

**BRAINAE UNIVERSITY**

**STUDENTS’ HANDBOOK**

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# I. GENERAL PROVISIONS

## 1. Vision

To excel internationally with quality education, research, and innovative service to the community

## 2. Mission

To be a locomotive of sustainable development in the World by developing competency in educational practices

## 3. Core Values

BU is a singular and multi-partners educational institution offering a wide range of academic and professional studies. As such, we provide opportunities for the trainee to pursue a variety of programs; some are quite specialized, others that are multi-disciplinary and/or problem-based in focus – and to undertake their studies at different locations across the world, both through classes at designated open and through access to distance learning.

* Affordability
* Collegiality
* Commitment to professionalism and social accountability
* Humility
* Integrity
* Kindness
* Loyalty
* Spirituality
* Transparency
* Trustworthiness

# FOREWORD

This Handbook is a valuable resource manual for students of BRAINAE University and contains information that guides students on their social and academic life at the University. It is a road map communicating policies and procedures that direct student life in a vibrant community of scholars. The Student Handbook contains the University Rules and Regulations Governing the Conduct and Discipline of Students and the Rules and Regulations for Examinations. All students should read and familiarize themselves with these Rules and Regulations and individually append their signature as a commitment to these ordinances that govern student communal association and student academic discipline.

It is hoped that students of BRAINAE University will exemplify a life of honorable character, dignity, and self-worth both on and off the University Campus. If in need of help with regards to the Handbook the offices of the Registrar (Academic Affairs), the Dean of Students, Deans of Faculty/Schools, and Heads of Department are available for consultation.

The Student Handbook is therefore expected to promote excellence and provide knowledge as a way of nurturing students on virtue, professionalism, intelligence, integrity, and soft skills adaptive to harmonious interaction in a dynamic world. It is in this way that ALL stakeholders will be confident of our products exemplified by quality graduates.

I hope that students will find this publication helpful, leading to an enjoyable experience for the duration of their studies at the University.

# ACKNOWLEDGEMENT

This is to acknowledge the enormous contribution made by stakeholders in the review of the Student Handbook. Our gratitude goes to University Management Board for offering a conducive environment for the development of this Handbook and for their spirited efforts toward a successful review of the Handbook. We appreciate the effort made by the Division of Academic and Student Affairs and specifically to the Senate and the Dean's Committee for their input in the various stages of the process of review of the Handbook.

# SECTION I: INFORMATION AND INSTRUCTIONS TO NEW STUDENTS

**1. TRAVELLING TO BRAINAE UNIVERSITY**

BRAINAE University is registered in the USA, Delaware. The University is served by public transport and airlines

**2. ARRIVAL AND REGISTRATION**

Students are expected to arrive between 8:00 a.m. and 5:00 p.m. on an opening day for registration. Any student arriving after 5:00 p.m. will not be registered nor be given accommodation until the following day. For online students, at any time of choice, a student may be registered via the system and start learning as well

**3. IMMIGRATION**

All students who are not citizens of America (international students) must have **VALID PASSPORTS BEFORE** arriving at BU Head Office in America.In addition, all non-citizens must obtain re-entry permits from their own territorial Immigration Department to cover the duration of the Programme and must bring their passports with them when they come to register at the University.

**4. LETTER OF ACCEPTANCE BY THE CANDIDATES**

Before signing the letter of **Acceptance to Candidates (BU/1)** the student must read Section II on the Rules and Regulations Governing the Conduct and Discipline of Students.

**5. STUDENTS' PERSONAL DETAILS FORM - BU/3**

**5.1** You are required to complete the **Student's Details Form - BU/3** and attach a colored passport-size photograph to the form. The photograph should bear the name of the student and admission/registration number in FULL **(NO INITIALS PLEASE)** on the reverse side. This information is important in the event of the photograph being misplaced.

**5.2** You are required to forward one completed copy of the Acceptance form referred to herein as BU/1, Students Regulation Declaration form BU/2 and Students Personal Details Forms herein referred to as BU/3 to the Registrar of Academic Affairs on the day of registration.

Students are also advised to fill the forms online on BRAINAE University website http://brainae.org/login

**5.3** Please note the information in the Students Personal Details BU/3 form is intended to help the Office of the Registrar, Academic Affairs understand you better. In subsequent years any change of Home Contact Address and Telephone number should be forwarded to the Registrar's Office in writing to enable them to update your records.

**5.4** A student changing their Official Name while at the University should submit an affidavit to update their File records.

**6. FEES**

Subject to the provisions of Section 45(1)(b) of the Universities Act 2012, Section 18(12)(h), and the Statues, the University Council shall determine after considering the recommendation of the Senate all fees payable to the University as follows:-

**6.1** Every person invited for admission as a student for a degree, diploma, certificate, or another award of the University shall pay to the University such registration fees and such other fees as the council may from time to time determine.

**6.1(a) American Students**

Fees are payable at the beginning of every Academic Year or the beginning of every semester. A copy of the fee structure is posted on the University website together with the Student Handbook. The fee structure will help the student and sponsors to plan payments either per semester; annually or throughout the degree Programme. An annual fee structure will be available but a four/five-year fee structure can be provided upon request. The fee structure is subject to change. Please consult the office of the Registrar, Academic Affairs for further details.

6.1(b) **Foreign/International Students**

All Foreign/International students must produce evidence of adequate financial support before admission to the University. This evidence must be in the form of a letter from a sponsoring body guaranteeing adequate financial support for the entire duration of the Programme. The University annual fees structure is available on the University website **www.brainae.org/login**

**6.2** Students are strongly advised to pay the fees in the official University bank accounts provided on the fees structure or using the online system

**6.3** The University shall have the right to preclude any student from attending classes, sitting for examinations, participating in any academic activity, or enjoying any other University facilities unless such a student shall have paid to the University all fees and other dues provided that the University shall at its discretion exempt any student from the requirement.

**6.4** The University shall have the right to withhold examination results from any student who is a debtor to the University until such debt is paid in full and or cancel the examination results of the examination paper involved.

**9. CO-CURRICULAR ACTIVITIES**

**9.1** Co-curricular activities are essential for total human mental and physical development. It is the policy of the University that all students should be encouraged to participate in at least one sport or co-curricular activity.

**9.2** The University offers a wide variety of co-curricular activities for both men and ladies. Students participate in these activities for recreation or competitively. At the competitive level, we accord students the opportunity to travel widely subject to the availability of funds to compete at Inter-University sports bi-annual championships and tournaments organized at local, national, and regional levels.

**9.3** The University encourages all students to come with their training and practice kits and appropriate playing equipment for games and sports of their choice. For example, students who intend to participate in any of the following categories of games and sports should bring their playing kit as follows:

|  |  |  |
| --- | --- | --- |
| a) | Soccer/Football/Rugby | - Uniforms and boots |
| b) | Basketball/ Volleyball/ Handball/Netball | - Uniforms and footwear |
| c) | Hockey | - Uniforms, footwear, and hockey stick |
| d) | Tennis/Badminton/Table tennis | - Uniforms, rackets, or bats and footwear |
| e) | Athletics/Swimming | - Tracksuits/ swimming costumes |
| f) | Karate/Tae-kwon-do | - Ghee suits |

**9.4** The University has an **“official competition kit”** which will be provided **ONLY** during **Competitions.** Other basic items for training such as balls will be provided for training and practice of the respective teams.

**9.5** The University provides an opportunity for students to nurture their musical and performance art talents. Interested students are encouraged to join the respective University musical or performing arts group.

1. **STUDENT ADVISORY**

The University runs an elaborate Student Advisory system coordinated by the Coordinator, Academic Advisory Services, Career Mentorship, and Placement Office. This includes Academic Advising, Career selection, Mentoring, Job Placement, and Student Counseling.

1. **STUDENT ASSOCIATION**

All students are automatic members of the Students Organization of BRAINAE University (**SOBU**). The Students Association is an organization run by and for students. Events and activities of clubs and societies will be diverse and inspiring enough for involvement. Students are strongly advised to familiarize themselves with the **SOBU** Constitution.

1. **REGULATIONS GOVERNING THE CONDUCT AND DISCIPLINE OF STUDENTS** University Students are expected to observe Regulations Governing the Conduct and Discipline of students while in the University. The Regulations are provided for in Document B in this Students Handbook. Students accepting the offer of admission are expected to sign a Form referred to as BU/2 which should be submitted to the Registrar of Academic Affairs during Registration. The rules and regulations are made for the good order and governance of the University. **Section II must** be thoroughly read, comprehended, and kept for future reference.
2. **ADMISSION AND REGISTRATION CRITERIA**

**14.1** This admission offer to the University is made based on the statement of your qualifications. As a student, you will be expected to register for courses in your Programme. Any change of Faculty/School or Department will be permitted only by approval of the University Authorities. Students who would like to transfer into other programs are to apply during the first week of the new academic year by completing the Inter/Intra- Faculty/School Transfer Form. Late request for Inter/Intra–Faculty/School Transfer is not allowed.

**14.2** A **BONA FIDE** student means a person for the time being registered by the University to obtain a qualification of the University or a person who is determined by the Senate to be a student. A bona fide student is expected to pay all required fees and register in the University in the current academic year by using the Enterprise Resource Planning (ERP) System.

**14.3** Students unable to register in the academic year may DEFER their studies. This should be done by filling out a Deferment Form and submitting it to the office of the Registrar (Academic Affairs), stating the reasons for deferment to the next academic year. The deferment period shall be one (1) academic year renewable continuously up to a maximum of three (3) academic years. Reasons for deferment shall normally be due to: Financial reasons; compassionate reasons; medical reasons (provide medical documents) or any other reason acceptable to Senate.

**14.4** Students must register within the first 20% duration of the semester upon its commencement. A student who fails to register within the said period shall be deemed to have deferred the semester. A student who is absent from classes for less than 80% duration of the semester, with or without permission, is not eligible to sit for end of Semester examinations.

1. **CONDITIONS FOR REGISTRATION**

**15.1** No student will be registered without producing the following documents: -

1. Original and a copy of National Identity Card/Passport or Birth Certificate for those who are under 18 years.
2. Degrees and transcripts
3. Colored Passport Photo

# SECTION II: RULES AND REGULATIONS GOVERNING THE CONDUCT AND DISCIPLINE OF STUDENTS OF BRAINAE UNIVERSITY

BRAINAE University hereby establishes what is to be referred to as the Rules and Regulations governing the Conduct and Discipline of students of BRAINAE University. This refers to all matters affecting the education, welfare, and discipline of the students.

These rules are meant to help the University function effectively for ALL its students. Students are required to sign a form referred to as BU/2 to confirm that they have read and understood and will abide by the rules and regulations as stipulated.

**1.0 PRELIMINARIES**

**1.1** These regulations are made by the University Senate and the University Council by the provisions of BU Charter 2015 and BU Statutes 2016 whose objective and purposes are among others, to provide for the control, governance, and administration of the University.

**1.2** The Senate as per the BU Charter 2015 and BU Statutes 2016 shall be responsible to the Council for the general conduct and discipline of the students.

**1.3** These regulations shall apply to ALL students of BRAINAE University subject to any necessary changes therein. All students shall be required to read and abide by these regulations as well as the Statutes in general.

**1.4** (a) These regulations shall not preclude the University from requiring any student to execute any bond, assurance, or undertaking to be of good conduct throughout his/ her stay at the University.

1. Such bond, assurance, or undertaking when required and executed shall have the same effect as if it were part of these regulations.

**2.0 DISCIPLINARY AUTHORITY**

**2.1** For these regulations the Vice Chancellor, acting on behalf of the Council, is the disciplinary authority of the University and may in that capacity:

1. Vary or add to the list of disciplinary offenses specified herein.
2. Suspend any student(s) suspected of committing an offense under these regulations, from the University pending further disciplinary measures.
3. Take any other measures necessary for the proper operation of the disciplinary procedure and maintaining law and order.

**3.0 DEFINITION OF STUDENT**

In these regulations, the term student means a person who is fully paid up and registered as a student of the University during a current academic year for a first or higher degree, diploma, certificate, or such other qualifications or courses of the University as may be approved by the Senate as qualifying a person for the status of a student, and includes a student of an affiliated institution who is registered for examinations leading to degrees or other academic awards of the University.

**4.0 THE CONDUCT OF STUDENTS**

The following provisions shall apply concerning the conduct of students within and outside the University precincts.

**4.1** **General Conduct**

1. All students shall conduct themselves with the highest standards of integrity and personal discipline.
2. Respect and adhere to the administrative and academic rules, procedures, and structures established by the BRAINAE University Charter and Statutes for the control, governance, and operations of the University.
3. Respect the rights and privileges of the members of the University community at all times.
4. Refrain from any conduct that might bring the University or any Section or Programme thereof into disrepute or public odium.
5. Carry themselves in all public places or forums with such humility and dignity as befits their status as mature and responsible citizens.
6. Wear acceptable, decent, and appropriate attire at all times and in particular while attending lectures, practical sessions, or at any University functions.
7. Adhere to all Rules and Regulations by various sections of the University at all times.
8. Students are advised not to use social media to insult or intimidate others.

**4.2** **Channels of Communication**

In the redress of grievances, students shall be expected to go through the laid down channels and procedures as follows:

1. **Academic Matters**

Class representatives, Course Lecturer, Academic Advisors, Chairpersons of Departments, Deans of Faculties/Schools, Registrar (Academic Affairs), Deputy Vice-Chancellor (Academic and Students Affairs), and the Vice Chancellor in that order.

1. **Non-Academic Matters**
2. **Welfare Matters:**

Students Leadership, Warden/Games & Sports Tutor, Dean of Students, Deputy Vice-Chancellor (Academic and Students Affairs), and the Vice Chancellor in that order.

1. **Security Matters on Emergency**

Student Leadership, any Sectional/Departmental/Divisional Complainant, Internal Security Officer, Security Officer, and the Vice Chancellor in that order.

**4.3 Students and their Organizations** shall be expected to adhere to the Procedures in 4.2 (a) and (b) above to ensure prompt processing of their grievances.

**5.0 COMMUNITY LIVING**

**5.1** **Residential Conduct**

All students shall comply with the rules and regulations of their conduct in the hostels and conduct themselves with responsibility and maturity while in residence at the University and in particular, shall strictly observe the following;

1. Share rooms in addition to other facilities of common use. However, it shall be an offense to illegally stay in a room in the University Hostels
2. Adhere to the list of allocation of rooms determined by the hostel's officer, change of rooms, halls, or hostels once allocation had been made shall not be allowed without written permission of the hostel officer.
3. Admit visitors/students to their rooms only between the hours of 10.00 a.m. and 10.00 p.m. and in so doing shall pay due consideration and regard to the conveniences of their roommates
4. Report any absence from the halls of residence to the Hostels Officer responsible for that particular hall.
5. Not remove or damage any facility or equipment in their rooms or any other part of the halls
6. Not cook or sell food in the hostels
7. Not conduct business or trade in the halls
8. Not cohabit or accommodate an illegitimate member of the room while in the University halls of residence
9. Not enter/remain in opposite-sex halls of residence/rooms between 10.00 p.m. and 10.00 a.m.
10. Do not keep pets.

**5.2** **Clearance from Halls of Residence**

Each student shall be required to clear with the respective Housekeepers and to surrender room keys at the end of the semester promptly if and when required.

**5.3 Vacation Residence**

All students shall leave the University premises at the end of every academic semester. Permission for vacation residence shall only be granted by the Dean of Students on the advice from the Dean of Faculty/School that residence shall be required for carrying out an academic assignment or for other reasons approved by the Dean of Students.

**5.4** Vacation residence shall be in a specified hall and paid for in advance at least two weeks before the start of the vacation.

**5.5 Non-Resident Students**

Non Resident students shall register with the Dean of Students at the beginning of every semester or when they relocate in the semester by duly filling in a prescribed form.

**6.0 UNIVERSITY PROPERTY**

1. A student shall take reasonable care of properties of the University and shall be held responsible for loss or damage to any such property where it is deemed to have been caused by negligence, willful destruction, or misuse of such property by the student or group of students.
2. Where student(s)/club has/have rented University premises for business purposes, he/she/club is/are expected to pay the agreed rent/fee/charge in full.

**7.0 MUSIC AND MUSICAL INSTRUMENTS**

1. Radios, television sets, videos, musical instruments, and percussion instruments may be used only between 5.00 a.m. and 11.00 p.m., and at no time should the sound be so loud as to cause disturbance to others.
2. Visual entertainment shows are restricted to Friday and Saturday evenings only and at no time should the shows run past 2.00 a.m. On Sundays, the shows shall run until midnight.
3. Discos, other dances, and parties shall be held on Friday and Saturday evenings upon approval by the Dean of Students.

**8.0 NOISE AND NUISANCE**

Students are not allowed to create unreasonable noise or engage in unruly and rowdy behavior to the disturbance or annoyance of other occupants of University premises.

**9.0 GENERAL SECURITY OF STUDENTS**

**9.1 Personal Security**

Students are advised to take full responsibility for their security and safety.

**9.2 Fire-fighting Appliances**

It shall be an offense against University regulations to interfere with, damage, or remove any of the firefighting appliances other than for fire-fighting emergency purposes.

**9.3 Student Property**

Students are advised to take reasonable care to ensure the safety of their personal effects. While reasonable security shall be provided, the University is not liable for losses of or damage to student's personal property while on University premises.

**9.4 Motor Vehicles/ Motorcycles and Bicycles**

A student shall not keep a motor vehicle, motorcycle, or bicycle on University premises without prior written permission from the Deputy Vice-Chancellor (Administration and Finance). Permission shall not be given without proof of a valid insurance cover, and a current driving license where applicable. Permission may be refused or withdrawn at the discretion of the Deputy Vice-Chancellor (Administration, Finance, and Development). Parking shall only be allowed at designated areas at the owner's RISK.

**10.0 CRIMINAL OFFENCES**

**10.1** The University has no exclusive jurisdiction over its students in criminal matters and other offenses covered by the law. All crimes and other offenses under the Laws of America, the Penal Code CAP 63 shall be reported to the Police. These shall include but are not limited to the following:

1. Being drunk and disorderly.
2. Drug abuse/possession of illegal brew.
3. Drug trafficking.
4. Fighting (Affray).
5. Possession of dangerous weapons e.g. daggers, arrows, guns, etc.
6. Assault causing bodily harm.
7. Arson attempts to commit arson or attempts to destroy or damage property.
8. Theft and other related offenses e.g. robbery and extortion.
9. Picketing, rioting, obstruction to performing duty.
10. Organizing unlawful demonstrations/ procession/ incitement.
11. Rape or attempted rape.
12. Kidnapping/ abduction, detentions.
13. Sexual harassment, indecent assaults, and defilement.
14. Impersonation and pretenses.
15. Forgery, fraud, counterfeiting.
16. Illegal/unlicensed trade e.g. hawking.
17. Trespass.
18. Aiding suicide and attempted suicide.
19. Concealing birth, induced abortion.
20. Subversion/treason.
21. Murder, manslaughter.
22. Terrorism activities, support or accommodate terrorists.

**10.2** Notwithstanding any action that may be taken by the Police under the foregoing paragraph, the University may take independent disciplinary measures.

**11.0 LEAVE OF ABSENCE**

**11.1** The University shall grant a student(s) a leave of absence from the University on the following grounds only:

1. Sick leave
2. Maternity leave
3. Compassionate leave
4. Special leave
5. Paternity leave
6. Deferment of studies e.g. on financial grounds etc.

**11.2** The request for leave shall normally be supported by documentary evidence.

**11.3** In all cases of absence from classes on account of illness and maternity, a medical certificate to that effect shall be submitted by the University Medical Officer or any certified Medical Practitioner to the Dean of relevant faculty and the Office of the Dean of Students. Where a private practitioner has treated a student the medical certificate shall be submitted to the University Medical Officer for the record.

**11.4** Leave application forms are available at the Dean of Students Office and the applicant shall fill the application form before leave begins.

**11.5** A student who fails to attend 80 % of coursework shall be discontinued to show cause.

11.6. Please note that other regulations that govern studentship at the University shall be taken into account.

**12.0 PROCESSIONS, DEMONSTRATIONS, AND CEREMONIES**

1. It shall be an offense for any student while on campus to organize or participate in demonstrations, processions, ceremonies, picketing, or any other meetings for which, permission has not been granted by the University and or government authority.
2. In addition to any other permits which may be required by the law, permission to hold meetings in the University precincts shall be given by the Dean of Students and a report made to the Head of University Security Services.
3. Where such processions, demonstrations, and ceremonies have been organized unlawfully, the organizers shall be subject to appropriate disciplinary action.

**13.0 CORRESPONDENCE**

**13.1** Correspondence to the press or other mass media by an individual or officials of the student's organization shall bear the individual names and signatures.

**13.2** It shall be an offense to make slanderous and/or irresponsible statements about matters affecting the University or Students Association.

**13.3** Publishing, writing, and/or distribution of anonymous literature of a malicious nature, including placards, shall be subject to disciplinary action.

**13.4** Advertising notices must be on approved designated notice boards and shall be subject to approval by the Dean of Students office. However, those who are responsible shall remove such notices within one week after the advertised event takes place.

**13.5** Correspondence through letters by individual students or by officials of the Students

Association (including Student Societies) to the following matters about the University shall be sent through the Office of the Dean of Students and Vice-Chancellor who will forward as may be appropriate to:

1. Government Officers.
2. Foreign governments.
3. Cabinet Secretaries and Members of Parliament or other dignitaries.
4. Sponsoring bodies and
5. Such other bodies

**13.6** Invitations to Cabinet Secretaries, Government Officials, Politicians, Representatives of foreign governments, or any other important persons to visit the University in their official capacities shall be channeled within adequate time to the Vice Chancellor through the Dean of Students.

**13.7** **Social Media Restrictions and Exclusions**

13.7.1 He/she does not post details of University policies and procedures but should direct users to the official University Website.

13.7.2 Comments posted on social media are constructive and devoid of abusive, obscene, and vulgar language by the University Social Media Guidelines.

13.7.3 Content directed at individual fans or page users should never be written in a manner that can be interpreted as combative, threatening demeaning, or otherwise negative. A legal disclaimer may be required for such posts.

13.7.4 He/she does not post content that shows someone getting hurt, attacked, humiliated, or depicts any activity considered illegal (such as drug use). This might be perceived as racist, bigoted, demeaning, or portray the University in a negative light.

13.8 He/she does not post any content that might be embarrassing to an individual or that could be construed to portray an individual negatively or assassinate an individual’s image or character.

13.9 He/she does not post content that might cause someone to believe that his/her name, image, likeness, or other identifying aspects of his/her identity is being used without permission for commercial purposes.

13.10 He/she does not use email or social media accounts to misinform or incite members of the University Community or the general public.

13.11 He/she does create an email or social media account intending to misinform or incite fellow students.

13.12 It shall be deemed an offense for a student to abuse or misuse the internet and social media (e.g. Facebook, Twitter, WhatsApp, among others). Such abuse or misuse is prohibited by state law and University Policy.

**14.0 ACADEMIC CONDUCT**

All students shall apply themselves diligently to the courses of study approved by the Senate and for which they are registered and in particular shall:-

**14.1** Except for good cause, attend all lectures, tutorials, seminars, practical sessions, field trips, and other such scheduled courses of instruction. It is therefore an offense for a group or class to boycott lectures/ practical/fieldwork for more than two days consecutively. Such an offense may lead the whole group to be suspended from the University for a specified period.

**14.2** Refrain from any conduct whose object or logical consequence is to disrupt the operation of the academic Programme of the University.

**14.3** Must not miss more than 20% of scheduled lectures, tutorials, seminars, practical sessions, and other instruction. Such a student shall NOT be allowed to sit end-of-semester examinations and subsequently shall repeat the year or semester as shall be recommended by the University Senate.

**14.4** Not be permitted to proceed to the next year of study without having satisfied the entire examination requirements of the current academic year.

**14.5** In case of an appeal against the published examination results a student shall make a written appeal addressed to the Registrar (Academic Affairs) through the respective Chairperson of Department and Dean of Faculty/School.

**15.0 STUDENTS LEADERSHIP**

**15.1** The student leadership election shall be governed by the provisions of the Universities Act and BRAINAE University Charter

**15.2** (a) A student Association shall be governed by a student comprising of:-

* 1. Chairperson
  2. Vice Chairperson who shall be of the opposite gender from the Chairperson
  3. Treasurer
  4. Secretary General who shall be the secretary to the Students Council; and
  5. Three other members represent the special interests of students

1. Every Student's Council shall be elected by this Act and its membership shall-
   * 1. Reflect national diversity; and
     2. Have not more than two-thirds of its members being of the same gender
2. For purposes of conducting the election of the members of the Student Council referred to in subsection (A), the student's association shall constitute itself into electoral colleges based on academic departments, schools, or faculties, as may be appropriate
3. The students of each Electoral College constituted under subsection (15.2 (c)) shall elect three representatives-
   * 1. From amongst persons who are not candidates under subsection (A); and
     2. Of whom not more than two-thirds shall be of the same gender.
4. The representative of each Electoral College shall elect the members of the student council within thirty days of the election under subsection (d)
5. A member of the Student Council shall hold office for a term of one year and may be eligible for re-election for one final term

**15.3 To be eligible for leadership, a student shall comply with the following:**

His/her participation in the contest for any elective post in the Students’ Organization of Kibabii

University (**SOBU**) will not compromise his/her academic performance.

1. Should demonstrate that class work will not suffer by obtaining at least an average mean mark of 60% in the previous academic year of BRAINAE University examinations or has an average Continuous Assessment (CAT) Mark of 60% of BRAINAE University examination for newly joining students and must have completed at least one semester at BRAINAE University. The fulfillment of the above requirements shall be confirmed by the Dean of the respective Faculty/ School/ Centre/Institute.
2. Be a bona fide student who has cleared payments of ALL University fees that are due at the time as shall be confirmed by the Finance Officer.
3. Be an ordinary member of the student association
4. Be of sound mind
5. Be fluent in spoken and written English
6. Be well conversant with Association Constitution
7. Have at least two academic semesters remaining for completion of studies
8. Possess both National Identity Card and BU Student, Identity Card
9. Should not have been found guilty in a BRAINAE University disciplinary case.
10. Should not have a pending disciplinary case.
11. Be cleared by BU Electoral Commission

**15.4 No student shall be allowed to contest:**

1. If one has been found guilty in a BRAINAE University disciplinary case.
2. Should not have a pending BRAINAE University disciplinary case.
3. Has suffered from mental sickness/temporary insanity or any other infirmity that may hinder academic performance and leadership.
4. If there is evidence of receiving sponsorship from external groups e.g. Politicians.
5. If there is evidence of threatening, intimidating, and insulting colleagues on the social media
6. If there is evidence of a pending criminal case before a court of law
7. If there is evidence of forged documents
8. Has held office as a member of the student's council for two terms

**15.5** The tenure of service in the students’ leadership shall not exceed two Academic Years.

**15.6** Normally representation in Senate will be restricted to two elected students of either gender.

**15.7** Students shall be expected to comply with all other regulations made by Departments, Faculties, Schools, Centers, Institutes, and College or any other such limits of the University.

**15.8** Ban politicians coming onto campus during students' election campaigns.

**15.9** The Dean of Students and Chairperson of BRAINAE University Electoral Commission shall be responsible to the Vice Chancellor through the Deputy Vice-Chancellor for the overall maintenance of discipline during Student Council and Congress elections.

**16.0 MISCELLANEOUS PROVISIONS**

**16.1** A student shall not use or have in his/her possession harmful chemicals, weapons, knives, sticks, metal bars, or any other objects/ articles which might endanger other members of the University community.

**16.2** A student shall not use vulgar language or abusive language while on or out of the University precincts.

**16.3** A student shall not threaten or hold hostage extort or strike or physically harm any other student, a member of staff or other employees of the University, or a member of the public.

**16.4** It shall be an offense for a student to interfere with the movement of University vehicles or cause traffic obstruction in or outside the University.

**16.5** Students shall be expected to maintain a high degree of hygiene in their halls of residence, dining halls, and University in general. It shall therefore be an offense to litter or throw any waste items outside the dustbins provided. Failure shall result in the removal of the student from the hostel.

**16.6** University facilities like halls, lecture theatres, and common rooms may not be used by Students for business, meetings, and parties without written approval from the Dean of Students.

**16.7** Students shall not be permitted to enter places on campus designated as "Out of Bounds" or "No through Way", such as Telephone Switchboards, Kitchens, Examination Offices, Water Treatment Works, and other areas as notified from time to time.

**16.8** Students on academic or social trips shall be accompanied by an officer of the University.

**16.9** A list of names of students on the trip shall be prepared by the University officer accompanying the students and submitted to the Dean of Students and Dean of Faculty/School and Registrar of Academic Affairs at least one day before the departure. No student shall travel on a trip without prior approval by the Dean of Students/Dean of Faculty. Students on a trip shall be required to strictly observe the trip itinerary. Where students need to be away, they shall seek permission from the Officer in Charge.

**16.10** Students/Clubs operating business at the Students Centre shall adhere to all statutory requirements of running such businesses and compliance with the Public Health Act where relevant.

**16.11** All students must demonstrate maturity in the use of social media and desist from any acts that may threaten, intimidate or insult colleagues or members of the University fraternity.

**17.0 JURISDICTION AND DISCIPLINARY ACTIONS**

The following provisions shall apply to all disciplinary actions taken against students in respect of the disciplinary offenses specified herein, whether such offenses are committed within or outside the University precincts.

**17.1 Offences/Student Misconduct and Respective Penalties**

|  |  |  |
| --- | --- | --- |
| **S/No.** | **OFFENCE/STUDENT MISCONDUCT** | **PENALTY** |
| 1 | Being drunk and disorderly | Warning letter for the first offense  Suspension for two (2) academic years for the second offense |
| 2 | Possession of illegal brew |
| 3 | Fighting (Affray) |
| 4 | Illegal/unlicensed trade e.g. hawking |
| 5 | Assault causing bodily harm | Suspension for two (2) academic years |
| 6 | Participation in an illegal or unauthorized procession/meeting at the University | Suspension for one (1) academic year |
| 7 | Rioting, obstructing staff from performing a duty or obstructing students from performing a duty or from attending lectures, practical or other learning processes | Suspension for one (1) academic year |
| 8 | Threatening or insulting BU staff, student(s) visitors, or members of the public going about their business within or outside the University | Suspension for two (2) academic years |
| 9 | Organizing unlawful demonstration/procession/incitement | Suspension for two (2) academic years |
| 10 | Drug abuse | Suspension for two (2) academic years |
| 11 | Using the University Name or Logo on a document in an attempt to disparage the University | Suspension for two (2) academic years |
| 12 | Participating in ejecting students or staff from a University premise | Suspension for two (2) academic years |
| 13 | Preventing access to a University venue | Suspension for two (2) academic years |
| 14 | Stealing or extorting a member of staff, student, or University visitor | Suspension for two (2) academic years |
| 15 | Forgery, Fraud, Counterfeiting | Suspension for three (3) academic years |
| 16 | Possession of dangerous weapons e.g. daggers, arrows, guns | Expulsion from the University |
| 17 | Leading other students to eject staff or students from a University premise | Expulsion from the University |
| 18 | Willfully/intentionally giving false information to the media or public about the University | Expulsion from the University |
| 19 | Storming a University meeting | Expulsion from the University |
| 20 | Attempt to burn or damage University property | Expulsion from the University |
| 21 | Sexual harassment, indecent assault, defilement, Rape, or attempted rape | Expulsion from the University |
| 22 | Kidnapping/abduction, detentions | Expulsion from the University |
| 23 | The killing of unborn children and abortion. Aiding suicide and attempted suicide | Expulsion from the University |
| 24 | Robbery, Drug trafficking | Expulsion from the University |
| 25 | Murder, manslaughter | Expulsion from the University |
| 26 | Arson or damage of University property or that of staff or visitors within or outside the University | Pay for the damage and expulsion from the University |

**17.2 Disciplinary Authority of the Vice Chancellor**

17.2.1 For the Charter and the Statutes the Vice Chancellor acting on behalf of the council is the disciplinary authority of the University and shall in that capacity

1. Vary or add to the list of disciplinary offenses therein;
2. Suspend any student suspected of gross misconduct under the rules and regulations governing the conduct and discipline of the students and the laws of the land pending further disciplinary measures.
3. Take any measures necessary for the proper operation of the disciplinary procedure and maintaining of law and order.
4. The Vice-Chancellor through the various organs, committees, and the offices of the Deputy Vice-Chancellor and the Dean of Students shall be responsible for all students in the University.
5. Where a student is involved in a grave disciplinary matter that in the option of the Vice Chancellor, the operations of the University or section of it is endangered, the Vice Chancellor shall have the prerogative of suspending the involved student pending his/her appearance before the Students Disciplinary Committee
6. The Dean of Students shall be responsible to the Vice Chancellor through the Deputy Vice-Chancellor in the maintenance of discipline among students and may recommend suspension of a student or students.
7. Where a student is involved in grave misconduct in the University halls of residence, the Dean of Students may upon recommendation of the Hostels Officer, through the responsible warden suspend/exclude the said student(s) from the University's halls of residence pending an appearance before the Students Disciplinary Committee.
8. The responsibility of maintaining discipline at the University is vested with the Office of the Vice Chancellor who may from time to time delegate such power to other Officers of the University for investigation and enforcement.

17.2.2 Administrative and Academic staff of the University have the authority to ensure that the rules and regulations are adhered to by all students.

17.2.3 Students on field trips, industrial attachments, and school attachments shall be subject to the supervision of the Officers under whom the University places them.

**18.0 Enforcement of Regulations**

**18.1** In the event of a breach of the regulations, and depending on the nature of the offense the

Officers referred above shall adopt the following procedures:

1. Shall require the student to make a written statement in response to the charges.
2. Shall warn or caution the student either verbally or in writing.
3. Shall report the student to the Office of the Dean of Students in writing enclosing all documentary evidence for further processing. The Dean of Students shall:
   1. Investigate and establish whether there is a case to answer. In this respect, the Dean of Students may warn or caution the accused.
   2. Process the disciplinary offense and forward it to the Deputy Vice-Chancellor (Academic and Students Affairs).
   3. Or take any other action that may be deemed appropriate at the time.

**19.0 DISCIPLINARY PROCEDURES**

**19.1** Senate shall constitute a Students Disciplinary Committee. The Chairman of the Students Disciplinary Committee shall convene a meeting of the Disciplinary Committee within a reasonable time after the reports are received.

**19.2** The Student Disciplinary Committee shall comprise of the following Offices who shall serve for such period as shall be prescribed in the regulations:

1. Deputy Vice-Chancellor
2. Registrar Academic Affairs, Secretary of Students Disciplinary Committee
3. Dean of Students
4. Three members of the academic staff appointed by the Senate
5. Security Officer
6. Legal Officer
7. Two representatives from Student Association

**19.3 Notice of Meeting**

**19.3.1** The Secretary shall notify both the student and the complainant of the date and time of the meeting and inform them of their right to be present and to call witnesses.

**19.3.2** The student shall be required to attend the hearing in person and accompanied by the registered parent or guardian. Summons to attend shall take precedence over all other students' commitments.

**19.4 Procedure of the Committee**

**19.4.1** All disciplinary cases against students shall be handled fairly and competently by the procedures prescribed hereafter and in particular there shall be observance of *“Principles of Natural Justice”* which are namely: That

1. No one shall be a judge of his/her cause.
2. Each party shall have the right to be heard and call witnesses.
3. The accused has a right to appeal.

**19.4.2** The Committee shall hold a due inquiry and shall not be required to adhere to the rules of evidence or procedures as applied in a court of law. In particular, the Committee shall ensure that both sides are heard and that persons required to be WITNESSES in the case do not sit as members of the Committee.

**19.4.3** These proceedings are of a management nature internal to the administration of the University and therefore shall not involve legal representation. However, if a student wishes to be legally represented he/she must give notice to the secretariat to enable the University to instruct its lawyers appropriately.

**19.4.4** The Registrar, Academic Affairs, shall normally within a week of BRAINAE University’s decision give formal notice of impending disciplinary action relating to misconduct to each student named. The formal notice shall consist of:

1. A copy of the allegation of the misconduct;
2. The date, time, and venue of the inquiry;
3. Details of where help and advice may be sought;

**9.4.5** The formal notice shall be deemed to have been received by the student if a copy of the document is sent by email, posted on the notice board, the University website, and recorded delivery to the student's last known contact address.

**19.4.6** If the student is unable to attend they can submit a written statement of the case to the Registrar, Academic Affairs which will be considered at the disciplinary meeting.

**19.4.7** If a student fails to attend the disciplinary hearing without good reason, the University panel shall proceed in his/her absence.

**19.4.8** The Committee will determine its findings about the evidence they have seen and heard on the balance of probabilities except where the offense is such that the student may be excluded, temporarily or permanently, where the Committee needs to be convinced beyond reasonable doubt that the allegation is proven. The Disciplinary Committee shall take account of any mitigation by the student when fixing the penalty.

**19.4.9** As soon as possible after the determination of the allegation, the Registrar, Academic Affairs shall issue the Decision Notice that shall consist of the following:

1. A summary of the major points made during the Disciplinary Inquiry;
2. A concise rationale of its findings;
3. A concise statement of the Disciplinary Committee's findings about the
4. Allegation of Misconduct;
5. In case a student is responsible for misconduct, the penalty to be applied;
6. An explanation of the student’s right of appeal.

**20.0 POWERS OF THE STUDENTS DISCIPLINARY COMMITTEE**

**20.1** The Committee shall have powers to impose any one or more of the following measures, subject to ratification by the Senate. To;

1. Dismiss the case against the student
2. Warn or caution the student either verbally or in writing.
3. Put the student on probation for a specified period.
4. Require the student to make good any loss or damages commensurate with the nature and gravity of the offense committed or impose a cash fine.
5. Forfeit bursary or goods to the University.
6. Exclude the student from the Halls of Residence for such a period as the Committee may deem fit.
7. Exclude the student from attendance of lectures or another course (s) of instruction for such a period as the Committee may deem fit.
8. Suspend the student from the University for a specified period.
9. Expel the student.

**20.2 Communication of Disciplinary Decisions**

The Deputy Vice-Chancellor (Academic and Students Affairs) shall communicate the Committee's decision to the student and the guardian. Such decisions shall take effect immediately.

**21.0 Appeal against the Decision of the Student Disciplinary Committee**

**21.1** A student shall have the right to appeal against the findings of the Students' Disciplinary Committee and/or against the penalty imposed.

**21.2** An appeal should be lodged by the submission of a signed and dated statement from the student to the Vice Chancellor within ten working days of the date of issue of the written decision from the BRAINAE University Student Examination Misconduct and Disciplinary Committee.

**21.3** The Vice-Chancellor will within three days of receipt of a student appeal, constitute an Appeals Committee to consider the appeal together with documents considered by the original hearing. Members of the Appeals Committee should not have had previous involvement with the matter.

**21.4** The Appeals Committee shall consist of:

1. A University Professor as Chair;
2. A senior Faculty Representative;
3. Legal Officer
4. Secretariat

**21.5** The Appeals Committee shall within three (3) days after constitution by the VC, convene, consider and determine the student’s appeal. The Committee can uphold, amend or rescind the decision of the original hearing.

**21.6** Within two days of Appeals Committee ratification by the Vice Chancellor, the student shall be informed of the Appeals Committee decision in writing together with the reasons for the decision.

**22.0 Appeal to the University Council**

**22.1** The student shall have the right to appeal to the Chairman of the University Council against the decisions of the Vice Chancellor.

**22.2** Notice of appeal against the decision of the Vice Chancellor must be given in writing and addressed to the Chairman of the University Council within fourteen (14) days of the communication of the Vice Chancellor’s decision.

**22.3** On receipt of a copy of the notice of appeal the Secretary of Council shall send to the Chairman of Council a copy of all relevant minutes about the case.

**23.0 Saving Clause**

The provision of these regulations and any decisions made by the Disciplinary Committee shall not derogate from the right of the police or any member of the public so entitled to bring any action or to institute criminal proceedings in respect of the same state of facts against any student in a Court of Law, nor shall anything herein preclude the State from taking any action which it may deem necessary against any student.

**24.0 RULES FOR CLUBS AND SOCIETIES**

**24.1** (a) Clubs and Societies may be formed for the advancement of the functions and objectives of the University by the University Statutes and other relevant national requirements.

* 1. The formation of clubs and societies should adhere to the requirements of national values about cohesion and integration
  2. The formation of clubs and societies shall not be based on tribal or ethnic inclinations
  3. Clubs and Societies shall be self-supporting in all financial matters.

1. **2 Procedure for forming Clubs and Societies**
   1. The students proposing to form a club or a society shall prepare a draft proposal, which must include the following:
      1. Justification
      2. Objectives
      3. Interim office bearers and patron
      4. An indication of likely membership
      5. Possible sources of funding
   2. The students shall then:
      1. Discuss the proposal with the Dean of Students
      2. Draw up the proposed club or society’s constitution
      3. Seek approval for the registration of the club/ Society from the Deputy Vice-Chancellor (Academics and Students Affairs) through the Dean of Students.

**24.3 Management of Clubs and Societies**

1. All clubs and societies shall be managed by their approved constitution.
2. All scheduled activities must have prior approval from the Dean of Students. For these purposes, a list of scheduled activities shall normally be forwarded to the Dean of Students at the beginning of each semester**.**

**24.4 General Conduct of Clubs and Societies**

1. Topics of discussion by external guests shall be approved by Vice Chancellor through the Dean of Students.
2. University Facilities may not be used for sub-county, county, or national political campaigns.
3. Fundraising by students on campus shall not be allowed unless authorized by the appropriate Governmental authorities and approved by Vice Chancellor through the Dean of Students.
4. Clubs and Societies shall not use the University logo on their documents (e.g. Certificates) without the approval of the Dean of Students.

**25.0 PROTECTION OF THE NAME AND LOGO OF BRAINAE UNIVERSITY**

Any individual Students Organization, Club, or Society may not use the name BRAINAE University and LOGO without the written approval of the Vice Chancellor through the Dean of Students.

# SECTION III: UNIVERSITY EXAMINATIONS RULES AND REGULATIONS

**3.0 PREAMBLE**

The BRAINAE University (BU) Examination Rules and Regulations define, amongst other things, the matters, the requirements, the time, and the procedure and process of examinations. The Examination Rules and Regulations have been formulated to put into place a credible and efficient system for the conduct of examinations.

Examinations are an important part of the university experience and BU takes this process seriously. The University determines when, where and how examinations take place and students must attend examinations as required. Candidates for University examinations must read, and will be assumed to have read, these rules and regulations which apply to all examinations conducted by the University. Staff members are required to familiarize themselves with these rules and regulations to enable them to carry out their duties and responsibilities effectively.

These Examination Rules and Regulations may be amended from time to time by Senate as deemed necessary.

**3.1. Purpose**

BU Examination Rules and Regulations exist to ensure that assessment sessions provide an opportunity for students to demonstrate what they have learned in their courses. The Rules and Regulations cover different aspects of the evaluation process and are to ensure smooth and orderly exercise as well as to safeguard the security and integrity of all examinations.

A person who commits a breach of any item contained in these Rules and Regulations shall be guilty of a breach of academic integrity or misconduct for the BU Examinations Policy. Nothing in these Rules and Regulations, or any action taken under them, shall deprive the University of any other action or right it may have in the circumstances, nor prevent the University from taking any other action.

**3.2. Assessment Requirements**

1. All students must attend the end-of-semester examinations, and/or any other examinations for which they are registered during their course/program.
2. All students must also hand in required coursework assignments. If a student has extenuating circumstances they believe may affect their performance in assessed course work or examinations or causes them to miss an examination, they should fill in The "BU Extenuating Circumstances Form” (See Appendix 12 above).
3. A student who, with sufficient cause, misses an assessment will have their circumstances taken into account by the course lecturer and Department. If the student is offered an alternative assessment, the timing and form of this evaluation will be at the discretion of the respective student's Department and Faculty/School/Centre in consultation with the course lecturer and subject to the approval of the Senate.
4. A student will be regarded as missing an assessment with sufficient cause if the student can prove with circumstantial evidence that it would be unreasonable to expect the student to have attempted the assessment. Senate will determine, based on recommendations made by Departments and Faculties/Schools/Centres, and on evidence submitted by the student, whether or not sufficient cause existed to warrant an opportunity for an assessment.
5. If a student has registered for a course but fails to take the examination for which they are eligible to sit without sufficient cause, the student shall be deemed to have failed the course.
6. A student who fails to submit continuous assessment assignment(s) without a sufficient cause shall not be allowed to sit Regular examinations.
7. All students are required to be present for scheduled examinations unless authorized otherwise.
8. Examinations will be conducted during the allocated times shown in the Examination Timetable. Examinations will normally start at 9.00 am and end at 5.00 pm from Monday to Friday. Senate may, with justifiable cause, vary these times and days.
9. It is the candidates' responsibility to ensure that they know the correct course, date, time, and location of all their examinations.
10. Students must be prepared to identify themselves through the presentation of a relevant BU photo identification card or any other legally recognized identity document.
11. Missing an examination may affect a student’s progression to the next year of study, their eligibility for a degree, or the classification of a degree.
12. Examination offenses are extremely serious. The University takes a serious view of cheating. All students are expected to take note of the written examination instructions issued to them as well as the announcements made during examinations.
13. A candidate who is suspected of cheating in examinations is liable to disciplinary action including, but not limited to, cancellation of results, suspension, or expulsion from the university.
14. All materials and/or devices that are found to violate any examination rules and regulations will be confiscated.
15. A student will not be allowed into an examination room if the student is in debt to the University.
16. A student shall not commit a breach of academic integrity or misconduct during an examination. A person, whether a student or not, shall not do anything intended to assist a student sitting for an examination to commit a breach of academic integrity.
17. BU operates a zero-tolerance policy against cheating in examinations.

**3.3.** **Powers of the Invigilator**

1. Students sitting an examination must obey instructions given by an examination invigilator for the proper conduct of an examination.
2. Invigilators will be present at all examinations and are responsible for their proper conduct.
3. On the authority of the Senate, invigilators will ensure strict adherence to all examination rules and regulations. It is an offense to disregard a legitimate instruction given by an invigilator. Candidates violating such instructions will be liable for disciplinary action.
4. Examinations will start and finish on the instruction of the invigilator. Students shall not open examination papers or start writing until instructed to do so.
5. A student shall comply with all instructions set forth on the examination booklet and/or the examination paper, with any examination notice displayed in the examination room, and with any instruction given by an invigilator.
6. An invigilator may require that any candidate in the examination room show by such means as the invigilator may specify and as are appropriate to the circumstances, that they do not possess any unauthorized material, or that they are not committing, or attempting to commit, a breach of any policy, procedures, and rules relating to the conduct of examinations.
7. The invigilator shall confiscate any unauthorized material brought into the examination room. The confiscated material, together with a statement of the circumstances from both the invigilator and the student, shall be handed to the Chairperson of the Department who will forward it to the Registrar (AA) to be used during disciplinary proceedings for examination irregularity.
8. The invigilator shall question any person, student or not, on matters related to the person’s behavior in the examination room.
9. An invigilator shall require any person, whether a student or not, to leave the examination room if their behavior is such as to disturb or distract students sitting an examination.
10. Any person present in an examination room shall comply with any requirements of an invigilator and answer any question(s) asked.
11. The invigilator shall have, and exercise, such other powers as are necessary for the proper and efficient conduct of an examination.

**3.4. Admission in Examinations**

* 1. Only authorized persons shall enter an examination venue.
  2. Only the following people may enter or remain in an examination room during and for purposes of an examination:
     1. Students registered and have met all course requirements;
     2. Examination invigilators;
     3. Members of academic staff;
     4. Security officer(s) authorized by the University;
     5. Other persons authorized by the Registrar (AA).

1. The examination venue will be open for admission 30 minutes before the time scheduled for the Commencement of the examination.
2. All students are expected to be at the designated venue at least thirty (30) minutes before the commencement of the examination. Misreading the examination timetable will not be accepted as a reason to qualify one for a special examination.
3. Students are responsible for arriving on time for scheduled examinations.
4. Students shall be required to present a valid BU photo identification card or other acceptable forms of photo identification to be allowed to enter the examination venue. Where the identification provided is not clear, additional forms of identity verification may be requested.
5. A student who fails to produce a student identification card and an examination card on request may be refused admission to the examination room.
6. A student who fails to present a student identification card and an examination card, but is admitted into the examination room, shall be required to produce it within 24 hours to the relevant Invigilator. If the student fails to do so, his/her results for that examination shall be canceled.
7. Students who arrive late for any written examination paper but before thirty (30) minutes have elapsed from the start of the examination shall be permitted to sit the paper, but the such student shall not be allowed any extra time, whatever the reason for lateness.
8. A student who arrives after thirty (30) minutes have elapsed shall not be permitted to sit the examination.
9. Unless authorized by the invigilator, no reference materials or electronic devices shall be allowed in the examination venue. Unauthorized materials include, but are not limited to:
   1. Books;
   2. Class notes or reference sheets;
   3. Unauthorized electronic or communication devices that include, but are not limited to cell phones, laptops, tablets, kindles, palm pilots, or pagers.
10. Students having and/or using electronic devices other than those authorized and approved by the course lecturer during an examination will be considered to have committed an act of examination misconduct.
11. All personal belongings and any unauthorized material must be kept as directed by the invigilator at a designated area outside the examination venue.
12. The University will not be responsible for any loss of personal belongings in or outside the examination venue.

**3.5 Candidates Conduct Examinations**

1. Candidates will check the correctness of their registration details and sign the attendance register for the examination.
2. Candidates sitting an examination must not give or attempt to give any form of assistance to any other candidate unless the same is expressly approved by the invigilator.
3. No candidate shall accept any assistance from another candidate during an examination unless such assistance has been expressly approved by the examination invigilator.
4. A candidate who permits another candidate to read, copy from or use their examination question or answer paper, unless expressly approved by the examination invigilator shall be committing academic misconduct.
5. During an examination, candidates shall be permitted to have access to only those materials or aids specifically approved by the course lecturer for use in that examination paper and sitting.
6. Where regulations permit a student to bring their texts into the examination venue, the texts must be completely unannotated.
7. If students are allowed to use electronic calculators in an examination, they must be compact, hand-held, and quiet in operation.
8. Devices with an internet connection shall not be permitted in the examination venue.
9. Bringing unauthorized material and the use or attempted use of the same in an examination constitutes cheating and shall result in disciplinary action being taken against a candidate.
10. Candidates are not permitted to wear attire that compromises examination integrity, except where an exemption applies for religious and/or health reasons, during examinations. Invigilators will request that students remove any clothing such as hats/ caps, coats, sweaters, and such types and place it in the area reserved for storage of personal items for the duration of the examination.
11. Food and drink are not permitted in the examination venue except water which, if required, should be in a clear plastic bottle with no label.
12. Any student who causes a disturbance in an examination room will be reprimanded by an invigilator. If the conduct persists the student may be required to withdraw from the examination room and a report of examination misconduct made to the Registrar (AA).
13. Students may not speak or communicate by any means, manner, or device with anyone other than an invigilator for the duration of the examination, including during any temporary disruption of the examination.
14. Students should read the instructions on the question paper and follow them carefully.
15. Students should conspicuously display their identification document(s) for the marking of attendance and verification of identity during the examination.
16. All examination scripts are anonymous and no student should write their name on the answer booklet. They should write only their admission number, correctly and legibly, in the space provided on the cover of each answer booklet. Providing an incorrect/illegible registration number or not writing a number could risk an answer booklet being considered void.
17. Students must provide all other required details on the answer booklet.
18. Draft work must be written in the answer booklets or on other examination stationery provided in the examination room by the University. A student shall not carry any paper to the examination venue for draft work.
19. A student who becomes ill during an examination must submit all examination materials to the invigilator and request their examination be canceled. If this information is not passed to the invigilator and a request is not made, the unfinished script will still be marked and graded.
20. It is the responsibility of every student to ensure that all their answer booklets are firmly secured.

**3.6 Student Exit from Examinations**

1. No student shall be permitted to leave the examination venue until one hour has elapsed from the beginning of the examination. A student who leaves the examination room during the first hour will not have their Regular examination graded.
2. A student will not be allowed to leave the examination room during the last 30 minutes of the scheduled examination.
3. Outside of the above times (in 4.0(i) & 4.0(ii)) student who wishes to leave the room should raise their hand to attract the attention of the invigilator. Students may leave an examination room only if granted permission to do so by an invigilator.
   1. A student permitted to leave the room will be escorted by an invigilator. Any student who leaves the room without an invigilator’s permission will be deemed to have withdrawn from the examination and will not be allowed to return. The Invigilator will provide a report to the Registrar (AA), in such cases.
   2. No answer booklet or part of an answer booklet, whether used or not, may be removed from the examination venue.
   3. At the end of an examination, all candidates must stop writing, and remain seated quietly for invigilators to properly account for all answer scripts to be collected and counted. Students must remain in their seats until all examination materials are collected and the Examination Invigilator has given permission to leave.
4. A student wishing to leave an examination venue early must inform the invigilator and must remain in their seat until their script has been collected. They must leave the examination venue quietly with minimum disturbance both inside and immediately outside the examination venue.
5. Candidates are responsible for ensuring that their answer scripts are submitted at the end of the examination. If a candidate is present for an examination and does not submit their answer script, they will be deemed to have sat for and failed the examination concerned.
6. Students must ensure that they take all their personal belongings with them when they leave at the end of an examination.
7. In the event of an emergency evacuation, students must follow the invigilator’s instructions at all times.

**3.7. Examination Misconduct**

1. Any act that violates the BU Examinations Policy, BU Guidelines, and Procedures, and these Rules and Regulations shall constitute examination misconduct.
2. Examination misconduct shall include, but is not limited to:
   1. Writing on examination question papers.
   2. Unauthorized absence from the examination venue.
   3. Having Unauthorized material in an examination venue
   4. Copying, reading, or writing from written walls, toilets, tables, desks, parts of the body, or any other material.
   5. Reading answer scripts belonging to another candidate.
   6. Carrying examination scripts/answer sheets, one’s/or another candidate’s out of the examination.
   7. Obtaining assistance from another candidate/non-candidate, and/ or assisting another candidate, directly or indirectly in answering an examination paper.
   8. Permitting another candidate to copy from or make use of one’s papers.
   9. Presenting for examination the works of another person (s) without acknowledgment and with intent to deceive.
   10. Destroying evidence that may be used as proof of an examination irregularity.
   11. Threatening/intimidating invigilators, and obstructing the invigilator from carrying out his/her duties or behaving in a manner likely to disrupt the examination process or cause a breach of the peace.
   12. Causing actual bodily harm to the invigilators, those assisting in the invigilation, or fellow candidates sitting for the examination.
   13. Refusing to write a statement after being asked to do so by the invigilator.
   14. Committing a subsequent offense after serving a suspension for three (3) Academic Years.
   15. Committing a breach of any other examination rule or regulation which may be communicated to the candidates from time to time.
   16. Impersonating or attempting to impersonate another candidate or being impersonated knowingly.
   17. Forgery of examination documents.
   18. Bribery compromises examination credibility.
   19. Possessing, while in the examination venue any device that permits communication with others or receives communication from others.
   20. Unauthorized and undeclared acquisition of examination papers before an examination, whether or not that examination is to be sat by the student concerned (leakage).
   21. Failure to produce an examination card and or student identification card during the examination session.
   22. Sitting for examination without payment of fees.
   23. Proceeding to the next academic year without fulfilling the requirements of the previous academic year.
   24. Any emerging evidence of cheating, falsification of examination results, or being awarded a certificate, diploma, or degree of the BU fraudulently or falsely.

**3.8. Procedure for Handling Examination Misconduct**

1. Any allegation of examination misconduct should be raised initially by the invigilator to the candidate involved.
2. If the invigilator is convinced that misconduct has been committed by a student, they shall document that and forward the concern to the Registrar (AA) through their relevant Chairpersons of departments.
3. The student must be made aware of the allegation against them and of any evidence to be considered.
4. A student shall be required to write and sign a statement about the examination misconduct.
5. If the invigilator believes that misconduct has been committed and should be dealt with as an examination irregularity, they shall submit a signed and dated ‘Allegation of Examination Offence’ (see BU Examination Handbook Appendix 8) statement in writing to the Registrar (AA), through their relevant Chairperson.
6. The invigilator must set out the name of the student and registration number against whom the allegation is made, the nature and full details of the offense alleged and all the supporting evidence to be presented.
7. Any misconduct shall be reported to Senate for action by the Registrar (AA) within one (1) week after the examination period ends.
8. A Senate Student Examinations Misconduct and Disciplinary Committee shall be constituted and seize the matter and institute proceedings within two (2) weeks after Senate deliberations and recommendations.
9. The Senate Student Examination Misconduct and Disciplinary Committee shall comprise the following:
   1. An Associate Professor who is a member of the Senate or Professor as Chair;
   2. Dean of the relevant Faculty/School/Centre;
   3. Chairperson of relevant Department;
   4. Two members of the Senate;
   5. Registrar (AA);
   6. Legal officer;
   7. Any other co-opted member

*(Either gender must be represented on the Committee).*

1. The Registrar (AA), shall within a week of the Senate's decision give formal notice of impending disciplinary action relating to misconduct to each student named. The formal notice shall consist of:
   1. A copy of the allegation of examination misconduct;
      1. The date, time, and venue of the inquiry;
      2. Details of where help and advice may be sought.
2. The formal notice shall be deemed to have been received by the student if a copy of the document is sent by email, posted on the notice board, or university website, and recorded delivery to the student's last known contact address.
3. If the student is unable to attend they can submit a written statement of the case to the Registrar which will be considered at the disciplinary meeting.
4. If a student fails to attend the disciplinary hearing without good reason, the University panel shall proceed in his/her absence.
5. The Committee will determine its findings about the evidence they have seen and heard on the balance of probabilities except where the offense is such that the student may be excluded, temporarily or permanently, where the Committee needs to be convinced beyond reasonable doubt that the allegation is proven. The Disciplinary Committee shall take account of any mitigation by the student when fixing the penalty.
6. As soon as possible after the determination of the allegation, the Registrar (AA) shall issue the Decision Notice that shall consist of the following:
   1. A summary of the major points made during the Disciplinary Inquiry;
   2. A concise rationale of its findings;
   3. A concise statement of the Disciplinary Committee's findings about the allegation of Misconduct;
   4. In case a student is responsible for misconduct, the penalty to be applied;
   5. An explanation of the student’s right of appeal.
7. A student shall have the right to appeal against the findings of the Disciplinary Committee and/or against the penalty imposed.
8. An appeal should be lodged by the submission of a signed and dated statement from the student to the Vice-Chancellor (VC) within ten working days of the date of issue of the written decision from the Senate Student Examination Misconduct and Disciplinary Committee.
9. The VC will within three days of receipt of a student appeal, constitute an Appeals Committee to consider the appeal together with documents considered by the original hearing. Members of the Appeals Committee should not have had previous involvement with the matter.
10. The Appeals Committee shall consist of:
    * 1. A University Professor as Chair;
      2. A senior Faculty Representative;
      3. A member nominated by the Academic Staff Union;
      4. A student nominated by the Student Council;
      5. The Registrar AA or their Nominee
11. The Appeals Committee shall within three (3) days after constitution by the VC, convene, consider and determine the student’s appeal. The Committee can uphold, amend or rescind the decision of the original hearing and shall report its decision to Senate for consideration and ratification.
12. The decision of the Senate after the Appeals Committee shall be final. Within two days of Senate ratification, the student shall be informed of the Appeals Committee decision in writing together with the reasons for the decision.
13. Senate shall name and shame students who engage in academic misconduct by publishing and publicizing a list of all those found guilty.

**3.9. Penalties for Examination Misconduct**

1. BU Senate takes a serious view of any breach of the Examinations Rules and Regulations and Examinations Procedures and Guidelines as they apply both to continuous assessment and final Regular assessment and shall impose such a penalty as it deems fit.
2. Having considered the evidence presented at the Disciplinary meeting, the Senate Committee shall determine the allegation. If the allegation is proven, the Committee will then fix an appropriate penalty from the list below guided by the table of ‘Examination Irregularities and Respective Penalties’.
   1. Warning letter to the candidate
   2. Cancellation of either continuous assessment or Regular examination results or both;
   3. Cancellation of results for the whole semester;
   4. Cancellation of the results for the whole academic year;
   5. Suspension from the University for One (1) academic year;
   6. Suspension from the University for Two (2) academic years;
   7. Suspension from the University for Three (3) academic years;
   8. Expulsion from the university;
   9. Reduction of the mark originally awarded;
   10. Institution of criminal charges;
   11. Any combination of the penalties defined above
3. Where the student is found guilty of more than two major counts the penalty shall run consecutively.
4. Where the student is found guilty of two or more minor counts the penalties shall run concurrently depending on the mitigation.