



**JARAMOGI OGINGA ODINGA UNIVERSITY
OF SCIENCE AND TECHNOLOGY**

REGULATIONS AND PROCEDURE FOR ELECTION OF DEANS OF SCHOOLS

July, 2015

Jaramogi Oginga Odinga University of Science and Technology

Regulation and Procedure for Election of Deans of Schools

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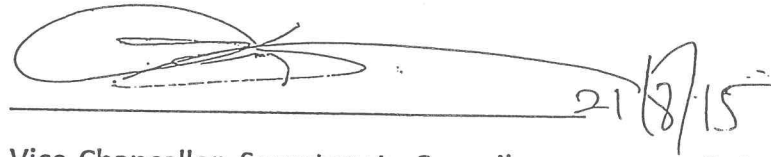
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Vice-Chancellor, Secretary to Council

Prof. S. G. Agong'

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Date

Table of Contents

Preamble	5
Eligibility	5
Elections	6
Election Board	7
Appointment of the Deans	8
Appeals	8
Vacancy in office	9
Vote of No Confidence	9

REGULATION AND PROCEDURE FOR ELECTION OF DEANS OF SCHOOLS

The objective of these regulations is to provide for a framework for the election of Deans as envisaged in JOOUST Statute XLIII (1) and (2), and to provide for matters connected thereto.

Preamble

Deans provide Academic and administrative leadership within the School. They play pivotal role in the overall strategic leadership of the University, and are members of the Senate and senior management team. A dean shall not hold any other office within the university during the period of his/her Deanship. They shall however remain responsible for all issues that are happening within their schools and as such they shall be held responsible for the happenings thereon.

All persons contesting for the position of the dean shall be deemed to have read and understood the job description for a person occupying the office of a dean.

The following regulations and procedures will apply in the election process of a Dean.

Eligibility

1. No person shall be eligible for election if such person is serving a second term of two continuous terms as a Dean.
2. Where a person previously served as a Dean but has already ceased to be Dean, such a person shall not become eligible for election until six complete years have elapsed since such a person ceased to be Dean
3. Nominations for School Dean should be from Academic staff from within the School concerned, and proposed and seconded by a member of the Academic staff from within the school electorate.
4. A person shall be eligible to vie for the position of the Dean if he/she is qualified to hold a public office under Chapter six of the Kenyan Constitution.
5. Where
 - a. the School fails or is unable for whatever reason to elect a Dean;
 - b. no person from within the School is eligible for election as is provided in statute XLIII (2) of this procedures;

- c. no candidate presents himself/herself to be considered for the office of a Dean, or
- d. the candidate for the office of a Dean fails to get a person to propose or second him to the office.

then the person who is current or outgoing Dean shall continue to hold office and perform all the functions and duties of the Dean until such time as the Vice Chancellor is able to appoint an acting Dean as is provided in statute XLIII (1)

Elections

- 6. Elections for the Dean of a School shall be by secret ballot.
- 7. There shall be a Returning Officer who shall be appointed by the Vice-Chancellor, and the Returning Officer shall have the power, under the Statute, to conduct the elections of Dean and thereafter report the outcome of elections in writing to the Vice-Chancellor the outcome thereof. Provided that for the purposes of conducting the election, the Returning Officer shall have power, to determine the appropriate procedure with respect to the election.
- 8. All full-time Academic staff of the ranks of Professor, Associate Professor, Senior Lecturer, Lecturer, Assistant Lecturer, Tutorial Fellow and full time technical staff of lecturer level and above in the constituent departments of the School concerned shall constitute the voters roll and shall be entitled to vote in the election of the Dean.
- 9. The election of the Dean shall be held at a meeting convened by the Deputy Vice-Chancellor (Academic) at least one week before the expiry of the term of the incumbent Dean. Provided that the first election of the Deans under this regulations shall be held at a date that shall be designated by the Vice-Chancellor.
- 10. Where there is only one candidate for election, s/he must secure 51% of the total votes cast to be elected School Dean. Where there are more than two candidates for election, the candidate with the majority of the votes cast shall be declared the winner.
- 11. Only the returning officer has the power to declare the winner in these elections.
- 12. Once the returning officer has declared a winner, he/she will be required to transmit the outcome of the results to the Vice Chancellor and also post a copy of the transmitted results on the university notice boards within forty eight (48) hours of the declaration of the winner of such elections. Provided that time shall not run over the weekends and on public holidays.

13 The Returning officer shall be assisted in his duties by an Election Board.

Election Board

14 The Election Board shall be appointed by the Vice-Chancellor from among staff members who are not eligible to vote in the Deans elections.

15 The board shall be composed of between 5 and 9 members

16 The decision of the board shall be by a majority with the chairperson having a casting vote in case of a tie.

17 The board maybe remunerated at such rates as shall be determined by the University Management Board.

18 The board shall conduct the elections in a neutral, impartial, transparent, fair and accountable manner.

19 All candidates must adhere to the election regulations and other edicts issued by the Board.

20 The board shall have the following powers:

- a. Conduct the Deans election
- b. Determine all issue regarding and incidental to the Deans electioneering process.
- c. Determine the ballot papers usable at the election.
- d. Draw election timetable.
- e. Draw election rules.
- f. Enforce the election rules.
- g. Vet all the candidates to ensure that they qualify to vie for the position of a Dean and that they are eligible to hold public office as envisaged in Chapter six of the Constitution of Kenya.

- h. Disqualify any candidate who breaches election rules from vying for the position of a Dean.

Appointment of the Deans

- 21 The Vice-chancellor shall have the power to appoint an acting Dean in all cases where the substantive Dean has resigned, died, is dismissed from employment and or is unable to perform his/her duties for whatever reasons. Such acting Dean shall hold office for a maximum period of six months.
- 22 The election for the position of the Dean shall be subject to confirmation by Senate and Council, and the Dean-elect shall not assume office before such confirmation.
- 23 According to Statute XLIII, the Vice Chancellor shall thereafter write a formal letter confirming the election of the new Dean(s) and his/her responsibilities thereof, and terms of the appointment, including tenure of office.

Appeals

- 24 Any losing candidate(s) shall have seven days from date of the election within which to file any appeal emanating from the elections. The said appeal should:
 - a. Contain the precise and clear grounds of appeal.
 - b. Have the all evidence that the appellant relies on attached thereof.
 - c. Be signed by at least 25% of the School members confirming that indeed there were irregularities.
 - d. Be signed by the candidates' election agent.
25. The current Dean shall continue to hold office and dispense the functions of the said office throughout the duration when the said appeal shall be pending before the appeals committee.
26. The Vice-chancellor shall convene the appropriate appeals committee and list the appeal for hearing within fourteen days of receipt of the said appeal. And thereafter communicate the outcome of the said appeal within fourteen days from the date when the appeals committee met.

Vacancy in office

27. Any Dean who is unable to perform the functions of his office because of health reasons or absence from station of work for a period exceeding 90 days shall be deemed to have automatically vacated his office upon the expiry of the 90 days. And a new Dean shall be elected as per the procedure provided herein.

28. The office of the Dean shall also become vacant if the Dean:

- a) resigns by giving a written notice to the Vice-chancellor;
- b) is adjudged bankrupt by a court of law;
- c) is convicted of an offence by a court of law and sentenced to at least six months imprisonment without the option of a fine;
- d) is incapacitated by reason of infirmity of body or mind.
- e) dies
- f) is charged in court of law under the Economic Crimes Act, or
- g) is otherwise unable or unfit to discharge the functions of his office

Vote of No Confidence

29. The office of the Dean shall also become vacant if the eligible full time staff members pass a vote of no confidence against him.

30. The said vote of no confidence shall be valid if it meets the following minimum thresholds:

- a) The grounds for the Dean's dismissal shall be written down by the petitioner.
- b) The said petition shall be signed by at least 75% of the entire schools members' who are eligible to vote at a Dean's election.
- c) The said petition shall be forwarded to the Vice-chancellor who shall form a verification committee whose functions include:
 - i) Scrutiny and verification of the authenticity of the signatures.
 - ii) Presenting the Dean before an assembly of the whole school and allowing him to defend himself against the charges that have been preferred against him.
 - iii) Giving a recommendation on whether the vote of no confidence against the Dean should be sustained.
- d) The committee shall be required to carry out the verification exercise and forward their report to the Vice-chancellor within fourteen days of their appointment.

e) Upon receipt of the recommendation the Vice-chancellor and upon being satisfied with the outcome of the entire exercise, the Vice-chancellor shall formally communicate the outcome of the no confidence vote exercise to the affected Dean.

31. In the event that the no confidence motion is successful the Vice-chancellor shall appoint an acting Dean in the said school pending the election of a new Dean.

32. The affected Dean shall have right to file an appeal against the decision of the school to the Council through the Vice-Chancellor within seven days of receipt of the decision of the School.

33. The Council shall hear and determine the appeal within a reasonable time of the receipt of the appeal.

34. The appellant Dean shall continue to hold office pending the determination of the appeal.