

MBEYA UNIVERSITY OF SCIENCE AND TECHNOLOGY



STUDENTS BY LAWS 2014

Students By – Laws 2014

PART I

PRELIMINARY

- Citation 1. These By- Laws may be cited as Mbeya University of Science and Technology (General Conduct, Disciplinary Proceedings and Penalties) By- Laws – and shall come into operation on the academic year 2014/2015.
- Application 2. These By- Laws:
- (i) Are made under Mbeya University of Science and Technology Charter, 2013
 - (ii) Repeals the Students Regulations 2010.
 - (iii) Shall apply to any person who is admitted and registered as a student of the University.
 - (iv) Subject to provision of sub – paragraph (iii), these By – Laws shall cease upon the expiry of the period for which one is registered as a student of the University or upon the happening of any event which disqualifies one from continuing to be a student of the University.
- Interpretation 3. In these By- Laws, unless the context otherwise requires;
- “**Administration**” means the Vice Chancellor (VC) of the University and officers subordinate to him responsible for the day to day running of the University affairs, including Deputy Vice Chancellor-Academic, Research and Consultancy (DVC - ARC) and Deputy Vice Chancellor - Planning, Finance and Administration (DVC - PFA), Principals, Deans of schools, Directors, Director of Students Affairs and Heads of Departments;
- “**Authorized officer**” means any other officer of the University who is discharging lawful duties;
- “**Blocks/Hostels of Residence**” means blocks/hostels of residence of the Mbeya University of Science and Technology;
- “**Competent Organ**” includes the Council, Management Committee, Students Affairs and Disciplinary Sub Committee, Academic Sub Committee or officers of the University vested with expressed or implied legal powers to do;
- “**Dean**” means the Dean of School;
- “**Director**” means the Director of Students Affairs;
- “**DVC-PFA**” means the Deputy Vice Chancellor Planning, Finance and Administration;

“**MUSTSO**” means Mbeya University of Science and Technology Students’ Organisation;

“**Officer in Charge**” means a person who is the head of any section, department, directorate or unit;

“**Student**” means a person, who is admitted at the University for a Degree, diploma, certificate or other awards of the University;

“**Students General Assembly**” means University General Assembly – constituted by all students of the University of Science and Technology;

“**Sub Committee**” means Students’ Affairs and Disciplinary Sub Committee;

“**University**” means Mbeya University of Science and Technology;

PART II GENERAL REGULATIONS

Application of
rules to students

4. (1) These regulations shall apply to all students with effect from the academic year 2014/2015.
- (2) Regulations affecting students shall be reviewed from time to time by the Council in accordance with the Statute of the University and promulgated by the Vice Chancellor. In addition to these Regulations, each Department, Library, Catering, Examinations, Hostel or any other unit of the University may issue its own regulations governing the conduct of students within its precincts, provided that such regulations are not inconsistent with the regulations made by the Council.
- (3) Copies of all regulations shall be deposited with the Director of Undergraduate, Postgraduate Studies, the University website, Director of Students Affairs, Wardens of Hostels, Heads of Departments and Sections, Students government and library; it shall be brought to the attention of all students.
- (4) Ignorance of any regulations or any public notice shall not be accepted as an excuse for any breach of regulation. Accordingly, every student on enrolment shall be required to obtain a copy of such University, Hostel or other regulations relating to his/ her conduct that are for the time being in force.

- (5) The operation of these Regulations is without prejudice to the laws of the land, which apply to all persons in the University.
- (6) The Vice Chancellor of the University is the chief academic, administrative and disciplinary officer. It shall be an offence to disobey him/her and all officers under him/her in the discharge of their duties.

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| Any kind of misconduct | <p>5. Any kind of misconduct by a student, or group of students, which has effect of tarnishing the image of the University, both on and off campus, is strictly prohibited.</p> |
| Students' Dress Code | <p>6. Students are not allowed to wear the following dresses/clothes in public area including in classes, offices, meeting, laboratories, libraries and in any formal gatherings;</p> <ol style="list-style-type: none"> a. Tight fitting clothes (trousers, skin tight, skirts, blouses); b. Revealing clothes; <ol style="list-style-type: none"> i. Short skirts/dresses above the knee level ii. Singlet tops iii. Clothes that are transparent (see-through) iv. Clothes that reveal the breasts and belly button c. Jeans with holes d. Trousers hanging under the buttocks (mlegezo); e. Dress/skirts with excessive slit (mpasuo); f. Nikabs g. Clothing resembling a casual appearance. h. Any clothing or accessories with; <ol style="list-style-type: none"> i. Slogans (political, racist, religious, ethnic etc) or advertisements (pertaining to products, services or sex) ii. Inappropriate statements, iii. Inappropriate pictures, iv. Graphics which are obscene, i. Improperly tailored clothes, j. Beach clothing e.g. singlet tops, shorts of a flimsy fabric, k. Any kind of shorts/vipedo/pedo-pushu; |

- l. T-shirts (to be worn on recognized /special event)
- m. Hat/cap
- n. Poorly groomed hair.
- o. Slippers and sports shoes.
- p. Ankle jewelry
- q. Immodest necklaces and earrings;
- r. Visible tattoos.
- s. Necklaces and earrings(for male);
- t. Pajamas or nightdresses worn outside the hostel blocks;
- u. Plaited and/ or braided hair (for males);
- v. Poorly groomed hair and poorly trimmed beard;
- w. Any kind of dress that the University Officials may reasonably deem inappropriate.

Dress codes which are acceptable in Workshops, laboratories and studios are stipulated in respective safety rules.

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| Payment of fees | 7. A student shall pay all prescribed fees as a condition for registration to pursue and/or to continue with studies at the University as approved by the Council from time to time. |
| Student's identity card | 8. A registered student shall show identity card in all places at all times when required to do so by any authorized person. The card shall have the student's photograph, signature and registration number, and signature of University authority and expiry date. |
| Student complaints | 9. A Complaint by a student on a member of staff of the University shall first be reported to the officer – in – charge of the section or department in which such member belongs and such officer shall be required to settle the matter. On failure to settle the matter he/she will refer it to the appropriate higher authority next in command. |
| Rules related to accommodation | 10. (1) Any student wishing to live in the University blocks/hostels shall be required to apply for accommodation for every academic year. Priority for accommodation in the University will be given to students as per MUST Accommodation Policy to be approved by Council from time to time. |

- (2) Any student wishing to spend a night outside the University shall notify the Director of Students Affairs.
- (3) Students allocated rooms shall sign for property found in the rooms at the beginning of the semester and will be surcharged for damage to University property or loss of any such item.
- (4) No student shall be allocated a room if is yet to pay fully for an assessed damage or loss of University property.
- (5) Students shall take good care of rooms and furniture therein assigned in a block/hostel or a private building acquired for such purpose
- (6) Furniture or fittings within the hostels shall not be transferred from one part of the hostel to another without prior permission from the Wardens.
- (7) Other than reading lamps, radio, music system, television, electric iron/electric kettle, computers, no other electrical appliances or device shall be permitted in students' rooms.
- (8) No cooking e.g. frying, roasting, baking or warming by use of electricity or other energy source is permitted in students' rooms.
- (9) No light to be left on during the day or when not needed.
- (10) For the avoidance of nuisance and annoyance to other residents, musical instruments may be played to room sound only and in any case, not between midnight and 6:00 am.
- (11) Students shall not entertain outside visitors in their rooms.
- (12) Student shall not be allowed to live with unauthorized persons in their rooms including their children and other relatives.
- (13) Students shall not be allowed to entertain their University colleagues of either sex in the rooms beyond 10:00 pm.
- (14) Students shall be expected to live peacefully with one another in their allocated rooms.
- (15) Students must vacate their rooms at the end of each Semester and must hand over the keys to Janitors /Wardens.

- (16) Any student wishing to install any additional furnishing in his/her room may do so subject to prior written permission by Warden and approved by Director of Students Affairs.
- (17) Any in campus student wishing to stay off campus may do so subject to prior written permission by Director of Students Affairs.
- (18) Smoking is strictly prohibited in the public areas (living rooms, common rooms, classrooms, corridors, etc).
- (19) No alcohol shall be consumed at any party organized in blocks/hostel premises.

Rules related to cafeteria

11.

- (1) Served at prescribed times, all meals shall be taken in the Cafeteria for entitled students.
- (2) Smoking is not allowed in the Cafeteria.
- (3) Students are not allowed to enter or remove any equipment such as cutlery and glasses/cups provided for their meals.
- (4) A student who have been registered and entitled to be offered the University meals shall be given an enabled ID card for meals.
- (5) Complaints or criticisms of services at the Cafeteria may be made to the Catering Officer through the student leaders appointed to oversee meals.

Health regulations

12.

- (1) Students shall be required to join National Health Insurance Fund (NHIF) in order to obtain medical care at the University's Dispensary. Complicated cases will be referred to Mbeya Regional or Mbeya Referral Hospital.
 - (2) A list of students who for being under medical care are unable to attend classes shall be submitted by University Dispensary Incharge to:
 - (i) Director of Students Affairs
 - (ii) Wardens/Janitors
 - (iii) Heads of Departments who will in turn inform lecturers concerned.
 - (3) Any student wishing to be treated in a private hospital may do so on his/her own expenses after informing the medical officer.
- Absent apology

- (4) Any student who has been treated in a private hospital shall report back to the medical staff after their treatment and submit the records to the Director of Students Affairs for filing if such treatment occurs outside the University.

Regulations governing establishment and running of societies and clubs

- 13.** (1) Students' Societies and Clubs in the University shall be formed at the request of at least ten interested students. In addition, there must be a member of staff who will be the advisor.
- a. A request to form an association or club shall be submitted to the Director of Students Affairs through the Students' Government and shall be accompanied by the recommendation of the Students' Government, staff and the Constitution/By-laws of the proposed society or club.
 - b. The proposed Society or Club shall be formally promulgated in the University after the approval by DVC PFA has been given.
 - c. Within three months from the date of the promulgation of the society or club, the secretary shall deposit the names of persons holding principal offices of the society or club to the DVC PFA. Thereafter, DVC PFA shall be furnished with the names of their Principal Officers after every new election.

Regulations governing social functions

- 14.** For the purpose of this section, a public function is one to which persons other than staff and students of the University are invited or entitled to attend.
1. Students who wish to organize any social function within or outside campus shall obtain prior permission from the Deputy Vice Chancellor-PFA through the Director of Students Affairs.
 2. An application for permission to organize a function should provide the following information:
 - a. Date and time of the function;
 - b. Venue of the function
 - c. Names and description of Lecturers, Speakers, or Performers at the function.
 - d. Purpose of the function
 3. This information together with evidence of fulfillment by the organizers of any requirements imposed by law in relation to the holding of such a

function should normally reach the Deputy Vice Chancellor-PFA through Director of Students Affairs at least three (3) days before the function takes place.

4. The Director of Students Affairs in consultation with DVC PFA may impose such other requirements and conditions as may appear to him/her to be necessary and desirable.
5. For functions involving use of musical instruments, permission may be given up to 22:00 hrs. Under very special occasions, only the Deputy Vice Chancellor-PFA may allow a function to proceed beyond 22:00 hrs.

Processions and demonstration regulations

- 15.** (1) Any students wishing to organize a procession/demonstration in the University shall apply to the Deputy Vice Chancellor-PFA in writing through the Director of Students Affairs at least three days before the procession/demonstration is due to begin.
- (2) The application shall state the purpose of the procession/demonstration and the name (s) of the organizer (s).
- (3) No procession/demonstration shall be held between 18:00 hrs to 06:00 hrs.
- (4) During the procession/demonstration, nothing will be done or said that may occasionally violate or cause breach of peace.
- (5) If any acts of violence and/or breach of University or other regulations occur during a procession/demonstration or other mass action, the perpetrators as well as the organizer(s) shall be held jointly and severally responsible.
- (6) For processions/demonstrations outside the University, the organizer(s) should, in addition, seek prior permission from the police.

Meetings regulations

- 16.** (1) Any students wishing to organize a meeting in the University shall apply to the Deputy Vice Chancellor-PFA in writing through the Director of Students Affairs at least three days before the meeting is to take place.
- (2) The application shall state the purpose of the meeting, the agenda and the name(s) of the organizer (s).

- (3) No meeting shall be held between the hours of 18:00 hrs to 06:00 hrs, unless otherwise is permitted by the Deputy Vice Chancellor-PFA.
- (4) If any acts of violence and/or breach of University or other regulations occur during a meeting, the perpetrators as well as the organizer(s) shall be held jointly and severally responsible.
- (5) If the meeting is to take place outside the University, the law of the land regarding meetings shall be followed.

Correspondence
Regulations

- 17.** (1) All correspondences by students to Government or other official bodies outside the University shall be channeled through the Vice Chancellor.
- (2) It shall be an offence for student or group of students to print, publish, disseminate or otherwise circulate any false or fabricated information.
- (3) Official letters to the press reflecting the interest of the Students and the University Community shall be approved by the students' Organisation and shall bear the stamp of the University Students' Organization as their origin and the Director of Students Affairs.
- (4) No student(s), student group(s) or association(s) may circulate any information without the names and signatures of the authors.
- (5) All correspondence within the University shall follow appropriate procedures as per University's directives.

Publications
Regulations

- 18.** (1) The Vice Chancellor shall be informed of any intention to produce students' publication within the University and his approval in writing shall be obtained for such a publication.
- (2) A copy of each issue shall be lodged to the Vice Chancellor, the Deputy Vice Chancellors, the Director of Students Affairs and the University Librarian on the day of publication.
- (3) Each issue shall state the name of the Editor, the Membership of the Editorial Board and Publisher.
- (4) Members of the Editorial Board will be held jointly responsible for the full contents of each issue of the publication.

Regulations regarding use of vehicles, motor cycles, tricycle and bicycles

- 19.** (1) Any student who intend to keep a vehicle on the campus of the University must obtain permission from the Deputy Vice Chancellor PFA through the Director of Students Affairs.
- (2) The University accepts no responsibility for such vehicles, or for any damage that may occur to them or to their owners, drivers or passengers. The use of such vehicles is a privilege which is enjoyed at the solely risk of the persons concerned and which will be withdrawn if it is abused.
- (3) The University does not provide garages for students' vehicles. Any arrangement for garaging them in the University should be made privately by the owners.
- (4) No student shall park his/her vehicle, motorcycles and bicycles in staff parking areas.

Collection of Money regulations

- 20.** Permission to make general collections of money, other than for club subscriptions and show or parties, must be obtained from the Deputy Vice Chancellor-PFA. Students are advised to ask or to see the license or other valid authority of any collector who comes from outside the University.

University property Regulations

- 21.** (1) Every student shall exercise the highest standard of caution in handling University property so as to avoid possible damage.
- (2) Any student who willfully or negligently damages University property shall be guilty of an offence and shall be liable for replacement or payment of maintenance.
- (3) No University property of any description shall be taken from its proper place without the written consent of the Head of Unit concerned.
- (4) Students shall not use University telephones for private calls except with the permission of the DVC PFA.
- (5) Officials of students' organizations may request transport from DVC PFA through the Director of Students Affairs office to execute authorized activities.

Religious activities

22. (1) Any religious activities shall be conducted in a manner that no University's functions shall be jeopardized.
- (2) Any religious activities shall be conducted in a manner that no one group shall offend the other group.

Political activities

23. (1) Political activism conducts and activities **shall not** be allowed within the University's campus by any student or group of students
- (2) No student or group of students shall host an outsider to conduct political activities in the University Campus

PART III DISCIPLINARY OFFENCES

General Disciplinary offences

24. (1) For the purpose of these By – Laws, disciplinary offences shall include:-
- i Consumption of drugs and alcohol
 - a. Getting drunk and implicating any improper conduct/behavior under the influence of alcohol either within or outside the campus.
 - b. Consumption of any intoxicating drug unless a recognized medical officer has prescribed such consumption.
 - c. Cultivating, using or peddling narcotic substances and other drugs prohibited by the law of the land.
 - ii. Conduct or omission which does or is likely to cause damage, defacement or violence to person or property within the University.
 - iii. Using force against or striking a fellow student, an officer or any other person at the University or outside the campus.
 - iv. To threaten or use violence against any fellow student(s) or any member of the University.

- v. Maliciously damaging, defacing or destroying a wall, gate, fence, post or any other item or property of the University.
- vi. Act or conduct, which is likely to obstruct or frustrate the holding of:-
 - a. Any lecture, class workshop activity given or authorized by the University.
 - b. Any meeting, function or lawful activity authorized by the University.
- vii. Unauthorized use of or interference with any technical or other service or installation of the University.
- viii. Theft committed within the University.
- ix. Unauthorized possession of a key to the University property.
- x. Unauthorized holding of students “General Assembly Meeting” (Students’ Baraza).
- xi. Political activism conduct and activities within the University Campus.
- xii. Religious activities conducted in a manner that University functions are jeopardized.
- xiii. Engaging into sexual abuse within/outside the campus.
- xiv. Planning or participating in an unlawful demonstration.
- xv. To behave in any manner which is likely to encourage or instigate violence among students and/or even staff.
- xvi. Refusal or failure to comply with a lawful order or directive given by any officer of the University acting on his behalf or under an order from any competent organ or officer of the University.
- xvii. Use of abusive, slanderous, obscene or threatening language by any student against any fellow student(s) or employee or officer of the University in a course of performance of such officer’s or employee’s duties.
- xviii. Forging or falsifying a document or perpetrating forgery with intent to cause loss to any person, University or any other institution whether in cash or otherwise.

- xix. Knowingly inviting or entertaining a student(s) in the University whose name or names appears on the notice board or being informed or given a letter as having been barred from the University premises by a competent organ.
- xx. 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 proper written notice by such authority.
- xxi. Refusal or failure to abide by the ruling, decision and/or penalty made/imposed by the Disciplinary Authority or any other competent organ.
- xxii. Inviting outsiders as guest speakers and/or social entertainers without the permission of the relevant organs of the University.
- xxiii. Forming and/or establishing unauthorized student groups, which are likely to cause disunity and disorder at the University or in the wider community.
- xxiv. Willful writing of defamatory literature or uttering insults or obscure language by any student or group of students against any other student(s) or employee(s) of the University.
- xxv. Sexual harassment of whatever kind including Rape or indecent assault.
- xxvi. Mismanagement and/or embezzlement of students' organization funds and/or of any other organized student society established under the auspices of the student's organization.
- xxvii. Collecting or charging money from any student or student groups without prior permission of student organs.
- xxviii. Running of business of any kind in the University's premises (in the rooms or University's environments) without prior permission by the University authority
- xxix. Illegal entry into another student's room.
- xxx. Willfully associate with any person or group of persons who for one reason or another are involved in illegal drugs transaction or business or any other criminal undertaking.

- xxxi. To instigate or incite or participate in any mob action, strike, civil commotion and boycott of classes.
 - xxxii. Any unauthorized assembly/meeting.
 - xxxiii. Commit criminal offence and/or be charged with the criminal offence as stipulated under the law of the land.
 - xxxiv. To make noises or disturbance, mobilizing other students or people to make noises or disturbance of any kind in any premises or compound of the University.
 - xxxv. Failure to pay outstanding debt, for the University property that a student has lost, damaged or any debts reported to administration.
 - xxxvi. Unauthorized possession of lethal and/or any weapon within the campus which is likely to jeopardize peace or endanger people's health or lives.
 - xxxvii. Administer any illegal drugs or any kind of poison for whatever reason.
 - xxxviii. Repetition of any offence by student/students.
- (2) Act which, in the opinion of the Disciplinary Authority, constitute a Disciplinary offence under these By – Laws or any other instructions issued by the University.
- (3) Any student who contravenes the provisions of sub- paragraph (1) commits an offence.

Offences related to residence

25.

Residential offences shall include:-

- i. Sublet any person in the University hostels.
- ii. Use of the rooms allocated to them or any other space in the blocks/hostel of residence for any social function without the permission of the Deputy Vice Chancellor-PFA
- iii. Share a bed/room, with opposite sex
- iv. Share a bed with a colleague
- v. Entertain outside visitors in a room
- vi. Entertain University colleagues in a room beyond 22:00 hrs
- vii. Drunkardness, smoking, any disorder conduct, or unbecoming behavior.
- viii. Cooking in the University Hostel rooms
- ix. Interfering with or transfer furniture or fittings of any kind from any part of the University hostel without the permission of the Wardens

- x. Bringing into the hostel refrigerators, driers, freezers or any cooking appliances
- xi. Leaving without surrendering all room keys, mattresses and any other University facilities to the Wardens/Janitors at the end of each academic period or as may otherwise be directed by the University authority
- xii. Denying the University staff to access the rooms for repairs/ inspections and other activities as may be specified from time to time.
- xiii. Use of music appliances (record player, TV, VCR, Computer, Radio and other noise making instruments) at a noisy levels that are nuisances and annoyance to other residents in the hostels
- xiv. Organizing any social functions without having permission from the DVC PFA.
- xv. Bringing any alcohol and/or smoking in the hostel, classrooms, library and offices.
- xvi. Damaging any property of the University.
- xvii. Leaving the room untidy when embarking for vacation.

Offences related to cafeteria and the kitchen

- 26.** (1) Smoking in the cafeteria
- (2) Entering the kitchen without permission of the respective authority,
- (3) Removing any equipment such as glasses, bottles, crockery provided for their meals.
- (4) The kitchen shall be out of bound to all students except for students leaders appointed to oversee cafeteria matters and report to the responsible office.
- (5) Subject to the provisions of sub – paragraph (3), the Director of Students Affairs shall be consulted if the problem about the cafeteria services persists.
- (6) Spoiling the environment and kitchen facilities.

PART IV

PROVISION RELATED TO RESIDENCE

Eviction of student

- 27.** The DVC PFA shall have power to evict a student(s) from a room. An evicted student shall not be considered for hostel accommodation unless the Disciplinary Sub-Committee or any other higher University officer direct otherwise as offences stipulated above.

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| Damage of properties | 28. Where damage or loss of a University property is caused by a student(s) whose identity is not known, the cost of repair or replacement shall be shared by all the students involved at the time and or the place the damage or loss occurred. |
| Tenancy termination | 29. The University authority shall have the right to terminate tenancy without notice and without refunding the students hostel fees as long as one ceases to be registered as a student of the University. |

PART V
ACADEMIC AFFAIRS AND CORRESPONDENCES

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| Reporting at the University | 30. All Students shall report at the University at the beginning of every semester and on the prescribed date as the University may determine from time to time. |
| Permission to travel | <p>31. (1) Permission to travel for any reason for less than a week and involving missing lectures or any other academic work may be obtained by filling a special request form from the Director of Students Affairs office and forwarded to the Head of the relevant Department and approved by the Principal/Dean(s).</p> <p>(2) Permission for travel for any reason for more than a week and involving missing lectures and any other relevant activities shall be obtained from the Deputy Vice Chancellor – Academic Research and Consultancy through the Head of Department, Principal/Dean(s).</p> |
| Library | <p>32. (1) The library services at the University shall be available to students at specific operating hours as the University may prescribe from time to time.</p> <p>(2) The student must have current MUST identity card which must be produced when borrowing library materials.</p> <p>(3) Students borrowing books, periodicals, magazines or any other document or facility of the University library shall personally be responsible for their care and safety and shall return on the date specified.</p> <p>(4) Borrowers with overdue materials may not be permitted to borrow additional items or renew other items until such time as all overdue items are returned.</p> |

- (5) Lost or stolen cards should be reported immediately to the library office which issued them. Replacement of lost borrowing cards to be determined by the University.
- (6) Any borrower, who fails to return books from the lending section on the due date, shall be legally responsible to a fine that will be determined by the University.
- (7) The number of books which a student can borrow at a time shall be determined by the University.
- (8) Books may be renewed for a further period. No book may be renewed a second time.
- (9) Library reserves the right to call back any issued book/item at any time.
- (10) The head of library shall reserve the right to, subject to the approval of the library committee, to prohibit or restrict the borrowing of certain kind of books.
- (11) Unauthorized removal or attempted removal of any item from the library will be regarded as a serious offence.
- (12) Library users must abstain from behavior which would cause a disturbance to other users.
- (13) Smoking, eating and drinking in the library are forbidden, and users should not bring food and/or drink in the library.
- (14) Readers must not take bags, briefcases, etc into the library.
- (15) Library staffs are authorized to take appropriate actions to ensure that all library users comply with these regulations. Breach of these regulations may lead to disciplinary procedures.

PART VI
STUDENTS DISCIPLINARY PROCEEDINGS

- Interpretation **33.** (1) "Disciplinary Authority" means the Deputy Vice Chancellor responsible for Planning Finance and Administration exercising the powers conferred upon her/him by Rule 40 of this By-Laws and includes any person to whom such powers have been delegated in accordance with Rule 41 of this By-Laws.
- (2) "Disciplinary offence" means the contravention of any Rules made by the University Council or any other law of the land.
- (3) "Inquiry Officer" means an officer appointed by the Disciplinary Authority under sub-Rule (4) of Rule 43 of this By-Laws to hold an inquiry into the charge and students defense
- (4) "Rules" means students Rules made by the University Council
- (5) "University Authority" means any MUST staff or organ conferred a power by the Council of the University to deal with the students matters;
- Reporting of the offence **34.** Any member of the University has the obligation to report to the University authority any infringement of rules, which comes to notice and to check immediately any disorderly or improper conduct or any breach of these regulations wherever they may occur.
- Breach of University regulations **35.** Breach of University regulations shall result in the student to be reported to the appropriate University Authority for further disciplinary action.
- Power of Wardens **36.** (1) There shall be in each Hostel a Warden who shall be the overall in charge of all residential regulations under his/her custody and in the event the student committed an offence, the warden shall have the power to do the following:
- i. Dismiss the case
- ii. Reprimand the Student
- iii. Demand an apology from the Student
- iv. Demand refund of cost of repair or damage of University property
- v. Forward the case to the Director of Students Affairs
- (2) A student who is aggrieved with the decision of the Warden may appeal to the Director of Students Affairs.
- Powers of the Director of Students Affairs **37.** (1) The Director of Students Affairs shall have the following powers:-
- i. Dismiss the case
- ii. Reprimand the student
- iii. Demand an apology from the student

- iv. Demand refund of cost of repair or damage to University properties
- v. Remove the student from the hostel
- vi. Forward the case to the disciplinary authority for the offences which may warrant stern warning/rustication, suspension or expulsion as stipulated in the first schedule of this By-Laws (Appendix 1 - 4).

(2) Any student who is not satisfied with the decision of the Director of Students Affairs may appeal to the Disciplinary Authority.

Composition of the Students 'Affairs and Disciplinary Sub Committee

38. At the University level, there shall be a University Students Affairs and Disciplinary

Sub Committee (SADSC), which shall include the following members:

- i. Deputy Vice Chancellor (Planning, Finance and Administration) as Chairperson
- ii. Deputy Vice Chancellor (Academic, Research and Consultancy)
- iii. Director of Students Affairs as Secretary
- iv. Director of Undergraduate studies
- v. Director of Administration and Human Resource Management
- vi. Director of Postgraduate Studies, Research and Publications
- vii. Corporate Counsel
- viii. Principals/Deans of Colleges, Institutes and Schools
- ix. Two senior staff appointed by the Vice Chancellor (at least one female)
- x. Two students' representatives (at least one female)

Power of the Students Affairs and Disciplinary Sub Committee

39. (1) The Sub Committee shall receive and discuss the disciplinary issues forwarded to it by the disciplinary authority for scrutiny and advice accordingly.

(2) The Students Affairs and Disciplinary Subcommittee shall have the following powers;

- i) Oversee Students Development and Counseling
- ii) Oversee Games and Sports
- iii) Oversee Students Government Judicatory and Control Services
- iv) Oversee Catering, Accommodation and Health Services
- v) Oversee any other Students affairs

Students' Disciplinary Authority

40. (1) The Deputy Vice Chancellor responsible for planning finance and administration shall be the Disciplinary Authority.

(2) The disciplinary authority shall normally be assisted by SADSC through receiving and discussing the disciplinary issues and advice accordingly.

- (3) The Disciplinary Authority shall:-
- (a) investigate every charge of disciplinary offence against a student in accordance with procedure
 - (b) have the power to impose such punishment as may consider appropriate after inquiring into offence in accordance with the procedure prescribed under the Rule 42 of this By-Laws and upon being satisfied that the charge and punishment against the student has been proved; and
 - (c) have other powers as may be prescribed.

Delegation of powers of disciplinary Authority

- 41.** (1) The Deputy Vice Chancellor responsible for planning finance and administration may, in writing under his hand, delegate, subject to such limitations as he may prescribe any or all of powers vested in him by rule 40 of this By-Law.
- (2) The Disciplinary Authority shall not delegate such powers to the Director of Students Affairs, or any officer responsible for the general administration of the welfare of students.

Disciplinary procedures

- 42.** (1) Disciplinary procedure under this Part may be either formal or summary.
- (2) **Formal proceedings** shall be instituted where the disciplinary offence which the student is alleged to have committed may warrant his dismissal or rustication from the University.
- (3) **Summary proceedings** may be instituted where the disciplinary offence which the student is alleged to have committed is of such gravity that should be found guilty of it, may not warrant his dismissal or rustication from the University.
- (4) No disciplinary proceedings shall be instituted against any student after the **expiration of thirty days** from the date of reporting to the relevant Authority on the commission of offence or, in the case of a continuance of injury or damage, within **fifteen days** next after its cessations.

Formal proceedings

- 43.** (1) No formal proceedings for a disciplinary offence shall be instituted against a student unless he is previously served with a copy of the charge setting out the nature of the offence which he is alleged to have committed.
- (2) The charge shall be prepared by the disciplinary authority after carrying out such preliminary investigations as he may consider necessary.

- (3) The charge shall state briefly the nature of the offence which the accused is alleged to have committed.
- (4) The charge drawn up shall then be served upon the accused student, together with a notice addressed to him/her, inviting him/her to state in writing, within **twenty one days**, the ground upon which he/she relies to exculpate himself.
- (5) The disciplinary authority shall within thirty days from the day on which the charges were served to the accused student appoint an inquiry officer or officers, to hold an inquiry into the charge together with an accused student's defence if any.
- (6) The Inquiry Officer shall notify the accused student of the day, date, time and place and at which the inquiry shall be held and inquiry shall not be open to the public.
- (7) The accused student shall have a right to appear before the Inquiry Officer, examine witnesses and be heard in his own defence, save that failure by the accused student to appear at the inquiry shall not vitiate the proceedings.
- (7) The accused student shall have the right to;
 - (a) cross-examine any witness examined by the inquiry officer or by the disciplinary authority or his representative;
 - (b) examine and make copies of any document produced as evidence against him; and
 - (c) call witnesses on his own behalf and produce any document relevant to the inquiry.
- (8) The Inquiry Officer shall record the gist of the evidence adduced before him.
- (9) The inquiry officer shall forward the record of proceedings before him, together with his report on the proceedings to the disciplinary authority.
- (10) A report under sub-rule (9) shall state;
 - (a) whether the charges against the accused student have been proved;
 - (b) the reasons for holding that opinion;
 - (c) any fact which, in the opinion of the Inquiry Officer, aggravates or mitigates the gravity of the act or omission which was the subject matter of the charge;
 - (d) any other fact which in the opinion of the Inquiry Officer is relevant but shall not contain any punishment to be awarded;

- (11) Upon receipt of proceedings and the report, the disciplinary authority shall, within thirty days make and record a finding whether or not, in his opinion, the accused student is guilty of the disciplinary offence with which he was charged.
- (12) Where the disciplinary authority's finding as to the guilt or innocence of the accused is contrary to the opinion of the inquiry officer as expressed in his report, the disciplinary authority shall record his reasons for the finding.
- (13) Where the disciplinary authority finds the accused student guilty, he shall proceed to award the punishment prescribed by the regulations in respect of the disciplinary offence or such lesser punishment as he deems appropriate.
- (14) Disciplinary Authority shall communicate to student in writing the finding and the decision made.

Summary
proceedings

- 44.** (1) Where the disciplinary authority decides to institute summary proceedings against an accused student, he shall prepare charges and serve upon the accused student.
- (2) The disciplinary authority shall give not less than Seventy Two (72) hours notice on the day, time and place for the investigation of the charges.
- (3) The investigation of the charge be carried out in such manner as the disciplinary authority may determine.
- (4) The accused student shall have a right to appear at the investigation and make his defence, but failure or refusal by him to attend the investigation shall not vitiate proceedings.
- (5) Where at any stage of the proceedings before the findings are made, it appears that it is necessary the matter be dealt with by way of formal proceedings, the disciplinary authority may terminate the summary proceedings and institute formal proceedings.
- (5) Upon the conclusion of the investigation the disciplinary authority shall make findings whether or not, in his opinion, the accused student is guilty of the disciplinary offence.
- (6) If he finds the accused student guilty, the disciplinary authority shall proceed to award such punishment as he may consider appropriate.
- (7) Under no circumstances, the accused student under summary proceeding be punished by dismissal or rustication from the University.

Appeals

45. (1) Appeal by an aggrieved party against a decision of Disciplinary Authority shall lie to the Appeals Committee as provided under rule 58 of the Mbeya University of Science and Technology Charter, 2013.
- (2) Save that a member who took part in the decision which is the subject of an appeal before the Appeal Committee, shall not take part in the hearing of such appeal.

Students'
Appeals
Procedure

46. (1) Where a student has been punished for any disciplinary offence and he wishes to appeal, he may, while carrying out the punishment, appeal to the Students' Disciplinary Appeals Committee **within thirty days** of the decision of the disciplinary authority.
- (2) Where a student wishes to appeal he shall, **within not more than three working days** of the decision of the disciplinary authority, give a written notice of his intention to do so to the disciplinary authority who shall forthwith submit it to the Chairman of the Students' Disciplinary Appeals Committee.
- (3) Upon receiving an appeal, the Students' Disciplinary Appeals Committee, shall meet within thirty days to determine such an appeal.
- (4) On every appeal under this rule the student appealing and the disciplinary authority shall both have a right to appear before and be heard by the Students' Disciplinary Appeals Committee.
- (5) The Students' Disciplinary Appeals Committee shall dismiss an appeal where the appellant student fails to appear without reasonable cause.
- (6) On an appeal under this Rule the Students' Disciplinary Appeals Committee may either-
- (a) Set aside the finding and the punishment imposed on him,
 - (b) Uphold the finding, or
 - (c) Modify the punishment imposed upon the student.
- (7) Where the investigations of the offence by the Disciplinary Authority was conducted in accordance with the summary procedure the Student's Disciplinary Appeals Committee shall not enhance the punishment to dismissal or rustication from the University.

(8) The appeals result from the Student's Appeals Committee shall be reported to Council for approval. The decision of the Council shall be conclusive and final.

Restriction on Representation **47.** No advocate or representative whatsoever shall be allowed to act or appear for any party in the student's disciplinary proceedings.

PART VII PENALTIES

Imposition of penalty **48.** Upon breach of any provision specified in these By-Laws, the University authority may impose penalties including warning, reprimand, fine, compensation, eviction from hostels /Blocks of residence, suspension, rustication, and expulsion as prescribed in the First Schedule to these By-Laws.

Other conduct **49.** All criminal offences shall be dealt with these By-Laws and any other rules and regulations governing students conduct and, may be reported to other relevant authorities for further legal actions.

PART VIII MISCELLANEOUS PROVISIONS

Application of other University subsidiary laws **50.** These By-Laws are not exhaustive of rules and regulations governing students conduct at the University and do not exclude the application of the special regulations applicable in various settings like the University library, examinations sessions, accommodations, catering services, etc.

Amendment of By-Laws **51.** The University shall have power to amend these By-Laws at any time it deems necessary.

Other sanctions of disciplinary authority **52.** The penalties suggested are just guidelines; the University authority may give any other sanctions depending on circumstances or more severe punishment or penalties depending on the seriousness of the offence committed.

Admission of expelled student on disciplinary offence **53.** Any student who has been expelled by any University on disciplinary reason shall in principle not be admitted at the University.

FIRST SCHEDULE

MBEYA UNIVERSITY OF SCIENCE AND TECHNOLOGY**GENERAL DISCIPLINARY OFFENCES AND PENALTIES**

S/N	DISCIPLINARY OFFENCES	DISCIPLINARY MEASURES/PENALTIES
1.	Unauthorized use of or interference with any technical or other services or installation in the University	The student will be evicted from University hostel and pay compensation to the value of the damaged property
2.	Inviting outsiders as guest speakers and/or social entertainers without the permission of the relevant organs of the University	Give a stern warning and/or suspend a student for up to one semester.
3.	Leaving the light on during the day or when not needed.	Reprimand for a maximum of two times and/or give a stern warning, the third time suspends a student for up to one semester.
4.	Unauthorized possession of keys or any University property.	Give a stern warning or suspend a student up to one semester.
5.	Failure to pay outstanding debt for the University property that a student has lost damaged or any debts reported to Administration.	Suspend a students until he/she pay the outstanding debts
6.	Maliciously damaging University properties	The University shall give an order to pay compensation and give stern warning to a student and/or suspension up to one semester.
7.	Mismanagement and/or embezzlement of students' organization funds and/or of any other recognized student society.	Give a stern warning and the student shall be ordered to refund the mismanaged funds and suspension for one semester
8.	Any fraudulent collection of money from fellow students or any other person from students' organization or relevant University organ.	Give a stern warning and the student shall be ordered to refund the fraud funds and suspension for one semester
9.	Running of business of any kind in the University's premises without prior permission by the University authority.	Properties shall be confiscated and student shall be ordered to pay damages and suspend a student for one semester.
10.	Conduct or omission which does or likely to cause damage, defacement or violence to any person or property within the University.	Suspend a student for up to one academic year and shall order a student to pay compensation to the value of the damages.

S/N	DISCIPLINARY OFFENCES	DISCIPLINARY MEASURES/PENALTIES
11.	To threaten or use violence against any fellow student(s) or any member of the University.	Give a stern warning and suspend a student for a minimum of one semester.
12.	Unauthorized holding of students “General Assembly Meeting” (Students’ Baraza)	Give a stern warning and suspend a student up to one year.
13.	Planning or participating in an unlawful demonstration.	Give a stern warning and expel the student from the University
14.	Knowingly giving false information	A suspension of up to one semester
15.	To behave in any manner which is likely to encourage or instigate violence among students.	Give a stern warning and/or suspension for one semester or expel from the University
16.	Refusal or failure to comply with a lawful order or directive given by an officer acting on behalf of the University or any competent organ of the University.	Give a stern warning and/or suspension for one semester or expel from the University
17.	Use of slanderous, abusive, obscene or threatening language in public by any student against any fellow student(s) or student against any officer or employee of the University.	Give a stern warning and/or suspension for one semester or expel from the University
18.	Failure or refusal to attend a meeting called or authorized by Students Affairs and Disciplinary authority or any other competent organ of the University when summoned to do so by proper written notice by such authority.	Give a stern warning and/or suspension for one semester or expel from the University
19.	Refusal or failure to abide by the ruling, decision and/or penalty made/imposed by the disciplinary authority or any other competent organ of the University.	Give a stern warning and/or suspension for one semester or expel from the University
20.	Getting drunk and exhibiting any improper conduct/behavior under the influence of alcohol/drugs either within or outside the campus.	Give a stern warning and suspend a student for one semester.
21.	Using force or violence or striking or assaulting against a fellow student, an officer or any other person at the University or outside the campus.	Expel the student from the University

S/N	DISCIPLINARY OFFENCES	DISCIPLINARY MEASURES/PENALTIES
22.	A conduct which is likely to obstruct or frustrate the holding of:- (a) Any lecture, class, workshop activity given or authorized by the University (b) Any meeting, function or Lawful activity authorized by the University.	Expel the student from the University.
23.	Forming and/or establishing student groups, which are likely to cause disunity or disorder at the University or in the wider community.	Expel the student from the University.
24.	Willful writing of defamatory literature.	Give a stern warning and/or suspend a student for up one semester.
25.	Sexual harassment of whatever kind.	Give a stern warning and/or suspend a student for up one semester
26.	Charged with a criminal offence as stipulated under the law of the land.	The University shall suspend a student from studies until such time his/her case is determined by the court of law and where s/he is convicted s/he shall be expelled from the University.
27.	Consumption or possession of any intoxication drug unless a recognized medical officer has prescribed such consumption.	Give a stern warning and suspend a student for one semester.
28.	Cultivation of, or use or peddling of narcotic substances and other drugs recognized by the law to be dangerous.	Expel the student from the University
29.	Willfully associate with any person or group of persons who for one reason or another are involved in illegal drugs transaction or business or any other criminal undertaking.	Expel the student from the University
30.	Administer any illegal drugs to oneself or any other person for whatever reason	Expel the student from the University
31.	Possession of lethal and/or any other weapon within the campus which is likely to jeopardize peace, or endanger people's health or lives.	Expel the student from the University

S/N	DISCIPLINARY OFFENCES	DISCIPLINARY MEASURES/PENALTIES
32.	Knowingly inviting or entertaining a student(s) in the University whose name or names appears on the notice board or has been/have had been saved a letter or letters as having been barred/suspended/expelled from the University premises by a competent organ.	Give a stern warning and/or suspend a student for one semester or expel the student from the University.
33.	Rape or indecent assault.	Expel the student from the University
34.	Public and/or group sexual offences.	Expel the student from the University
35.	To instigate or incite or participate in any mob action, strike, civil commotion, the boycott of classes, meeting, function or lawful activity authorized by the University.	Expel the student from the University
36.	Theft committed within/outside` the University.	The student shall be ordered to pay and a suspension or expel the student from the University
37.	Forging a document or uttering false document or submitting a forged document or perpetrating forgery with the intent to cause loss to any person, University or any other institution whether in cash or otherwise	Suspend a student for one semester or expel the student from the University
38.	Unlawful engaging into sexual activities within/outside the campus.	Suspended the student for one semester
39.	Conducting religious activities in a manner that University' functions are jeopardized.	Warning for two times, the third time shall lead to a suspension at least one semester.
40.	Conducting political activities within the University campus.	Give a stern warning and/or suspend a student for one semester or expel the student from the University.
41.	Repetition of any offence by a student/ students.	Higher disciplinary measures will be taken.

DISCIPLINARY OFFENCES RELATED TO RESIDENCE

S/N	DISCIPLINARY OFFENCES	DISCIPLINARY MEASURES/PENALTIES
1.	Use of the rooms or any other space in the blocks/hostel of residence for any social function without the permission of the Deputy Vice Chancellor	Give a stern warning or may suspend a student up to one semester.
2.	Sharing a room with an opposite sex	Shall evict a student from the University hostel
3.	Cooking in the University without permission from authorized personnel	Evict a student from the University hostel
4.	An in campus student spending a night outside the University campus without prior written permission by the Director of Students Affairs	Give a stern warning or suspend up to one semester.
5.	To interfere with or transfer furniture or fittings of any kind from any part of the University without permission of the Wardens	Give a stern warning or suspend up to one semester.
6.	To bring or use in hostel refrigerators, driers, freezers or any cooking appliances.	Evict a student from the University hostel
7.	To deny the University staff access the room(s) for repairs/ inspections and other activities	Evict a student from the University hostel
8.	Use of music appliances (record player, TV, VCR, Computer, Radio and other noise making instruments) at a noisy levels that are nuisances and annoyance to other residents in the hostels	The student shall be given a stern warning or evicted from the University hostel
9.	Vacating rooms at the end of each semester and without handing over the keys and mattress to Wardens/ Janitors or other authorized person.	Student shall be required to pay for the days stayed with keys at the rate decided by the University.
10.	Leaving the room untidy during vocation	Student shall be required to pay for the clearing expenses of the room and evicted from the room.
11.	Entertaining outside visitors in the	The University shall give a stern warning and/or

S/N	DISCIPLINARY OFFENCES	DISCIPLINARY MEASURES/PENALTIES
	hostel room.	evict student from hostel.
12.	Entertaining University colleague in the hostel room beyond 22:00 hrs.	The University shall give a stern warning and/or reprimand to a student.
13.	Living with unauthorized person(s) in the hostel rooms including children and other relatives.	Will lead to eviction of a student from the University hostel
14.	Illegal entry into another student's room for no justifiable cause.	Give a stern warning and/or suspension for one semester or expel from the University.

Appendix 3

DISCIPLINARY OFFENCES RELATED TO CAFETERIA AND KITCHEN

S/N	DISCIPLINARY OFFENCES	DISCIPLINARY MEASURES/PENALTIES
1	Smoking in the cafeteria	The student shall be given a stern warning and suspend for up to three (3) months from the University.
2	Entering the kitchen or remove any utensils and other equipments such as glasses, bottles, and crockery provided for meals.	Give a stern warning, a student shall be ordered to return the materials and other equipment and suspend for up to three (3) months.
3	Entering kitchen without permission	Give a stern warning or suspension for up to three (3) months
4	Entering with slippers or indecent dress in the cafeteria.	Warning two (2) times, the third time shall lead to suspension for up to three months.

Appendix 4

DISCIPLINARY OFFENCES RELATED TO STUDENTS' DRESS CODE

S/N	DISCIPLINARY OFFENCES	DISCIPLINARY MEASURES/PENALTIES
1	Any student who contravenes Section 6 of these By-Laws shall be deemed to have committed a disciplinary offence.	Depending on the frequency of the offence by the student; a) The student shall be denied access to the University premises by the University; OR b) The student shall be denied access to University offices, lecture theatres/class rooms; OR c) Suspend a student for not more than three months.

APPROVAL

According to the Council meeting of Mbeya University of Science and Technology (MUST) held on Item; this Students' By-Laws have been read and approved.

.....
Prof. Penina Mlama

MUST COUNCIL CHAIRPERSON

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Date

.....
Ms. Saumu Mruke

COUNCIL SECRETARY