

ARDHI UNIVERSITY

STUDENTS BY-LAWS

(2018)

Issued by:

The Office of the Deputy Vice Chancellor
(Planning, Finance and Administration)

PREAMBLE

Where the University was established and exists for the
Pursuit of learning;

AND

Whereas the University's fundamental purpose can be
achieved only if its members can work peacefully in
conditions which permit freedom of thought and
expression within a framework of respect for the rights of
other persons;

NOW THEREFORE

These by-Laws are promulgated and made to maintain
these conditions and protect the University from actions
which would damage its academic reputation or the
standing of the University and its members.

PART 1

PRELIMINARY PROVISIONS

Citation **1.1** These By-Laws shall be cited as the Ardhi

University Students (General Conduct, Disciplinary Offences, Disciplinary Proceedings, and Penalties) By-Laws, 2017 (herein after referred to as the “By-Laws” and shall come into force on such date as the Council may approve;

1.2 These By-Laws are made by Council in accordance with provisions of section 45(2) (h) of the Universities Act. No.7 of 2005 and Rule 12(3) (j) of Ardhi University Charter of 2007 whose object and purpose its, inter alia, to provide for the control, governance and administration of the University;

2.1 In these By-Laws, unless the context otherwise requires: *Definiton*

“Advisory Disciplinary Panel” means a panel established under part IV rule 13.0 of these By-Laws;

“Baraza” means and includes school Baraza. Campus Baraza and University Student Baraza constituted by all students at school or campus or at the University, as a whole;

“Charter” means the Ardhi University Charter, 2007;

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

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

“Dean of Students” for the purpose of these By-Laws, means the Dean of Students, appointed by the Council as provided in Rule 30 (1) – (3) of the charter;

“Disciplinary Authority” means a disciplinary authority established under Rule 34 (1) of the First Schedule to the Charter;

“Disciplinary Offence” includes offences provided under Part II rule 4 of these By-Laws;

“Dismissal” is a permanent termination of a student from studies by the university;

“Drug” is any substance (other than food that provides nutritional support) that, when inhaled, injected, smoked, consumed, absorbed via a patch

on the skin, or dissolved under the tongue causes a physiological change in the body;

“Expulsion” refers to the removal of a student from a university for an extensive period of time due to a student persistently violating student’s bylaws, or for a single offense of appropriate severity in extreme cases;

“Halls of Residence” shall mean and include halls of residence, hostels and blocks of residence supervised by the University (Ardhi);

“Indecent exposure” is the deliberate expose in public or in view of the general public by a person of a portion or portions of his or her body, in circumstance where the exposure is contrary to local moral or other standards of appropriate behavior.

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

“Reprimand” is an administrative warning issued to a student by the university informing the student that

he/she did something wrong or illegal and can be punished if he /she repeat the same.

“Rustication” means being “sent out” or expelled temporarily, or to leave temporarily, to indicate that a student has been sent back to his or her family on the condition given, a student who has been rusticated may not be allowed to enter any of the university building.

“Student” means any person admitted to the University and registered as a full or short term candidate for a degree, diploma, certificate or other award of the University including occasional students;

“The Act” means the Universities Act No.7 of 2005 as amended from time to time;

“The Students Disciplinary Appeals Committee” means the Appeals Committee established under Rule 35 (1) of the First Schedule to the Charter;

“The Council” means the Council of the Ardhi University;

“The Students’ Organization” has the same meaning as that ascribed to it under section 3 of the Act;

“The University” means the Ardhi University established by Article 3 (1) of the Charter;

“The University community” includes members of staff of the university, students, workers of service providers and all people who reside in the university campus.”

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

2.2 Wherever it appears in these By-Laws, a singular shall include a plural form and vice-versa;

*Acceptance
Of by
Laws;
conditions
for
Admission* **3.1** Acceptance of a place in the University is conditional upon agreement by the student to abide by the By-Laws. The operation and application of the By-Laws is without prejudice to the constructions and the general laws of the United Republic of Tanzania.

Every student on enrolment is required to procure a copy of Student’s By-Laws and or any other University or part of the University regulations for the time being in-force. The agreement shall be by way of sworn declaration.

*Payment of
fees,
conditions
for
registration* **3.2** Payment of prescribed fees shall be a condition for registration to pursue and/or to continue with studies

at the University; provided that the manner of payment shall be in accordance with instructions enunciated from time to time in the University Prospectus or through other lawful media.

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

3.3 Every student who is registered /admitted is required to hang identity card at all times she/he is within the university campus.

*Students'
identity
cards*

All students' identity cards are the property of the university.

PART II

DISCIPLINARY OFFENCES

4. For the purpose of these By-Laws, general *General Disciplinary offences* disciplinary offences shall include the following:
- (i) Conduct which does or is likely to cause damage, defacement or violence to person or property within the University provided that such conduct is that of a student towards another student, member or members of the University community or any other employee or employees of the University, provided further that the conduct in question occurred on any of the University campuses or hostels rented by the University;
 - (ii) Using force or offering violence or threats against or striking a fellow student, an officer or any member of the University community provided that such violence occurs on any of the University campuses or privately rented hostels
 - (iii) Maliciously damaging, defacing or destroying a wall, gate, fence, post or any other property of the University whether or not such property has

been leased to any public or private company or person;

- (iv) Act or conduct which is likely to obstruct or obstructs or to frustrate or frustrates the holding of any academic or administrative activity(ies) or both academic and administrative activities authorized by the University;
- (v) Unauthorized use of, or interference with, any technical, electrical or other service or installation of the University;
- (vi) Where a student is charged with a criminal offence which is not a misdemeanor under the law;
- (vii) Unauthorized possession of a key to University property
- (viii) Unauthorized use of the University's name, emblem, logos, information, publications, images, graphics and social media
- (ix) a) Refusal or failure to comply with a lawful order or directive given by any officer of the University acting on his/her behalf or under an order from any competent organ or officer of the University

- b) Knowingly giving information known to be false or not believed to be true by the giver thereof or any other person in that behalf;
- (x) Use of slanderous, abusive, obscene or threatening language by any student against any other student or students or against any officer or employee of the University in the course of performance of such officer's or employee's duties;
- (xi) Forging a document or uttering a false document or perpetrating forgery with intent to cause loss to any person, University, or any other institution whether in cash or otherwise;
- (xii) Using cellular phones, computers, tablets, cameras and other electronic devices to record, film, transmit or produce any electronically transmitted text, conversations or visual images of another person without their knowledge and consent
- (xiii) Knowingly inviting or entertaining a student or students in the University or University leased hostels whose name or names appear on the University notice board as having been barred or otherwise known to have been barred from

the University or leased hostels premises by a competent authority;

- (xiv) Refusal or failure to obey any lawful order issued under the University regulations or rules promulgated by a competent organ of the University;
- (xv) Failure or refusal to attend a meeting called or authorized by the Disciplinary Authority or any other competent organ of the University when summoned to do so by a proper written notice by such Authority or organ as prescribed under Rule 13.1 of these By-Laws;
- (xvi)
 - a) Willful obstruction of proceedings conducted by the Disciplinary Authority, Advisory Disciplinary Panel or any other competent organ of the University or interference with witnesses in disciplinary proceedings conducted under these By-Laws.
 - (b) If a student, having been called upon to give evidence before the Advisory Disciplinary Panel, turns hostile or refuses without lawful excuse to give evidence or to answer a

question or to produce a document or any other thing required by such a panel;

- (xvii) Refusal or failure to abide by the ruling, decision and/or penalty made or imposed by the Disciplinary Authority or any other competent authority of the University;
- (xviii) Unauthorized holding of University and/or campus Baraza or general meeting. For avoidance of doubt, such meetings scheduled in the University Almanac currently in force shall be deemed to be authorized. Emergency Barazas may be held only after the Deputy Vice Chancellor (Academic, Affairs) has approved provided that the same have the effect of obstructing or frustrating the holding of any lecture, class or laboratory work given or authorized by the University, provided further that in any other cases three days notice be given to the Deputy Vice-Chancellor (Planning Finance and Administration) prior to the holding of such emergency Baraza;
- (xix) Inviting outsiders as guest speakers and/or social entertainers without the permission of the relevant organs of the University namely, the

Vice Chancellor, Dean of Students, Dean/Director of relevant School/Institute, Head of relevant Department, or *Students' Organization*, as the case may be depending on the intended audience and status of the guest speaker/social entertainers;

- (xx) Forming and/or establishing unauthorized students' groups which are likely to cause disunity and disorder at the University or in the wider Community;
- (xxi) Without derogating the right to freedom of expression, willful writing or defamatory literature and uttering insults or obscene language by any student or group of students against any other student or group of students or any employee of the university, or against the University, Government or any civil leader;
- (xxii) Sexual harassment shall consist of any or all but not limited to the following:
 - a) Sexual jokes, innuendoes, noises, lewd suggestions, foul language, obscene gestures;
 - b) Belittling comments on a person's anatomy, persistent demands for dates;

- c) Pressuring for sexual activity or favours;
- d) Asking about personal sex life, explicitly sexual suggestions in return for reward;
- e) Telling lies or spreading rumors about a person's sex life with the purpose of assassinating the character of the victim;
- f) Unwanted physical contact of any sort which is sexual in nature including touching of sensitive body parts, brushing against another's body, hair or clothes, kissing, pinching, patting, grabbing, or cornering;
- g) Displaying of pornographic and sexually suggestive pictures and/or sexual objects
- h) Transmitting offensive material whether written, telephone or by electronic communications of sexual nature;
- i) Indecent exposure;
- j) The use of one's authority or power, either explicitly or implicitly, or coerce another into unwanted sexual relations or to harass another for his or her refusal;

- k) The creation by a member or a group of people of an intimidating, hostile or offensive working or educational environment through verbal or physical conduct of a sexual nature;
 - l) Rape or indecent assault;
 - m) Public and/or group sex
- (xxiii) Mismanagement and/or embezzlement of students' organization funds and/or of any other recognized student society established under the auspices of the students' organization in accordance with the relevant provisions of the students' organization's constitution for the time being in force;
- (xxiv) Collecting or charging money from any student or student groups without prior permission of the University organs; namely the Dean of Students, the Students' organization, or in special cases, the Dean/Director of the relevant School/Institute or the Head of the relevant Department, as the case may be;
- (xxv) Unauthorized carrying of weapons within the campus which is likely to jeopardize peace;

For avoidance of any doubt, weapons shall include but not limited to the following: firearms, sticks, knives, machete, clubs, and the like weapons.

- (xxvi) Illegal entry into another student's room;
- (xxvii) Instigating or inciting students to boycott classes;
- (xxviii) For the avoidance of doubt, instigating or inciting shall mean and include persuasion, pressure, threats or encouragement with the intention that the student or students persuaded, pressured, threatened or encouraged commit(s) the offence in question;
- (xxix) Planning or participating in an unlawful demonstration which shall include planning the route for the demonstration, encouraging the organizers of the demonstration and providing banners or posters for the demonstration.
- (xxx) No students' organization shall engage in any political party's activities on campus, conduct its affairs or have a constitution which in any way or manner whatsoever offends or conflicts with

the provisions of the Act or Charter or of any other written law.

- (xxxi) Drug possession, use, manufacture, distribution, sale or trafficking.
- (xxxii) Possession, use, manufacture, distribution or sale of alcohol without proper permit from relevant University authority.
- (xxxiii) Mismanagement or embezzlement of students' organization funds or of any other recognized student society established under the auspices of the students' organization in accordance with the relevant provisions of the students organizations constitution

For the purpose of this section:-

- a) "campus" includes any place where the activities or affairs of the institution to which a students' organization belongs may be under lease or license take place, be conducted or where the residence of students is established, provided, organized or overseen whether regularly or intermittently or on a particular occasion or occasions;

- b) “engaging in political parties activity” includes regular recruitment, training, registering or enrollment of political party members, regular organization of meetings, seminars and conferences for a political party or political parties, operating a branch office or cell or the like of a political party or political parties and matters of a similar nature on campus and “Students’ organization” includes its members.

- 5.0** (i) Students may be offered accommodation in the University Halls of Residence or any hostel or residence rented to the University. Where campus or hostel accommodation is not available to all for residence in the campus halls or in University rented hostels, priority shall be given to students with disabilities and such other categories as Council shall determine from time to time;

*Provisions
and
Offences
Relating to
Residence*

- (ii) The rooms in the University hostel will be furnished with beds, mattress, tables, and chairs and in some cases armchairs. Occupants are not allowed to remove permanent fittings in the rooms and are

responsible for the proper care of all property and any damage or loss must be reported immediately to the Warden and paid for by the person who caused the damage;

- (iii) Payment of rent fees shall be made at the beginning of each semester. All excuses shall be channeled through the Dean of Students and approved by the Head accommodation
- (iv) The occupants shall be required to sign an accommodation contract at the beginning of each academic year, vacation, programme and return the copy of the contract to the Hall/Block Warden.

- 5.1**
- (i) Students shall sign inventory form of the items which are in the room and shall be enjoined to take good care of the rooms they occupy. They shall themselves be responsible for the general cleanliness and tidiness of the rooms;
 - (ii) No student is expected to deny a University Staff to enter into a room for repair, inspection and other activities as may be specified from time to time;

- (iii) Cooking is not allowed in the Halls of residence except in designated premises. For avoidance of any doubt, disciplinary offence includes: frying, roasting, baking and boiling food stuffs (except boiling drinking water using electric kettle) by use of any source of energy;
- (iv) Students shall not interfere with or transfer furniture or fittings of any kind from any part of the University building without prior written permission from the office of the Head accommodation or Warden of the Hall of Residence as the case may be. Notwithstanding the generality of this paragraph, any student wishing to install any additional furnishing in his/her room may do so subject to prior knowledge and written permission from the office of the Head accommodation or Warden of the halls of residence.
- (v) No refrigerator, drier, freezer, cooking appliances and no electric devices other than reading lamps, table fan, electric iron, electric razor, electric hair dryer, electric

kettle, radio, recording player, TV, VCR and computer shall be used in students rooms or in any unauthorized place or space;

- (vi) Students shall not use electric appliances specified in paragraph (v) herein above which exceed the maximum current of 13 amps at wall power points;
- (vii) Musical appliances and equipment, such as record player, radio, TV, VCR, computer and other noise making equipment may be used provided that music shall not be played at noise levels that are a nuisance and annoyance to other residents of the hall
- (viii) For specific official student functions, permission to extend musical performance in specified places within the University may be granted by the Dean of Students until but not beyond midnight.
- (ix) A resident shall obey rules and instructions made in respect of halls of residence or hostels and shall refrain from conduct which may bring discredit upon his/her hall

of residence or is prejudicial to the welfare of other residents of the Hall such as drunkenness and disorderly conduct, over blasting music, etc;

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

For avoidance of any doubt misbehaving includes but is not limited to being drunk,

smoking and/or drug abuse inside the room, bringing unauthorized guests into the room, immoral acts in the presence of roommates in the room and/or within the hall/hostel premises;

(xiii) Regulations for University residence within the campus shall apply *mutatis mutandis* to the student living in off-campus residences supervised by the University;

(xiv) Subletting any unauthorized person in the Hall(s)/Hostel(s) of residence is strictly prohibited;

For avoidance of any doubts, unauthorized person shall include any student or person not allocated to the particular room/hall/hostel of residence;

(xv) Failure or delay to pay accommodation fees within the stated period without approval of respective University Authorities;

(xvi) Breach of accommodation contract between the University and the student.

(xvii) Failure to allow or obstruct any University official to access the room in case of inspection or maintenance.

(xvii) The Dean of Students shall have powers to temporarily evict any student from the room in the hostel of residence pending the approval of the Students' Disciplinary Committee.

5.2 (i) All students shall be required to vacate the Halls of Residence or hostels at the end of each semester when the University is closed for vacation and keys must be returned to the Head accommodation. Failure to do so shall involve the paying of full residential charges from the beginning of vacation to the time the key is returned.

Provisions relating to residence during vacation

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

(iii) Students who have particular assignments or an exceptional reason to stay in Halls of

Residence at reduced rates, as may be stipulated with the terms of such permission and who secure the recommendation of Dean of Students and the Head accommodation, may be permitted to stay in Halls of Residence by the Deputy Vice Chancellor (Planning Finance and Administration);

- (iv) Loss of keys by a student must be immediately reported to the Hall Warden or Janitor on duty. The key will be replaced on payment of the cost of a new lock by the student responsible for its loss or for its safe custody (herein after referred to as “Key holder”);

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

- (v) The Dean of Students shall have powers to temporarily evict any student from the room in the hostel of residence pending the approval of the Students’ Disciplinary Committee.

6.0

*Permission
to leave
Campus*

- (i) No student shall travel during semester time outside Dar es Salaam Region without permission;
- (ii) Permission for travel for a weekend outside Dar es Salaam Region may be granted by the Dean of Students;
- (iii) Permission for travel for less than a week and involving missing lectures, seminars and/or laboratory work may be obtained in writing from the Dean of the relevant School/Institute through the Dean of Students, Head of relevant Department and the Warden where applicable.
- (iv) Permission for travel for more than a week shall be obtained from the Deputy Vice-Chancellor (Academic Affairs) through the Dean of the relevant School and notified to the Dean of Students and the Warden where applicable.

7.0

*Provisions
and Offences
relating to
Cafeteria and
Kitchen*

Students utilizing the University catering system are required to observe cafeteria regulations. Failure to observe any of the following rules shall constitute a disciplinary offence.

- (i) The kitchens shall be out of bounds to all students except for student leaders appointed to oversee Cafeteria matters;
- (ii) Smoking is not allowed in the cafeteria, halls and/or any other public place;
- (iii) Any complaints about catering service shall be made through a suggestion box or to students' organization leaders and/or Dean of Students.

PART III

GENERAL REGULATIONS

8.0 (i) Students shall show identity cards in all places at all times when required to do so by an authorized person.

9.0 Students may undertake paid employment during semester time subject to prior permission from the respective School Deans. Assurance shall be provided that the academic work of such students would not suffer through such employment.

*On
employment*

10.0 Students may communicate with outside institutions and the news media in their private capacity. All official correspondence by students or by officials of the Students' Organization or by Government ministries, parastatals, non-governmental organization, etc shall be routed through the Dean of Students or the Dean of School/Director, as the case may be; correspondence to the Chancellor, the State House, Representatives of foreign governments and international nongovernmental organizations or any other such official body shall be routed through the Vice-Chancellor;

*On
official
Corresp
ondence*

Students wishing to publish articles in the University Newspapers, Bulletins, etc. or make use of any print or electronic media shall be expected to observe laws of libel which prohibit, inter alia, publishing of:

- (a) Defamatory statements about a person which exposes that person to hatred, scorn and contempt, or is likely to injure a person on which exposes that injure him or her in his or her trade or profession.
- (b) Seditious statements or pictures that may insight people to violence, even if the writer has no intention to do so.
- (c) Blasphemous statements about religious matters that may offend deeply the feelings of those who hold those matters sacred.
- (d) Obscene statements, or pictures which are likely to spoil or likely to corrupt or corrupts those people into the hands the paper may fall.
- (e) Any confidential information received from police or public officers in the course of their official duties or enquiries.
- (f) Any matter which is likely to bring a court of law into contempt or to hinder its administration of justice,

- (g) Works of others without their permission and thereby abusing copyright.

11.0

*On
Collection
of Money
in the
University*

Application for permission to make general collection of money other than students' organization subscriptions or entrance fees from film shows and other functions shall be made to the Dean of Students through the students' organization. Collectors shall ensure that the money collected is deposited in the ARUSO account through the Dean of Students for ARUSO and show how the money has been or is to be expended. Collectors shall ensure that this procedure is strictly adhered to;

12.0

*On
Keeping
Vehicles
on
University*

Any student who wishes to bring a vehicle to the University shall comply with the general law of the land governing the driving and parking of vehicles as well as the relevant rules which are in force on the University campus and shall register the vehicle with the Dean of Students and the same shall be forwarded to the University Security office.

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

- The current certificate of insurance;

- When demanded, a certificate of road worthiness;
- A clean current driving license in the applicant's name;

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

PART IV
EXERCISE OF DISCIPLINARY POWERS

13.0 (i) In the exercise of his statutory functions, the Deputy Vice Chancellor (Planning Finance, and Administration), as the Disciplinary Authority shall normally be assisted by an *Advisory Disciplinary panel* consisting of:

- a) One senior academic member of staff who shall serve as Chairperson;
- b) One administrative member of staff from the Legal unit who shall be the Secretary;
- c) Two students appointed by the students' organization; provided that the Deputy Vice Chancellor (Planning, Finance and Administration) is satisfied that the appointed students are not directly related to the case;
- d) The Dean of the School or Head of Department to which the charged student belongs; and
- e) One person appointed by the Academic Staff Assembly (ARISA) from amongst its members.

- (ii) The Deputy Vice Chancellor (Planning, Finance and Administration) shall appoint or designate such officers of the University, as he deems fit, to assist the disciplinary authority in the prosecution or conduct of disciplinary proceedings before the Advisory Disciplinary Panel or the Appeals Committee as the case may be.

13.1 (i) When a complaint is made to, and information is received by the Disciplinary Authority that a student has committed a disciplinary offence, the Disciplinary Authority shall make preliminary investigation of the case.

*Preliminary
Procedures*

- (ii) Where a complaint is made by any person or body charging a student with a disciplinary offence, such offence shall be formulated in writing and addressed to the Disciplinary Authority and a copy of the disciplinary offence availed to the student.

- (iii) For the avoidance of doubt, the Disciplinary Authority may summon the student or any other student or person who is conversant or supposed to be conversant with the information or facts of the

complaint to appear before the Disciplinary Authority or an investigation officer for examination or interrogation.

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

In this paragraph “a proper notice given within a reasonable time provided that such time shall not be less than seven days from the date of service of the notice on the students to the date of holding the disciplinary proceedings in so far as conditions will allow;

- (vii) Either party shall, for the purpose of his/her defense or reply as the case may be and upon request in writing or that purpose to the Disciplinary Authority be entitled to be supplied by the Disciplinary authority with a copy of an explanation, answers or other documents given or sent to the Disciplinary Authority by or on behalf of the other party;
- (viii) Either the complainant or the student may at any time prior to the date of holding the disciplinary proceedings serve upon the other, notice in writing asking him/her to admit in writing any facts or produce any documents which are specified in such notice material to the complaint or information or defense, as the case may be;

- (ix) The disciplinary authority may summon any witness to attend the disciplinary proceedings at the prescribed time on the appointed day;
- (x) The disciplinary proceedings shall be held in chamber wherever possible and if circumstances allow;
- (xi) Provided that the Disciplinary Authority may, if he/she thinks fit, at any stage of the disciplinary proceedings exclude the public generally or any particular person;
- (xii) At the opening of the disciplinary proceedings the charge or charges shall be read, and if the student concerned is not present, the Disciplinary Authority shall satisfy himself/herself that proper notice of the disciplinary proceedings was dully served on the student as prescribed in paragraph (vi) of this sub-section.

13.2 (i) The complainant shall open the case and produce his/her evidence in support thereof;

*During
Proceed
ing*

(ii) The Disciplinary Authority shall then give an opportunity to the student to state

his/her case and produce evidence in support thereof;

(iii) At the conclusion of the case by the student, the complainant shall not, without special leave of the Disciplinary Authority, make an address in reply;

(iv) The Disciplinary Authority shall investigate and determine any dispute referred to him/her without due regard to the law of evidence but subject to these By-Laws, shall be entitled to determine its own procedure for any proceedings before it;

13.3(i) Evidence may be taken by the Disciplinary Authority by oral or written statement;
Adducing Evidence

(ii) Where a witness is called by a party, he/she shall be first examined by the party which called him/her and then cross-examined by the other party and then if necessary again by the party which called him/her.

13.4(i) The decision of the Disciplinary Authority arrived at with due regard to the advice of the Advisory Disciplinary Panel, shall be recorded under his/her own hand and shall be announced by himself/herself in any manner he/she may deem fit.

*Decision of
Disciplinary
Authority*

PART V

PENALTIES

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

- (i) May give a normal or a stern warning or reprimand to a student who contravenes the regulations in PART II, Paragraph 4 (viii) (xii), (xix), PART III paragraph 8.0;
- (ii) a) Shall order a student to pay compensation to the value of the damaged property for a disciplinary offence under PART II, paragraph 4 (iii);

b) Shall fine a student for an amount not exceeding Tshs. 50,000 (Fifty thousand shillings only) for a disciplinary offence under PART II paragraph 4(v), (vii) and (ix);

- c) Shall order a student to refund all sums of money collected and unaccounted for under PART III Paragraph 11.0
- (iii) May suspend a student found guilty under PART II paragraphs 4(i), (xi), (xiii), (xiv), (xv), (xvi), (xvii), (xviii), (xxiv) and (xxv) for a maximum of three weeks;
- (iv) a) May rusticate a student of a maximum of nine months or one semester for a disciplinary offence under PART II, paragraphs 4(ii), (iv), (vi), (xi), (xv), (xix), (xx), (xxi), (xxv), (xxvi), (xxvii), (xxviii), (xxix), (xxx), (xxxi), (xxxii) and (xxxiii).
- (b) The University may suspend a student from studies until such time as his/her case is determined by a Court of law and where he/she shall be terminated from studies for a disciplinary offence under PART II paragraph 4(vi);
Where a student is suspended under (iv) (b) above, he/she shall not be reinstated as a student until he/she produces the judgment of the court ruling in his/her favour.

- (v) Shall fine a student an amount as shall be determined by a relevant authority from time to time under paragraph 5.1 (ii), (iii) and (x) and shall fine Tshs. 50,000/= under 5.1 (xiv)
- (vi) Any student found guilty under PART III paragraph 12.0 shall be fined an amount not exceeding Tshs. 10,000/= on first offence and not exceeding Tshs. 20,000/= on second offence; and shall remove his/her vehicle out of the University at his/her own cost.
- (vii) May expel any student found guilty of disciplinary offences under PART II paragraphs 4(xvi) and (xxii)
- (viii) Any student found guilty of a disciplinary offence under PART II Paragraphs 4(xxiv) may, in addition to the penalty specified for the offence, be required to pay the money embezzled or collected as the case may be, with or without interest on;

Provided that such first mentioned penalty may be compounded upon repayment of the money. Provided further that the Disciplinary Authority may instead require that such student found guilty of a disciplinary offence under PART II

paragraph 4(xxiv) not graduate or obtain his/her certificate, diploma and/or academic transcript, until the debt is discharged;

- (ix) Subject to the provisions of the next paragraph or any other relevant paragraph herein before contained, offences under PART II paragraph 4, 5, 6, 7 and PART III paragraph 8 of these By-Laws shall be punished with penalties ranging from reprimand to exclusion from the University residence;
- (x) Compensation may be charged in full or in part for loss suffered as a result of breach of the provisions of Paragraph 5.2(iv) as shall be determined by the Disciplinary Authority on the advice of the Advisory Disciplinary Panel;
- (xi) The student found Guilty under PART VII paragraph 16 shall be denied access to the University premises or any rented premises by the University; OR
The student shall be denied access to University offices, lecture theatres/classes, library, laboratories and any other formal gatherings.
- (xii) The Vice-Chancellor may, on advice of the Disciplinary Authority and subject to approval

by Council, suspend a student from studies while proceedings of his/her case are going on, if in the Vice-Chancellor's opinion the remaining on campus of such student poses a threat to peace and security of the University.

PART VI

APPEALS

- 15.0** (i) Appeal by aggrieved parties against a decision, of the Disciplinary Authority shall lie to the Appeals Committee composed of:
- Appeals as per rule 35(i) of the first Schedule to the Charter*
- a) The Chairperson appointed by the Council;
 - b) four members elected by the Council one of whom shall be a member to the Council elected by Students' Organization; and
 - c) a legally qualified person holding office in the Attorney General.

As provided under rule 35 (1) of the First Schedule to the Charter.

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

Any aggrieved party, upon giving notice within seven days after the decision of his/her intention to appeal, may appeal to the Appeals

Committee within 30 days from the date the decision was passed and such appeal shall be in writing, setting out the grounds of appeal;

(ii) The Appeals Committee shall meet within 14 days following the receipt of an appeal.

(iii) When an appeal has been lodged with the Appeals Committee, execution of any penalty imposed by the Disciplinary Authority shall be stayed pending the determination of such appeal;

(iv). At the hearing of an appeal by the Appeals Committee, the parties concerned shall be entitled to be heard. No other person in defense of or representative capacity for the aggrieved party shall be allowed to appear before the Appeals Committee.

In determining an appeal the Appeals Committee shall have powers to confirm, vary or set aside any decision reached or, within the prescribed limits, to enhance, or to reduce or set aside any penalty imposed by the Disciplinary Authority.

The Disciplinary Authority shall institute all proceedings and may lodge or defend any appeal before the Appeals Committee;

PART VII

DRESSING CODE

16.0 General Dressing code

All students shall maintain person hygiene, dress in decency and respectable attire in Accordance with acceptable norms.

16.1 Dressing code for female students

Dresses not acceptable to female students are:

- (i) Skin tights.
- (ii) Short dresses/skin tights above knees
- (iii) All dresses which leave some parts of body open such as shoulders, breasts and stomach.
- (iv) All types of dresses which have immoral pictures or words which may tarnish the University reputation.
- (v) All transparent dresses.
- (vi) All dresses which have political words of any party or religion that can influence or intervene on matter affecting them/influence anything harmful.
- (vii) Coloured/decorated hair (goldish, whitish,

- yellowish, greenish etc)
- (viii) Tongue piercing
- (ix) Teeth twinkles
- (x) Jeans with holes
- (xi) Dress/skirts with excessive slit (mpasuo);
- (xii) casual wear like kangas, head scarves; sports shoes, slippers, caps, shorts, anklets (kikuku) (in class sessions)
- (xiii) Shorts or skirts that do not cover the thighs when seated

16.2 Dressing code for male students

Dresses not acceptable to male students are:

- (i) All types of dresses which have immoral pictures and words which may tarnish the University reputation
- (ii) All types of shorts (in class sessions)
- (iii) All types of dresses which have political words of any party on religion which can influence or intervene matters affecting them/or which may influence anything harmful.
- (iv) Monkey style (mlegezo)
- (v) Pleated hair
- (vi) Earrings
- (vii) Coloured/decorated hair (goldish, whitish, yellowish, greenish etc)

- (viii) Jeans with holes
- (ix) Improperly shaved hair (kiduku) and undoing the second button of the shirt to reveal chest hair

PART VIII

MISCELLANEOUS PROVISIONS

- 17.0** (i) Where there is an emergency need for overt operations of security officials or Policemen amidst students in student compounds, the students' organization will be informed as soon as possible of such presence;
- (ii) These By-laws are not exhaustive of rules and regulations governing students conduct at the University and do not exclude the application of special regulations applicable in specific organs of the University such as the University Library, and the like places etc.
- (iii) All students are advised to report to police any loss of their properties or belongings as soon as the loss occurs.
- (iv) In case of Illness or accident the occasion must be reported to the University Dispensary authority and / or the Dean of students and to the Head of the Department. If a student opts to be treated outside the University and such treatment as the case may be shall require the student to be admitted outside the

University or be away from classes for more than two days, he/she shall communicate the same to the University Dispensary Authority or Dean of Students.

- (v) Married students, like any other student, shall be required to abide by these By-Laws. No separate family accommodation shall be provided or guaranteed by the University to married couples or breast feeding mothers and their infants.
- (vi)
 - a) Certificates shall be issued under the office of the Deputy Vice Chancellor responsible for academics.
 - a) The Deputy Vice Chancellor responsible for academics shall make announcement on the procedures and guidelines for issuance of the Certificates to the graduands either before or during or immediately after the graduation ceremony.
 - c) Certificates are categorized under University legal documents and therefore only the rightful owner shall be given the Certificate. No person may collect someone's Certificate under any circumstance.
- (vii) These By-Laws shall apply and be enforceable to students who are undergoing

Field Practical, Study Tours or doing authorized assignments e.g. data collection outside the University campus as well as at any University function and/or event.

- (ix) Students are required to sign the STUDENT AGREEMENT FORM which shall be a binding undertaking by the student that he/she shall be governed by these By-laws. A student who will not sign the STUDENT AGREEMENT FORM shall be construed that he/she has declined his/her offer to study at the University.
- Repeal/Saving Provisions

17.1 (i) The Student By-Laws 2008 are hereby repealed.

- (ii) Notwithstanding the repeal of the Student By-Laws 2008, Nothing done or continuing to be done and no existing proceeding commenced under those Bylaws shall be deemed as void by virtue only of the repeal of the said By-Laws and all other regulations not expressly repeal of the said By-Laws shall continue to be in-force and shall have effect as if made under these By-Laws

17.2 Steps to be taken during students' riots and strikes (when formal disciplinary proceedings cannot be taken)

- (i) In case of mass strikes involving a large number of students that could threaten the maintenance of Law and Order, and where individual formal disciplinary proceedings are not practical to be conducted without endangering the welfare and security of the University, the Disciplinary Authority shall report the matter to the Vice Chancellor detailing the nature of the problem and proposing steps to be taken.
- (ii) The Vice Chancellor shall, after consulting relevant authorities as he sees fit, take administrative steps to ensure the security of the University. These steps may include suspension of students involved and informing government law enforcing authorities.