4 Giving false testimony and/or concealing information before a Disciplinary Committee of the University

19.1.5 Failing to appear or refusing to testify before any disciplinary authority of the University.

19.1.6 Writing, publishing and/or distributing any literature of malicious or rebellious nature without prejudice to the right to fair and justified comment and criticism.

19.1.7 Refusing to identify oneself before a University staff or agent who is performing his/her duties.

19.1.8 Posting or circulating non-official communication materials in the form of notices, leaflets, flyers, brochure, and handouts on University's notice boards or the University social media official pages.

## **20. VIOLATIONS RELATING TO CONDUCT OF EXAMINATIONS**

20.1.1. Violating directives issued in relation to an examination, homework assignment, seminar paper, term paper or any other assignment given to the student in relation to his/her studies, including the rules of conduct during a written or oral examination.

20.1.2. Fraudulent, negligent and/or deceitful obtaining of admission and registration into the University's course or programme.

20.1.3. Unauthorized possession of used or unused examination answer booklets inside or outside the examination room or approved electronic platform.

20.1.4. Unauthorized possession of any written, graphic material while in an examination room or approved electronic platform.

20.1.5. Communicating with another student and/or person during an examination so as to seek unlawful and/or irregular assistance of any kind.

20.1.6. Failure to return examination answer booklets in whatever form with written or unwritten answers after an examination.

20.1.7. Purporting to sit for an examination while outside the examination room or in undesignated examination room or approved electronic platform.

20.1.8. Committing acts of plagiarism by falsely accessing another person's work and appending one's name and signature on such work without acknowledgement thus pretending and/or holding out to be the source of the work.

20.1.9. Disrupting, hacking or pony-trekking the conduct of University examinations.

20.1.10. Destroying evidence pertaining to examination malpractices and/or irregularities.

20.1.11. Presenting oneself for an examination in a course unit in which the student is not registered for.

20.1.12. Claiming marks in a course unit whilst aware that he/she did not register for and/or sit for the examination.

20.1.13. Deliberate failure or refusal to hand in the examination script at the end of the examination.

20.1.14. Unauthorized making of changes in the original answer script after submission for marking;

20.1.15. Fraudulently replacing the original answer script and/or alteration of the grade(s);

20.1.16. Disobeying, threatening and assaulting an invigilator in the course of his/her duty.

20.1.17. Involvement in and/or being party to any act of tampering with examination data.

20.1.18. Causing damage or destruction to University examination material or facilities.

20.1.19. Impersonation by presenting oneself to take part in an examination in which one is not registered; registering for an examination using false name or identity or falsely using a certificate, testimonial, signature, photograph or a document of another student to sit for an examination on the pretext of the bona fide student.

20.1.20. Absenting oneself from examination without sufficient and/or justifiable reason.

20.1.21. Sitting or registering for University examination using a forged examination card.

## **21. VIOLATIONS RELATING TO FINANCIAL MATTERS**

21.1.1 Knowingly or fraudulently accessing or using University services and facilities without payment of prescribed charges.

21.1.2 Knowingly or fraudulently failing to account for all monies and allowances received in accordance with the University Financial Regulations.

21.1.3 Attempting, giving or receiving a bribe in order to obtain any of the University services and facilities.

## **22. VIOLATIONS RELATING TO HALLS OF RESIDENCE**

22.1.1. Failing to comply with the terms and conditions of the contract for accommodation.

22.1.2. Admitting or harbouring unauthorized person(s) in the Halls of Residence.

22.1.3. Admitting a visitor(s) into the Halls of Residence beyond authorized hours.

- 22.1.4. Providing false information to the Halls Management Information System (HAMIS).
- 22.1.5. Subletting a University facility to another person, whether a student or not, without the authorization or consent of the University.
- 22.1.6. Operating illegal and/or unauthorized business within the Halls of Residence.
- 22.1.7. Cohabiting within the Halls of residence.
- 22.1.8. Exchange of rooms without authority
- 22.1.9. Cooking in the Halls of Residence
- 22.1.10. Obstructing or attempting to obstruct any officer, employee or agent of the University in the performance of his/her duties
- 22.1.11. Hosting functions within the Halls of Residence without the authority or consent of the University.

### **23. VIOLATIONS RELATING TO CATERING SERVICES**

- 23.1.1. Engaging in violent or disorderly behaviour in the dining halls.
- 23.1.2. Causing damage to University catering facilities.
- 23.1.3. Bringing in food and drinks into the Dining room without the authority of the University official in charge of catering.

### **24. VIOLATIONS RELATING TO HEALTH SERVICES**

- 24.1.1. Utilizing fake documents in order to access University medical services.
- 24.1.2. Presenting inaccurate and false personal information to the University Health Management Information System (UHMIS).
- 24.1.3. Seeking medical services whilst not attending a course of study in the University.

### **25. OFFENCES RELATING TO SPORTS AND GAMES**

- 25.1.1. Unauthorized use of University sports services and facilities without permission from the Director Sports and Games.
- 25.1.2. Negligent handling of University sports facilities, utilities and equipment.

## **PART VI - RULES AND PROCEDURES RELATING TO DISCIPLINE**

### **26. DISCIPLINARY AUTHORITY, POWERS AND FUNCTIONS**

26.1. The responsibility of exercising student's disciplinary authority, power and function in the University is vested in the Senate.

26.2. The Senate shall from time to time delegate such authority, power and function to any other officer, body or authority of the University.

26.3. The Senate's disciplinary power set out in paragraph 26.1. is hereby delegated to various Committees established under this Code.

### **27. ESTABLISHMENT OF THE DISCIPLINARY COMMITTEES**

27.1. There are established the following Senate Disciplinary Committees:-

- a) The Halls Disciplinary Committee to hear and determine cases of misconduct and violations committed within the University's Halls of Residence or relating to conduct in the University's Halls of Residence.
- b) The Faculty Disciplinary Committee to hear and determine all other cases of misconduct and violations including examination malpractices committed within the University Campuses.
- c) The Appeals Disciplinary Committee to hear and determine appeals from the decisions of the Halls Disciplinary Committee or the Faculty Disciplinary Committee.

27.2. The quorum of a Disciplinary Committee shall be at least three (3) members.

27.3. The Disciplinary Committees shall have administrative flexibility. In absence of the designated Chairperson or Secretary, members of the respective Committee present at the meeting shall elect one among themselves to act as Chairperson or Secretary;

Provided that nothing in this Part precludes the Committee from requesting the University Administration to second a member of its staff to render secretarial services.

27.4. The Disciplinary Committees shall have power to regulate their own procedures.

27.5. The Disciplinary Committees shall have due regard to the Constitution of Kenya and the law.

### **28. COMPOSITION OF DISCIPLINARY COMMITTEES**

28.1. The Halls Disciplinary Committee shall comprise - the following persons:-

- a) The Dean of Faculty or his/her nominee who shall be the Chairperson.

- b) The Chairperson of Department of the affected student or his/her nominee.
- c) A Senate Member Representative nominated by the Chairperson of the Senate or his/her nominee.
- d) The Halls Officer of the respective Hall or his/her nominee.
- e) The Students' Representative from the relevant Hall of Residence and/or Student Campus Association.

28.2. The Faculty Assistant Dean of Students/Student Counsellor or his nominee shall be the Secretary of the Halls Disciplinary Committee.

28.3. The Faculty Disciplinary Committee shall comprise the following persons:-

- i) The Dean of the Faculty of the affected student or his/her representative who shall be the Chairperson.
- ii) Two (2) Senate Representatives or their nominees, nominated by the Chairperson of the Senate.
- iii) The Chair of the Department of the affected student or his/her nominee.
- iv) A student representative from the Campus Students Campus Association.

28.4. The Faculty Registrar or his nominee shall be the Secretary to the Faculty Disciplinary Committee.

28.5. The Appeals Disciplinary Committee shall comprise the following persons:-

- (i) Deputy Vice-Chancellor to be nominated by the Vice-Chancellor and who shall be the Chairperson.
- (ii) Two (2) members of the Senate nominated by the Chairperson of the Senate
- (iii) The Vice-Chancellor shall appoint two (2) persons who have a distinguished service and are serving members of the University, who will serve for such term as the Vice-Chancellor shall specify.

28.6. The Secretary to the Students Appeals Disciplinary Committee shall be appointed by the Chairperson of the Senate.

28.7. The quorum of the Students Appeals Disciplinary Committee shall be three (3) members. In absence of the Chairperson, the members present shall appoint one of the members as the Chairperson for that session.

## **29. ROLE OF THE UNIVERSITY IN DISCIPLINARY PROCEEDINGS**

29.1. Institution of criminal proceedings in a court of law against a student under any law in Kenya or abroad shall not be a bar to internal disciplinary proceedings being instituted against such a student by the University.

## **30. DUTIES AND RIGHTS OF THE STUDENT IN DISCIPLINARY PROCEEDINGS**

30.1.1. Every student shall assist and cooperate with officers from the Security Department and the Disciplinary Committees established under this Code. The student shall in particular;

- (a) Respond to any inquiry by the security officers in a timely manner;
- (b) Comply with any direction or request from the security officers or Disciplinary Committee;
- (c) Furnish the security officers or Disciplinary Committee with such information or material as may be required to discharge their mandate under this Code; and
- (d) Notify the University immediately upon conviction on any criminal charge or formal caution for criminal conduct in a court of law in Kenya or abroad.

30.1.2. A student facing disciplinary action shall be responsible for informing his or her witnesses the place, date and time of the hearing.

## **31. NOTICE**

31.1.1. Whenever notice is required to be given to a student or any other communication made to a student under this Code, such notice or communication shall be delivered and/or made;

- (a) To the student in person if reasonably possible; and/or
- (b) To the student's e-mail address as indicated in the student's academic or other record maintained by the University; and/or
- (c) By a text message to the student's last known telephone number.

Any of the foregoing modes of communication and/or a combination thereof shall be deemed sufficient service upon the student.

31.1.2. The University shall at all times maintain a record of the email addresses and telephone contacts of all students.

31.1.3. It shall be an obligation of each student to ensure that at all material times the email address and telephone contacts that the student submitted to the University are valid and operational.

31.1.4. Upon receipt of any communication from the University, a student shall acknowledge receipt by email as well as by signing on the duplicate copy of the notice and/or any other written communication. The aforesaid duplicate shall be retained by the University.

## **32. INQUIRY**

32.1.1. Any person who considers that a student has acted in violation of the rules and regulations of the University or this Code shall lodge a Complaint with the Security Department of the relevant Faculty/Department (hereinafter referred to as “Security Department”) within three (3) working days from the date of occurrence of the act or commission/omission complained of.

32.1.2. On receipt of the complaint, the Security Department shall decide whether to initiate an inquiry within three (3) working days.

32.1.3. The Security Department shall initiate an inquiry where:

- (a) The complaint relates to an allegation which, if proven, could possibly be regarded as a potential breach of this Code; and
- (b) The information provided suggests that there is a realistic prospect that sufficient evidence will be available to determine whether or not the alleged incident has occurred.

32.1.4. Where the Security Department decides not to initiate an inquiry, it shall communicate the reasons for this to the Complainant within 3 working days.

32.1.5. Where a Complaint has been lodged as set out under paragraph 32.1.1 above, and the Security Department has decided to initiate an inquiry, it shall, within three (3) working days, inform the student concerned that a Complaint has been lodged against him/her and is under inquiry by the Security Department.

32.1.6. In the conduct of inquiries, the officers from the Security Department may summon any student or agent, officer or employee of the University to appear before it or furnish the security officers with any information or material required for the inquiry.

32.1.7. Where any student not being the subject of inquiry fails to honour any summons, request and/or in any manner fails to comply with any lawful request for information, the Security Department may refer the student to the Vice Chancellor for appropriate action.

32.1.8. A student who is the subject of an inquiry has the right to be accompanied by a representative of a Student Association or another student who is in good standing with the University during any interview that may be conducted by the officers of the Security

Department. The student shall provide such answers and/or information required by the Security Department.

32.1.9. Pending conclusion of an inquiry, the Vice-Chancellor or his nominee may at his/her discretion and in the interests of the University, impose such restrictions upon the student as he/she may deem fit including precautionary suspension of the student from the University pending the outcome of the inquiry and subsequent disciplinary proceedings, if any.

32.1.10. The precautionary suspension is used to protect the members of the University community or a particular member or members, or members of the general public, or to ensure that a full and proper inquiry is carried out.

32.1.11. The Security Department shall conclude inquiries expeditiously and submit a progress report within three (3) working days from the occurrence of an incidence of violation of this code or any other University regulation.

32.1.12. A Complaint may be withdrawn by the Complainant in writing at any time prior to a decision being made by the Halls Disciplinary Committee or the Faculty Disciplinary Committee.

32.1.13. The period for lodgment of a complaint and subsequent inquiry may be extended by the Security Department for a period not exceeding seven (7) days in respect to lodgment of the complaint as well as a further period of seven (7) days for the inquiry if sufficient reason exists and which reason shall be tendered before the relevant Disciplinary Committee.

32.1.14. The Security Department shall handle evidence on Student misconduct for both academic and non-academic matters. An examination invigilator shall be a witness of the Security Department in all examination malpractices.

32.1.15. The inquiry procedures and processes outlined above shall also apply with necessary modifications in case(s) of examination irregularities and malpractices.

### **33. INQUIRY REPORT**

33.1.1. Within three working (3) days from the date of conclusion of the inquiry, the Security Department shall;

- (a) In the case where the Security Department recommends that no disciplinary action should be taken against the student, submit to the Vice Chancellor a written inquiry report outlining its findings and recommendation; or

(b) In the case where the Security Department recommends that disciplinary action should be taken against a student, submit the undernoted to the relevant disciplinary committee:

- i) A copy of the Inquiry Report
- ii) A copy of the Notice of violation, stating the violation and particulars of the violation;
- iii) A list of witnesses intended to be called upon to testify.

### **34. DISCIPLINARY COMMITTEE PROCEDURES AND PROCESSES**

34.1.1. The Halls or Faculty Disciplinary Committee shall within seven (7) days from the date of receipt of the Inquiry Report furnish the affected student with;

- i) A copy of the Notice of Violation.
- ii) A copy of the Inquiry Report, and all other documents and materials pertinent to the matter.
- iii) A written notice of not less than fourteen (14) days specifying the place, date and time when the student is required to appear before the Committee to answer to the complaints levelled against him/her.
- iv) May appear before a Committee accompanied by a representative of the Students Association or any other student in good standing with the University.

34.1.2. On the date of the disciplinary hearing, the Committee shall read to the student, in a language that the student understands, the Notice of Violation against him/her and request the student to indicate whether he/she accepts or denies the Notice of Violation.

34.1.3. If the student accepts the Notice of Violation;

- (a) The Committee shall record the acceptance of the Notice of Violation by the student and any mitigation offered by the student.
- (b) Upon listening to the statement in mitigation, the Committee may adjourn to consider an appropriate sanction and/or penalty.
- (c) Within three (3) days of the acceptance of the Notice of Violation, the Disciplinary Committee under the hand of the Chairperson shall inform the student in writing of the sanction and/or penalty together with the student's right to appeal to the Students Appeals Disciplinary Committee. The communication by the Disciplinary Committee shall be in the mode set out in paragraph 31.1.1.

34.1.4. In the event that the student denies the Notice of Violation, a disciplinary Hearing shall take place.

34.1.5. At the disciplinary hearing, the procedure shall be as follows;

- (a) The Security Department shall adduce oral and/or documentary evidence in relation to the Notice of Violation made against the student.
- (b) The student shall be at liberty to cross-examine the witnesses summoned by the Security Department as well as adduce oral and/or documentary evidence. If necessary, the student may summon his/her witnesses.

34.1.6. Any student who hinders or obstructs the proper conduct of proceedings before the disciplinary committee, or fails to obey any lawful instruction(s) or direction(s) by the Committee Chairperson shall be withdrawn from the hearing and proceedings will be commenced or continued in his/her absence.

34.1.7. The disciplinary process is an internal process of the University. Consequently, an affected student may only be accompanied to the Disciplinary Committee by a Student Association Official or any other student who is in good standing with the University.

34.1.8. Failure by a student facing disciplinary action to be accompanied by another student shall not hinder the Committee from proceeding with the hearing nor negate any decision made in the proceedings as every student is deemed to know his/her rights.

34.1.9. The Disciplinary Committee may allow a student's request to adjourn the hearing date if sufficient reason is disclosed. A request for adjournment prior to the date of hearing shall also include an email address through which the decision of the Committee on the application may be promptly relayed to the student.

34.1.10. A request for postponement of a hearing shall be in writing but the Committee may hear an oral request if good grounds are disclosed. The Committee shall decide on the application and communicate its decision to the student whether orally or in writing.

34.1.11. The Disciplinary Committee may adjourn any proceedings from time to time on such terms as it thinks fit but will conclude the inquiry within twenty-eight (28) days from the date of commencement.

34.1.12. The Disciplinary Committee shall endeavor to conclude the disciplinary hearings expeditiously.

34.1.13. A student may, in writing, waive any or all of his/her rights during the disciplinary hearing including the right to appear before the Committee and to cross-examine witnesses.

34.1.14. If a student who has been served with notice of hearing fails, without good cause, to appear before the Disciplinary Committee on the date and place stated in the notice, the Committee may proceed with the hearing in the absence of the student and may make appropriate orders as it may deem fit.

### **35. DECISION OF THE DISCIPLINARY COMMITTEE**

35.1.1. The decision of the Disciplinary Committee shall be in writing setting out a summary of the case against the student, any representations made by the student or his/her witnesses in answer to the Complaint, the factual conclusions by the Committee; and the reasons for the decision.

35.1.2. A decision that a student has violated this Code can only be made if there is proof that the student has engaged in the violation alleged.

35.1.3. The standard of proof that shall be used in all discipline cases is the balance of probabilities, which is the standard of proof used in civil law. This means that the Security Department or the Disciplinary Committee will be satisfied that the event occurred if they consider that, on the evidence available, the occurrence of the event was more likely than not.

35.1.4. The decision of the Disciplinary Committee shall be communicated as set out in paragraph 31.1.1 above.

35.1.5. The Disciplinary Committee shall take into account any exonerating factors and/or mitigation made by the student and thereupon make a final determination of the case including the penalty to be imposed upon the student.

35.1.6. Each Disciplinary Committee shall submit to the Senate a report of all Disciplinary matters handled by the Committee in June and December in each year.

### **36. Penalties**

36.1.1. The Disciplinary Committee may mete out such sanctions as are commensurate with the wrong committed by the student.

36.1.2. The University may, from time to time, modify and/or amend the complaints which are actionable.

36.1.3. The Disciplinary Committee may order any one or more of the following penalties upon a student:-

- (a) Issue a formal written warning, reprimand, or severe reprimand.
- (b) Require the student to write an apology to the University or other person as the case may be.
- (c) Confiscate and retain, without compensation, any offending item which was found in the possession of the student.
- (d) Require the student to have restricted contact or no contact within the University or with a specified person for a defined period of time.
- (e) Require the student to pay in whole or part the cost of repair or replacement of any property that was damaged or stolen.
- (f) Terminate the occupancy of University accommodation on giving written notice of 14 days.
- (g) Revoke a tuition discount, award, scholarship or any other benefit entirely or for a specified period of time.
- (h) Disqualify the student from taking a course or an examination(s).
- (i) Postpone, for a specific period of time, the conferment upon the student of a degree or other award due to the student.
- (j) Suspend the student from the University for a specified period of time.
- (k) Expel the student from the University. Expulsion entails the immediate termination of a student's registration and the prohibition of further registration.
- (l) An order that the student provides compulsory service to the University for a specified period of time.
- (m) Recall the degree certificate already awarded to a former student who had graduated but there emerges sufficient evidence showing their involvement in examination malpractice including plagiarism.
- (n) Any other penalties as the Disciplinary Committee may, in the circumstances, deem appropriate;

Provided that the Disciplinary Committee shall take into account the severity of the violation, the mitigating circumstances by the student, and shall have the discretion to impose a penalty that is appropriate in the circumstances.

36.1.4. Where the penalty imposed on the student is the payment of a surcharge or compensation, the specified amount shall be paid to the Finance Officer or other officer as directed by the Committee not later than seven (7) days from the date of the decision.

### **37. APPEALS DISCIPLINARY COMMITTEE**

37.1.1. A student who is dissatisfied with the decision of a Disciplinary Committee may, within seven (7) days from the date of the decision lodge an Appeal with the Appeals Disciplinary Committee.

37.1.2. The Appeal shall be in writing, concisely setting out the grounds of Appeal in a concise manner and shall be in the format set out in Appendix VII with any necessary modifications. A copy of the Notice of Violation that was provided to the student by the Security Department as well as the decision against which the appeal relates shall be attached to the Appeal.

37.1.3. Within three (3) days from the date of receipt of the Appeal, the Appeals Disciplinary Committee shall call for a record of the proceedings before the relevant Disciplinary Committee. The aforesaid record shall be availed to the Appeals Disciplinary Committee by the relevant Disciplinary Committee within three (3) days from the date of the request.

37.1.4. Within seven (7) days from the date of receipt of the Appeal, the Appeals Disciplinary Committee shall issue a written notice of not less than fourteen (14) days specifying the place, date and time when the student is required to appear before the Appeals Disciplinary Committee to make oral representations in support of the Appeal.

37.1.5. The aforesaid written notice shall equally be served upon the Security Department together with a copy of the grounds of the Appeal. The Security Department shall be expected to make representations during the hearing of the Appeal.

37.1.6. The student who has lodged the appeal shall have the right to begin and the Security Department shall respond.

37.1.7. Pending determination of an Appeal, the Appeals Disciplinary Committee may, on the application of the student, stay the payment of a surcharge, compensation or execution of any other penalty. Suspension or expulsion from the University shall not have stayed pending the hearing and determination of the Appeal.

### **38. DECISIONS OF THE APPEALS DISCIPLINARY COMMITTEE**

38.1.1. The Appeals Disciplinary Committee may dismiss the entire appeal or part thereof and uphold the decision of the Disciplinary Committee; or set aside the entire decision of the Disciplinary Committee or part thereof and vacate or modify the penalty imposed on the student.

38.1.2. The decision of the Appeals Disciplinary Committee shall be communicated to the student under the hand of the Chairperson of the Committee or his/her nominee within three (3) days from the date of conclusion of the hearing.

38.1.3. The Appeals Disciplinary Committee may, on its own motion or on application by an affected party, and by an appropriate certificate in writing, correct any copying and/or typographical errors in the documents recording decisions of the Committee.

38.1.4. The decision of the Appeals Disciplinary Committee shall be final and there is no further opportunity for appeal against the decision within the University.

### **39. WITHDRAWAL OF AN APPEAL**

39.1. A student may withdraw his or her request for appeal within three (3) days from the date of its lodgment with the Students Appeals Disciplinary Committee.

## **PART VII - MISCELLANEOUS**

### **40. PROTECTION FROM PERSONAL LIABILITY.**

40.1. No member of the Disciplinary Committees or any officer, staff or agent of the University shall be held liable for any action, claim or demand whatsoever if such an action is done in good faith in the execution of the functions, powers or duties of the Office.

### **41. DISCLOSURE OF INTEREST**

41.1. Any member of a Disciplinary Committee who has any interest, whether direct or indirect, in a matter under consideration by the Committee shall as soon as is practicable declare such interest and may not take part in any consideration, discussion or vote on any question touching on such matter.

### **42. PROCEDURE AFTER SATISFACTION OF PENALTY**

42.1. Upon serving a penalty under this Code, the concerned student shall apply to the Vice-Chancellor for readmission and/or discontinuation of any restriction as the case may be. Such application shall be made by the affected student timeously.

42.2. The Vice-Chancellor shall respond to the application either allowing readmission or rejecting the request within a reasonable period.

## **PART VIII-TRANSITIONAL PROVISIONS**

### **43. TRANSITION**

43.1.1. Upon enactment of this Code, all existing Disciplinary Codes and/or Rules and Regulations shall immediately cease to have effect and shall be deemed as withdrawn by the University. Upon enactment, this Code shall be the only regulatory Code of conduct at the University.

43.1.2. All pending disciplinary proceedings before the existing Committees of the University shall, at the date of enactment of this Code, be continued with such necessary modifications as though they were commenced under this Code;

Provided that any decision, direction or order which was issued, given, or made pursuant to the provisions of the repealed Disciplinary Codes and/or Rules and Regulations shall remain valid until otherwise cancelled, revoked, varied or abolished under this Code.

43.1.3. Additional policies relating to matters of student discipline may be approved which shall apply to particular activities or locations within the University. This may include the delegation of powers of investigation and powers to impose penalties where offences are found to have been committed.

### **44. REVIEW AND AMENDMENTS TO THIS CODE**

44.1. The University Council and Senate reserve the right to review, amend, change or otherwise vary the Students' Code of Conduct.

**PART IX – PENALTIES RELATING TO VIOLATIONS OF THE STUDENTS’ CODE OF CONDUCT**

<b>Description</b>	<b>Minor violation</b>	<b>Major violation</b>
	<p>The undernoted shall comprise minor violation of the students code of conduct;</p> <ul style="list-style-type: none"> <li>- Acts committed inadvertently</li> </ul> <p>☐☐ Offence is not of a significant impact to the University and the general public</p>	<ul style="list-style-type: none"> <li>- The undernoted shall comprise major violation of the students code of conduct</li> <li>- Willful acts of breach of the students code of Conduct,</li> <li>- Commission of multiple offences; repeated offences,</li> <li>- Significant breach of academic integrity or</li> <li>- Acts which could pose legal risks to the university</li> </ul>
<b>Violation in relation to:-</b>	<b>Penalties in respect to offences categorized as minor violation of the students code of conduct;</b>	<b>Penalties in respect to offences categorized as major violation of the students code of conduct;</b>
<b>i. General offences</b>	<ul style="list-style-type: none"> <li>- Restrictions on access to one or more activities of the University as may be deemed necessary.</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion and or recommendation for Criminal prosecution.</li> <li>-</li> </ul>
	<ul style="list-style-type: none"> <li>- Demand a written apology by the student to the University, issue a warning/caution letter, a reprimand or severe reprimand.</li> <li>- Compulsory community service, Referral of student to counseling and rehabilitation.</li> <li>- Restitution by payment of damages/ for any damage or loss suffered by the University or other party.</li> <li>- Payment of fine.</li> <li>- Deregistration or suspension from a University programme, examination/ assignment or other activity.</li> <li>- Suspension from the University for a Period</li> </ul>	<ul style="list-style-type: none"> <li>- Revocation of a student’s admission to the University, award of a scholarship, academic privilege, qualification due to the student.</li> <li>-</li> </ul>

Description	Minor violation	Major violation
	not exceeding three (3) years.	
<b>ii. Damage to Property</b>	<ul style="list-style-type: none"> <li>- Restitution by payment of the total cost of repair and/or damages for loss suffered by the University or other party.</li> <li>- Payment of fine</li> <li>- Forfeiture of the student's caution or other monies deposited with the University.</li> <li>- Suspension from the University for a period not exceeding three (3) years.</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion and or recommendation for Criminal prosecution.</li> <li>-</li> </ul>
<b>iii. Threats of and/or use of actual physical violence against Staff, Students and other persons including sexual assault and rape.</b>	<ul style="list-style-type: none"> <li>- Restrictions on access and/or contact with the affected staff, student or other person as the case may be.</li> <li>- Demand a written apology by the student to the University, issue a warning/caution letter, a reprimand or severe reprimand.</li> <li>- Deregistration or suspension from a University programme, examination/ assignment or other activity.</li> <li>- Suspension or revocation of a student's admission to the University, award of a scholarship, academic privilege, qualification due to the student.</li> <li>- Suspension from the University for a period not exceeding three (3) years.</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion and or recommendation for Criminal prosecution.</li> <li>-</li> </ul>
<b>iv. Disruption of University Activities, Functions and Events</b>	<ul style="list-style-type: none"> <li>- Restrictions on access to one or more activities of the University as may be deemed necessary.</li> <li>- Demand a written apology by the student to the University, issue a</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion and or recommendation for Criminal prosecution.</li> <li>-</li> </ul>

Description	Minor violation	Major violation
	<p>warning/caution letter, a reprimand or severe reprimand.</p> <ul style="list-style-type: none"> <li>- Deregistration or suspension from a University programme, examination, assignment or activity.</li> <li>- Suspension or revocation of a student's admission to the University, award of a scholarship, academic privilege, qualification due to the student.</li> <li>- Suspension from the University for a period not exceeding three (3) years.</li> </ul>	
<b>v. Information</b>	<ul style="list-style-type: none"> <li>- Restrictions on access to one or more activities of the University as may be deemed necessary.</li> <li>- Demand a written apology by the student to the University, issue a warning/caution letter, a reprimand or severe reprimand.</li> <li>- Restitution by payment of damages/ for any damage or loss suffered by the University or other party.</li> <li>- Payment of fine</li> <li>- Deregistration from a programme, examination or assignment.</li> <li>- Suspension/ revocation of a student's admission to the University, award of a scholarship, academic privilege, qualification due to the student.</li> <li>- Suspension from the University for a period not exceeding two (2) years.</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion and or recommendation for Criminal prosecution.</li> <li>-</li> </ul>
<b>vi. Students Elections</b>	<ul style="list-style-type: none"> <li>- Restrictions on participation in certain</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion and or recommendation for Criminal prosecution.</li> </ul>

Description	Minor violation	Major violation
	<ul style="list-style-type: none"> <li>activities on campus or placements.</li> <li>- Demand a written apology by the student to the University, issue a warning/caution letter, a reprimand or severe reprimand.</li> <li>- Restitution by payment of damages/ for any damage or loss suffered by the University or other party as a result of the misconduct.</li> <li>- Payment of fine □</li> <li>- Deregistration from a programme, examination or assignment.</li> <li>- Suspension from the University for a period not exceeding three (3) years.</li> </ul>	-
<b>vii. Alcohol and cannabis</b>	<ul style="list-style-type: none"> <li>- Guiding and counselling.</li> <li>- Recommend rehabilitation of the student at his/her cost and inform guardian.</li> <li>- Suspension from the University for a period not exceeding three (3) years.</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion and or recommendation for Criminal prosecution.</li> <li>-</li> </ul>
<b>viii. Examinations</b>	<ul style="list-style-type: none"> <li>- Resubmit assessment item; submission of alternative assessment item,</li> <li>- Retake the course</li> <li>- Revocation of admission, award of scholarship, academic privileges or achievements.</li> <li>- Suspension for a period not exceeding three (3) years.</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion from the University</li> <li>-</li> </ul>
<b>ix. Halls of Residence and Accommodation</b>	<ul style="list-style-type: none"> <li>- Compulsory community Service</li> <li>- Make restitution financially</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion from halls of residence and make financial restitution.</li> </ul>
<b>x. Health Services</b>	<ul style="list-style-type: none"> <li>- Letter of reprimand</li> <li>- Compulsory community Service</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion and recommendation for Criminal prosecution.</li> </ul>

Description	Minor violation	Major violation
	<ul style="list-style-type: none"> <li>- Restitution by payment of damages, fine or compensation where appropriate.</li> <li>- Suspension from the University for a period not exceeding three (3) years.</li> </ul>	<ul style="list-style-type: none"> <li>-</li> </ul>
<b>xi. Sports and Games</b>	<ul style="list-style-type: none"> <li>- Letter of reprimand</li> <li>- Suspension from participating in the games for a specified period.</li> <li>- Suspension from the University a period not exceeding three (3) years and make restitution where practical or pay damages/fine.</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion and recommendation for Criminal prosecution.</li> <li>-</li> </ul>
<b>xii. Financial Matters</b>	<ul style="list-style-type: none"> <li>- Make restitution where practical or pay damages/fine.</li> <li>- Letter of reprimand</li> <li>- Suspension from the University for a Period not exceeding three years.</li> <li>- Make restitution where practical or pay damages/fine.</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion and recommendation for Criminal prosecution.</li> <li>-</li> </ul>
<b>xiii. Weapons and prohibited items</b>	<ul style="list-style-type: none"> <li>- Letter of reprimand</li> <li>- Suspension from the University between two to three years and Expulsion and Criminal.</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion and recommendation for Criminal prosecution.</li> <li>-</li> </ul>

# APPENDICES

## APPENDIX I - SAMPLE COMPLAINT FORM



UNIVERSITY OF NAIROBI

### COMPLAINT FORM

(Under Section 32.1.1 of the Student's Code of Conduct)

#### 1. Personal Details

NAME	
Email:	
Telephone:	
Programme of Study: <i>(for students only)</i>	
Registration No: <i>(for students only)</i>	

#### 2. Your Complaint

A. Please provide a summary of your complaint below (300 words max).

B. If you have tried to resolve the complaint in any way, please tell us what you have done (200 words max)

C. Please provide a brief explanation of the issue(s) you consider to be unresolved  
(200 words max).

D. Please explain how you would like your complaint to be resolved (200 words max).

E. If you are submitting a complaint more than 3 days from when you first became aware of the problem, please provide a brief explanation for the delay (200 words max).

**3. Supporting documentation**

Do you wish to submit any supporting documentation for Yes/No consideration?

If “Yes”, please tick here to indicate that what you have submitted is complete

Signature:.....

Date:.....

**APPENDIX II - SAMPLE NOTICE OF COMPLAINT**



**UNIVERSITY OF NAIROBI**

**NOTICE OF INQUIRY**

**(Under Section 32.1.1 of the Student's Code of Conduct)**

Dear  
XXXX,

**NOTICE OF INQUIRY**

It has been reported that on ..... between ..... hours and ..... hours at the University of Nairobi Students Welfare Services, sports grounds you [briefly describe the nature and particulars of the complaint]....., in possible violation

**5 of section----- of the Students' Code of Conduct, 20---**

The Security Department has considered the Complaint and decided to initiate an Inquiry into the matter.

In the course of the Inquiry, you may be summoned by officers from the Security Department to appear before them to furnish any information or material necessary for the Inquiry.

You have the right to be accompanied by a representative of a student association or another when appearing before officers of the Security Department.

Please note that the Vice-Chancellor of the University may impose such restrictions upon, including precautionary suspension, pending the outcome of the Inquiry and subsequent disciplinary proceedings under the Code.

Yours sincerely

**XXXXXXXXXXXXXX**

**FOR SECURITY DEPARTMENT**

**Copy To:**

Complainant  
Deputy Vice Chancellor (Academic Affairs)  
Director Legal and Corporate Secretarial Services

**APPENDIX III - SAMPLE OF SUSPENSION LETTER**

Dear XXXX,

**SUSPENSION FROM THE UNIVERSITY, ITS PRECINCTS, LECTURES AND UNIVERISTY ACTIVITIES PENDING YOUR APPEARANCE BEFORE DISCIPLINARY COMMITTEE**

It has been reported that on ..... between ..... hours and .....hours at the

University of Nairobi Students Welfare Services, sports grounds you were in possession of a narcotic drug namely ....., in possible contravention of **section-----**

**- of the Students' Code of Conduct, 20---**

You are well aware of the said regulations having signed and declared to abide by the same upon admission to the University.

By delegated authority conferred to me by the Vice Chancellor in accordance with section-----

----- of the Students' Code of Conduct, 20 ----- , I hereby suspend you from the University with immediate effect pending Inquiry by the Security Department. Your suspension will last for a period of \_\_\_\_\_ days from the date of this letter.

If upon conclusion of the Inquiry, a recommendation is made that charges be levelled against you, you will be invited to appear before the Disciplinary Committee at a date and venue to be communicated to you.

In the meantime, you are required to keep off from Campus including lecture halls and activities of the University unless expressly authorized in writing by the Vice Chancellor or his assignee or until such a time as the investigations/disciplinary process shall be concluded or your suspension lifted.

You are further advised that this administrative suspension does not bar any relevant state agency and the University from instituting appropriate criminal charges against yourself.

Yours sincerely

**XXXXXXXXXXXXXX**

**DEPUTY VICE-CHANCELLOR (ACADEMIC AFFAIRS)**

**Copy To:**

- Deputy Vice-Chancellor (Research, Innovation & Enterprise)
- Director, ICTC
- Dean of Students
- Halls Manager
- Director, Security & Safety Services
- Director, University Health Services
- Director, Legal & Corporate Secretarial Services
- Academic Registrar
- Deputy Registrar, Examinations
- Halls Officer

**APPENDIX IV–SAMPLE NOTICE OF VIOLATION**



**UNIVERSITY OF NAIROBI**

**NOTICE OF VIOLATION**

**NAME:** .....

**FACULTY:** .....

**REGISTRATION NO:** .....

<b>Statement of the violation</b>	Being in possession of a narcotic and psychotropic substance contrary to section.....of the Students’ Code of Conduct, 20---.
<b>Particulars of the violation</b>	That on or about.....at 9 a.m, while at Mamlaka Hostel Room 21, you were found together with other students namely Chris Wafula and George Ataka being in possession of bhang, a psychotropic substance.

**SIGNED:** \_\_\_\_\_  
**FOR: DIRECTOR SECURITY SERVICES**  
**OR HIS ASSIGNEE**

**DATE:** \_\_\_\_\_

**Copy to: Academic Registrar**

1. Received by: \_\_\_\_\_ Time: \_\_\_\_\_ Date: \_\_\_\_\_
2. I.D. No.: \_\_\_\_\_ Signature: \_\_\_\_\_
3. Faculty Disciplinary Committee’s hearing date: \_\_\_\_\_
4. Venue: \_\_\_\_\_ Time: \_\_\_\_\_
5. Issued, witnessed and signed by: \_\_\_\_\_
6. Designation: \_\_\_\_\_



**UNIVERSITY OF NAIROBI**  
**NOTICE OF VIOLATION**

**NAME:** .....

**FACULTY:** .....

**REGISTRATION NO:** .....

**Statement of the violation** Being in possession of unauthorized written material in an examination room contrary to section.....of the Students’ Code of Conduct, 20---.

**Particulars of the violation** That on or about 2<sup>nd</sup> February 2019 in Lecture Theatre No. 2 while sitting an examination namely Ancient History Paper II, you were found with prohibited notes on the subject namely four folded foolscaps which contained notes on Ancient History.

**SIGNED:** \_\_\_\_\_  
**FOR: HEAD OF SECURITY DEPARTMENT**  
**OR HIS ASSIGNEE**

**DATE:** \_\_\_\_\_

**Copy to: Deputy Reg. (Exams)**

1. Received by: \_\_\_\_\_ Time: \_\_\_\_\_ Date: \_\_\_\_\_
2. I.D. No.: \_\_\_\_\_ Signature: \_\_\_\_\_
3. Faculty Disciplinary Committee’s hearing date: \_\_\_\_\_
4. Venue: \_\_\_\_\_ Time: \_\_\_\_\_
5. Issued, witnessed and signed by: \_\_\_\_\_
6. Designation: \_\_\_\_\_



**DISCIPLINARY PROCESS SUMMARY SHEET**

NAME:.....

FACULTY:.....

REGISTRATION NO:.....

CONTACTS:.....

Item	Particulars
Violation	
Date of suspension pending appearance before disciplinary committee, if any	
Date of appearance and hearing before disciplinary committee	
Date the student is informed of the verdict/outcome of the disciplinary committee	
Type of sentence/penalty	

Item	Particulars
Expected date of compliance with the sentence	
Date of processing appeal if any	
Outcome of the appeal	
Is the sentence and appeal subject to court process	
Outcome of the court process	
Date of re-admission to the University after compliance with the sentence /penalty	
Office to report to and process re-admission after serving the sentence or penalty	
Any other comment for noting and action	

**6 Issued by:**.....

**Signed**

**by:**.....**Date:**.....

.....

**APPENDIX V – SAMPLE MINUTES OF DISCIPLINARY COMMITTEE HEARING**



**UNIVERSITY OF NAIROBI**

**MINUTES OF THE FACULTY DISCIPLINARY COMMITTEE MEETING HELD ON (DAY),(DATE) AT (TIME) IN THE (VENUE) TO HEAR THE CASE OF (FULL NAME OF THE STUDENT – ADMISSION NUMBER) FROM (DEPARTMENT– FACULTY)**

<b>MEMBERS OF THE DISCIPLINARY COMMITTEE PRESENT</b>		
<b>S/N</b>	<b>NAME</b>	<b>POSITION</b>
<b>1</b>		Dean of Faculty/Nominee of the Executive Dean of Faculty <i>-Chairperson</i>
<b>2</b>		The Representative of Senate. <i>-Member</i>
<b>3</b>		Chairperson of Department of the affected student or his/her nominee. <i>-Member</i>
<b>4</b>		Student representative from the Faculty/Campus Student Association. <i>-Member</i>

<b>IN-ATTENDANCE (ANY OTHER CO-OPTED STAKEHOLDER)</b>		
<b>S/N</b>	<b>NAME</b>	<b>POSITION</b>
<b>1</b>		
<b>2</b>		
<b>3</b>		The Faculty Registrar/ nominee of the Faculty <i>-Secretary</i>

<b>DISCIPLINARY COMMITTEE'S PROCEEDINGS</b>		
<b>S/N</b>	<b>ITEM</b>	<b>MINUTES</b>
1	Chairperson's remarks - (Procedure of the disciplinary process)	<p>The disciplinary power of the University is derived from the Universities Act 2012, the Universities of Nairobi Charter 2013 and the Students' Code Of Conduct governing the conduct and Discipline of Students.</p> <p>In addition thereto, at the time of admission, a Student executes a Bond binding himself/herself to observe the rules and Students' Code Of Conduct governing the conduct of the Student while at the University.</p> <p>It is important to mention that the Disciplinary Proceedings are reasonably related to a legitimate purpose, that is to uphold Discipline in the University and to enable the University fulfill its statutory mandate of managing the institution.</p> <p>Consequently, the University has not only statutory duty but also a moral duty to uphold students discipline at the University and enforce compliance with law and Students' Code Of Conduct to ensure efficient learning.</p> <p>In so far as the University commits itself to creating and maintaining an environment that is conducive to learning, it assumes a position of authority in relation to the student. In turn the student undertakes to accept that authoritative status.</p> <p>In conducting the disciplinary action, the Committee is guided by the rules of natural justice and will endeavor for a fair administrative action that is expeditious, efficient, lawful, reasonable and procedurally fair to the student.</p>
2	Students' particulars (name, registration number, course and year of study etc.)	
3	Disclosure of Conflict of Interest	
4	Notification of the students of the alleged violation against him and the particulars thereon	
7	Student's response to the notice of violation against him. (Either denies/accepts)	
9	Presentation of University's case (witnesses and evidence).	
10	Presentation of the student's response to the charges levelled against him and cross examination of the witnesses called by the University	

11	University's rejoinder to the student's response.	
12.	Notification of the date of the determination including the penalty	
14	Committee's deliberations/discussions	
15	Committee's Recommendations	
16	Reason for Recommendations	
17	Communication to student/guardian about approved committee's recommendation(s)/decision(s)	<p>----- ----- -----</p> <p>The disciplinary action was taken in good faith for executing a legitimate purpose and aimed at the good of the society in maintaining students'' discipline in the University and shall not render the university liable for any action, Claim or demand whatsoever.</p> <p>Further, you are at liberty to appeal to the Students Appeals Disciplinary Committee against the disciplinary Decisions. The appeal should be lodged with the Senate Student Disciplinary Committee within seven (7) days upon receipt of the disciplinary decision.</p>

**Approved:** .....

**DATE**.....

**DEAN OF FACULTY/OR HIS NOMINEE**

**CHAIRMAN**

**FACULTY REGISTRAR OR HIS NOMINEE**

**SECRETARY**

**APPENDIX VI – SAMPLE MINUTES OF STUDENT APPEALS  
DISCIPLINARY COMMITTEE HEARING**



**UNIVERSITY OF NAIROBI**

**MINUTES OF THE STUDENTS APPEALS DISCIPLINARY COMMITTEE MEETING  
HELD ON (DAY), (DATE) AT (TIME) IN THE (VENUE) TO CONSIDER THE CASE OF  
(FULL NAME OF THE STUDENT – ADMISSION NUMBER) FROM  
(DEPARTMENT/FACULTY)**

<b>MEMBERS OF THE DISCIPLINARY COMMITTEE PRESENT</b>		
<b>S/N</b>	<b>NAME</b>	<b>POSITION</b>
1		Deputy Vice-Chancellor (Academic Affairs) or a nominee <i>(Chairperson)</i>
2		Representative from the Senate

<b>IN ATTENDANCE (ANY OTHER CO-OPTED STAKEHOLDER)</b>		
<b>S/N</b>	<b>NAME</b>	<b>POSITION</b>
1		
2		
3		
4		

<b>DISCIPLINARY COMMITTEE'S PROCEEDINGS</b>		
<b>S/N</b>	<b>ITEM</b>	<b>MINUTES</b>
1	Chairperson's remarks – (Procedure of the disciplinary process)	The disciplinary power of the university is derived from the Universities Act 2012, the University of Nairobi Charter 2013 and the Students' Code Of Conduct governing the conduct and Discipline of Students. Also, at the time of admission, a Student executes a Bond binding himself/herself to observe the rules and Regulations governing the conduct of the Student while at the University.  It is important to mention that the Students' Code Of Conduct and Disciplinary Proceedings are reasonably related to a legitimate purpose, that is to uphold

		<p>Discipline in the University and to enable the University fulfill its statutory mandate of managing the institution.</p> <p>Consequently, the University has not only statutory duty but also a moral duty to uphold students discipline at the University and enforce compliance with law and Students' Code Of Conduct to ensure efficient learning.</p> <p>In so far as the university commits itself to creating and maintaining an environment that is conducive to learning, it assumes a position of authority in relation to the student. In turn the student undertakes to accept that authoritative status.</p> <p>In conducting the disciplinary action, the Committee is guided by the rules of natural justice and will endeavour for a fair administrative action that is expeditious, efficient, lawful, reasonable and procedurally fair to the student.</p>
2	Students' particulars (name, registration number, course and year of study etc.)	
3	Disclosure of Conflict of Interest	
4	Notice of the Appeal on matters concerning Students' Code of Conduct.	
5	Brief of Faculty Disciplinary Committee	
6	Student presentation of his/her Appeal to the committee.	
7	University's response to the student's Appeal.	
8	Student's clarification on the Appeal.	
9	Committee's deliberations/discussions	
10	Committee's Recommendations	
11	Reason for Recommendations	
12	Communication to student/guardian about the approved committee's recommendation(s)/ decision(s)	<p>-----</p> <p>-----</p> <p>The disciplinary action was taken in good faith for executing a legitimate purpose and aimed at the good of the society in maintaining students' discipline in the University and shall not render the university liable for any action, claim or demand whatsoever.</p>

Approved: \_\_\_\_\_

**DEPUTY VICE CHANCELLOR (ACADEMIC AFFAIRS)**

**APPENDIX VII – SAMPLE APPEAL LETTER**

**UNIVERSITY OF NAIROBI**  
**STUDENTS APPEALS DISCIPLINARY COMMITTEE**

**APPEAL NO.....OF 20.....**

**NAME:** .....

**FACULTY:** .....

**REGISTRATION NO:** .....

***[APPEAL AGAINST THE DECISION OF THE HALLS/FACULTY  
DISCIPLINARY COMMITTEE DATED... ]***

1. By a Notice of Violation dated....., the University alleged that on.....I was in possession of unauthorized written material in an examination room contrary to section...of the Students’ Code of Conduct, 20---
2. A disciplinary hearing was held on.....before the Faculty Disciplinary Committee whereat the witnesses for the University as well as myself adduced evidence for and against the charges levelled against me.
3. By a decision delivered on.....the Faculty Disciplinary Committee found me guilty of the charges levelled against me and prescribed the undernoted penalty.....
4. I am aggrieved by the entire/part of the decision of the Halls/Faculty Disciplinary Committee and appeals to this Committee on the following grounds;
  - a) .....
  - b) .....
  - c) .....
  - d) .....
5. I thus urge this Appeals Committee for the undernoted;
  - a) This Appeal be allowed as prayed.
  - b) The entire decision of the Faculty Disciplinary Committee date.....be set aside.
  - c) A finding be made that I am not guilty of the charges levelled against me as set out in the Complaint Sheet dated.....

**7 Name.....**

**Signature.....**

**Date .....**

***{Copies of the Notice of Violation and the Decision of the Disciplinary Committee attached}***