THE MOMBASA PARENTS CLUB

CONSTITUTION

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THE MOMBASA PARENTS CLUB

CONSTITUTION

PART I – PRELIMINARY

Constitution: 1. This is the Constitution of The Mombasa Parents Club.

Name: 2. The name of the club shall be **"THE MOMBASA PARENTS CLUB".**

Objects: 3. The object of the club shall be for the Educational Development, welfare and happiness of children in Kenya and its environs and the doing of all such other things as are incidental or conducive to the attainment of the above object.

Interpretation: 4. In this Constitution unless the context otherwise requires;

a) **'Club'** means The Mombasa Parents Club.

b) **'Club Institutions'** means other learning and training institutions the Mombasa parents club Management Board may develop, create, launch including but not limited to polytechnics, tertiary training colleges, Teacher

training colleges, Universities and all other necessary Educational and Training Institutions and support institutions necessary for the proper management and Mombasa parents club.

c) **'Committee'** means a committee formed by the Management Board;

d) **'Board'** Means the club Management Board

e) **'Board Member'** means a member of the Management Board.

f) **'Head teacher'** means the Principal, Headmaster or the person for the time being in charge of the any of schools and instutions run by Mombasa parents Club.

g) **'Kindergarten School'** means The Mombasa Parents Club Kindergarten.

h) **'Member'** means a member of the Club.

i) **'Prescribed Form'** means the application forms provided under Articles 4 and 5.

j) **'Primary School'** means The Nyali Primary School & Kindergarten and shall be also Known as The Nyali School

k) **'School(s)'** means The Nyali Primary School & kindergarten also known as the Nyali School and the

Nyali High School and The Mombasa Parents Club Kindergarten.

PART II - MEMBERSHIP

Qualification for Membership:

5(a) All ladies and gentlemen, of not less than 18 years of age, residing in Kenya and its environs at the time of application shall be eligible for membership.

(b) The three categories of membership available in the club shall be Ordinary, Associate and Honorary membership.

Admission of Members:

6. Admission of ordinary members shall be determined by the Board after application in the prescribed form.

Proposal of Candidates:

7(a) Every candidate for admission as an ordinary member shall be proposed by one member and seconded by two other club members who shall vouch, from their personal knowledge or information, for the fitness of the candidate. The candidate shall be proposed by duly completing application forms for membership, stating his or her full names, residence, profession, occupation and age. The application for membership shall be submitted to club Management Board or a Committee or sub-committee appointed by the Board

for the purposes of admission of new members to the Board.

(b) The Board shall periodically, through the club newsletter, inform members of every application for membership received and election and or admission of every new member.

Inaccuracies in Nomination: 8. Any omission from or inaccuracy in the particulars relating to the description of any candidate may render his or her application voidable at the discretion of the Board.

Notice to Elected Members: 9(a) Immediately upon the election of a member, notice thereof shall be given to him or her and he or she shall be furnished with a copy of the club Constitution and a request to remit to the Treasurer of the club within two weeks from the date of such request the amount of his entrance fee and first subscription.

(b) Upon payment of his entrance fee and subscription he shall become a member of the club and be entitled to all benefits and privileges of membership and be bound by the rules.

Taking up: 10. If such entrance fee and subscription will not be paid within two (2) weeks from the date of such request as aforesaid, the election of such member shall be void, unless he shall satisfy

the Board that the delay in payment was due to the absence from Kenya or other sufficient cause.

Responsibility of Introducing a Member: 11a) Every member who introduces a new candidate for club membership shall assume personal responsibility within the first two (2) years in case of default by the new member in respect of entrance fees, subscription or any other dues including school fees and other levies payable to the Club.

(b) Any communication, correspondence or letters issued to a defaulting member shall also be copied to the member or members who introduced the defaulter.

Members not to make profit out of Club: 12. No member or a company where the member is a share holder shall except for professional services rendered at the request of the committee, on any pretence or in any manner receive any profit, salary or emoluments from the funds or transactions of the club.

Members Addresses: 13(a) Every member of the club shall communicate to the secretary his address and all notices posted to such address shall be considered as having been duly given on the day following the date of posting.

Service of notices and club communications shall be deemed sufficiently served on all or any

member if posted in the club website, send by email, text message or other electronic means to the member's last known electronic address.

(b) Where appropriate letters, correspondence and communication for members shall be channeled through the members' children in school and through the school diaries. Communication to members who do not have children in school shall be by electronic means in the club website, send by email, text message or other electronic means to the member's last known electronic address.

Membership Fee and Subscription: 14. The membership fee and annual subscriptions shall be such sum as shall be fixed by the Management Board from time to time provided that the sums payable shall be ratified by the members of the Club at the Annual General Meeting.

Date when Subscriptions Due: 15(a) All annual subscriptions (Except the first subscription of a new member) as provided by Rule 12 shall be payable by the 21st day of January, each year.

(b) School fees, college, tuition and other training fees shall be payable on or before the 1st day of the school or college term or semester.

Members in Arrears:

16(a) If any member, shall fail to pay his annual subscription, school fees college, tuition and other training fees or any other levy as determined by the Management Board within 30 days after it has become due, notice by way of electronic means in the club website, send by email, text message or other electronic means to the member's last known electronic address.
shall be sent to him calling his attention thereto.

(b) If the member does not pay the amount within 30 days from the posting of such notice he shall be summoned to appear before the Board to show cause why he should not be expelled from the Club.

(c) If the member fails to pay the outstanding arrears and or furnish an acceptable explanation the Board shall forthwith expel the member who shall henceforth cease to be a member of the Club.

(d) The Club shall recover the arrears from the expelled member as a civil debt.

Associate Membership:

17(a) The teachers, lecturers, tutors and non-teaching staff employed by the club and working in any capacity in any of the club's schools and Institutions

shall on employment automatically become Associate members of the Club.

(b) An Associate member shall not be required to pay any entrance fee or subscription.

(c) An Associate member shall not be eligible to attend meetings of the Club or in any way engage in the campaigns or elections of members of the Management Board or any other organ of the Club.

(d) The Head teacher, principal, vice-chancellor shall be ex-officio member(s) of the Management Board and shall attend all meetings of the Club. The Head teacher, principal(s), vice-chancellor shall in their absence delegate her/his duties to their Deputy.

Honorary Membership:

18(a) The Board may invite proposals inviting honorary members to the club.

Honorary members shall not be required to pay any entrance fee or subscription. Honorary Membership shall be conferred only with the majority approval of members at the Annual General Meeting to any person who in the opinion of the members at the Annual General Meeting has rendered outstanding service to the cause of the Club. An Honorary member shall not be eligible to propose any name for conferring Honorary Membership.

(b) Honorary membership will be valid for two years and may be renewed at the Annual General Meeting.

Privileges: 19. Honorary and Associate members shall be entitled to all the benefits and privileges of membership except they shall not be qualified to be officers or members of the Management Board or to vote as members or to claim any share of the property of the club upon its dissolution.

Resignation of Members: 20. Any member may resign from membership by giving to the Secretary notice in writing to that effect. Every such notice, shall unless otherwise expressed be deemed to take effect the day following the next Management Board meeting. The member wishing to resign shall be liable to pay all outstanding dues.

Members Register: 21(a) The Management Board shall maintain a members' register which shall correctly and accurately record the date and year each member was admitted to the Club.

(b) The Management Board shall issue membership cards to all members in a serial and alphabetical order.

Disciplinary Committee:

22(a) There shall be a Disciplinary Committee consisting of seven (7) members who shall be appointed by members of the club at the Annual General Meeting. Two of the members of this committee shall be of the Legal profession. The rules regarding the appointment and operations of the Disciplinary Committee shall be set out by the Management Board. The Disciplinary Committee shall serve for a similar length of term as the Management Board.

(b) The Disciplinary committee shall determine all cases referred to it by the Management Board.

(c) The Disciplinary Committee shall have the power to investigate disciplinary cases, summon members, invite witnesses, receive oral and written testimony and arrive at a verdict.

(d) The Disciplinary Committee shall present every verdict to the Management Board for approval and enforcement.

(e) The Chairman of the Disciplinary Committee shall be a member of the Management Board.

(f) The appointment of members of the Disciplinary committee shall be conducted in the Annual General Meeting where no Club Elections are in the Agenda.

PART III - CLUB MANAGEMENT

Club Management:

23(a) The Club shall be managed and run by the Club Management Board consisting of the following office bearers:

i) The Chairman
ii) The Vice Chairman
iii) The Hon. Secretary
iv) The Hon. Treasurer
v) The Education Secretary
vi) The Club Affairs Secretary
vii) Seven members

(b) The Head teacher, principal(s), vice-chancellor and any head of any institution formed and set up by the Mombasa Parents Club shall be ex-officio members of the Management Board.

(c) The Treasurer shall be a person with proven accounting knowledge and shall be supported by staff appointed by the Club Management in the Finance Department of the club.

(d) The Education Secretary shall be a career teacher (Educationist) with experience and knowledge on the Educational curriculum standards and expectations.

(e) The Secretary shall be a person with either legal knowledge, C.P.S qualification, accountant, previous experience of secretary or similar

qualification in any other organization or someone in the public administration.

Duties of Office Bearers:

24(a) Chairman

The Chairman shall, unless prevented by illness or other sufficient cause, preside over all meetings of the Board and at all general meetings.

(b) Vice – Chairman

The Vice-Chairman shall be the principal assistant of the Chairman and shall perform the duties of the Chairman in his absence or any other duties delegated to him by the Chairman.

(c) Secretary

The Secretary shall deal with all correspondence of the Club under the general supervision of the committee. In case of urgent matters where the Board cannot be consulted, he shall consult the Chairman, if not available, the Vice-Chairman.

He shall issue notices convening all meetings of the Board and all general meetings of the Club and shall be responsible for keeping minutes of all such meetings and for the preservation of all records of proceedings of the Club and of the committee.

(d) Treasurer

The Treasurer shall receive and shall also disburse, under the directions of the committee, all moneys belonging to the Club and shall issue receipts for all moneys paid by him. The Treasurer is responsible to the Board and to the members that proper books of account of all moneys received and paid by the Club are written up, preserved and available for inspection.

(e) The Education Secretary

The Education Secretary shall be responsible for the effective and professional management of the education programmes in the school, set the performance standards and evaluate the performance of individual teachers.

(f) The Club Affairs Secretary

The Club Affairs Secretary shall be in charge of Club functions, organization of members' get togethers, and social engagements, portrayal of the positive image of the Club in the society and encouragement of members' involvement in Club affairs and functions. The Club Affairs Secretary shall also be responsible for the playground.

(g) Board Members

The Management Board shall determine and set out the duties and responsibilities of each Board member.

Club institutions:

25. The Mombasa parents club shall set up, develop, maintain, manage, operate and generally operate all types of learning institutions, including but not limited to early childhood education, kindergarten, primary schools, High schools, polytechnics, technical schools & colleges, universities and all other necessary institutions of higher learning, training facilities and other necessary institutions to support and compliment the club institutions.

Club Instutions, Officers & Staff:

26. The Management Board shall appoint, employ, discipline, dismiss all heads deputies, Assistants and generally all the staff of the Mombasa parents Club and its institutions and to generally do anything and everything necessary to set up, develop, manage and operate all club institutions for educational training and other support and complimentary services and purposes.

The Management Board shall create, establish, arrange, re-arrange, re-designate, abolish and assign duties and responsibilities and remuneration of all necessary club officers and

staff for all Mombasa parents' club institutions.

Management of club Institutions:

27. All Institutions of the Mombasa parents club shall be managed by a Nine(9) Member management Committee appointed for a fixed term of Three(3) years and the entire Management committee or any member of any management committee of any institution of the Mombasa parents club may dismissed by the Management Board before the expiry of the fixed term for any sufficient cause.

Election of Committee Members:

28(a) The Management Board shall be elected at the Annual General Meeting and shall hold office for a period of two years.

(b) The Club elections shall be held every two years.

(c) The Chairman shall serve a maximum of two terms.

(d) Members of the Management Board shall serve a maximum of two terms but will be eligible thereafter to vie for the post of Chairman.

(e) Members vying for election or offering themselves for nomination must provide necessary written consent for nomination or election.

(f) Members vying for election to the Management Board must be fully paid up members of the Club and must not at the time of elections be in arrears of

annual subscriptions, fees or any other dues payable to the Club.

(g) Candidates for the post of Chairman must have been members of the Club for a minimum period of three (3) years and must have served in the outgoing Management Committee for at least two (2) years.

(h) Candidates for posts of members of the Managements Board must have been members of the Club for a minimum period of two (2) years.

Method of Election:

29 (a) Elections shall be by secret ballot and shall take place at the Annual General Meeting for which the required notice shall be given.

(b) Any member can nominate the maximum number of persons required to be elected. Nominations must be made in writing in a prescribed form. All nomination papers must be signed by the nominating member and the candidate being nominated and must be dropped in a locked nomination box to be provided by the Club at least Fourteen (14) days before the election date.

(c) There shall be an Elections Board consisting of the Chairman and six (6) members who shall be nominated by the members in the Annual General Meeting. The Elections Board shall serve for a single term of four (4) years. The

Elections Board shall be responsible for conducting the Club elections as per provisions of this Constitution and other Rules and by-laws which may be made thereunder.

(d) The nomination of members of the Elections Board shall be conducted in the Annual General Meeting where no Club Elections are in the Agenda.

(e) The names of those who have received at least five nominations and who fulfill the qualifications shall be arranged in alphabetical order and duplicated on a voting paper. Each member shall then be entitled to vote for as many members as the number required to be elected. Only members who have fully paid the annual subscription fees for the year of the election shall be eligible for elections. The Election Board shall send out electronically or otherwise serialized voting papers to each fully paid up members. All voting papers must be dropped in a sealed and locked ballot box and voting shall be closed by 10.00.a.m on the date of the AGM. The Election Board shall immediately start the counting and tallying process. All or any candidate will be allowed to nominate an observer during the counting and tallying process.

(f) Election shall be by a simple majority and the names of those elected shall

be announced publicly by the Chairman of the Elections Board in the Annual General Meeting.

Ceasure to holding office as a Committee Member: 30. A Board Member shall cease to hold office as such if he:

(a) resigns from his office by notice in writing to the Secretary.

(b) fails to attend 3 consecutive Board meetings unless satisfactory reason(s) for absence is given.

(c) becomes bankrupt or makes any arrangement or composition with his creditors generally.

(d) becomes of unsound mind.

(e) is found guilty of abuse of office

(f) is requested to do so in writing by a majority of his fellow Board Members.

(g) is convicted of a criminal offence under the penal code by a court of law.

Vacancies on the Committee: 31. Subject to Article 30 the Board shall have power to appoint a member to fill any vacancy on the Board until the next Annual General Meeting. Any member so appointed shall retire at the next Annual General Meeting but will be eligible for re-election as a member of the Board at such meeting.

Failure to take up Position:

32(a) Where three or more Board members fail to take up their positions or where for any reasons three or more vacancies occur in the Management Board the Board shall call a Special General Meeting for election of members to fill the respective vacancies.

(b) If the unexpired term of the Management Board is less than six (6) months, the provisions of Article 32 shall apply.

Financial Powers of the Committee:

33(a) The Board shall have power to incur such expenditure as is considered necessary and expedient in the running of the affairs of the Club.

(b) Capital expenditure on any single project in excess of Kshs.20,000,000/- shall be approved by a Special General Meeting.

(c) The Management Board shall prepare a project proposal for presentation for the approval by the members at the special General Meeting. The said proposal shall be professionally drawn and evaluated

(d) Where the general meeting approves expenditure in excess of Kshs.20,000,000/- the Management Board shall establish a three member Development sub-Committee to be chaired by any member of the Management Board for purposes of procurement and over-

seeing the project **PROVIDED** that where there are more than one project in progress any member or members of the Management Board may chair the other Development Sub-Committee.

(e) Expenditure in excess of Kshs.20,000,000/- without approval or improper expenditure of any club funds may, on a resolution of the members lead to a surcharge against the Management Board members for recovery thereof.

Donations: 34(a) The Management Board may accept and receive donations, in cash or kind or in any other form, from donors, friends, members, well wishers or any other person or organization. Such donations shall be utilized or applied for the benefit of the Club.

(b) The Management Board shall make full disclosure to the members on the source of such donations and the usage and application thereof.

Quorum at Meetings: 35. At the meeting of the Board, six shall be taken as the quorum of all proceedings of the Board by the Honorary Secretary.

Meetings of Committee: 36. The Board shall meet at least once a month and in addition a meeting shall be held one week prior to the commencement of each school term.

Education Sub-Committee:

37(a) There shall be the Education Sub-Committee whose Chairman shall be the Education Secretary.

(b) The Education Sub- Committee shall be responsible for the effective and professional management of the Education Programs in the Primary School and Kindergarten.

(c) The Management Board shall in consultation with the Education Secretary co-opt members who are possessed of requisite expertise in education matters.

(d) The Education Sub-Committee shall publish regular reports on the standards and progress made by the school in national, provincial, and district examinations and the performance thereof vis-à-vis other institutions.

(e) The Education Sub-Committee shall evaluate the performance of individual teachers and take such action as is necessary to maintain the highest teaching standards.

(f) The Education Sub-Committee shall prepare performance and evaluation criteria and standards for approval by the Management Committee.

Education Sub-Committee:

38(a) The Committee may from time to time appoint from among their number such sub-committees as they may deem

necessary and expedient and may depute or refer to them such of the powers and duties of the Committee as the Committee may determine.

(b) Such sub- Committee shall report to the Board all their proceedings and shall conduct their business in accordance with the directives of the committee.

(c) The Sub-Committee may co-opt members from the general Club membership.

(d) All committees or sub-committees formed by the Management Board shall be chaired by a member of the Management Board and shall conduct their respective business on the basis of rules and regulations drawn by the Management Board.

Abuse of Office:

39(a) No Board member shall use his position for personal gain or for the benefit of friends, relatives or other persons to the prejudice of the interests of the Club and members.

(b) The Management Board shall endeavor to use its leadership position with integrity and for the benefit and best interests of the Club and members.

(c) Subject to Article 25, any Board Member found guilty of abuse of office shall cease to hold office.

(d) Where abuse of office results in the misappropriation of Club funds the

guilty Board member may, on a resolution of the members, be surcharged for recovery thereof.

Borrowing Powers:

40(a) If at any time the Club in general meeting shall thereupon be empowered to borrow for the purpose of the club such amount of money either at one time or from time to time at such rate of interest and in such form and manner and upon such security as shall be specified in such resolution, the Trustees shall thereupon at the direction of the Board make all such dispositions of the Club property or any part thereof and enter into such agreements in relation thereto as the Board may deem proper for giving security for such loans and interest.

(b) All members of the club whether voting on such resolution or not and all persons becoming members of the Club after the passing of such resolution shall be deemed to have assented to the same as if they had voted in favour of such resolution.

Annual General Meeting:

41(a) The Annual General Meeting of the Club shall be held within 3 months of the close of the Club's financial year.

(b) At least twenty one days' notice of such meeting shall be published by circular to all members. A quorum of

one third fully paid up members shall be necessary at the Annual General Meeting. In the event of there being no quorum the meeting shall stand adjourned for seven days. Seventy (70) members shall form a quorum at such subsequent meeting.

Voting at Annual General Meeting:

42(a) Each eligible member shall be entitled to one vote at the Annual General Meeting. In the event of any member desiring to vote by proxy such should be known to the Secretary in writing at least seven (7) days before the Annual General Meeting. Proxies shall not exceed twenty per cent (20%) of the members present at the Annual General Meeting.

(b) A member and his or her spouse shall both have their respective individual votes.

(c) At any Annual General Meeting a resolution put to the vote of the meeting shall be decided by the method of vote by secret ballot. In case of equality of votes on any resolution the Chairman shall have a second or casting vote.

Agenda at Annual General Meeting

43. The following shall be included in the Agenda for the Annual General Meeting:

(a) Confirmation of minutes of the previous Annual General Meeting.

(b) Chairman's Report.

(c) Adoption of Annual Accounts, Financial Statement and Annual Budget.

(d) Appointment of Auditors for the next financial year.

(e) Invitation of proposals for Honorary Members.

(f) Election of the Club's Management Board Members.

(g) Any other business notice of which has been given to the Club Secretary at least seven days in advance of the date of Annual General Meeting.

(h) Any other business with the approval of the Chairman.

Notice of Business: 44. Any member desirous of moving any resolution at the Annual General Meeting shall give notice thereof in writing to the Honorary Secretary not less than seven (7) days before the date of such meeting.

Special General Meeting: 45(a) The Board may at any time for any special purpose, call a special general meeting.

(b) A special general meeting may also be requisitioned for a specific purpose by request in writing to the Honorary Secretary signed by not less than fifty members and such meeting shall be held within twenty one days' of the date of

the request and the date shall be fixed by the committee.

(c) No matter shall be discussed other than as stated in the request.

(d) The quorum at a special general meeting shall be fifty fully paid up members.

Amendments to Constitution: 46. Amendments to the constitution of the club must be approved by at least a two thirds majority of all the club members and any amendment shall be by a resolution passed in an Annual General Meeting or a Special General Meeting.

Club Communication and Notices: 47. All Club communication and notices shall be made either on the Club website, sent by email, text message or other electronic means to the members.

Minutes: 48. The Hon. Secretary shall after every Annual General Meeting and Special General Meeting distribute the minutes thereof to the Club members within Twenty-One (21) days after such meetings are held.

Arbitration: 49. Whenever any difference arises between the Club on the one hand and any of the members, their executors, administrators, or assigns, on the other hand, touching the true intent of this constitution or the incidents, or consequences of this constitution or rules or touching anything then or

thereafter done, executed, or suffered in pursuance of this constitution, or breach of the provisions of this constitution or touching any breach or alleged breach of the provisions, or any claim on account of any such breach or alleged breach or otherwise relating to the premises or to any affairs of the club, every such difference shall be referred to the decision of an arbitrator to be appointed by the parties in difference or if they cannot agree upon a single arbitrator to the decision of three arbitrators, one of whom shall be appointed by each of the parties in difference and the third by the Law Society of Kenya.

Trustees: 50(a) All land, buildings and other immovable property and all investments and securities which shall be acquired by the Club shall be vested in the names of the club. All transfer and title documents of the club shall be executed by the Chairman, the Treasurer, the Secretary or any other two (2) trustees who shall be members of the Club and shall be appointed at an Annual General Meeting for a period of four years. On retirement, such trustees shall be invited to serve for a further period of four years. A general meeting shall have the power to remove any of the trustees and all vacancies occurring by

removal, resignation or death, shall be filled at the same or next general meeting.

(b) The appointment of the trustees shall be conducted in such a manner as to ensure that not all the trustees are appointed or removed at the same Annual General Meeting. Not more than two trustees shall be appointed in the same Annual General Meeting.

Income from Property:

51. The trustees shall pay all income received from property vested in the trustees to the Treasurer. Any expenditure in respect of such property which in the opinion of the trustees is necessary or desirable shall be reported by the trustees to the Board which shall authorize expenditure of such moneys as it thinks fit.

Custody of Common Seal:

52. The Common Seal of the club shall be in the custody of the Honorary Secretary for the time being of the Club and the said seal shall not be affixed to any document or instrument except pursuant to a resolution of the club duly passed at a special or Annual General Meeting and shall only be affixed in the presence of the Chairman or the Honorary Secretary and any one of the registered Trustees.

PART IV - FINANCE

Club Account: 53(a) The accounts of the Club and the school shall be audited annually by a qualified registered accountant.

(b) The funds of the Club and the School and other club institutions may be invested in such securities or any such savings bank or deposit account as the Board may think fit.

(c) All cheques in respect of the Club and School shall be signed by the Hon. Treasurer and counter signed by the Chairman, Vice Chairman or the Hon. Secretary **PROVIDED ALWAYS** that the Vice Chairman shall countersign only where the Chairman is not in station. In addition the Board may from time to time give limited mandate to any member(s) of the management committees of the club institutions to sign cheques for particular limits on behind of the club.

(d) Where money is deposited in any savings bank or financial institution withdrawals may be made only under the authority of the signature of the Hon. Treasurer and the counter signature of the Chairman, Vice-Chairman and Hon. Secretary or any two of the aforesaid officials.

(e) The Honorary Treasurer shall be responsible for presenting the Annual Accounts, Financial Statement and

Annual Budget of the Club on behalf of the Management Committee.

(f) The financial year of the club shall run from 1st January to 31st December, of each year.

Development Fund Account:

54(a) There shall be a Development Fund Account into which there shall be deposited all the membership fees and annual subscriptions.

(b) Any expenditure from the Account shall be sanctioned by a resolution of the Annual General Meeting or Special General Meeting.

PART V – PRIMARY SCHOOL & HIGH SCHOOL

Primary

55(a) The primary school shall be called "Nyali Primary School and Kindergarten also to be Known as "The Nyali school".

(b) The primary school shall admit eligible children of the members of the club.

(c) Nyali Primary School shall belong to the Mombasa Parents Club and shall be managed by the Management Committee appointed by the Management Board.

(d) Club members shall be at liberty to make suggestions and proposals in writing to the Honorary Secretary concerning all affairs of the School.

(e) The minimum age of admission to the school shall be six years.

(f) The school terms shall be approximately three months and as far as possible

shall coincide with the school term gazetted or directed by the Ministry for the time being responsible for education in the Republic of Kenya.

(g) There shall be a head teacher/Principal who shall be responsible for the day to day running of both the kindergarten and primary school.

(h) The head teacher/principal shall be in charge of all the teaching and subordinate staff and may with the approval of the Board make such regulations for the effective management and running of the kindergarten and primary school.

(i) School fees shall be payable by cash or bankers cheque within Seven (7) days from the date of opening of school. No child shall be allowed to attend school after one week if school fees have not been paid.

(j) Parents wishing to enroll their children to the primary school should apply for an application form from the Honorary Secretary or the school head teacher/Principal. Whilst there is a waiting list children shall be taken into the school in strict rotation according to the date of application.

(k) Parents who wish to withdraw their children from school shall be required to give one month notice in writing to the Honorary Secretary or the Head teacher/principal.

(l) The fees for primary school shall be determined by the Management Board from time to time and all the members shall be informed in writing.

(m) No fees paid shall be refundable once a child has been enrolled at the school.

(n) The school shall have a maximum number of pupils in each class as set by the Management Board.

High School 56. The Mombasa Parents Club shall have a high school Known as The Nyali High School.

(b) The Nyali High school shall admit eligible children of the members of the club.

(c) The Nyali High School shall belong to the Mombasa Parents Club and shall be managed by the Management Committee appointed by the Management Board.

(d) Club members shall be at liberty to make suggestions and proposals in writing to the Honorary Secretary concerning all affairs of the School.

(e) The minimum age of admission to the school shall be fourteen years.

(f) The school terms shall be approximately three months and as far as possible shall coincide with the school term gazetted or directed by the Ministry for the time being responsible for education in the Republic of Kenya.

(g) There shall be 2 head teachers/Principals who shall be

responsible for the day to day running of both the high school

(h) The head teachers/principals shall be in charge of all the teaching and subordinate staff and may with the approval of the Board make such regulations for the effective management and running of the high school.

(i) School fees shall be payable by cash or bankers cheque within Seven (7) days from the date of opening of school. No child shall be allowed to attend school after one week if school fees have not been paid.

(j) Parents wishing to enroll their children to the high school should apply for an application form from the Honorary Secretary or the school head teachers/Principals. Whilst there is a waiting list children shall be taken into the school in strict rotation according to the date of application.

(k) Parents who wish to withdraw their children from school shall be required to give one month notice in writing to the Honorary Secretary or the Head teachers/principals.

(l) The fees for high school shall be determined by the Management Board from time to time and all the members shall be informed in writing.

(m) No fees paid shall be refundable once a child has been enrolled at the school.

(n) The school shall have a maximum number of pupils in each class as set by the Management Board.

Other Training Institutions and Club Institutions 57. The Mombasa parents club shall set up polytechnics, colleges, universities, training colleges and other learning and teaching institutions and other institutions which may become necessary.

The provisions of article 54 b) to n) of the constitution shall apply *mutatis mutandis* for the high school, polytechnics, colleges, universities, training colleges and other learning and teaching institutions and other institutions which may become necessary

PART VI - KINDERGARTEN SCHOOL

Kindergarten School: 58(a) The Kindergarten school shall belong to the Mombasa Parents Club and shall be managed by the Committee.

(b) The Kindergarten school shall admit eligible children of the members of the Club. The age of admission shall be three (3) years and above.

(c) The school term for the Kindergarten shall coincide with that of the Primary school. School hours of the Kindergarten school shall be determined by the Management Board from time to time as shall be deemed necessary.

(d) The rules regulating payment of fees, withdrawal of children from the Kindergarten and application for admission to the Kindergarten shall be the same as those applicable to the Primary School.

PART VII - STAFF

Staff: 59(a) The Board shall be responsible for the engagement, dismissal and rates of pay of the staff of the club.

(b) The Staff shall be paid monthly, by the Hon. Treasurer unless the Board shall decide that wages shall be paid at more frequent intervals.

(c) The teachers and non-teaching staff, as Associate members, shall not be eligible to attend the Annual General Meeting or any other meeting called by the Management Board where the general membership of the Club is in attendance **PROVIDED THAT** any member of the teaching and subordinate staff may be invited by the Management Board to attend any such meeting for special reasons to be set out in the notices of invitation.

(d) Where a decision is made or a resolution is passed affecting the teaching and non-teaching staff the Management Board shall facilitate the flow of that information to the teaching and non-teaching staff through

the Head teacher or any other mode of communication that the Management Board may deem appropriate.

(e) The Head teacher/principal, vice-chancellor, and all other heads of the club Institution as an ex-officio member, shall attend Management Board meetings and all other Club meetings.

(f) Article 33 shall apply *mutatis mutandis* to members of staff.

PART VIII – CAFETERIA

Cafeteria: 60(a) There shall be a School Cafeteria to provide food, lunch and other refreshments to the children, teachers and subordinate staff.

(b) The cafeteria menu and the prices thereof shall be determined by the Management Committee.

Cafeteria Account: 61(a) There shall be a Cafeteria Account into which the proceeds from the cafeteria shall be deposited.

(b) The accounts of the cafeteria shall be audited annually by a qualified registered accountant.

(c) The cafeteria shall be run and managed independently in a self-sustaining manner.

(d) The Management Board may, on approval by members sitting in a Special General Meeting, elect to lease out the running of the cafeteria to an outside caterer.

PART IX – SCHOOL TRANSPORT

Transport:

62(a) There shall be School transport available for transportation of children to and from school.

(b) The Management Board shall determine the routes, pick-up points and the transport fee payable by members whose children use the school transport.

(c) The Management Board shall determine the rates for the hire of school buses when deployed for school activities, private usage or any other purposes.

Transport Account:

63(a) There shall be a Transport Account into which the transport fees and other hire charges shall be deposited.

(b) The expenses for fuel, insurance, salaries maintenance, and other costs related to the management of the buses and vans deployed in the transportation of children shall be charged to the Transport Account.

(c) The account of transport shall be audited annually by a qualified registered accountant.

(d) The school transport shall be run and managed independently in a self-sustaining manner.

(e) The Management Board may for good reasons on approval by members sitting in a Special General Meeting, elect to discontinue the transport system or contract out the provision of

transport to an independent contractor.

PART X – PLAYGROUND

Playground: 64(a) Members' children are entitled to make use of the playground which is situated along Links Road (Nyali) if under the supervision of an adult.

(b) The supervisors shall ensure that club premises, equipment, trees and plants are not damaged by children, and shall supervise ayahs in controlling the behaviour of children.

(c) A first aid box shall be made available at all times when the playground is in use.

(d) The riding of bicycles is prohibited in the playgrounds. No animals are permitted in the playground.

(e) Members may hire the playground and other school facilities for private functions during weekends or school holidays on terms and conditions to be determined by the Management Committee.

PART XI - DISSOLUTION

Dissolution: 65(a) The members of the Club may resolve, in an Annual General Meeting, to dissolve the Club. A resolution to dissolve the Club must be approved by at least a two thirds majority of all the club members.

(b) Upon dissolution of the Club the fully paid up members of the Club shall have a share of the residue of the club property after all statutory dues and liabilities have been settled.

PART XII - GENERAL

General: 66. The Management Board shall have the power to appoint any member or members of the Club to perform specified functions or carry out certain responsibilities in the Club. Members shall be informed in writing of any such appointment.

PART XIII – RULES AND BYE LAWS

Rules: 67. Rules and Bye-laws regarding the Management of the Club, School, Staff, Cafeteria, Transport, Playground, Elections, Meetings and other related issues shall be made, added and or varied by the Management Board from time to time provided that they shall be in conformity with the Club Constitution.

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