



**THE
CONSTITUTION
FOR**

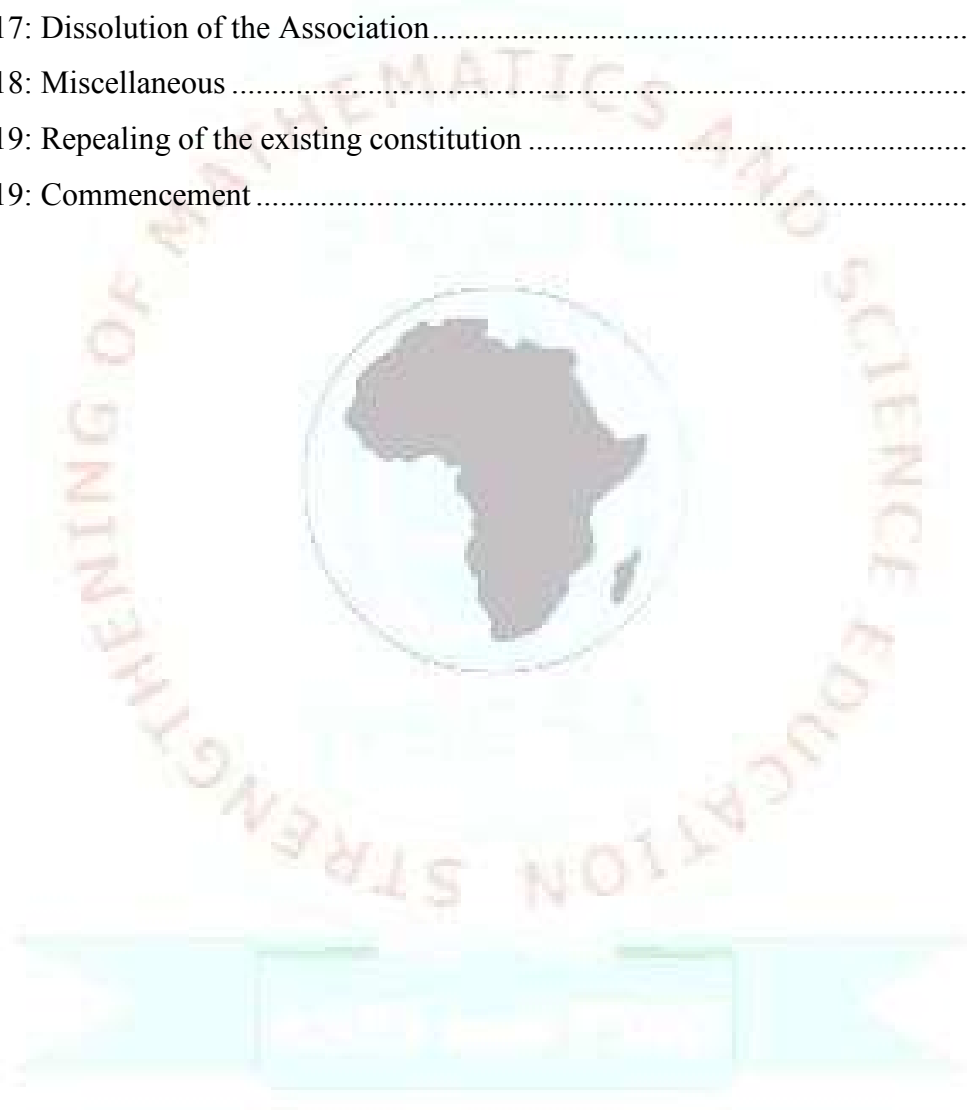
**THE STRENGTHENING OF MATHEMATICS
AND SCIENCE EDUCATION IN AFRICA
(SMASE-AFRICA)
NETWORK**

DECEMBER 2011

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PART I-PRELIMINARY

Short Title	1. This constitution may be cited as the SMASE-AFRICA Constitution, 2011
Interpretation	<p>2. In this Constitution, unless the context otherwise requires:-</p> <p>“primary education” means; “the first stage of formal education, beginning at age 5–7 years and ending at age 11–13 years, as well as training of primary school teachers”</p> <p>“secondary education” means “the second stage traditionally found in formal education, beginning about age 11 to 13 years and ending usually at age 15 to 18 years as well as training of secondary school teachers”</p> <p>“Societies Act CAP 108 of Laws of Kenya” means “the act of Kenya’s Parliament that makes provision for the registration and control of societies; under which act “society” is interpreted as any club, company, partnership or other association of ten or more persons, whatever its nature or object, established in Kenya or having its headquarters or chief place of business in Kenya..”</p> <p>“equitably” means “just and impartial”</p> <p>“honorarium” means “a payment given to a professional person for services for which fees are not legally or traditionally required”.</p> <p>“proxy” means “a person designated by another to represent that individual at a meeting or before a public body” or “a written authorization allowing one person to act on behalf of another”.</p>

PART II-ARTICLES

Article 1: Name and Nature	<p>3. (1) The name of the Association shall be Strengthening of Mathematics, Science and Technology Education in Africa (SMASE-AFRICA) Association, hereinafter referred to as “the Association”.</p> <p>(2) The Association shall be a non-profit making organisation</p> <p>(3) The Association shall be a body corporate with perpetual succession and a common seal, and shall in its corporate name be capable of:-</p> <ul style="list-style-type: none">a) suing and being sued;b) taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property;c) borrowing or lending money; andd) doing or performing all other things or acts for the furtherance of the provisions of this constitution which may be lawfully done or performed by a body corporate.
Article 2: Location and Headquarters	<p>4. The Association’s Headquarters shall be located at the Centre for Mathematics, Science and Technology Education in Africa (CEMASTE) in Nairobi, Kenya hereinafter referred to as “the headquarters”.</p>
Article 3: Registration	<p>5. The Association shall be registered by the Registrar of Societies of Kenya under the Societies Act CAP 108 of the Laws of Kenya.</p>
Article 4: Country Chapters	<p>6. (1) Each member country shall have a Country Chapter of the Association duly registered in the respective country or constituted by the ministry responsible for education, and a country executive organ responsible for running its affairs in line with the Association’s constitution and the laws of that country.</p> <p>(2) Country Chapter shall adopt a name it deems fit within the unique context of that member country.</p>
Article 5: Mission Statement	<p>7. “To promote and enhance primary and secondary mathematics, science, and technology education through fostering relevant policies, research, networking, collaboration, advocacy and capacity building in Africa</p>

Article 6:
Objectives

*Objectives of the
Association*

8. The objectives of the Association shall include the following: -

- (1) To organise and conduct capacity building programmes for member countries
- (2) To foster relevant policies for the promotion and enhancement of mathematics, science and technology education in member countries
- (3) To enhance professional interaction and exchange of ideas amongst mathematics, science and technology educators in member countries with the aim of popularizing and strengthening mathematics, science and technology in primary and secondary education.
- (4) To promote research to inform policy and programme implementation
- (5) To promote the formation and growth of Country Chapters in member countries.
- (6) To register member countries
- (7) To facilitate the establishment of linkages amongst member countries through communication, networking, exchange of training materials and organizing regional meetings as necessary
- (8) To advise member countries on matters related to strengthening mathematics, science and technology education.
- (9) To solicit for and provide material and/or financial support, including donations for the furtherance of the development of mathematics, science and technology education
- (10) To establish partnership with other organizations having similar objectives.
- (11) To promote ICT integration in the teaching and learning of mathematics and science
- (12) To carry out any other activity that promotes the teaching and learning of mathematics, science, and technology.

*Objectives of
Country
Chapters*

- (1) To develop teaching and learning materials for mathematics and science, publish journals and newsletters and exchange such materials amongst its members and within the region
- (2) To liaise with relevant government departments and other

organizations with similar objectives for achievement of the association's objectives

(3) To participate in planning, developing and implementing INSET and pre-service programmes within the country and to put in place modalities for monitoring and evaluating the impact of INSET.

(4) To establish an enabling environment within the country conducive for effective and efficient realization of the goals and objectives of the Association.

(5) To solicit for and provide material and or financial support, including donations for the furtherance of the development of mathematics, science and technology Education.

(6) To promote ICT integration in the teaching and learning of mathematics and science

(7) To carry out any other activity that promotes the teaching and learning of mathematics and science

Article 7:
Membership

10. (1) Membership of the association shall be open to all countries in Africa.

(2) Existing members of SMASE-WECSA Association shall automatically become members of the Association.

(3) Any country seeking to register with the Association shall make written application, on a form prescribed by the association, through the government ministry concerned with mathematics and science education at primary and secondary school level in the country, to the Executive Secretary. The Association's Executive Committee shall consider such written applications for approval.

(4) Every Country Chapter seeking registration shall furnish the Executive Secretary with the following:

- a) summary of activities being undertaken by the Country Chapter towards achieving the objectives of the Association
- b) The Country Chapter constitution/operational guidelines, names of country officials, and registration fee.

Any application received without these attachments shall not be considered

- (5) Every country chapter shall pay a registration fee of US\$ 500
- (6) Every registered country chapter shall pay an annual subscription fee of US\$ 1,500. The Subscription fee shall be paid on or before the 1st day of June every year. This fee may be reviewed from time to time
- (7) If a country chapter defaults payments of annual subscription for a period of two (2) years, the country chapter shall automatically cease being a member. The Executive Committee shall determine the re-admission procedures.

Termination of Membership

- 11.** (1) Any country chapter shall be suspended for a period of time to be determined by the Executive Committee, or expelled altogether, if either by practice or by constitutional amendment or in any other way the said Country Chapter departs from the aims and objectives of the association. In matters regarding Country Chapters, the Executive Committee shall be the organ of discipline and shall give a minimum of three months' notice to the Chapter before such suspension or expulsion. Such expulsion or suspension shall be endorsed or nullified at the annual delegates meeting
- (2) A Country Chapter may terminate its membership voluntarily through written notification of not less than six months to the Executive committee but there shall be no refund of any monies paid by such country.

Article 8: The Delegates Meeting

- 12** (1) The Delegates Meeting shall be the Association's highest decision-making body.
- (2) Each Country Chapter shall nominate one delegate or one alternate delegate to the Delegates Meeting.
- (3) The rules and procedures of the Delegates Meeting shall be as described under Article 12

Article 9: The
Governing
Body

13 (1) The Executive Committee shall be the governing body of the Association, which shall be established by the Delegates Meeting.

The Executive Committee shall consist of the following who shall be known as office-bearers:-

- a) President
- b) Three(3) Vice Presidents
- c) Executive Secretary
- d) Treasurer

14 (1) The Annual Delegates Meeting shall elect the following members of the Executive Committee

- a) President
- b) Vice presidents (3)
- c) Treasurer

(2)The positions of president and the vice presidents should be filled as to take care of the four main languages of instruction in Africa (English, French, Portuguese and Arabic).

(2) The Executive Secretary shall be the Director CEMASTEIA

(3) Treasurer should be elected from the country where the Secretariat is housed.

(4) All elected members of the Executive Committee shall serve for a period of three (3) years, and maybe eligible for a re-election for a further term of three years. Any member desiring to resign from the committee shall submit his/her resignation to the Executive Secretary who shall forward such resignation to the Annual Delegates Meeting for action.

(5) Any office bearer, who ceases to be a country representative or is incapacitated in such manner as to render him/her incapable of performing his/her duties effectively, automatically ceases to be an officer bearer thereof.

(6) The office bearers shall perform all duties as may be specifically assigned to the particular office by the Executive Committee

- (7) In the event that for any genuine reason, an election has not been held after three years period, the Executive Committee shall continue in office for a further term not exceeding one year, so as to enable elections to take place. After this one-year period, the seats shall automatically fall vacant and the Secretariat shall continue to administer the Association and organize for elections within a period of one year.

Functions of the Executive Committee

15 (1) The Executive Committee shall be responsible for: -

- a) Policy formulation and, if necessary drafting amendment of the constitution
- b) Formulation of short term, medium term and long term goals
- c) Soliciting for funds and any relevant support
- d) Ratification of proposed agenda and activities of the Association

Duties of the Office Bearers

16 (1) The President shall:

- a) be the Chairperson of SMASE-AFRICA Association
- b) In consultation with the Executive Committee, guide and spearhead all activities of the Association
- c) chair all meetings of the Association

(2) The Vice President shall deputize the President and shall perform any other duty assigned by the President

(3) The Executive Secretary shall:

- a) Receive and respond to general correspondence of the Association.
- b) Take minutes of all meetings and circulate the same to members.
- c) Issue notices of all meetings of the committees and all general meetings of the Association.
- d) Be custodian of the Association's constitution.
- e) Be the custodian of the Association's signage e.g. seals, rubber stamps or logo, and any other identification marks of the Association.
- f) Be the custodian of the Association's documents and assets

(4) The treasurer shall:

- a) Maintain safe custody of all financial records including books of accounts, petty cash vouchers, invoices, receipts and any other documents involving any financial transaction of the Association.
- b) Be responsible for all financial transactions of the Association as approved by the Executive Committee.
- c) Cooperate with auditors in the auditing of the Association's funds and assets.
- d) Hold a sum not exceeding US\$ 300 as petty cash. This amount may be reviewed from time to time by the Executive Committee without requiring a constitutional amendment. Minutes of the Executive committee meeting giving such approval will be adequate as proof of its legitimacy.

Article 10: The
Secretariat

17. The Secretariat shall be the permanent centre of operation of the Association and shall for all intents and purposes be recognized as the administrative organ of the Association.

*Members of the
Secretariat*

18. (1) The Executive Secretary shall be the head of the Secretariat.

(2) The Executive Committee may recruit and/ second to the Secretariat personnel from member countries or collaborating organizations when necessary.

*Functions of the
Secretariat*

19. The Functions of the Secretariat shall be to:-

- (1) Initiate, receive and submit policy recommendations to the Executive Committee.
- (2) Initiate and conduct research related to, and the implementation of mathematics, science and technology INSET programmes
- (3) Be responsible for strategic planning, management, monitoring and evaluation of the activities of the Association
- (4) promote the Association's activities through advocacy, networking and dissemination of information to stakeholders, collaborating bodies and the International Community

- (5) Implement the Association's capacity building programmes in collaboration with other organizations
- (6) Implement Annual delegates meeting and Executive Committee's decisions and recommendations
- (7) Perform any other duty assigned by the annual delegates meeting and Executive Committee

Article 11:
Discipline

20. All office bearers shall uphold the highest standards of morality and ethics.

21. There shall be established a Disciplinary Committee of any five members who shall be appointed by the Executive Committee. The Disciplinary Committee in its first sitting shall appoint a chairperson and a secretary.

22. In the event that an allegation of indiscipline is made against the President, the President shall be informed in writing through or by one of the other members of the Executive Committee.

23. If an allegation of indiscipline is made against any member, including an Executive Committee member, the Disciplinary Committee shall convene an urgent meeting and examine the complaint. If the committee is satisfied that the complaint has merit, it may adopt any of the following:

(1) Issue a written warning where the offence is, in the committee's view, not of a serious nature and does not compromise the ideals and principles of the Association.

(2) Suspend the member pending a full hearing.

- a) In the event of a suspension, the disciplinary committee shall give a written notice of the suspension to the member, outlining the nature of the complaint and invite the member within a maximum of **fourteen (14) days**, to a meeting where the member may respond to the allegations. The member shall be allowed legal representation in such a meeting, with a right to call

witnesses and/or table documents.

- b) The process of natural justice shall be observed in all such cases.
 - c) After such a hearing as set out in 11.4 above, the disciplinary committee shall make a ruling within **twenty one (21) days after the meeting** and communicate the same to the member.
 - d) If absolved of the wrongdoing, the member shall be re-instated. If found guilty, the following actions may be taken:-
 - 1) A warning may be issued.
 - 2) The member may be suspended.
 - 3) The member may be expelled.
- (2) Nothing in this section may be construed as preventing the Executive Committee from taking action under Civil or Criminal Act where the committee may deem fit.
- (3) In addition to the above provisions by which a member may be disciplined, any member who is guilty of any of the following shall cease to be a member forthwith:-
- a) Is convicted in a court of law for an offence other than those under the Traffic Act or Matrimonial Act.
 - b) Is declared bankrupt.
 - c) Is imprisoned for a civil debt.

24. No member shall be allowed to misuse the property or funds of the Association, or to use the same for personal gain.

25. No member of the Executive Committee shall be allowed to do any business with the Association, or to be associated in any manner with any firm doing business with the Association.

26 (1) The Executive Committee shall convene a delegates meeting of the Association, which shall be held **at least once every year**. The Executive committee shall decide upon the agenda, venue and date for such a

Article 12:
Meetings
Delegates

Meetings

meeting.

- (2) Notice in writing of a delegates meeting and the agenda for the meeting shall be sent to all country delegates through their registered country chapters **at least three months** before the date of the meeting. The delegates meeting shall be open to all member country delegates and other invited organizations
- (3) The delegates meeting shall deal with the business as laid out in the agenda and such matters as the Executive Committee may decide on, or matters of which notice shall have been given in writing by a member to the Executive Secretary , **at least two months before** the meeting
- (4) All other matters of the Association in between delegates meetings shall be the responsibility of the Executive Committee

Executive Committee Meetings

27. (1) The Executive Committee shall hold its meeting **once a year**. In the event of urgent matters and any other emerging issues, the committee may convene **not more than one** other meeting within the year.

(2) All other matters of the Association in between Executive Committee meetings shall be the responsibility of the Secretariat

Quorum

(3) Quorum for the delegates meeting shall be **at least two thirds** of the total number of the Association's delegates. Each registered country chapter will have only one delegate

(4) In case the required quorum is not realized, the requirement may be waived by a written consent of a minimum of half the Association's delegates. The nature of such exceptional circumstances that gave rise to such a meeting with less than the required quorum shall be recorded in the minutes of the meeting.

Procedure of Meetings

(5) The President shall chair all delegates and Executive Committee meetings of the Association. In the absence the President, one of the Vice Presidents shall chair the meetings. In the absence of the President and the Vice Presidents during the delegates meeting, a member shall be elected to chair the meeting.

28. The Association shall resolve issues through logical and professional consensus. Where this is unsuccessful, the members shall resolve the issue by a simple majority vote. Each member shall have one vote and voting shall not be done by proxy. In case of a tie, the chairperson shall cast the deciding vote.

Elections

29 (1) The Association's elections shall be held every **three (3)** years and shall form part of the agenda for the delegates meeting.

(2) All fully paid up member countries by the date of election shall be eligible for election and to vote.

(3) Nominations for various positions on the Executive Committee shall be done on the floor during the delegates meeting.

(4) Voting by proxy shall be permitted through a written request to the Executive Secretary.

(5) Any complaints arising from the elections shall be presented to the Executive Secretary in writing within **seven (7) days**, and copied to the President. Any dispute thereto, not resolved, shall be referred to a single arbitrator to be agreed upon between the parties. Where the same is not agreed upon, to a person appointed for such arbitration by either:

a) The Chartered Institute of arbitrators

or

b) The Law Society of Kenya and/or in member country.

The award of such arbitrator shall be final and binding upon all parties in dispute.

(6) All voting shall be done by secret ballot. The Secretariat shall appoint a returning officer and provide relevant materials for the electoral process.

Article 13: Funds

30. The Association shall raise funds from the following sources: -

(1) Registration fees

Source of Funds

(2) Annual subscription and contribution from each member country.

Every Country Chapter shall contribute to the association's annual budget as determined by the Delegates Meeting from time to time.

- (3) Sale of Association's publications
- (4) Donations
- (5) Collaboration with development partners and well-wishers
- (6) Any other approved and lawful means

Expenditure

31. The Association's funds may be used for the following purposes:-

- (1) Capacity building to promote INSET for teachers of mathematics, science and technology
- (2) Organizing the Association's meetings and conferences
- (3) All relevant activities of the Association such as research studies, implementation of decisions by the executive committee
- (4) Essential office services
- (5) Payment of honoraria
- (6) Any other purpose consistent with the objectives set out in article 6 above and approved by the Delegates Meeting

32. The Association shall operate a bank account whose signatories shall be the Treasurer, Executive Secretary and one other person appointed by the Executive Committee.

Article 14: Inspection of Accounts by Members

33.(1) All books of accounts and all documents relating thereto, and a list of members of the Association shall be made available at the registered office of the Association.

(2) Such books of account and all documents relating thereto, and a list of members of the Association may be inspected by any representative of a member country of the Association, on giving notice in writing to the Association of **not less than three months**. This inspection of accounts by members shall not constitute auditing of the same, which is stipulated in

article

15

Article 15:
Auditors

- 34.** (1) The Delegates Meeting of the Association shall appoint a competent auditor to audit the Association's accounts annually. All the Association's records of accounts and documents shall be open for inspection by the auditor at any time. The auditor shall submit a report of such annual accounts and statements to the Association, and report any aspect of difference thereof, should there be any.
- (2) A copy of the auditor's report and statement of accounts shall be furnished to all members along with the notice convening a Delegates Meeting.
- (3) An auditor may be paid such an honorarium as may be resolved by the Delegates Meeting.
- (4) No appointed auditor shall be an office bearer of the Association

Article 16:
Amendment to
the Constitution

- 35.** (1) Proposals to amend the constitution shall originate from any member country, seconded by **at least two** other member countries, or from the Executive Committee
- (2) The Delegate Meeting of the Association, attended by at least two thirds of the total number of Association Delegates, shall approve amendments to the constitution
- (3) Notice of such amendments shall be given to the Registrar of Societies in the country in which the Secretariat is based, and to member countries within three months of the date of the Delegates Meeting that made the amendment
- (4) Any notice of a proposed amendment from any of the members must be sent in writing to the Secretariat **at least two months before** the meeting that will deliberate the same.

Article 17:

- 36.** (1) The Association shall only be dissolved by a resolution passed at a

Dissolution of
the Association

Delegates Meeting by a **two-thirds** vote. If the quorum is not realized, the proposal to dissolve the Association shall be submitted to a special Delegates Meeting, which shall be held **three months later**. Notice of this meeting shall be given to all member countries at least two months before the date of the meeting

(2) The quorum for the second meeting shall be the number of Delegates present

(3) No dissolution shall be effected without prior permission, in writing, from the Registrar of Societies as stipulated in Article 3 above obtained upon application made in writing and signed by any three office bearers

(4) Upon the Registrar's approval for the dissolution of the Association, no further action shall be taken by the Executive Committee or any office bearer of the Association in connection with its aims other than to get in order and liquidate for cash all the assets of the Association

(5) Subject to payment of all debts of the Association the balance in cash thereof shall be distributed equitably to all member countries

Article 18:
Miscellaneous

37. Any matters, which are not covered in this constitution, shall be dealt with through logical and professional consensus.

Article 19:
Repealing of
the existing
constitution

38. The constitution for the Regional Association of Mathematics and Science Educators in Western, Eastern and Southern Africa (2006) is hereby repealed.

Article 19:
Commencement

39. This constitution shall become effective on the day it is adopted