

# **KING CEASOR UNIVERSITY**



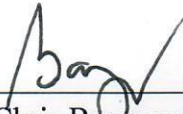
## **EXAMINATION POLICY AND GUIDELINES**

**FEBRUARY 2024**

**Approval**

This policy has been approved on the 28<sup>th</sup> day of JUNE the year 2024

Signed:

  
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Hon. Dr. Chris Baryomunsi  
**CHAIRPERSON, KCU COUNCIL**

  
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Dr. Charity Basaza Mulenga  
**VICE-CHANCELLOR**

# **EXAMINATION POLICY AND GUIDELINES**

## **REQUIREMENTS FOR CONDUCTING UNIVERSITY EXAMINATIONS**

### **1.0 Introduction**

Universities throughout the world are devoting more attention than ever before to the extent to which the degree certificates they issue can be relied on as accurate representations of students' experiences and accomplishments. Questions are being raised about what institutions are doing to keep their procedures free of corruption, fraud, and cheating. Thus, to maintain the value and relevance of university degrees, as well as to achieve their teaching goals, university officials are looking for measures to strengthen the climate of integrity on their campuses.

Universities have experienced various occasions in which their academic reputation has been called into doubt. It is general knowledge that a large percentage of university students, particularly in the Third World, including Uganda, cheat during exams, either by copying and passing off other people's work as their own or by hiring someone to sit the exam for them. Non-attendance of lectures by a large majority of students, lack of preparation for examinations, peer influence, workplace pressure, and students' lack of confidence are widely accepted as the primary factors contributing to examination cheating in East African universities.

And, for ambitious universities like King Ceasor University (KCU), which strive for the highest standards in order to produce appropriately skilled graduates that employers want, it is critical not only to reinvigorate existing quality assurance mechanisms for examinations, but also to implement new ones, to ensure that its examination processes are free of corruption, fraud, and cheating. Only then can it hope to change the climate of integrity within its borders while also maintaining academic integrity as a tool to boost its education rankings.

In today's environment of pervasive examination fraud in higher education institutions around the world, the only option for universities like KCU to protect the integrity of their academic honours is through transparency in the examination process. Departments and Schools organise and administer university examinations on behalf of the Deputy Vice Chancellor within defined time periods.

The norms and procedures specified in this document are intended to preserve coordinated, consistent examination practices across King Ceasor University while also ensuring fair treatment of all students who take them.

## **1.1 Citation**

The regulations in **PART ONE** of this document shall be referred to as the “*King Ceasor University Examination Regulations*” and **PART TWO** as the ‘*Procedures covering the conduct of King Ceasor University Examinations*’ The regulations in **PART THREE** shall reflect on “*Role of External Examiners*” **PART FOUR** shall be referred to as “*Exam Rules, Regulations and Malpractice*”

## **1.2 Application**

These regulations, policies and procedure shall;

- i. Apply to all KCU stakeholders, including students and staff.
- ii. Adhere to Ugandan legislation when dealing with students or groups of students.
- iii. Adhere to all applicable rules and regulations.
- iv. Be accessible to all stakeholders via the University website and other media
- v. Apply to all University-admitted students, including on and off campus.
- vi. Apply to staff of the University at all times whether within or outside the university premises.

## **PART ONE: EXAMINATION REGULATIONS**

### **2.0 University Examinations**

The statutory regulations that governs the conduction of examinations were issued by the NCHE in 2005 as part of the ‘Statutory Instruments’, 2005 No. 85. Section 25 (1) of the ‘Statutory Instruments’, 2005, No. 85, states that students of any curriculum shall be assessed on the basis of the following:

- a) Coursework administered throughout the academic year or section of the academic year by way of tutorials, essays, tests, laboratory exercises or other mode acceptable to a university or tertiary institution; and
- b) Written examinations administered at intervals consistent with the mode of organization of the academic year in a university or tertiary institution.

### **3.0 General Principles on Eligibility to Sit for University Examinations**

- a) Students are required, on admission, to register with the appropriate Department, School, Academic Registrar and Student Affairs by signing the official registration forms.

- b) Continuing students must renew their registration and pay the prescribed fee in the designated University Bank Accounts every semester.
- c) All students must comply with the course requirements for fees and attendance of 75% or more of the required course attendances.
- d) Students must have done the required number of Course Assessment Tests (CATs) before the commencement of the end of semester examinations.

#### **4.0 Examination Types**

The University Examinations shall be of the following types:

- a) Closed Examinations: In closed examinations, candidates shall not be allowed to bring into the examination room any notes or other supporting material except instruments, such as calculators and drawing instruments, specified in the rubric on the first page of the question paper.
- b) Open Examination: In open examination, candidates shall be allowed to bring approved materials, including their own notes into the examination room.
  - i. Open examinations shall not normally be done/held in the same room as closed or restricted examinations.
  - ii. The words 'Open examination' or 'Open book' shall appear in the rubric on the first page of the question paper.
- c) Prepared Examinations: In prepared examinations, candidates shall be issued with a case study or similar material in advance of the examination, which they shall be allowed to bring into the examination room/hall for purposes of working out an unseen question paper.
- d) Practical or Clinical Examinations: Candidates shall be required to demonstrate practical skills under time-constrained conditions.

#### **5.0 Notification Students**

- a) The office of the Academic Registrar (AR) shall publish a detailed examination timetable at least three weeks before the date of the examination. This may be subject to subsequent minor amendments. The examination timetable shall be published on notice boards and/or the University web site.

- b) Each examination shall be scheduled only once in any examination period.
- c) Modules taught in the evening shall normally be examined in the day. Any variation to this pattern shall be approved by the School and agreed by the AR's office and shall normally be communicated to students through the Head of Department before the commencement of the relevant semester.
- d) It shall be a student's responsibility to inform himself or herself of the due time and place for each examination, and to present himself or herself for examination at the appropriate time.

## **6.0 Production of Examination Question Papers**

- a) The Head of Department as the Chief Internal Examiner shall be responsible for ensuring that staff have been nominated to undertake all the activities that lie within the School's responsibilities.
- b) He or she shall:
  - i. Approve arrangements for the drafting of examination question papers.
  - ii. Nominate members of staff to be responsible for setting the question papers.
  - iii. Identify the internal examiners responsible for internal moderation, marking and verification of the completed scripts
  - iv. Ensure that relevant internal examiners, who are not invigilating the examination, shall be available at the start of each examination.
- c) The Dean of School shall notify the AR of the names of staff with responsibilities for the various activities at the start of each semester.
- d) External examiners shall be consulted on examination questions except those for Certificate and Diploma programmes.
- e) External examiners shall receive examination questions as well as assessment criteria, marking schemes and/or specimen answers as prepared by the internal examiner(s).
- f) Two separate question papers shall be produced for each examination for a particular course unit or module.

- g) An examination paper for use during the recess semester/retake period shall be set at the same time as the end of semester examination question paper.

## **7.0 Content of Question Paper**

- a) Questions, which have formed part of assessed coursework, may not be set in an examination.
- b) Staff setting question papers must take care to provide an appropriate variety of questions over several successive papers, and where possible avoid repetition of identical questions even over a period of several years.
- c) Staff should also take care when using material that may be subject to copyright legislation, including appropriate referencing of source material.

## **8.0 Standard-Format of First Page**

- a) The standard-format of first page for question papers must be used for all examination question papers.
- b) Date and start time may be left blank when the paper is provided to the Academic Registrar's office prior to the publication of the relevant period examination timetable, but all other sections shall be completed.
- c) Care shall be taken to specify the correct type of examination (see 1.4 above), especially where the type is other than 'closed, and any materials supplied or permitted in the examination must be clearly specified.
- d) The duration of the examination is required. Reading time shall not be specified separately from the overall time allowed to students.
- e) Clear instructions shall be provided as to the number of questions to be attempted by candidates, and whether the candidate has a free choice, or is required to answer some compulsory questions or to select from certain sections.
- f) The maximum marks available for each question or part question shall be clearly indicated.

## **9.0 Elements of University Examinations**

### **9.1 Coursework Assessments**

The Coursework (Continuous Assessments) shall contribute 40% of the total marks in each course. Undoubtedly, this makes Coursework a vital component in the race for the attainment of a diploma or degree certificate. It is absolutely important that coursework questions should be of the highest standard. Accordingly, it is advisable that young lecturers in their first and second year of teaching at university level should set coursework questions in consultation with their Heads of Department. This will minimize the possibility of setting mediocre questions.

- a. The Coursework component of examination shall consist of at least (2) tests per course per semester or other mode acceptable to Senate.
- b. Coursework assessments have to be planned in advance and students have to be informed formally in writing about them at the beginning of each semester by individual lecturers/professors. The information provided here shall include the modes of assessment; when each assignment will be conducted; the duration of each assignment; maximum marks to be awarded in the assignment.
- c. It is essential that Coursework Assessments be marked with meticulous care so that the marks awarded can be relied upon as accurate representation of students' experiences and achievements.
- d. Every student shall be required to write his/her full name and to sign against it in a register as he/she hands in his/her coursework assignment to the respective lecturer/ professor so as to keep a record of all those who have handed in their coursework. The lecturer/professor shall make a copy of the register available to the relevant Head of Department for record keeping. In addition, he/she shall also submit a brief Report on each student who may not have done the coursework assignment to the relevant Head of Department.
- e. Coursework Assignment, with the exception of the last set of Coursework Assignment in a Semester, shall be marked within 2 to 3 weeks from the date the Assignment was done and the marked Assignment shall be returned to the respective students without delay.



- f. Every lecturer/professor shall announce the marks for the last set of coursework assignment in a semester to the respective students and shall display the marks on the School Notice Boards at least two (2) weeks before the commencement of the End-of-Semester University Examinations. A lecturer/professor who fails to meet this requirement shall be reported to the Appointments and Promotions Committee for disciplinary action.

## **9.2 End of Semester or Module Examinations**

### **9.2.1 Setting Examination Questions**

- a. The End-of-Semester examination should be preceded by a thorough study of the syllabus and the associated study objectives and attributes so as to ensure that the examination questions set in a particular course/paper are balanced and that cover the entire syllabus.
- b. In order to ensure that, if an examination paper is cancelled for some reason at the last minute an alternative paper can be set without delay. Each Internal Examiner shall be required to set and submit to the Head of Department for moderation enough questions for two Papers in respect of each course he/she teaches and each examination paper shall be accompanied by a marking guide/scheme.
- c. Each Head of Department or a Departmental Examination Committee shall moderate all examination papers taught in his/her Department in consultation with individual Internal Examiners before they are moderated by External Examiners.
- d. Each External Examiner shall moderate and approve all Examination Papers of the courses in his/her area of competence and as such the draft examination Papers together with the corresponding marking scheme/guide shall be sent to him/her well in advance to allow him/her enough time to propose changes in the questions which he/she may feel are necessary.
- e. Arrangements for the drafting and approval of examination papers must allow sufficient time for the external examiners to perform their consultative role.

- f. Draft examination papers shall be typed, internally moderated and submitted to the appropriate external examiner not later than the specified date by the Academic Registrar's office. Once external examiners have commented on the draft questions, the final version of the examination paper shall be submitted to the AR's office not later than the specified date.
- g. The AR's office shall be responsible for reproducing examination papers.
- h. The relevant Department shall be responsible for the production of other written materials to be provided for students in addition to question papers - e.g. lists of critical formulae, mathematical or other tables. Such materials shall be mentioned in the rubric of the question paper, and provided to the Academic Registry so that they can be included in the package for the examination.
- i. The package of question papers shall be stored securely in a room inaccessible to students.
- j. One copy of the question paper shall be kept securely in a separate location in the event of fire, etc.
- k. The AR's office shall provide examination answer booklets or, where applicable, answer booklet cover sheets for all examinations other than computer-based examinations and practical exams not requiring documented answers.

### **9.2.2 Arrangements for Written Examinations**

- (a) The AR shall have the overall responsibility to oversee the co-ordination of examinations within the University; to interpret examination rules and regulations governing the conduct of examinations; and to specifying the conditions under which examinations shall be conducted.
- (b) The arrangements for written examinations besides practical/clinical examinations shall be in accordance with the procedures detailed below. However, the AR may alter an examination procedure especially if it is made a requirement by an external examining body.

- i. Academic bodies such as Schools, shall have discretionary powers to make their own arrangements for conducting practical, clinical and viva voce examinations provided such arrangements adhere to the principles and spirit of these regulations.
- ii. The Dean of a School shall be responsible for the practical, clinical or viva voce examinations conducted within his/her School.
- iii. However, all practical, clinical and viva voce examinations and other time consuming assessments taking place in Schools shall be reported to the AR's office so that they may be included in the examination timetable published to students on the notice boards or website.

### **9.2.3 Physical Arrangements for Examinations**

- a) The AR's office shall be responsible for the physical arrangements for University examinations. The said arrangements include the following;
  - i. To prepare examination timetables in consultation with Deans. Examination timetables shall be posted on student notice boards and the University websites three weeks before the commencement of the examinations so that students can have ample time to acquaint themselves with the timetables;
  - ii. To reserve adequate examination rooms;
  - iii. To ensure that candidates are allocated desks in a random order in examination rooms;
  - iv. To provide information and materials to invigilators in each examination room/ hall.
- b) Examination Rooms
  - i. Examinations of different durations may take place in the same room/hall in order to fully utilize space and invigilators. However, open book examinations shall be held separately from closed and restricted examinations.
  - ii. Where examinations of different durations are done in the same room/hall, the examinations shall start at the same time and the Chief

invigilator shall ensure that any changeover is handled meticulously so as to cause minimal disruption.

- iii. Candidates shall sit at individual examination desks with adequate area at the front of the examination room and at the rear of the room, for use by the invigilators.
- iv. Each examination room shall have a whiteboard or similar equipment so that any relevant information can be displayed to candidates throughout the examination.
- v. Where two or more examination groups are doing examinations in the same room, a seating plan shall be provided, showing the area of the room, which is allocated, to each group.

## **9.2.4 Examination Invigilation**

### **9.2.4.1 Appointment of Invigilators**

- a) In consultation with the relevant Dean, the Head of Department (HOD) shall nominate academic staff to invigilate examinations in his/her department.
- b) The invigilation of each Examination Paper shall be under the direction of a Chief Invigilator who shall be appointed by the Head of Department from among members of academic staff at the rank of lecturer or above.
- c) Normally, staff involved in teaching a particular course unit or module shall invigilate the relevant examination.
- d) The AR's office shall provide adequate number of invigilators to cover any shortfall from the central pool of invigilators.

### **9.2.4.2 Role of Invigilators**

- a) Each Dean and Head of Department shall ensure that the invigilation of any University Examination Paper conducted in his/her respective School or Department is properly carried out.

- b) Invigilators shall be responsible for the smooth running of the examinations in their charge, and for ensuring that the regulations and procedures covering the conduct of examinations are observed.
- c) The Chief Invigilator shall be assisted by other invigilators nominated by the HOD who shall also determine their number. Like the Chief Invigilator, the invigilators shall be selected from members of academic staff at the rank of lecturer or above.
- d) The Chief Invigilator or his/her assistant drawn from the Invigilators selected to assist him/her in the invigilation exercise, shall collect examination materials/papers including a list/lists of candidates' names who are authorized to sit the Examination Paper to be invigilated, from the Departmental Examination Officer/Chief Internal Examiner.
- e) The Chief Invigilator and other Invigilators shall be in the examination Room/Hall at least thirty minutes before the commencement of the examination.
- f) Every candidate shall write his/her name on an attendance list or sign against his/her name on a pre-prepared attendance list as he/she enters the Examination Room/Hall.
- g) The Chief Invigilator or his/her assistant shall admit candidates into the Examination Room/Hall thirty (30) minutes before the commencement of the Examination and shall ensure that they sit in the places assigned to them. However, the Chief Invigilator or his/ her assistant may alter the sitting arrangement in the course of the examination either for individuals or for all the candidates if he/she deems it necessary in the interest of transparency.
- h) After the candidates have taken their seats and have been able to glance through the Examination Paper, the Chief Invigilator or his/her Assistant shall ask them to make sure that the Examination Paper which they have been given is the very one which they are billed to do at the time and, that they understand the instructions on the top of the Examination Paper. And, if no serious issues are raised the Chief Invigilator or his/her Assistant shall announce the commencement of the Examination.
- i) After the commencement of the Examination the Invigilators shall embark on the task of checking each candidate's identity to establish, whether or not, the candidates are bone fides by crosschecking each candidate's name on his/her student identity card (ID) with

the name on the list of candidates obtained from the Departmental Examinations Officer/Chief Internal Examiner. It will also confirm who is present and who is absent as well as establishing whether or not there was any candidate doing the wrong paper.

- j) In the course of the Examination any incident of examination misconduct, which may occur in the Examination Room/Hall shall be reported to the Chief Invigilator or his/her Assistant for action.
- k) It shall be an act of indiscipline for an Invigilator or Invigilators of a University Examination Paper(s) to read a newspaper/newspapers or similar material or work on a computer or mobile phone or do anything else in the Room/Hall where the Examination is taking place, which may detract him/her from the invigilation of the Examination or disturb the candidates in a significant way.
- l) There shall be a minimum of two invigilators in each examination room, and normally at least one invigilator for every 30 students overall. At least one invigilator shall be present in the examination room at all times when an examination is in progress.
- m) At the end of the Examination the Invigilators shall ensure that the scripts of all the candidates who have sat the Examination Paper in the Room/Hall where they were invigilating are collected.
- n) At the end of the examination the invigilators shall collect the scripts of all the candidates who have taken the examination that they have invigilated, either after each candidate has signed to hand in his/her Script, or by asking the candidates to make their way in single file out of the Examination Room/Hall through one doorway and each candidate to hand over his/her script to an invigilator stationed at the door-step as he/she leaves the Examination Room/Hall.
- o) The Invigilators shall count the Candidates' Scripts to establish whether or not they tally with the number of candidates who may have signed the attendance register and thereafter to bind them in bundles say of fifty (50) or one hundred (100) Scripts and to take them together with Examination materials to the Departmental Examinations Officer.
- p) The Chief Invigilator shall write and submit a comprehensive Report to the Head of Department on the conduct of the Examination Paper he/she has invigilated.

## **PART TWO**

### **PROCEDURES COVERING THE CONDUCT OF UNIVERSITY EXAMINATIONS**

#### **10.0 Conduct of University examinations**

##### **10.1 Before the Start of Examination**

- a) The Chief Invigilator shall collect the materials required for the examination from the Central Examination Room (CER) and begin to lay out the materials in the examination room at least 30 minutes before the examination is due to commence. The materials shall include not only the question papers and blank answer books and supplementary answer books, but also attendance slips, any mathematical or other tables required, and staple pins (for students to clip together the various sections of their scripts).
- b) The Chief invigilator shall ensure that each answer booklet is attached with a registration slip and bears the stamp of the CER.
- c) The invigilators shall ensure that all preparations for the examination are concluded before students are permitted to enter the examination room.
- d) Under no circumstances shall students be permitted in any room, which has already been prepared for an examination, in the absence of an invigilator.
- e) Candidates shall be admitted to the examination room at least 30 minutes before the scheduled start of the examination to allow them to find their seats and to check that they have all necessary writing aids, calculators or drawing instruments necessary for the examination. It is the responsibility of each student to ensure that he or she brings all such necessary equipment to the examination room.
- f) When an examination has larger number of candidates, they should be admitted into the examination hall an hour before the commencement of the examination and; where more than one examinations are scheduled to be done in the same room, /hall earlier, and where there is more than one examination scheduled in the room, candidates shall be admitted in their separate groups.

- g) Candidates shall not bring valuable items into the examination room and, if they do so it will be at their own risk and the University shall not accept responsibility for any loss or damage of such property.
- h) Candidates shall not be allowed to bring mobile phones or any other electronic devices into the examination room/hall.
- i) During the course of the examination, candidates shall not be allowed to be in possession of any book, manuscript, dictionary, calculator or other extraneous aid or materials that is not specifically permitted in the rubric of the examination paper.
- j) Every candidate shall display his or her ID card on his or her examination desk during the exam.
- k) A candidate who fails to display his or her ID card on demand shall not be allowed to proceed with the examination.

## **10.2 The Start of the Examination**

- a) Before the examination starts, the Chief Invigilator shall remind the candidates of the following:
  - i. That they are now subject to the procedures covering the conduct of University examinations and that they should not communicate with any other candidate;
  - ii. To check and make sure that they have the correct examination paper, and to peruse the rubric at the top of the examination paper;
  - iii. To comply with the instructions on the front page of the answer booklet;
  - iv. To complete and sign the attendance slip attached to the answer booklet and to ensure that their student number is clearly written on this slip and NOT on their answer booklet; where answer books are provided;
  - v. Not to write their registration or name on the answer booklet;
  - vi. To use only the official stationery provided;



- vii. That, if they wish to gain the attention of an invigilator, to remain seated and to raise their hand;
  - viii. That, they may only leave the examination room/hall with the permission of the invigilator;
  - ix. Not to have in their possession any unauthorized materials or paper;
- b) The internal examiner(s) responsible for teaching the course of the examination paper shall be available in the examination room for the first 30 minutes of the examination in the event of any question on the examination paper.
- c) Clarification of any questions shall be limited to the following:
- i. Confirmation that there is no misprint, and that, the paper should read as it stands, or
  - ii. Notification that there is a misprint: in this case the revised version shall be immediately announced to the candidates, and shall also be written at the front of the examination room.
  - iii. Under no circumstances shall an invigilator or an internal examiner, attempt to elucidate or interpret the examination questions. Where a candidate believes that, there is an error or ambiguity in an examination question, he/she shall be advised to note his/her interpretation at the beginning of the answer.
- d) Candidates who arrives 30 minutes after the commencement of the examination shall be allowed to do the examination but he/she shall not be given extra time at the end of the examination. However, a candidate who is late for an examination for over 30 minutes shall not be allowed to sit for the examination.

### **10.3 During the Examination**

- a) Invigilators shall concentrate on invigilation to the exclusion of all other tasks. During the examination they shall regularly and unobtrusively move their vantage point within the room.

- b) Invigilators shall ensure that silence is maintained, that students do not communicate with each other, or use any unauthorised materials, manuscripts or other aids not permitted in the rubric of the question paper, and that no stationery other than the official answer booklets is used.
- c) If an invigilator observes a candidate apparently contravening examination rules/ regulations, he or she shall immediately inform the Chief Invigilator. The candidate shall be informed that the incident will be reported and he/she will be investigated in accordance with the examination regulations.
- d) The invigilator shall endorse the answer booklet with his or her initials, the date and time of the incident, and a brief description of the circumstances.
- e) The candidate shall be allowed to continue with the examination but using a new answer booklet.
- f) Any unauthorized material(s) pertaining to the incident shall be removed and retained until after the investigation of the incident are complete. The chief invigilator shall make a written full report on all the circumstances to the AR's office immediately at the end of the examination. The Chief Invigilator shall, in addition, note the circumstances on the Chief Invigilator report form.
- g) Shortly after the beginning of the examination, candidates shall be asked to sign the collect attendance list, which the invigilator shall immediately collect.
- h) During the examination candidates shall not communicate with any person other than an invigilator.
- i) Any candidate who causes a disturbance in an examination room/hall shall be required to leave the room, and shall be reported to the AR's office for disciplinary action.
- j) Candidates shall not leave the examination room without the permission of an invigilator. Candidates shall not smoke or eat in an examination room/hall but may drink, as long as the drink is clearly visible and does not require accessing a bag or coat.
- k) The invigilators shall make every effort to ensure that candidate's requirements for new answer booklet are met as quickly as possible.

- l) A candidate who requires to leave the examination room/hall during the course of the examination with the intention to return, shall be accompanied by an invigilator or other authorized person. However, during the last 30 minutes of an examination, no candidate shall be allowed to leave the examination room/hall whether or not he/she wishes to return.
  
- m) If a candidate falls ill, or a similar emergency occurs during an examination, the Chief Invigilator shall take the necessary measures to get the candidate to the University clinic or hospital and to provide full details to the AR's office.
  
- n) Interruption to examinations:
  - i. Where an examination is impacted by an unexpected interruption (for example, a power failure, computer/software malfunction, earthquake, bomb threat, fire alarm etc.) the invigilator will implement appropriate action.
  
  - ii. Minor disruptions to an examination (for a period of 15 minutes or less) shall be accommodated by the provision of an equivalent period of additional time added to the end of the allocated examination time.
  
  - iii. The Chief invigilator shall determine the appropriate course of action to be taken in the event of a significant disruption to an examination. A significant disruption may include repeated minor disruptions in the same examination session.
  
  - iv. In the event of an evacuation of an examination venue, the AR or his/her nominee will determine which of the following outcomes will apply:
    - 1. The examination may be declared void and a new examination date is scheduled;
    - 2. Candidates' examination scripts may be marked and an adjusted examination result determined;
    - 3. An alternative assessment item may be set with a suitable due date for submission;

#### **10.4 The End of the Examination**

- a) When examination ends the invigilators shall instruct candidates to stop writing and to remain seated until all the scripts have been collected.

- b) Each candidate is responsible for ensuring that:
- i. All his/her answer booklet and supplementary answer booklets are firmly tied together and are attached with the registration slip which has his/her registration or examination number;
  - ii. All answers are clearly labelled with the number of the question;
  - iii. All completed answer booklets are handed over to the invigilator and
  - iv. Any script or part thereof not handed in at the end of the examination shall not be accepted as part of the examination.
- c) When the invigilators have collected the scripts, checking that each student has written his/her number on the attendance slip, and that all sections of the script are securely fastened together, they shall dismiss the students from the examination room/hall.
- d) Invigilators shall affix the departmental or School stamp on each answer booklet
- e) Candidates shall not be permitted to take any examination stationary, used or unused, out of the examination room/hall except the examination question paper.
- f) The answer booklets, both used and unused shall be delivered by hand to the in charge of examinations in the central examination room by the Chief invigilator of each examination paper who shall sign a clearance form.
- g) Before leaving the examination room, invigilators shall take particular care to ensure that no examination material, used or unused has been left behind.

### **10.5 Post Examination**

- a) The Central Examination Room shall code each course unit by assigning a specific code on the examination package.
- b) The attendance lists, which have the candidate's registration details shall be kept in safe custody by the in charge of examinations in the central examination.

- c) The answer booklets shall be secured against intruders until they are requested for marking by the internal examiner.

### **11.0 Marking of University Examinations**

- a) Just like marking coursework assignments; or setting examination questions; or invigilating university examinations, marking university examinations is a statutory duty, which should be done with punctilious attention.
- b) The Head of Department shall be the Chief Internal Examiner.
- c) The Marking shall be done in the Central Examination Room to ensure that it is completed on time and that candidates' scripts are not lost or misplaced.
- d) However, the Academic Registrar may grant permission in writing to an Internal Examiner(s) permission to mark the scripts assigned to him/her in some other place, other than the Central Examination Room, provided that he/she is assured of the safety of the candidates' scripts.
- e) The marking of University Examinations shall be for the duration of three weeks from the date the Examination session ended and once the marking exercise comes to an end the compiling of marks for each degree programme shall start at once.
- f) An Internal Examiner who fails to complete marking and to submit the marks of the candidates whose scripts were given to him/her to mark before the expiry of the three (3) weeks deadline, shall have his/her case referred to the Appointments and Promotions Committee for appropriate disciplinary action.
- g) An Internal Examiner who loses a candidate's script or candidates' scripts that were given to him/her to mark shall have his/her case referred to the Appointments and Promotions Committee for appropriate disciplinary action.
- h) Each Department shall set its own marking deadline so that Internal Examiners within the Department can complete the marking exercise in good time for the External Examiners to visit the Department and complete their assignments before the expiry of the three weeks marking deadline set by the University.
- i) Each University Examination Paper shall be accompanied by a marking guide/scheme.

- j) Every University Examination for a Degree or Diploma shall be marked by both Internal and External Examiners to ensure transparency in the marking.
- k) Students may appeal to the School Board and then to the Senate for lack of transparency in the conduct of Examination, poor assessment or unfair treatment. However, Senate's decision shall be final in all academic complaints.
- l) Each Internal Examiner shall mark the answer booklets and submit examination results to the respective Chief Internal Examiner in both electronic and signed copies.
- m) The Internal Examiner shall decode the answer booklets with the help of the Central Examination Room. He Records the marks in the 'Examination Marks Record Sheet'.
- n) The Marks are entered into the Examination Programme. The Internal Examiner signed the generated candidate's results after comparing it with his/her original copy of the 'Examination Marks Record Sheet'.
- o) The candidates' names shall be listed on the 'Examination Marks Record Sheet' in ascending order by candidates' Registration/Examination number and by entering each candidates' Examination marks, question per question, the total Examination marks; and the Coursework marks.
- p) Each Internal Examiner shall arrange the scripts he/she has marked for each course in ascending order by candidates' Registration/Examination number and shall bind them in bundles of, say fifty (50) or a hundred (100) scripts, and shall hand them over to the Administrator of the Central Examination Room. This will enable the External Examiner(s) to choose the scripts, which he/she may wish to scrutinize, and after he/she has completed the exercise to return the scripts to their previous positions in the bundle.

## **12.0 Processing Examination Results**

- a) The Chief Internal Examiners shall give External Examiners face-to-face briefing on arrival.
- b) Since most courses, which are taught during the first semester, are prerequisites for the courses taught in the second semester, External Examiners shall be invited during the second semester Examination session only.

- c) External Examiners shall be given unfettered access to marked scripts and evaluated coursework assignments, which contribute to the final assessment.
- d) External Examiners shall be given marked scripts; marking guides/schemes for each Paper he/she is expected to scrutinize; hard copies of the Examination results in the form of 'Examination Marks Record Sheets'; and a sample of evaluated coursework assignments.
- e) External Examiners shall attend the Departmental Board of Examiners' meeting as Ex-Officio members. The meeting shall determine whether a candidate has successfully completed or failed an Examination on the basis of the pass mark (cut-off point) in accordance with 'Absolute/Criterion Reference Test'. This is where the pass mark is set and students who score below it fail regardless of the number.
- f) At the end of the Board of Examiners' meeting it may convert itself into a regular Departmental meeting so that the External Examiner(s) can talk freely on such issues as the quality of teaching and the methods used; the general standard of the students' performance; and the methods of assessment that were used in the Examinations.
- g) If the External Examiner is not able to attend the Departmental Board of Examiners' meeting, he/she shall leave a brief Report outlining his/her impressions of how the course was taught, the organization of the Examination; the standard of marking; and the standard of the Examination Papers with the Chief Internal Examiner so that he/she can present it to the Board of Examiners' meeting.
- h) Where the External Examiner is of the view that the internal marking was not fair or consistent he/she may recommend to the Departmental Board of Examiners to have the affected script(s) remarked by a more experienced Internal Examiner(s); or the adjustment of marks for individuals or all candidates examined in a particular Examination Paper.
- i) The duration of the External Examiners' work shall be two days from the date of their arrival at the University.
- j) Each Chief Internal Examiner or his/her nominee shall collect the marked scripts and the signed 'Examination Marks Record Sheets' from the External Examiner(s) visiting his/ her Department after the latter has completed his/her work; and shall submit the marked scripts to

the Administrator of the Central Examination Room while the 'Examination Marks Record Sheets' shall be returned to the Department.

- k) The Chief Internal Examiner shall convene and chair a Departmental Board of Examiners' meeting, which shall determine whether a candidate has successfully completed or failed the Examination on the basis of the pass mark. Because at this juncture it will not be feasible to classify the examination results since the marks will not have been weighted.
- l) The Departmental Board of Examiners' meeting shall be open to academic staff in the Department at the rank of assistant lecturer and above and External Examiners who shall attend as Ex-Officio members. However, a Servicing Department, which houses service courses on behalf of other Departments, shall invite one representative from each of such Departments to attend its Board of Examiners' meeting as Ex-Officio members.
- m) The Departmental Board of Examiners' meeting may recommend that another examiner should remark a script or scripts of an entire Paper, if it is of the view that the internal marking was not fair or consistent.
- n) Contentious issues pertaining to Examination results or the conduct of the Examination process, which may arise during the Departmental Board of Examiners' meeting, but which the meeting may not be able to resolve, shall be tabled for debate at the School Board meeting at which Examination results shall be reviewed and approved, for consideration and action.
- o) At the end of the Departmental Board of Examiners' meeting the Chairperson and all members present in the meeting shall sign copies of the 'Examination Results Sheets' of each Paper for record keeping.
- p) The Chief Internal Examiner or his/her nominee shall verify the marks, which were reviewed and approved by the Departmental Board of Examiners' meeting with those entered into the University Examination System in the Central Examination Room.
- q) Each Chief Internal Examiner in consultation with the Departmental Examination Committee shall verify the graded/classified Examination Results and, if there are no discrepancies between the marks in these results and the marks in the results which were approved by the Departmental Board of Examiners' meeting, they will be submitted to the Dean of the relevant School in both electronic and signed hard copy.



- r) Each Principal/Dean shall convene and Chair a School Board of Examiners' meeting at which Examination results from all Departments in the School shall be reviewed and approved before they are presented to Senate for final approval.
- s) The membership of the School Board of Examiners shall consist of the following members: School Dean (Chairman); School Administrator (Secretary); academic staff in the School at the rank of lecturer or above.
- t) Academic issues pertaining to Examination results, which cannot be resolved by School/Faculty Boards of Examiners, shall be referred to Senate Examinations and Examinations Malpractice Committee for advice. The Committee shall give its opinion without delay to give Deans ample time within which to finalize the Examination results schedules of their Schools to present to Senate.
- u) Only candidates with complete marks and correct course combinations shall be recommended to Senate for academic awards. School Board and the Senate Examinations Committee shall deal with cases of incomplete results.

## **PART THREE**

### **THE ROLE OF EXTERNAL EXAMINERS**

#### **13.0 External Examiners**

- a) An External Examiner should be an academic at the rank of Senior Lecturer or Professor and, if a practicing professional, at the rank of consultant.
- b) External Examiners should have vast understanding of academic standards in a broad context and enough recent examining experience including external examining experience from reputable universities.
- c) The Senate or the Academic Registrar, shall appoint external examiners for undergraduate programmes on the recommendation of the respective School/ Board.
- d) External Examiners shall be appointed for three (3) years and shall be eligible for one year extension.
- e) External Examiner's terms and conditions of service shall be spelt out in his/her letter of appointment.
- f) A former academic staff of KCU shall not be eligible for appointment as an External Examiner in the University until a period of three (3) years has elapsed.
- g) External Examiners shall evaluate the standards set by the University and the level of achievement of these standards by students. It is imperative, therefore, that External Examiners should be well acquainted with academic standards set and achieved by reputable universities in Africa and elsewhere.
- h) External Examiners shall assess, whether or not, there is consistency in the formats of Examinations, transparency in their conduct and rigor when using the relevant marking schemes/guides.
- i) An External Examiner should be a sympathetic critic of the University who offers constructive criticisms and suggestions for general improvement of standards particularly in the area of assessment practice.
- j) The host Department shall send the following information and materials to a newly appointed External Examiner:
  - i. Programmes, course aims and objectives; and syllabuses;
  - ii. Copies of past examination papers;
  - iii. Ways in which marks of individual parts of the examination are aggregated and averaged to produce the final result;
  - iv. Up to date Curriculum vitae of each academic staff in the host Department; and
  - v. Proposed dates of the examination session.

- k) The host Department shall facilitate the work of the External Examiner by ensuring that:
- i. An air ticket is made available well in advance;
  - ii. External Examiners are met at the Airport by University support staff whose role will be to collect and take the External Examiners to their prearranged accommodation or to meet External Examiners who may have travelled by road at their prearranged accommodation to introduce them to the hotel management;
  - iii. A per diem allowance is paid to each External Examiner on arrival; and
  - iv. Refund for transit expenses including money to purchase fuel for those who may have travelled by car is processed promptly and paid to External Examiners before they depart for home.
- l) The External Examiners' honorarium shall be processed and authorized for payment once the reports are received.
- m) The most efficacious way for an External Examiner, to raise matters that are important and of a sensitive nature is to write a confidential report to the Academic Registrar.
- n) After the visit each External Examiner shall write a comprehensive report addressed to the Academic Registrar, and copied to the respective School/Faculty and Departments, on his/her impressions of the following:
- i. Whether or not the students received the knowledge, skills, values and attributes expected to be provided by the respective programmes;
  - ii. The curriculum design and its relevance;
  - iii. Comparability of the courses with those offered in other institutions of higher education in Africa and elsewhere; and
  - iv. Academic standards of student achievement.
- o) From the External Examiners' reports the University should be able to learn whether or not:
- i. The methods of assessment that were used in the Examinations were appropriate and adequate;
  - ii. The administration of the Examination process was satisfactory;
  - iii. The examinations were sufficiently comprehensive with regard to the course that was examined;
  - iv. The internal marking was appropriate, fair and consistent;
  - v. The quality of teaching and the methods used as shown in the Examination were effective and appropriate; and
  - vi. The general standard of the students' performance was satisfactory comparable to the students' performance in similar institutions.

- p) The Academic Registrar shall table the External Examiners' Reports for debate at the meeting of the Senate Examinations and Malpractice Committee to seek its views on the criticisms and recommendations for improving the University performance contained in the Reports. And, after the Committee's deliberations, the Academic Registrar will report its recommendations and suggestions to Senate for consideration and action.

## **PART FOUR**

### **EXAMINATION RULES, REGULATIONS AND MALPRACTICES**

#### **14.0 Examination rules, Regulations and Malpractices**

##### **14.1 Nominees**

Unless the context indicates otherwise, under these regulations a university officer or the chairman of a board of examiners may act through his or her properly appointed nominee.

##### **14.2 Conduct of formal examinations**

###### **14.2.1 Attendance**

Failure to attend an examination without reasonable cause may result in the award of no marks for that examination. It is the responsibility of the student to be aware of the details of the examination timetable. If a student fails to attend as the result of illness, he or she should obtain a medical certificate from a qualified medical practitioner as soon as reasonably practicable, and submit it forthwith to the Academic Registrar through the chairman of the board of examiners and copied to the appropriate faculty office.

###### **14.2.2 Entering the examination room**

Candidates may not normally enter the examination room to sit a written examination nor undertake the written examination in any other location after it has been in progress for more than thirty minutes.

###### **14.2.3 Leaving the examination room**

No candidate may leave the examination room within thirty minutes of the beginning of the examination, save in exceptional circumstances, and with the permission of the invigilator. In order to avoid disturbing other candidates, candidates may not leave the examination room during the last thirty minutes of the examination, save in exceptional circumstances, and with the permission of the invigilator. If a student leaves an examination because of illness, he or she should obtain a medical

certificate from a qualified medical practitioner as soon as reasonably practicable, and submit it forthwith to the Academic Registrar through chairman of the board of examiners and copied to the appropriate faculty office.

### **14.3 Supervised Absence**

No candidate may leave and return to the examination room during an examination unless supervised by an invigilator while absent.

### **14.4 Communication During the Examination**

Unless an invigilator has given permission otherwise, during the course of the examination a candidate may communicate with no other person but the invigilator.

### **14.5 Permitted Items and Texts**

- a) A candidate may take to his or her desk only those items and texts that are permitted for the examination he or she is sitting. It is the responsibility of the student's School to provide guidance to students about items, for example calculators, they may take into examinations and the responsibility of the student to establish which items and texts are permitted. Such guidance should be provided in a format and location easily in the instruction page of the examination question paper and should indicate to students the circumstances in which it is likely they will be granted permission and the types of materials they may be allowed to use.
- b) All bags, mobile phones, personal organisers and similar electronic devices must not be taken to the examination desk, but must be deposited elsewhere, as instructed by the invigilator.

### **14.6 Distracting Behaviour**

- a) Candidates may not smoke or eat during an examination, nor behave in any way which is distracting to other candidates.
- b) A candidate who ignores a request from an invigilator not to behave disruptively may be required to leave the examination room and candidate recommend. The candidate's examination scripts will be submitted as they were at the time when the candidate was required to leave. The invigilator will annotate the scripts with the time at which the candidate left, and submit a report to the Academic registrar and a copy to the chairman of the board of examiners.

## **14.7 Examination Scripts**

- a) It is the responsibility of the candidate to ensure that all his or her scripts are appropriately marked with an identifying name and number.
- b) No candidate may remove an examination script from the examination room.
- c) No candidate may remove any other examination materials without permission.

## **14.8 Malpractices**

### **RULE 1: Malpractices in Relation to Coursework**

It shall be an offence for a student/candidate to avail to another student/candidate his/her prepared coursework with a view to assisting the latter to do his/her coursework or to negligently expose his/her coursework to another candidate to use.

#### **Penalty**

Any student/candidate found guilty of the offence under Rule 1 above shall be liable to:

- (i) Caution and Cancellation of his/her coursework, while student makes good on other course works or
- (ii) Caution and Cancellation of his/her coursework and suspension from his/her studies for a period not exceeding one academic year (Two semesters), for a repeat offender.

### **RULE 2: Fraud in Relation to Coursework**

It shall be an offence for a student/candidate/students working in a group to:

- (a) Submit coursework not prepared by him/her.
- (b) Substantially plagiarise the work of any other person.
- (c) Solicit/purchase any coursework from any other person.
- (d) Falsify/alter marks awarded on a coursework script.

#### **Penalty**

Any student/candidate found guilty of involvement in fraudulent conduct related to coursework as set out in Rule 2 above shall be liable to:

- (i) Caution and Cancellation of his/her/group coursework, or In case of an individual coursework it should be cancelled and a student given another coursework at a cost. Both the recipients should be penalized
- (ii) Cancellation of his/her coursework and suspension from his/her studies for a period not exceeding one academic year (Two Semesters), for a repeat offender or
- (iii) Cancellation of his/her coursework and dismissal from the University for a third time offender

### **RULE 3: Malpractices in the Conduct of Examinations**

It shall be an offence for a student/candidate involved in an examination/test to:

- (a) Sit or attempt to sit the examination without valid documentation.
- (b) Enter the examination hall/room later than half an hour after the examination/test has commenced.
- (c) Leave the examination hall/room earlier than half an hour after the examination has commenced except in emergencies with the express permission of the Invigilator.
- (d) Carry out a conversation or any other communication with another student/candidate once the examination has commenced.
- (e) Indulge in any disruptive conduct including, but not limited to, shouting, assault of another student/candidate, using abusive and/or threatening language, and destruction of university property or the property of another student/candidate.
- (f) Take out of the examination room/hall answer booklet(s), used or unused.
- (g) Neglect, omit or any other way fail to follow lawful instructions or orders issued by the Invigilator.
- (h) Physically assault or insult an Invigilator or any University Official involved in the conduct of the examination.
- (i) Share information with another student while using a computer/electronic gadget for an examination.
- (j) Carry away equipment and materials used in a practical examination. All equipment and materials used in the examination remain University property and must remain within the examination room.

### **Penalty**

Any student/candidate found guilty of contravening Rule 3 above, shall be liable to:

- (i) Caution and Cancellation of the relevant examination, or
- (ii) Cancellation of the relevant examination and suspension from the University for a period not exceeding two academic years (Four semesters) for a repeat offender, or
- (iii) Cancellation of the relevant examination and dismissal from the University for a third time offender.
- (iv) A student/candidate who contravenes Rule 3(e) involving the destruction of property shall be liable to a fine as well as any penalty specified above.
- (v) A student/candidate found guilty of contravening Rule 3(h) above by physically assaulting an Invigilator or a University Official shall be dismissed from the University.

### **RULE 4: Cheating in an Examination**

It shall be an offence for any student/candidate involved in an examination to:

- (a) Take into the examination room/hall, in person or by agent, unauthorized materials including, but not limited to, plain papers, condensed/summarized notes, books, and handkerchiefs on which information is written or information written on any part of the body, recording apparatus, mobile phones or any unauthorized electronic equipment.
- (b) Copy from any other candidate/student.
- (c) Involve oneself in plagiarism, that is:
  - i. Pass off the words or ideas of someone else as his/her own without proper acknowledgement or crediting the original source.
  - ii. Replicate one's own work which one has presented elsewhere for assessment.
- (d) Aid and/or abet another candidate/student to copy from a script/book of another person.
- (e) Exchange answers with another candidate/student in or outside the examination room.
- (f) Collaborate with another candidate/student in the examination room to use telephone discussions and share material including calculators and other electronic equipment.

### **Penalty**

Any student/candidate found guilty of cheating in examinations as defined above shall be liable to:

- (i) Caution and Cancellation of the relevant examination, or
- (ii) Cancellation of the relevant examination and suspension from the University for a period not exceeding two years for a repeat offender, or
- (iii) Any student/candidate found guilty of cheating in examinations on a third conviction shall be dismissed from the University.
- (iv) On conclusion of the malpractice case with hearing and judgement made, the confiscated unauthorized material (exhibits) shall be destroyed. In case of valuable personal equipment such as phones and other electronic gadgets, the information on such items that is related to the malpractice case shall be downloaded and the equipment returned to the offender after the case has been concluded and the offender has duly acknowledged the verdict.
- (v) Where several paragraphs or ideas have been plagiarized the student shall be cautioned/warned and shall not be awarded any grade higher than "D" regardless of the outcome of the final assessment of the submitted work.
- (vi) On a second charge of the offence of plagiarism as defined in (a) above, the examination shall be cancelled, the student awarded a grade "F" for the submitted work and suspended for a period not exceeding one academic year (two semesters).
- (vii) Where the entire material has been lifted from another source verbatim or with only slight alterations the examination/work shall be cancelled and the student shall be suspended from the University for a period not exceeding two academic years.
- (viii) On a third and subsequent time of the offence of plagiarism as defined in (a) above, the student shall be dismissed from the University.



## **RULE 5: Fraud in Examinations and Examination Results**

It shall be an offence for a student/candidate involved in an examination to:

- (a) Import into the examination hall/room, in person or by an agent, a pre-prepared answer script/booklet;
- (b) Substitute an answer script/booklet prepared outside the examination room/hall for the one already submitted to the Invigilator/Examiner;
- (c) Falsify or altering marks awarded on an examination script/book, after course work, Viva voce/Public defense, final board of examiners' meeting, testimonial, field work report or to procure someone to alter marks awarded on an examination script/book or course work or assessment record;
- (d) Impersonate another student/candidate;
- (e) Procure or induce another person to sit for him/her;
- (f) Utter false documents in relation to eligibility to sit University examinations, including but not limited to: examination permit, financial statement, bank slip and registration card;
- (g) Sit or attempt to sit an examination without authority;
- (h) Deliver to the examiner's office or residence an examination script/booklet outside the scheduled time for delivery without due authority;
- (i) Fraudulently receive examination papers/questions which have been illegally procured or made available;
- (j) Fraudulently access or attempt to access examination questions before the examination is due;
- (k) Pay or induce another person to illegally procure or make available examination questions/papers.
- (l) Pay or procure a member of staff or non-member of staff to alter examination results.
- (m) Student(s) writing false information on the answer booklet with Intention to hide his/her identity.
- (n) Student(s) smuggling/attempting to smuggle examination booklet out of the examination venue having signed the register and later claiming that his/her marks are missing.
- (o) Student(s) unlawfully retrieving examination materials from University custody for purposes of falsifying results/marks.

### **Penalty**

Any student/candidate found guilty of fraudulent conduct as defined above shall be liable to:

- (i) Caution and cancellation of the relevant examination
- (ii) Cancellation of the relevant examination and suspension from the University for a period not exceeding two academic years for a repeat offender; or

- (iii) Cancellation of the relevant examinations and dismissal from the University for a third time offender;
- (iv) If a member of staff is procured to alter examination results, he/she should be handed over to the Staff Disciplinary Committee;
- (v) If the person procured is not a member of staff, he/she should be handed over to the police.

### **RULE 6: Offences Relating to the Conduct of Irregularities Hearing**

It shall be an offence for any student/candidate whether or not he/she has been accused of an irregularity to:

- (a) Interfere with the conduct of investigations into the matter or the hearing of an irregularity by the School Board.
- (b) Intimidate members of the Committee or other members of the University Staff or witnesses in the irregularity matter.
- (c) Destroy evidence relating to an alleged irregularity.
- (d) Forge or utter false documents in relation to an alleged irregularity.
- (e) Bribe or attempt to bribe a University Official witness or any other person in relation to an alleged irregularity.
- (f) Harass or procure others to harass on his /her behalf a University official, witnesses or any other person in relation to an irregularity by making constant telephone calls, visits, etc.

### **Penalty**

Any student/candidate found guilty of interference with the conduct of an irregularity hearing as in Rule 6 above shall be liable to:

- (i) Cancellation of the relevant examinations, or
- (ii) Cancellation of the relevant examinations and suspension from the University for a period not exceeding one academic year for a repeat offender, or
- (iii) Cancellation of the relevant examinations and dismissal from the University for a third time offender.

### **RULE 7: A Possessions of Firearms during the examination period**

It shall be an offence for a student/candidate involved in an examination/test to:

- (a) Bring within the precincts of the examination room any firearm or potentially dangerous weapon.
- (b) Use a firearm or any potentially dangerous weapon with the purpose to intimidate, threaten or otherwise deter investigations into any examination irregularity.

### **Penalty**

Any student found guilty of the offence defined in Rule 7 shall be liable to:

- (i) Cancellation of the relevant examination and dismissal from the University.

**NOTE:** The term “potentially lethal weapon” for purposes of Rule 7 includes, but is not limited to: pangas, machetes, daggers, switchblades, spears, swords, bows & arrows, brass knuckles and any incendiary device. This definition also includes imitations of potentially dangerous weapons such as fake guns.

### **RULE 8: Mitigating and Aggravating Factors When Determining the Appropriate Punishment**

Where the Rule provides a range of punishments, the Committee may take into account the following mitigating and aggravating factors in determining the appropriate punishment.

#### **(a) Mitigating Factors.**

- i. Remorse on the part of the student/candidate.
- ii. Truthfulness
- iii. Lack of substantial benefit from the malpractice
- iv. Student/candidate first offender
- v. Plea of guilty therefore not wasting the Committee’s time.

#### **(b) Aggravating Factors.**

- i. Substantial benefit from the malpractice.
- ii. Lack of credibility.
- iii. General misconduct.
- iv. Frivolous and vexatious denials.
- v. Allegations of misconduct on the part of University staff which are subsequently proved to be false.
- vi. Second conviction.

### **RULE 9: Procedure for Hearing of Malpractice Cases**

#### **(1) Guidelines on Apprehension of a Suspect**

When a student/candidate is suspected to be engaging in examination malpractices, the following should be done:

- a) A suspect should be handled in the appropriate manner to ensure that the privacy and bodily integrity of a person is not violated. Body searches should be done in the presence of another person specifically people of the same gender.
- b) The materials should be taken away as soon as they are found and kept as exhibits.
- c) Identity of the suspect and possible witnesses should be recorded immediately.
- d) A suspect should be allowed to proceed with the examination since he/she is presumed to be innocent until proved guilty.

## **(2) Rules of Natural Justice**

In the handling of examination irregularities and malpractices, the School Examinations Committee shall take into account the following principles of natural justice:

- a) Fair and equal treatment of all students/candidates,
- b) The opportunity to enter a plea of guilty or not guilty,
- c) Fair hearing accorded to all students/candidates,
- d) Right of students/candidates to appear and to defend themselves,
- e) Staff not to sit in judgment of their own cause, and
- f) Consistency in punishments.

## **(3) Pre- Hearing**

- (a) The Member of Staff who alleges that a student/candidate was involved in a malpractice shall make a formal written report to the Chairperson of the School Examinations Committee. Any materials allegedly found on the student/candidate should be given to the Chairperson for safe custody.
- (b) The Chairperson of the School Examinations Committee shall inform the student/candidate in writing of the allegation. A copy of the Rules shall be availed to the student/candidate with the letter of the Chairperson.
- (c) The student/candidate shall be allowed to make a formal defence to the allegations in writing addressed to the Chairperson of the School Examinations Committee. The student/candidate shall then be invited in writing or by whatever expedient method to appear before the School Examinations Committee to defend himself/herself.
- (d) The student/candidate shall be given adequate notice of the date of appearing before the School Examinations Committee to enable him/her time to prepare his/her defence. At least 7 days' notice
- (e) A student/candidate who fails or refuses or omits to appear after being effectively summoned three times shall be suspended indefinitely from the University pending his/her appearance before the School Examinations Committee.

- (f) The suspension in (e) above shall remain in place until the Chairperson of the Committee formally notifies the Academic Registrar that the student/candidate has appeared and answered the allegations.
- (g) A student/candidate alleged to have been involved in examination malpractice shall not be registered until such a time that the case has been disposed of.

#### **(4) Hearing**

**Note:**

**The membership and quorum should be determined in such a way as to ensure that members do not sit in judgement of their own cases.**

- (a) The student/candidate shall appear in person before the Committee and identify himself/herself as the subject of the proceedings. The Member of Staff/Invigilator concerned should also be present.
- (b) The Committee shall formally charge the student/candidate. The student/candidate shall be informed by the prosecutor of the allegations against him/her and the Rule in the Rules on Examination Malpractices and Irregularities he/she is alleged to have breached. In addition, he/she shall be informed of the possible punishments.
- (c) The student/candidate shall formally respond to such allegations.
- (d) When the student/candidate responds in the affirmative, a plea of guilty shall be recorded by the prosecutor.
  - i. On a plea of guilty, the Member of Staff/Invigilator reporting the malpractice shall present the facts constituting the malpractice to the Committee in the presence of the student/candidate.
  - ii. Where the student/candidate is alleged to have been found with unauthorised materials, the materials shall be brought before the Committee and the Member of Staff making the report shall state formally in the presence of the student/candidate whether they are the materials he/she is alleged to have found in the possession of the student/candidate.
  - iii. The student/candidate shall be given an opportunity to respond to allegations of fact. He/she may disagree with them and he/she has a right to cross-examine the person making the report.
  - iv. Where the student/candidate responds to the allegations of facts and the Committee is of the considered opinion that in substance he/she is pleading not guilty, it shall direct that a plea of not guilty be substituted for the plea of guilty.

- v. Where the student/candidate admits the offence with an explanation or makes a plea that is vague the Committee should record a plea of not guilty.
  - vi. The student/candidate shall be allowed to plead mitigating factors, which the Committee should take into account in prescribing punishment.
  - vii. The Committee shall then deliberate in the absence of the student/candidate and the Member of Staff/Invigilator making the report.
  - viii. A decision shall be made with regard to the punishment and reasons should be assigned for such a decision.
  - ix. The report shall be forwarded to the Examinations and Examinations Malpractice Committee for information for any other decisions apart from dismissal. Where, on the face of the record, the Examinations and Examinations Malpractice Committee realises that the School Committee erred in its decisions, the Examinations and Examinations Malpractice Committee has a right to review the decision.
- (e) On a plea of not guilty by the student/candidate, the Member of Staff/Invigilator making the report shall present the facts to the Committee with the guidance of the prosecutor in the presence of the student/candidate who has a right of cross-examination.
- i. The Member of Staff/Invigilator reporting the malpractice shall present the facts constituting the malpractice to the Committee in the presence of the student/candidate.
  - ii. Where the student/candidate is alleged to have been found with unauthorised materials, the materials shall be brought before the Committee and the Member of Staff making the report shall state formally in the presence of the student/candidate whether they are the materials he/she is alleged to have found in the possession of the student/candidate.
  - iii. The student/candidate shall be given an opportunity to respond to allegations of fact. He/she may disagree with them and he/she has a right to cross-examine the person making the report.
- (f) The prosecutor may call witnesses whose presence he/she considers important for the just and fair disposal of the case.
- (g) The student/candidate shall present his/her defence to the Committee in the presence of the Member of Staff who made the report who also has a right of cross-examination.
- (h) The student/candidate may call witnesses to substantiate his/her defence.

#### **(5) Nature of Evidence**

- (a) The Committee may admit oral and material evidence, which may be direct or circumstantial.  
**(Note:** direct evidence is the account of the eyewitnesses or the original documents while

circumstantial evidence is that which is inferred from the circumstances of the case e.g. the student/candidate running away when approached by an Invigilator.)

- (b) The Committee may not admit hearsay evidence unless there is independent evidence that lends it credence. (**Note:** hearsay evidence is indirect in the sense that it is given by a person who was not an eye witness e.g. where a witness reports what was told to her/him by another person or photocopies of documents produced where the original is not produced with no adequate explanation as to why. Such evidence should only be accepted where there is other direct evidence which supports the hearsay.)
- (c) After the close of the evidence and before a decision is made, the student/candidate shall be given an opportunity to present to the Committee mitigating factors.

#### **(6) Post-Hearing**

- (a) The School Committee shall deliberate on the matter preferably on the same day as the hearing.
- (b) The School Committee shall make findings of fact with respect to the evidence and make a decision based on those facts. The School Committee must assign reasons for each decision.
- (c) The student/candidate shall be officially informed of such decision and may on request be availed a record of the proceedings.
- (d) The proceedings of the School Committee deliberations and the decisions and the signed record should be forwarded to the Academic Registrar.
- (e) The student/candidate shall be informed of his/her right of appeal and the procedure to be followed.
- (f) Where the School Committee recommends dismissal of a student/candidate, the decision must be confirmed by the School Board and then the student/candidate shall be officially informed of the final decision by the Academic Registrar.
- (g) A student/candidate who has been recommended for suspension/discontinuation/dismissal ceases to be a bona fide student and shall not be accorded any services. He/she shall not be a provisional student; however, he/she has recourse to appeal to the Examinations and Examinations Malpractice Committee provided he/she lodges his/her appeal after leaving the School on receipt of the communication.

#### **(7) Appeal Procedures**

- (a) A student/candidate who is dissatisfied with the decision of a School Committee may appeal to the Examinations and Examinations Malpractice Committee within 30 days from the date of the letter communicating the decision. An Appeal shall only be accepted when the concerned student is no longer at the School.

- (b) The appeal shall be in writing addressed to the Academic Registrar and copied to the School Committee stating clearly the grounds of appeal. The Academic Registrar shall acknowledge in writing to the student/candidate and Chairperson of School Committee receipt of the appeal.
- (c) A student/candidate who pleaded guilty to an offence before the School Committee shall have a right of appeal only with respect to the penalty.
- (d) The Examinations and Examinations Malpractice Committee shall hear the appeal expeditiously. The student/candidate appealing shall be notified in writing of the date when the appeal will be heard and should be given an opportunity to appear before the Examinations and Examinations Malpractice Committee and be heard.
- (e) The School Dean shall officially notify the School Committee that made the decision in the first instance of the date of hearing of the appeal. The School Committee shall have a right of representation.
- (f) At the hearing of the appeal, the student/candidate shall have an opportunity to be heard and the School Committee shall have a right to respond to the student/candidate's presentation.
- (g) The School Examinations and Examinations Malpractice Committee shall have power on cause being shown to allow the student/candidate to present additional evidence before it.
- (h) Where additional witnesses are called, they will be subject to cross-examination by the representative of the School Committee. The School Committee may also adduce additional evidence, which may be responded to by the student/candidate.
- (i) The Examinations and Examinations Malpractice Committee will then deliberate in the absence of the student/candidate and School Committee representative preferably on the date of hearing.
- (j) The Examinations and Examinations Malpractice Committee may confirm, vary or set aside the decision of the School Committee.
- (k) The Examinations and Examinations Malpractice Committee shall take into account the rules of natural justice set out in Rule 9(2) of these Rules.
- (l) A student/candidate who is dissatisfied with the decision of the Senate may appeal to the University Council within 30 days from the date of the letter communicating the decision. The decision of the University Council shall be final.

**(8) Timeframe for Hearing and Concluding Cases and Appeals**

- (a) Trial of cases at the School level should be concluded within 4 weeks after completion of that semester examinations period.
- (b) Appeals at School level should be completed within one (1) month, after the expiry of the 30 days allowed for one to appeal the decision of the School Committee.



- (c) The appeal process at the Senate Committee should not last more than one month or not later than the next scheduled meeting of the Senate Committee, whichever comes earlier.
- (d) When a student appeals, the verdict of the lower committee shall remain in force, and he/she shall wait for the appeal to be disposed of before proceeding to another semester/level.**