



KABARAK UNIVERSITY PARTNERS ASSOCIATION (KUPA)

CONSTITUTION

JULY 2011

KABARAK UNIVERSITY

VISION

To become a centre of academic excellence as a Christian Institution of higher learning.

MISSION STATEMENT

To provide holistic quality education in practical skills and moral Christian values.

UNIVERSITY PHILOSOPHY

To provide quality education from a biblical perspective that aims at transforming lives.

OUR CORE VALUES

- ❖ **Integrity:** Uphold honesty and strong moral principles in all decisions and actions
- ❖ **Excellence and professionalism:** Ensure and maintain high standards in the discharge of responsibility and delivery of services
- ❖ **Patriotism and being mindful of others:** Inculcate a sense of self identity
- ❖ **Innovativeness and creativity:** Adopt and utilize appropriate technology to achieve efficiency and effectiveness in service delivery.

MORAL CODE

As members of Kabarak University family, we purpose at all times and in all places, to set apart in one's heart, Jesus as Lord. (1 Peter 3:15)

CONSTITUTION

Article No. 1 – NAME

The name of the Association shall be KABARAK UNIVERSITY PARTNERS ASSOCIATION (KUPA) herein after referred to as “Association.” The Association is non-political.

Article No 2 – INTERPRETATION

The following words whenever appearing in the document shall have the following meanings:

- i. ‘The Constitution’ shall mean constitution of ‘*KABARAK UNIVERSITY PARTNERS ASSOCIATION.*’
- ii. ‘The Association’ shall mean ‘Kabarak University Partners Association.’
- iii. ‘Partners’ shall mean parents of registered students studying at Kabarak University and shall include guardians of such students; their sponsors and friends of the University.
- iv. ‘Guardian’ shall mean a person responsible for the financial support of a regular student studying at Kabarak University and shall include a sponsor of a student under the care of an institution or corporation.
- v. ‘The University’ shall mean Kabarak University.
- vi. The ‘University Administration’ shall mean the authority that administers Kabarak University.
- vii. ‘Member’ shall mean a person, institution/corporation duly admitted as a member of Kabarak University Partners Association and shall include as associate member.
- viii. ‘Associate member’ shall mean person duly admitted as association member of the Association under article No. 4 of this Constitution.
- ix. ‘Academic staff’ shall mean any teacher, lecturer, tutor at the university and shall include any other member of the staff for the time being responsible for the academic welfare of the students.
- x. ‘Student’ shall mean any person duly registered as a student at the University.
- xi. ‘Committee’ shall mean the Committee established under article No. 5 of this Constitution.
- xii. ‘Year’ shall mean the school academic year.

Article No. 3 - OBJECTS

- a) To promote and facilitate physical and socio-economic and spiritual development of the University.
- b) To promote and facilitate understanding and cooperation amongst the parents, students and the University Management.
- c) To promote and facilitate academic excellence by providing linkages to industry and other partners.
- d) To mobilize resources towards scholarship and bursaries for the students.
- e) To market the programmes being offered by the University.

Article No. 4 - MEMBERSHIP

- a) All parents and guardians of registered students studying at the university shall automatically be registered members of the Association.
- b) Every individual member shall pay annual subscription of Kshs. 1,000 or any such sum as may be agreed upon not later than the 15th day of January of every year except for new members who shall pay their first subscription together with the initial fees. Corporate members shall pay annual subscription of Kshs. 10,000.
- c) Any member may be expelled if the Committee recommends and if the general meeting of the Association shall resolve by a two thirds majority of the members present that such a member should be expelled on grounds that his conduct has adversely affected the reputation or dignity of the Association, or that he has contravened any of the provisions or the constitution of the Association the Committee shall have proposed to suspend a member from his membership until the general meeting of the Association following such suspension but not withstanding such suspension, a member whose expulsion is proposed shall have the right to address the general meeting at which such expulsion is to be considered.
- d) Membership of any person in the Association shall automatically revert to associate membership level unless her or she declines.

- e) As associate member, one will be expected to continue to pay subscription fee at 50%.

Article No. 5 – THE EXECUTIVE COMMITTEE

- a) The Executive Committee shall consist of all the office bearers of the Association, Registrar (Academic Affairs), and two co-opted members. Members shall be elected to represent existing schools and shall take into account gender balance. Such Committee members shall hold office until the following Annual General Meeting. The Committee shall meet at such times and places as it shall resolved but not less than once in every semester
- b) Any vacancies for members of the Committee caused by death or resignation or removal shall be filled by the Committee and ratified at the AGM of the Association. Vacancies caused by members of the Committee removed from office will be dealt with as shown in the articles No. 8 (d).

Article No. 6 – DUTIES OF THE COMMITTEE

- a) The Committee shall be responsible for the management of the Association and for that purpose may give direction to the office bearers as to the manner in which within the law, they shall perform their duties. The Committee shall have power to appoint such sub-committees as it may deem desirable to make efforts to the Committee upon which such action shall be taken as seems to the Committee desirable.
- b) All monies disbursed on behalf of the association shall be authorized by the Committee except as specified in Article No. 14 (d).

The quorum for meetings of the Committee shall be not less 50 % of the members.

Article No. 7 - VACATION OF POSTS OF COMMITTEE MEMBERS

An office falls vacant:

- i. Upon death of the member.
- ii. If the notice in writing he/she resigns the office, the resignation of which shall take effect on the date of receipt of such notice, or the date specified in the notice whichever is later.
- iii. Upon issuance of the bankruptcy order or winding order against such a person or his/her companies.
- iv. If he/she is judged of unsound mind in managing his/her affairs.
- v. In accordance with Article No. 4 (c).
- vi. Failure to attend three consecutive meeting of the Committee without reasonable apology.

Articles No. 8 – OFFICE BEARERS

a) The office bearers of the Association shall be:

- i. The Chairperson
- ii. The Vice Chairperson
- iii. The Secretary
- iv. The Treasurer

All of whom shall be members of the Association and will have been elected by the members at the Annual General Meeting.

- b) All office bearers shall hold office from the date of election until the succeeding annual general meeting, subject to the conditions contained in sub-paragraphing (d) and (e) of this Article but shall be eligible for re-election.
- b) Any office bearer who ceases to be a member of the Association shall automatically cease to be an office bearer.
- c) Any office bearer may be removed from office in the same way as laid down for expulsion of members of Article No. 4 (c) and vacancies created shall be filled by the person, elected at the general meeting resolving the expulsion of the office bearer by the majority.

Article No. 9 – DUTIES OF OFFICE BEARERS

i. Chairperson

The Chairperson shall, unless prevented by illness or other sufficient causes preside over all meetings of the Committee and at all general meetings.

ii. Vice Chairperson

The Vice Chairperson shall perform any duties of the Chairperson in his absence.

iii. Secretary

The Secretary shall deal with all the correspondence of the association under the general supervision of the Committee. In cases of urgent matters where the Committee can't be consulted, he shall consult the Chairperson or, if he is not available, the Vice chairperson. The decision reached shall be subject to ratification or otherwise at the next Committee meeting. He shall issue notices concerning all meetings of the Committee and all general meetings for keeping minutes of all such meetings and for the preservation of all records of proceedings of the Association and of the Committee.

iv. Treasurer

The treasurer shall receive and shall also disburse under the directions of the Committee, all monies belonging to the Association and shall issues receipts for all monies received by him and preserved vouchers for all monies paid by him.

The Treasurer is responsible to the Committee and to the members in ensuring that proper books of accounts of all monies received and paid by the Association are written up, preserved and available for inspection and audit.

Article No. 10 – GENERAL MEETINGS

- a) There shall be two classes of general meetings – annual general meeting and special general meetings.
- b) 1) The annual general meeting shall be held not later than 30th June in each year.

Notice in writing of such annual general meeting, accompanied by annual statement of account (see Article No. 13 (b)) and the agenda for the meeting shall be sent to all members not less than 21 days before the date of the meeting and, where practicable, by press advertisement not less than 14 days before the date of the meetings.

2. The agenda for any annual general meeting shall consist of the following:
 - i. Confirmation of the minutes of the previous annual general meeting.
 - ii. Consideration of the accounts/committees report.
 - iii. Election of office bearers and the Committee members
 - iv. Appointment of auditors in accordance with Article No. 13.
 - v. Such other matters as the Committee may decide or as to which notice shall have been given in writing by a member or members to the secretary at least four weeks before the date of the meeting.
 - vi. Any other business with the approval of the Chairman.

3.
 - i. A special general meeting may be called for any specific purpose by the Committees.
 - ii. Notice in writing of the meeting shall be sent to all members not less than 7 days before the date of such meeting.
 - iii. A special general meeting may also be requisitioned for specific purpose by order in writing to the secretary of not less than 30 members and such meetings shall be held within 21 days of the date of the requisition . The notice for such meeting shall be as shown in article No. 10 (c) (i) and no matter shall be discussed other than that stated in the requisition.
 - iv. Quorum for general meetings shall be not less than 75% of the registered members of the Association.

Article No. 11 – PROCEDURE AT MEETINGS

- a) At all meetings of the Association, the Chairman, or in his absence, the Vice Chairman, or in the absence of both of these officers, a member selected by the meeting shall take the Chair.
- b) The Chairman may at his discretion limit the number of persons permitted to speak in favour of and against any motion.
- c) Resolution shall be decided by simple voting by a show of hands. In the case of equality of votes, the Chairman shall have a second or casting vote.

Article 12 – ACCOUNT

The Committee shall be expected to operate a separate account for the purposes of managing their funds.

Article No. 13 - AUDITORS

- a) An auditor shall be appointed for the following year by the annual general meeting. All the association accounts, records and documents shall be opened for inspection by the auditor at any time. The treasurer shall produce an account of his receipts and payments and a statement of assets and liabilities made up to date which shall not be less than six weeks and not more than three months before the date of the annual general meeting. The auditor shall examine such annual account and statements and either clarify that they are correct, duly vouched and in accordance with the law and approved budget and report to the Association in what respect they are found to be incorrect, unvouched or not in accordance with the law.

- b) A copy of the auditors' report on the accounts and statements together with such accounts and statements shall be furnished to all members at the same time as the notice convening the annual general meeting is sent out. An auditor may be paid such honorarium for his duties as may be resolved by the annual general meeting appointing him.
- c) No auditor shall be an office bearer or a member of the Committee of the Association.

Article No. 14 – FUNDS

- a) The funds of the Association may only be used for the furtherance of the objects of the Association in accordance with Article No. 3 of this constitution.
- b) All monies and funds shall be received by and paid to the Treasurer who shall deposit such monies in the name of the association in any bank or banks approved by the Committee.
- c) No payment shall be made out of the bank account without a resolution of the committee authorizing such payment and all cheques on such bank account shall be signed by the treasurer and two other office bearers of the Association who shall be approved by the Committee.
- d) A sum not exceeding Kshs. 10,000 may be kept by the treasurer for petty cash disbursements of which proper account shall be kept.
- e) The Committee shall have power to suspend any office bearers who it has reasonable cause to believe he is not properly accounting for any of the funds or property of the association and shall have power to appoint a replacement. Such suspension shall be reported to a general meeting to be convened on a date not later than two months from the date of such suspension and the general meeting shall have full powers to decide what further action should be taken on the matter.
- f) The financial year of the association shall be from 1st January to 31st December.

Article No. 15 – AMMENDMENT OF THE CONSTITUTION

Amendment of the constitution of the Association must be approved by at least two-thirds majority of members at a general meeting of the Association. They cannot, however be implemented without the prior consent in writing of the registrar, obtained upon application to him made in writing and signed by the three of the office bearers.

Article No. 16 – DISSOLUTION

- a) The Association shall not be dissolved except by a resolution passed at a general meeting by a vote of two thirds of registered members. If no quorum is obtained, the proposal to dissolve the association shall be submitted to a further general meeting which shall be held one month later.

Notice of this meeting shall be given to all members of the Association at least 14 days before the date of the meeting.

- b) The quorum for this second meeting shall be the number of members present.

Provided, however, that no dissolution shall be effected without prior permission in writing of the registrar, obtained upon application to him made in writing and signed by three of the office bearers.

- c) When the dissolution of the Association has been approved by the registrar, no further action shall be taken by the Committee or any office bearer of the Association in connection with the aims of the association other than to get in and liquidate for cash all the assets of the Association subject to the payment of all the debts of the Association, balance thereof shall be distributed in such a manner as may be resolved by the meeting at which the resolution for dissolution is passed.

Article No. 17 – INSPECTION OF ACCOUNT AND LIST OF MEMBERS

The books of accounts and all documents relating there to and list of members of the association shall be available for inspection at a registered office of the association by any officer or member of the Association on giving not less than seven days notice in writing to the association.