

# **TURE CHARTER, 2007**

## **STUDENTS' BY LAWS**

*(Made under Rule 48 (1) of SUA Charter and Rules 2007)*

*(AN AMENDMENTS TO THE BY-LAWS APPROVED BY COUNCIL IN 2016)*

**By – laws governing Sokoine University of Agriculture Students General Conduct, Disciplinary proceedings and Penalties**

### **PREAMBLE**

Whereas 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.

The Council of Sokoine University of Agriculture conscious of the fact that students at Sokoine University of Agriculture are all adults according to the Laws of Tanzania and must accept the responsibilities of adults, DESIROUS therefore that students should observe these By – Laws, draw up and enforce their own rules of Community Living, appropriate to the special needs and work at University level.

Students are additionally reminded that they are subject to the Laws of Tanzania while on the University Campus or elsewhere within the country, If a student is convicted of an offence in a duly established court of law against the laws of this country or any other country, his continued membership of the University may be reconsidered or reviewed by the Disciplinary Authority.

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# PART I

## PRELIMINARY

### 1.0 Citation

- 1.1 These regulations shall be cited as Sokoine University of Agriculture Student's General Conduct, Disciplinary Proceedings and Penalties By – laws Revised Edition, 2016. (Herein after referred to as the “Regulations”) and shall come into force on academic year 2016/2017.
- 1.2 These By-laws are made by Council in accordance with provision of Rule 48 of SUA charter and Rules 2007, whose objective and purpose is *interalia* to provide for the control, governance and administration of the university.

### 2.0 Definitions

- 2.1 In these By-Laws, unless the context otherwise requires;

“The Act”, means Universities Act, 2005 as amended from time to time.

“Authorized officer” means staff of the university when discharging lawful duties.

“College (s)” means college of the university established under Sokoine University of Agriculture Charter, 2007

“Competent Organ” includes such Board, committee, Office or Officer of the University vested with expressed 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” means the Dean of Faculty or school.

“Dean of students” means official appointed by Council to be in-charge of the students' affairs.

“Disciplinary Offence” means any offence under these By-laws or contravention of any of the established By-Law”/rules.

“Faculty” means of Faculty of the University established under Sokoine University of Agriculture Charter, 2007.

“Gender” means and includes both female and male.

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

“Outside the University” includes off campus, field practical, and vacation, on transit and in recreational places.

“Principal of College” means Principal of the college of the university established under Sokoine University of Agriculture Charter, 2007

“Deputy Vice Chancellor (Administration & Finance)” means an executive official appointed under Article 10 for SUA Charter, 2007.

“Regulations” means rules made under SUA Charter 2007.

“Strike” means refusal to perform scheduled activities.

“School(s)” means school of the university established under Sokoine University of Agriculture Charter, 2007

“Student” means any person admitted to the University as candidate for a degree, diploma, certificate or other award of the University.

“The Council” means the Council of the University established under Article 18 of SUA Charter, 2007.

“The Disciplinary Appeal Committee”: means the Committee established under SUA Charter, 2007.

“The Disciplinary Authority” means the powers conferred upon him under Rule 54 (21) of SUA charter, 2007.

“The Senate” means the Senate of the University established under Rule 49(3) of SUA charter, 2007.

“The Students Organization” means the organization approved by the Council as being an organ for representation of students of the university.

“The University” means the Sokoine University of Agriculture established by SUA Charter, 2007.

“Trespass” means unlawful and/or unauthorized entry into or upon the University’s property of building.

“University Authority” shall have the same meaning as “competent organ”.

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

“Visitor” shall not be construed to include a student as defined by these By – Laws.

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

2.3 Masculine gender shall include female and vice-versa.

### **3.0 Acceptance of by-Laws Conditions for Admission**

- 3.1 Every student on enrolment shall be supplied with a copy of these By-Laws and of any other University or part of the University Regulations for the time being in force. Acceptance of a place in the University is conditional upon signing an agreement by the students to abide by the By-Laws. The operation and application of the By-Laws is without prejudice to the constitution and the general laws of the United Republic of Tanzania.
- 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 by the University. For avoidance of doubt, proscribed fees shall be as such fees approved by the Council.

### **4.0 Committees**

- 4.1 There shall be established under the supervision of the SUASO Students Disciplinary Committee of Students which shall be responsible for making, determining and enforcing the rules of living in the Hostels and outside University. The Disciplinary Committee of students shall comprise of the following members;
  - a) The SUASO President who shall be the Chairperson of the Committee.
  - b) One representative from each Hostel of Residence.
  - c) The SUASO Minister responsible for the health and students' Social welfare and Accommodation.
- 4.2 These rules shall be approved by the Students Affairs Committee which shall also oversee their enforcement. They shall form an appendix to these By-Laws.
- 4.3 It is hereby by established a Student's Affairs Committee. Any students who wish to appeal against any decision of the Disciplinary Committee of Students shall lodge the appeal in writing to the Students Affairs Committee not more than seven days after the decision of the Disciplinary Committee of Students.
- 4.4 The Students Affairs Committee shall comprise of the following members;
  - (i) A representative from the University Council who shall be the Chairperson.
  - (ii) Deputy Vice Chancellor (A & F) Vice Chairperson.
  - (iii) Dean of Students - Secretary
  - (iv) Two representatives of Senate, appointed from members of Senate.
  - (v) A representative of the Ministry responsible for Higher Education.
  - (vi) Five Students Representative, i.e one student representative from the following University Committee.
    - a) University Administrative Services Committee
    - b) Planning & Estates Sub-Committee
    - c) The Undergraduate Studies Committee

- d) Senate
  - e) University Council
- (vii) Invited Members
- a) Principal Administrative Officer – (Services)
  - b) Deputy Dean of Students – (Solomon Mahlangu Campus)
  - c) Legal Officer
  - d) SUASAB – Coordinator

## PART II

### DISCIPLINARY OFFENCES

#### 5.0 General By-laws

**For the purpose of these By-Laws, general disciplinary offence 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 toward another student, member of the University Community or any other employee or employees of the University provided further that the conduct in question occurred on or outside the University campus; **any student found guilty of disciplinary offence under this by-law shall be suspended for a maximum of six weeks.**
- (ii) Using force or offering violence against if/or striking a fellow student, an officer or any member of the University community even such violence occurred outside the University; **any student found guilty of disciplinary offence under this by-law shall be rusticated for maximum of one academic year.**
- (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; and for avoidance of doubt damage to such property shall not constitute a disciplinary offence except where it is prejudicial to the peace and security of the University; **any student found guilty of disciplinary offence under this by-law shall be fined to current prices and/or order compensation as the case may be.**
- (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; **Any**

**student found guilty of disciplinary offence under this by-law shall be rusticated for maximum of one academic year.**

- (v) Unauthorized use of, or interference with, any technical electrical or other services or installation of the university; **any student found guilty of disciplinary offence under this by-law shall be rusticated for maximum of one academic year.**
  
- (vi) (a) Where a student is charged with a criminal offence which is not a misdemeanor under the law; the university may suspend such student from studies until such time as his/her case is determined by the court and where he/she is convicted he/she shall be terminated from studies;
- (b) Where a student is suspended under (vi) (a) above, he/she shall not be reinstated as a student until he/she produces the judgment of the court ruling in his/her favour.
  
- (vii) Unauthorized possession of a key to University property; **any student found guilty of disciplinary offence under this by-law shall be suspended for a maximum of six weeks.**
  
- (viii) (a) Refusal or failure to comply with a lawful order or directives 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; **any student found guilty of disciplinary offence under this by-law shall be suspended for a maximum of six weeks.**
- (b) Knowingly giving information known to be or not believed to be true the giver thereof or any other person in that behalf; **any student found guilty of disciplinary offence under this by-law shall be given an ordinary/or stern warning or reprimand.**
  
- (ix) Use of slanderous, abusive, obscene or threatening language by any student against any other student or students against any officer or employee of the University in the course of performing such officer's or employee's duties; **any student found guilty of disciplinary offence under this by-law shall be suspended for a maximum of six weeks.**
  
- (x) 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; **any student found guilty of disciplinary offence under this by-law shall be expelled.**
  
- (xi) Knowingly inviting or entertaining a student or students in the University whose name or names appear on the University Notice board as having been barred or otherwise knowing to have been barred from the University premises by university authority; **any student found guilty of disciplinary**



**offence under this by-law shall be given an ordinary/or stern warning or reprimand.**

- (xii) Refusal or failure to obey any lawful order issued under the University regulations or rules promulgated by a competent organ of the University; **Any student found guilty of disciplinary offence under this by-law shall be expelled.**
- (xiii) Failure or refusal to attend to 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; **any student found guilty of disciplinary offence under this by-law shall be given an ordinary/or stern warning or reprimand.**
- (xiv) (a) Willful obstruction of the work of or 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; **any student found guilty of disciplinary offence under this by law shall be rusticated for maximum of one academic year.**  
  
(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 produce a document or any other thing required by such a panel. **Any student found guilty of disciplinary offence under this by-law shall be rusticated for maximum of one academic year.**
- (xv) 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; **any student found guilty of disciplinary offence under this by-law shall be suspended for a maximum of six weeks.**
- (xvi) (a) 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.  
  
(b) Emergency Baraza may be held only after the Deputy Vice Chancellor (Finance and Administration) DVC (A & F) 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 day notice be given to the DVC(A& F) prior to the holding of such emergency Baraza; **any student found guilty of disciplinary offence under this by-law shall be suspended for a maximum of six weeks.**

- (xvii) Inviting outsiders as guest speakers and/or social entertainers without the permission of the relevant organ of the University namely, the Vice Chancellor; Deputy Vice Chancellor (Academic), Deputy Vice Chancellor (Administration & Finance) as the case may be depending on the intended audience and the status of the guest speaker/social entertainers. **Any student found guilty of disciplinary offence under this by-law shall be given an ordinary/or stern warning or reprimand.**
- (xviii) Forming and establishing unauthorized students groups which are likely to cause disunity and disorder at the University or in the wider Community; **any student found guilty of disciplinary offence under this by-law shall be rusticated for maximum of one academic year.**
- (xix) Without derogating the right to freedom of expression, willful writing of 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. **Any student found guilty of disciplinary offence under this by-law shall be rusticated for maximum of one academic year.**
- (xx) **Sexual harassment of whatever kind**, 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, pressuring demands for date;
  - c) Pressuring for sexual activity or favors;
  - d) Asking about personal sex life, explicit 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 contacts 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;
  - g) Displaying of pornographic and sexually suggestive picture and/ or sexual objects.
  - h) Transmitting offensive written, telephone or electronic communications of sexual nature.
  - i) Indecent exposure;
  - j) The use of one's authority or power, either explicitly or implicitly, to coerce another into unwanted sexual relations or punish 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;

**Any student found guilty of disciplinary offence under this by-law shall be expelled.**

- (xxi) Rape or indecent assault; **any student found guilty of disciplinary offence under this by-law shall be expelled.**
- (xxii) Indecent exposure; **any student found guilty of disciplinary offence under this by-law shall be expelled.**
- (xxiii) Public and/or group sex; **any student found guilty of disciplinary offence under this by-law shall be expelled.**
- (xxiv) Mismanagement and/or embezzlement of student's organization funds and/or of any other recognized student society established under the auspices of the students' organization in accordance with the relevant provision of the students' organization's constitution for the time in force; **Any student found guilty of disciplinary offence under this by-law shall be rusticated for maximum of one academic year and shall pay back the embezzled funds.**
- (xxv) Collecting or charging money from any student or students 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; **Any student found guilty of disciplinary offence under this by-law shall be rusticated for maximum of one academic year.**
- (xxvi) Unauthorized carrying of lethal weapons within the campus which is likely to jeopardize peace; **any student found guilty of disciplinary offence under this by-law shall be rusticated for maximum of one academic year.**
- (xxvii) Illegal entry into (a) another student's room; (b) unallocated room and occupy if (c) any other form of trespassing; **any student found guilty of disciplinary offence under this by-law shall be expelled.**
- (xxviii) Instigating or inciting students to boycott classes; **any student found guilty of disciplinary offence under this by-law shall be expelled.**
- (xxix) For the avoidance of doubt, instigating or inciting shall mean and include persuasion, pressure, threats or encouragement with the intent that the student or students persuaded, pressured, threatened or encouraged commit(s) the offence in question;
- (xxx) 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; **any student found guilty of disciplinary offence under this by-law shall be expelled.**
- (xxxi) Possessing, planting, using and or selling of illicit drugs; **any student found guilty of Disciplinary offence under this by-law shall be expelled.**

(xxxii) Theft committed within or outside the University; **any student found guilty of disciplinary offence under this by-law shall be expelled.**

(xxxiii) Going on strike; **any student found guilty of disciplinary offence under this by-law shall be expelled.**

(xxxiv) Fighting with fellow student or staff within or outside University Campus; **any student found guilty of disciplinary offence under this by-law shall be expelled.**

## **6.0 Provisions and offences related to residence of students**

6.1 Students may be offered accommodation in the University Residence in order of the following priority;

- a) Students with physical disability
- b) Foreign Students
- c) First year students
- d) Female Students
- e) Finalist Students
- f) Continuing Students

### **6.2 The following are students tenancy rules and disciplinary offences and penalties**

(i) Students who will live in University residence shall be obliged to pay accommodation fees specified by the University Authority from time to time. **Any student found guilty of disciplinary offence under this by-law shall be evicted from University hostel.**

(ii) Every student before being granted accommodation or the right to occupy any room in the University residence or any other premises earmarked for students residential purposes shall pay from such accommodation at full rate as the University may determine from time to time. **Any student found guilty of disciplinary offence under this by-law shall be evicted from University hostel.**

(iii) The University authority shall have the right and power to determine the number of students who may share any of the rooms in the University residence.

(iv) Where University residence is not available it shall be a student's responsibility to find and pay accommodation obtained elsewhere.

(v) Where the rooms are furnished with beds, mattress, tables, chairs occupants are not allowed to remove any furniture, 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/Janitor.

- (vi) The occupants/students shall be required to sign a Tenancy Agreement provided by the University Authority a failure to do shall constitute a disciplinary offence; **any student found guilty of disciplinary offence under this by-law shall be evicted from University hostel.**
- (vii) Students 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 room.
- (viii) Cooking is not allowed in the University residence except in designated premises; **any student found guilty of disciplinary offence under this by-law shall be evicted from University hostel.**
- (ix) No student is allowed to engage "house girl(s)/boys". **Any student found guilty of disciplinary offence under this by-law shall be evicted from University hostel and shall not be allocated any room until one completes his studies.**
- (x) 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 University authority penalty. **Any student found guilty of disciplinary offence shall be liable on conviction to a first breach stern warning and second eviction from the room.**
- (xi) 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 University authority. **Any student found guilty of disciplinary offence shall be liable on conviction to a first breach stern warning and second eviction from the room.**
- (xii) No electrical devices other than reading lamps, table fan, electrical iron, computer, electric razor, and electric hair dryer, electric kettle, radio, record player or TV set shall be used in University residence. **Any student found guilty of disciplinary offence her/his unauthorized devices shall be confiscated.**
- (xiii) When electrical faults occur, the destroyed items/appliances shall be at one owner's risk.
- (xiv) Electric lights must not be left switched on unnecessarily during the day time or when occupants are not in the room.
- (xv) Musical appliances and instruments, such as records players, radio, video, TV set and other sound making instruments may be used provided that music shall not be played at noise levels that are a nuisance and annoyance to other residents. **Any student found guilty of disciplinary offence shall be liable on conviction to a first breach stern warning and second eviction from the room.**

- (xvi) For specific official students' functions permission to extend musical performance in specified places within the University premises may be granted by the Dean of Students.
- (xvii) A student shall follow regulations made in respect of University resident and shall refrain from conduct which may bring discredit upon his/her or is prejudicial to the welfare of over residents such as drunkenness, disorderly conduct and over blasting music penalty No. (xvi). **Any student found guilty of disciplinary offence shall be liable on conviction to a first breach stern warning and second eviction from the room.**
- (xviii) No student shall be allowed to entertain visitors in his/her room beyond 10.00 pm.
- (xix) No student shall be allowed to live with any unauthorized person or persons in their rooms, including unauthorized student or other relatives. **Any student found guilty of disciplinary offence under this by-law shall be evicted from University hostel.**
- (xx) Student(s) with families are required to look for off-campus accommodation on their own. **Any student found guilty of disciplinary offence under this by-law shall be evicted from University hostel.**
- (xxi) Regulations for University residence with the campus shall also apply to the students living in off campus residences offered by the University.
- (xxii) Students of the opposite sex shall not be allowed to share a room. **Any student found guilty of disciplinary offence under this by-law shall be evicted from University hostel.**
- (xxiii) Student evicted from University hostels shall not be considered again for any accommodation on campuses.

## 7.0 Permissions to leave University Campuses:

- (i) No student shall travel during semester time outside Morogoro Municipality without permission.
- (ii) Permission for travel for a weekend/Public holiday outside Morogoro Municipality may be granted by the Dean of Students.
- (iii) Permission for travel for less than a week and Involving missing lectures, seminars, test, assignments, Examinations, and/or laboratory work may be obtained in writing from the Dean/Principal/ of the relevant College/Faculty/ School (Head of Departments for the College of Agriculture) and notified to the Dean of Students.
- (iv) Permission for travel for more than a week shall be obtained from Directors of undergraduate/postgraduate studies as the case may be, through the

Principal/Dean of relevant Faculty, Academic Advisor and notified the office of the Dean of Students.

## 8.0 Provisions Related to Vacation of Resident

- (i) All students shall be required to vacate the residence at the end of each semester when the University closes for vacation.
- (ii) Students under special circumstances such as finalists or as need may arise shall be provided/granted permission to live in the University residence provided that they meet the cost of their stay at prescribed rates made in advance. **Any student found guilty of disciplinary offence under this by-law shall be evicted from University hostel.**
- (iii) Loss of University property such as chair, beds, keys and mattresses by students must be immediately reported to the Janitor on duty. The key will be replaced on payment of the cost of a new key or new lock at a current price by the person responsible for its loss or for its safe custody.
- (iv) Key/mattress must be returned on leaving the residence at the end of each term/semester. Failure to do so shall involve the paying of full residential charges from the beginning of vacation to the time the keys are returned, plus any other suitable punishment.
- (v) Each student must ensure that he/she has signed in Departure/Arrival book when the University properties are returned or taken from the Manager or Janitor.

## PART III

### GENERAL REGULATIONS

#### 9.0 Employment

A full time student may undertake employment during term/semester time provided that the academic work of such student shall not suffer through such employment.

#### 10.0 On University Facilities Property

Students shall not use University property for private use except with the permission of the head of the section under whose charge that property is placed.

## **11.0 On Official Correspondence**

Students may communicate with outside University and the news media in their private capacity. All official correspondence by students or by officials of the students' organization or by officials of recognized student association to Government Ministries, Parastatals, Non-governmental organizations, etc shall be routed through the Dean of Students.

## **12.0 On Collection of Money**

Application for permission to make general collection of money in the University other than students' organization subscriptions or University entrance fees for shows and other functions shall be made to the Dean of Students through the students' organization. Collectors shall be required to submit to the Dean of Students a statement of money received and show how the money has been or is to be expended.

## **13.0 On Students' Vehicle**

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 the vehicles as well as the relevant rule which are in force on the University campus and shall register the vehicle with the Dean of Students office.

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

- (i) Student Identity card
- (ii) The motor vehicle registration card
- (iii) The current certificate of insurance
- (iv) When demanded, a certificate of road worthiness,
- (v) A clean current license in the applicant's name.

### **13.2 Student who brings to the University vehicles shall be responsible for the care and safety of them.**

### **13.3 Any student found guilty disciplinary offence under Part III shall be served a stern warning or reprimanded and breach shall lead to suspension for a maximum of three week.**



## PART IV

### DISCIPLINARY PROCEEDINGS

#### 14.0 Disciplinary Authority proceedings

**The Disciplinary Authority shall impose other penalties as follows:-**

- (i) Any student found guilty of a disciplinary offence under PART II Rule5 (xxiv) or (xxv) shall, 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 there on provided that such first mentioned penalty the disciplinary Authority may instead require that such student found guilty of disciplinary offence under PART II Rule 5 (xxiv) or (xxv) not graduate or obtain his/her certificate, diploma and/or academic transcript until the debt is discharge.
- (ii) Subject to the provisions of the sub rule(iii) and any other relevant rule herein before contained, penalties for offences under PART II Rule 5 and 6 ranges from reprimand to exclusion from the University residence.
- (iii) Compensation shall be charged in full or in part for loss suffered as a result of breach of the provisions of Rule5 (ix) and as shall be determined by the Disciplinary Authority on the advice of the or Students' Disciplinary Committee.

#### 15.0 Advisory Disciplinary Panel

- (i) In the exercise of his statutory functions the DVC (A & F) as Disciplinary Authority shall be assisted by an Advisory Disciplinary Panel consisting of:
  - a) A Senior academic member of staff who shall serve as chairperson
  - b) The Dean of Students
  - c) University Legal Officer (Secretary)
  - d) Two students appointed by the student's Organization;
  - e) The Dean or his/her associate of the Faculty of which the charged student belongs; and
  - f) One person appointed by the academic Staff Association from amongst its members.
- (ii) Attendance by half of the members of the committee shall constitute a Quorum for the meeting.
- (iii) The Advisory Disciplinary Committee shall adopt its own procedures and shall ensure that the principles of natural justice are observed.
- (iv) The Deputy Vice Chancellor (Administration & Finance) shall appoint or assign such other officers of the University as deemed necessary to assist disciplinary Authority in prosecuting disciplinary proceeding before the Advisory disciplinary Panel or Students disciplinary Appeal Committee.

## 16.0 Disciplinary Procedures

- (i) Disciplinary Procedures under this Part may be either formal or summary.
- (ii) Formal proceedings shall be instituted where, in the opinion of the disciplinary authority, the disciplinary offence which the student is alleged to have committed is of such gravity that should he be found guilty of it, it may warrant his dismissal or rustication from the University.
- (iii) Summary proceedings may be instituted where, in the opinion of the disciplinary authority, the disciplinary offence which the student is alleged to have committed is of such gravity that should he be found guilty of it, may not warrant his dismissal or rustication from the University.
- (iv) Notwithstanding the nature of the procedure intended to be adopted by the disciplinary authority, no disciplinary proceedings shall be instituted against any student after the expiration of thirty days from the date of commission of neglect, offence or, in the case of a continuance of injury or damage, within fifteen days next after its cessations.

## 17.0 Formal Proceedings

- (i) No formal proceedings for a disciplinary offence shall be instituted against a student unless has previously served with a copy of the charge setting out the nature of the offence which student is alleged to have committed, and the charge shall be prepared by the Disciplinary Authority after carrying out such preliminary investigations as he may consider necessary.
- (ii) The charge shall state briefly the nature of the offence which the accused is alleged to have committed, and shall set out in concise form the allegations made against the accused student.
- (iii) The charge under sub-rules (i), drawn up shall then be served upon the accused student, together with a notice addressed to student, inviting the student to state in writing, within twenty one days, the ground upon which student relies to exculpate himself.
- (iv) 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 defense if any.
- (v) The inquiry officer shall notify the accused student of the day, date, time and place and at which the inquiry shall be held and such the inquiry shall not be open to the public.
- (vi) The accused student shall have a right to appear before the inquiry officer, examine witnesses and be heard in his own defense, save that failure by the accused student to appear at the inquiry shall not vitiate the proceedings.

- (vii) The accused student shall have a right:-
  - (a) To cross-examine any witness examined by the inquiry officer or by the disciplinary authority or his representative;
  - (b) To examine and make copies of any document produced as evidence against him; and
  - (c) To call witnesses on his own behalf and produce any document relevant to the inquiry.
- (viii) The inquiry officer may take into consideration any evidence which he considers relevant to the subject of the inquiry before him, notwithstanding that such evidence would not be admissible under the law relating to evidence, and shall record the gist of the evidence adduced before him.
- (ix) Upon the conclusion of the inquiry, the inquiry officer shall forward the record of proceedings before him, together with his report on the proceedings to the disciplinary authority.
- (x) A report under sub-rules (ix) shall: -
  - a) State whether in the opinion of the enquiry officer the charges against the accused student have been proved;
  - b) State the reason or reasons for holding that opinion;
  - c) State 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) State any other fact which in the opinion of the inquiry officer is relevant but shall not contain any punishment to be awarded.
- (xi) Upon receipt of the record of proceedings and the report, the disciplinary authority shall, after considering the evidence and the report of the inquiry officer within thirty days after receiving report, 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.
- (xii) 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.
- (xiii) Where the disciplinary authority finds the accused student guilty, he shall proceed to award the punishment prescribed by these By-Laws in respect of the disciplinary offence or such lesser punishment as he deems appropriate.

## **18.0 Summary Proceedings**

- (i) Where the disciplinary authority decides to institute summary proceedings against an accused student, shall cause a statement giving particulars of the charge or charges to be prepared and served upon the accused student.

- (ii) The disciplinary authority shall appoint the day, time and place for the investigation of the charges and shall give the accused student notice of it.
- (iii) The investigation of the charge or charges shall be carried out in such manner as the disciplinary authority may determine, and the accused student shall have a right to appear at the investigation and make his defense, but failure or refusal by him to attend the investigation shall not vitiate proceedings.
- (iv) Where at any stage of the proceedings before the finding is made, it appears to the disciplinary authority from the nature of the facts and circumstances disclosed that it is necessary or desirable that the matter be dealt with by way of formal proceedings, the disciplinary authority may terminate the summary proceedings and institute formal proceedings in accordance with rule. 16.
- (v) 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 offense or offenses with which he is charged and if finds the accused student guilty, the shall proceed to award such punishment as he may consider appropriate, save that under no circumstances shall, on investigation under this rule, the accused student be punished by dismissal or rustication from the University.

## **19.0 Advisory Disciplinary Committee Decisions**

- (i) All questions at a meeting of the Advisory Disciplinary Committee shall be decided by a majority of votes of the members present. In case of a tie of votes the Chairman shall have a casting vote.
- (ii) The decisions of the Advisory Disciplinary Committee shall always be reported to the management, any appeals shall be directed to the Students' Disciplinary Appeals Committee. The Students' Disciplinary Appeals Committee's decision shall be final.

## **20.0 Power of the Advisory Disciplinary Committee**

The committee shall have the power, at any time and stage during any of its lawfully convened meetings, to call-upon any person to the committee for any reason geared towards facilitating the better discharge of its functions.

## **21.0 Functions of the Advisory Disciplinary Committee**

The Students Advisory Committee shall have the following powers and functions:

- (i) To receive and deliberate on any matter relating to the conduct of any student of the University as may be referred to it by the Dean of Students or any other person,

- (ii) To summon and interrogate any student and demand any evidence relating to any alleged misconduct of such student to it by the Dean of Student,
- (iii) To initiate disciplinary proceedings on any student for any offence committed under these Regulations or any other laws of the University in which the conduct of the student is in issue,
- (iv) To determine and recommend to the disciplinary authority any appropriate penalty on any student and for any proven offence relating to the conduct and discipline of such student where the same is not provided for in these Regulations,
- (v) To advise the University on any matter in which the conduct and discipline of Students is in issue and proposes, in appropriate cases, for measures to be taken for any act of misconduct or indiscipline by any student that occurs on or off the campus of the University,
- (vi) To do any other thing not specifically provided for in these By-Laws for the maintenance and promotion of good discipline among students, between students and the University community and other communities outside the University,
- (vii) Notwithstanding the provision of paragraph (c) and (d) of this section, no penalty shall be imposed on any student without first providing him the opportunity to be heard.
- (viii) It shall be for the Committee through its chairman to inform the Disciplinary authority of any decision passed by the Committee on any Student under these By-Laws or any other relevant law of the University,

## **22.0 Appeals after committee decisions**

Without prejudice to any specific issue decided by the Committee shall not be referred to it again and a student who is dissatisfied with, the decision of the Committee may appeal to the Student Disciplinary Appeals Committee:

- (i) The Dean of Students shall have the power to warn, reprimand or require any student reported to him as having breached these By-Laws to rectify such breach. Provided that a student is not satisfied with any warning, reprimand or any other directive by the Dean of Students may appeal to Disciplinary Authority within seven working days.
- (ii) Upon receipt of any appeal to it by the student as provided for under sub-rule (a) of this rule, the Disciplinary Authority shall meet within seven working days from the date of receipt of such matter for its consideration.

### **23.0 Authority/Organ empowered by the Committee**

Any authority or organ empowered under these By-Laws to handle any matter relating to students, conduct and discipline shall adopt its own procedures as it may consider proper and shall have the power to summon any person to give evidence or information or produce any evidence in connection with any issue which is the subject of its determination. Provided that no such authority or organ shall adopt a procedure which offends or seeks to offend the principles of natural justice.

### **24.0 Costs to attend Disciplinary hearing**

Any student who is called to attend disciplinary Proceedings as suspect, shall meet his/her own costs.

## **PART V**

### **APPEALS**

#### **25.0 Appeals**

Appeals by an aggrieved Party against a decision of the Disciplinary Authority shall lie to the Disciplinary Appeals Committee as provided under these By-Laws 2015 and SUA Charter, 2007.

#### **26.0 Students' Disciplinary Appeals**

- (i) Subject the provisions of SUA Charter, 2007 there is hereby established a Committee to be known as the Students' Disciplinary Appeals committee of the University.
- (ii) The Students' Disciplinary Appeals Committee shall be composed of:-
  - (a) A Chairman, who shall be appointed by the Minister of Education ;
  - (b) Four members elected by the Council from amongst its members, or of whom shall be a member elected to the Council by the Students' Organization; and
  - (c) A senior legally qualified person nominated in that behalf by the Attorney General.
- (iii) The quorum of the meetings of the Students' Disciplinary Appeals Committee shall be the Chairman and four other members, one of whom shall be the member referred to in paragraph (c) of sub-rule (ii).
- (iv) The provisions of the second schedule of SUA Charter, 2007 shall apply mutatis mutandis in relation to the tenure of office of the members of the Students' Disciplinary Appeals Committee, their retirement, the right to terminate their appointment, and appointment of a new member to fill any

vacant, and also in relation to the proceedings and meetings of the Committee, as they apply to the Council.

- (v) The Disciplinary Authority shall institute all proceedings and may lodge or defend any appeal before the Disciplinary Appeals Committee.

**Save that any member of the Panel who took part in the decision which is the subject of an appeal before the Disciplinary Appeals Committee shall not take part in the hearing of such appeals.**

## **27.0 Students' Appeals Procedures**

- (i) 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.
- (ii) Where a student wishes to appeal pursuant to sub-rule (i), he shall, within not more than three days of the decision of the disciplinary authority, give a written notice of his intention to so appeal to the disciplinary authority who shall forthwith submit it to the Chairman of the Students Disciplinary Appeals Committee.
- (iii) Upon receiving an appeal, the Students Disciplinary Appeals Committee, shall meet within thirty days to determine such an appeal.
- (iv) 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.
- (v) The Students' disciplinary Appeals committee shall dismiss an appeal where the appellant student fails to appear without reasonable cause.
- (vi) On an appeal under this rule the Students' Disciplinary Appeals Committee may either:
  - (a) Set aside the finding made against the student and the punishment imposed on him; or
  - (b) Uphold the finding; or
  - (c) Reduce or enhance the punishment imposed upon the student.
- (vii) Notwithstanding sub-rules vi (c) where the investigation 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.

## PART VI

### DRESSING CODE

#### 28.0 General Dressing code

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

#### 29.0 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

#### 30.0 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)

**Any student who breaches this dressing code shall be required to change the cloth and be served a stern warning or reprimanded and second breach shall lead to suspension for a maximum of three weeks.**



## **PART VII**

### **MISCELLANEOUS PROVISIONS**

#### **31.0 Miscellaneous provisions**

- (i) Where there is an emergency need for overt operations of security official or Police amidst students, in student compounds the students' leadership shall 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 University Act SUA Charter and special regulations applicable in specific organs of the University such as the University Library, etc.
- (iii) All students are advised to open a Bank account with any Bank in Morogoro.
- (iv) Any student, who resumes studies at the University after being suspended under any of the provisions of these By-laws or any other law in force applicable to such student, shall personally bear all the consequences of such suspension.

#### **32.0 Repeal/Saving Provisions**

- (i) The 2002 student By-Laws are hereby repealed.
- (ii) Notwithstanding the repeal of the 2002 Student By-Laws, Nothing done or continuing to be done and no existing proceeding commenced under those By-Laws 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 and all other regulations not expressly repealed shall continue to be in-force and shall have effect as if made under these By-Laws

## **APPENDIX**

### **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 when 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.

- (iii) In the event of students being suspended, such suspension shall not exceed twenty eight days, and shall not be construed as a punishment but as a way of creating an atmosphere conducive for further investigation. The students suspended shall be informed in writing before leaving the Campus.
- (iv) During the suspension period the Disciplinary Authority shall make the investigation and prepare a report and/or institute formal proceedings for disciplinary action against the students involved.