REPUBLIC OF KENYA DATE PARLIAMENT TABLED BY COMMITTEE CLERK AT THE TABLE | Karate Much THE SENATE TWELFTH PARLIAMENT (FIFTH SESSION) THE STANDING COMMITTEE ON **EDUCATION** REPORT ON THE KENYAN SIGN LANGUAGE BILL, (SENATE BILLS NO. 5 OF 2021) Clerk's Chambers, Parliament Buildings, P. O. Box 41842-00100. NAIROBI.

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ABBREVIATIONS AND ACRONYMS

COG Council of Governors

EARC Education Assessment Research Centre

ECDE Early Childhood Development Education

KICD Kenya Institute of Curriculum Development

KISE Kenya Institute of Special Education

KNEC Kenya National Examination Council

KSL Kenya Sign Language

KSLIA Kenyan Sign Language Interpreters Association

MOE Ministry of Education

TSC Teachers Service Commission

UoN University of Nairobi

PREFACE

The Standing Committee on Education is established pursuant to standing order 218(3) and the Second Schedule of the Senate Standing Orders. The Committee is mandated to "consider all matters related to education and training."

Mandate of the Committee

Pursuant to the provisions of the Second Schedule of the Senate Standing Orders, the Standing Committee on Education is mandated to consider all matters relating to education and training.

- 1. Build capacity of Committee Members to undertake their roles in line with Article 96 of the Constitution;
 - 2. Develop and facilitate the development of legal frameworks, policies and guidelines in the Education Sector (including but not limited to Early Childhood Development Education (ECDE) and Tertiary education (youth polytechnic);
- 3. Provide oversight for the Education Sector (Including not limited to ECDE and Youth polytechnics;
 - 4. Facilitate budgetary resources toward the Education Sector (ECDE and youth polytechnic); and
 - 5. Any matter that relates to education and training.

Membership of the Committee

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1.	Sen. (Dr.) Alice C. Milgo, MP	- Chairperson
2.	Sen. (Dr.) Agnes Zani, CBS, MP	- Vice-Chairperson
3.	Sen. Mwangi Githiomi, MP	- Member
4.	Sen. Fred Outa, MP	- Member
5.	Sen. (Prof.) Kithure Kindiki, EGH MP	- Member
6.	Sen. (Prof.) Malachy Ekal, MP	- Member
7.	Sen. Falhada Dekow, MP	- Member
8.	Sen. (Dr.) Gertrude Musuruve, MP	- Member
9.	Sen. Seneta Mary Yiane, MP	- Member

EXECUTIVE SUMMARY

Mr. Speaker Sir,

The Kenyan Sign Language Bill, (Senate Bills No. 5 of 2021) seeks to give effect to Article 7(3) (b) of the Constitution on the promotion and development of the use of Kenyan Sign language; give effect to Article 54(1) (d); provide for the inclusion of sign language in education curriculum to ensure that deaf learners are given the same opportunities as all other learners to be productive members of the society; and to provide the use of sign language in legal proceedings and public institutions.

Mr. Speaker Sir,

The Kenyan Sign Language Bill, (No. 5 of 2021), was read a First Time in the Senate on 11th May, 2021 and thereafter stood committed to the Senate Standing Committee on Education for consideration.

Pursuant to the provisions of Article 118 and standing order 140 (5) of the Senate Standing Orders, the Standing Committee on Education invited interested members of the public to submit their representations on the Bill.

Mr. Speaker Sir,

The Committee held a virtual public hearing on Thursday 3rd June, 2021 and received both oral and written submissions from the Council of Governors (COG) and National Gender and Equality Commission, Kenya Sign Language Interpreters Association and the Kenya Association of Parents of the Deaf amongst other stakeholders.

On behalf of the Committee and on my own behalf, I wish to sincerely thank all the individuals, groups and organizations that responded to our call and made their well-researched and eloquent submissions both orally and in writing.

I assure them that the Committee has reviewed every single one of the submissions received and has taken into account their views in the preparation of this report.

Mr. Speaker Sir.

The Committee observed that the sign language is an idea of expressing concepts in a way that someone who cannot hear will understand. The sign language structure has a different syntax from English, sentences are shorter and faster. Nonetheless, sign language is unique and has some aspects that are not universal.

Mr. Speaker Sir,

The stakeholders made several proposals for amendments to this Bill. As such, the Committee will be proposing amendments to the Bill in line with these observations and recommendations.

Mr. Speaker Sir.

As I conclude, I want to thank all the Members of the Committee for their insightful contributions during the consideration of this Bill and that culminated in this report.

The Committee also thanks the Offices of the Speaker and the Clerk of the Senate for the support extended to it in the execution of its mandate.

The Committee further wishes to record its appreciation for the services rendered by the staff of the Senate that enabled the production of this report.

Mr. Speaker, Sir

Pursuant to standing order 213(6), it is my pleasant duty, on behalf of the Standing Committee on Education, to present the Report of the Standing Committee on Education on the consideration of the Basic Education (Amendment) Bill, Senate Bills No. 4 of 2021.

I thank you, Mr. Speaker

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SEN. (Dr.) ALICE C MILGO, MP

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CHAIRPERSON STANDING COMMITTEE ON EDUCATION

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ADOPTION OF THE COMMITTEE REPORT ON THE KENYAN SIGN LANGUAGE BILL, SENATE BILLS NO.5 0F 2021

We, the undersigned Members of the Senate Standing Committee on Education, do hereby append our signature to adopt the Report on the Kenyan Sign Language Bill (Senate Bill, No 5 of 2021).

Sen. (Dr.) Alice C Milgo, MP

- Chairperson

Sen. (Dr.) Agnes Zani, CBS, MP

- Vice-Chairperson

Sen. Mwangi Githiomi, MP

- Member

Sen. Fred Outa, MP

- Member

Sen. (Prof.) Kithure Kindiki, EGH, MP - Member

Sen. (Prof.) Imana Malachi Ekal, MP

- Member

Sen. (Dr.) Gertrude Musuruve, MP

- Member

Sen. Seneta Mary Yiane, MP

- Member

Callala

Sen. Falhada Dekow, MP

- Member

1. THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 5 OF 2021)

Background

The Kenyan Sign Language Bill (Senate Bills No. 5 of 2021) seeks to give effect to Article 7(3) (b) of the Constitution on the promotion and development of the use of Kenyan Sign language and provide for the inclusion of sign language in education curriculum and its use in legal proceedings and public institutions to ensure people with hearing challenges are given the same opportunities as all other Kenyans to be productive members of the society.

The Bill was read at the Senate for the First Time on 11th May, 2021 and thereafter stood committed to the Senate Standing Committee on Education for consideration and facilitation of public participation. Sec. 16 . 7 1. 1. 3

Objects of the Bill

The Kenyan Sign Language Bill seeks to provide for the use of sign language in learning and public institutions to ensure that deaf learners are given the same opportunities as all other learners to be productive members of the society. It seeks to protect the rights of persons who are deaf or hard of hearing to participate fully in society.

The Bill therefore seeks to provide a legal framework to, among others-

- a) ensure that persons who are deaf or hard of hearing integrate into society;
- b) protect and promote the right to justice and fair administration action with respect to persons who are deaf and hard of hearing;

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- c) promote access to quality education by learners who are deaf or hard of hearing;
- d) promote access to public services by deaf persons; and
- e) promote literacy development of learners who are deaf or hard of hearing.

Provisions of the Bill

The Bill seeks to ensure that persons who are deaf or hard of hearing are able to participate in different spheres of society including in judicial proceedings, education and employment. In this respect, the Bill proposes to place upon both the national and county governments the duty to ensure accessibility of their services and the positive obligation to ensure non-discrimination and participation of persons who are deaf and hard of hearing in public activities. entre la company de la company

The Bill requires the Kenya Institute for Curriculum Development (KICD) to develop, review and approve appropriate programmes, curricula and curriculum support materials for learners who are deaf and hard of hearing.

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2. SUBMISSIONS FROM MEMBERS OF THE PUBLIC

Pursuant to the provisions of Article 118 of the Constitution and standing order 140 (5) of the Standing Orders of the Senate, the Senate Standing Committee on Education invited interested members of the public and stakeholders to submit their representations on the Bill. The representations were to be made either orally during a virtual Committee meeting or through submissions of written memoranda.

The invitations for submissions were made vide advertisements which appeared in the Daily Nation and the Standard on Thursday, 18th May, 2021. Subsequently, the Committee held a virtual public hearing on Thursday, 3rd June, 2021.

The Committee received both oral and written submissions from the members of public and different stakeholders. These included the Council of Governors (COG), the National Gender and Equality Commission (NGEC), Kenya Sign Language Interpreters Association and the Kenya Association of Parents of the Deaf.

The members of public and the stakeholders registered their comments and proposed amendments which were captured and presented in the matrix below.

MATRIX OF PUBLIC PARTICIPATION FOR THE KENYA SIGN LANGUAGE BILL, 2021

No	CLAUSE	KEY	JUSTIFICATION	COMMENTS OF
110	NUMBER	AMENDMENT/COMMENT		THE COMMITTEE
1.	2	Kenya Sign Language	Kenya Sign Language	The Committee
	a .	Interpreters Association	Interpreters Association	rejected the proposal
	, -	1. Proposed amendment to the	1. Clarification on which	to delete the definition
		reference to cabinet	Cabinet Secretary and	of "Kenya signed
	. 77	secretary because the latter	Ministry should carry	English"
2		parts of the bill refer to three	out which function	4.
	of San ex	specific ministries—		The Committee
		a. Ministry of Education	2.there is no language	adopted other
		dealing with issues of	referred to as signed	proposals made to this
	2 4 4	education	English or Kiswahili for	clause
		b. Ministry of legal affairs	that matter – the	
		or specific reference to	language preferred and	¥)
	_ n x	the judiciary on issues	used by the Deaf	2 A 2 N 2
	30 HI	of administration of	communities in Kenya	1-1 · · · · · · · · · · · · · · · · · ·
		justice	is/shall remain to be	to the Kerney
		c. Ministry of culture and	Kenyan Sign Language	The state of a light of the STR.
		heritage on issues of	(KSL)	
		language,		
		interpretation and	3. Deaf Community means	a de la companya de l
		translations	a socio-linguistical	
			cultural minority who	ž a
		2. definition of "Kenya signed		7.5

English" should	be deleted
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- 3. Definition of the term 'Deaf Community' should be amended
- 4. Proposed amendment to the term 'Kenya Sign Language'

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- use Kenyan Sign Language in their everyday communications and as a native/mother tongue, first or preferred language.
- 4. Kenyan Sign Language means a fully-fledged that language manual communication to convey meaning, as opposed to acoustically conveyed sound patterns. This can involve simultaneously combining hand shapes, orientation and movement of the hands, arms or body, and facial expressions to fluidly express a speaker's thoughts.

National Gender and Equality Commission

1. Proposed amendment to the term 'Cabinet Secretary'. "Cabinet The term Secretary" appears 16 times and is used it interchangeably between the Cabinet Secretary for Education and Cabinet Secretary Responsible for issues of disability.

The Commission proposes that the Cabinet Secretary responsible for issues of disability be the one in charge of implementing this Act.

We also propose establishment of an "Inter Agency Coordination Committee" comprising all the relevant players including the Council for Persons with Disability, the

National Gender and Equality Commission

1. The main problem faced by the deaf community is not only on the training of sign language b.ut the barriers faced when interacting and integrating with the rest of the community in terms of communication. These barriers result in exclusion employment, participation in the developmental activities of the society and also on miscarriage of justice. Hearing impairment is disability and so the onus of ensuring the challenges are solved

Ministry of Education, Ministry of ICT, Kenya Communications Authority and Public trainers of Sign Language, County Governments and other non-state Actors. 2. Proposed amendment to the term 'relevant public authority'. The interpretation should be amended to read "include" but not "meam"." 3. Proposed addition of term 'deaf culture' which shall mean the way deaf people interact. It includes a set of social beliefs, behaviours, art, literary traditions, history, values and shared institutions of communities that are influenced by deafness and which use sign languages as the main means of communication. 2. Balance of the public authority. 3. Proposed addition of term 'deaf culture' which shall mean the way deaf people interact. It includes a set of social beliefs, behaviours, art, literary traditions, history, values and shared institutions of communities that are influenced by deafness and which use sign languages as the main means of communication. 3. Proposed amendment to the fermination of the protocol of the African Charter on Human and People's Rights on the Rights of Persons with Disabilities in Africa which has been approved by the Cabinet for Ratification. Article 24(2)(c) of the Protocol obligates State parties to recognize and promote the use of sign languages and deaf culture. 2. A National Gender and Equality Commission 1. Proposed amendment to clause 3(d) by inserting the word "training" before the word "training" before the word "training" before the winstitutions that train sign languages.			γ		
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open and shut and in this proposed Bill it may be interpreted to mean National and County Government only instead of all public entities including Departments and Agencies and nonstate actors who include the organizations of deaf people interact. It includes a set of social beliefs, behaviours, art, literary traditions, history, values and shared institutions of communities that are influenced by deafness and which use sign languages as the main means of communication. 3. The definition is as per the Protocol to the African Charter on Human and People's Rights on the Rights of Persons with Disabilities in Africa which has been approved by the Cabinet for Ratification. Article 24(2)(c) of the Protocol obligates State parties to recognize and promote the use of sign languages and deaf culture. 2. 3 National Gender and Equality Commission 1. Proposed amendment to clause 3(d) by inserting the				2. The term "Means" is	
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Equality Commission 1. Proposed amendment to clause 3(d) by inserting the clause 3(d) by inserting 4(d) by inser	2	2	National Condon and	National Candar and	Proposed amendments
1. Proposed amendment to 1. There are very few clause 3(d) by inserting the institutions that train	2.	٦			
clause 3(d) by inserting the institutions that train					
					Committee
word "training" before the sign languages.				,	
			word "training" before the	sign languages.	

			yyand "mass smiti sm"		
			word "recognition".	interpreters and as we	
	1		2 Dropogod amandamat	plan to roll the SLI	
			2. Proposed amendment to	services in all places	
			clause 3(g) and clause 3(h)	that offer services to	
			as follows—	the public the demand	•
			'(g) Ensure that there is	must correspond to the	
			compliance in the	supply.	
			development,		
			recognition, promotion	2. Deaf culture needs to	
			and integration of sign	be recognized just like	
			language as a	other cultures that do	
			language in the	not contravene the	
			Country.	Constitution or any	
1.			(h) Promote and recognize	other law.	
			deaf culture in Kenya.'	Balitai an Tali Insa.	# * 10 m # 2 m m
				-3 4 4 4 44 44 44 44 44 44	
			3. The Commission proposes	3. The ultimate objective	
			a section on offences and	of enacting of a law is	
			compliance be inserted	regulation of a matter	
			1, 50	and enforcement of	
-	TD'-1			compliance.	
3.	Title	of		Kenya Sign Language	The Committee
	Part		Interpreters Association	Interpreters Association	adopted the proposed
			Proposed amendment to the	The judiciary already	changes
			wording of 'PART II—	defines the languages to	
			KENYA SIGN LANGUAGE'	be used for proceedings in	
			and the same phrase to be	the courts of law, where	
			repeated consistently in this	the parties do not	
			section	understand national or	
			,	official languages there is	
			B	provision of interpreters -	
				it is therefore redundant to	
				introduce a specific	
			Ta 100 Minute 1 I you of	language away from the	
				norm of the Deaf	1
		5		community.	
	id _a s		All a second to the second to		
					1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
					h vig " x
			or all the second of the second	g was	
4.	4		National Gender and	National C. I	TI C
			National Gender and Equality Commission	National Gender and Equality Commission	The Committee
			Commendable clause	CD1 1 1	adopted the proposed
			- Similardia Giause	This clause seeks to entrench the Kenya Sign	changes
		K			
				Language as a language in	
,				terms of the provisions of	
				the Constitution and also	
				define and recognize the	
				deaf community.	

-	T 6	N. C. J. C. J.	National Condon and	
5.	5	National Gender and	National Gender and	
		Equality Commission	Equality Commission This clause seeks to	
		Commendable clause		
			entrench the Kenya Sign	
			Language as a language in	
	-		terms of the provisions of	
			the Constitution and also	
		-	define and recognize the	
			deaf community.	T1 0 '44
6.	6	National Gender and	National Gender and	The Committee
		Equality Commission	Equality Commission	adopted the proposed
		Proposed redefinition of the	The law needs to be clear	amendments
		term 'presiding officer' or in	on who the responsibility	
		the alternative the most suited	rests on to ensure that sign	1 4 2 2 2 2 2
;		officer who bears the greatest	language services are	
		responsibility.	procured and are also	
		where there is the second	accurate.	
			Is it the accounting	
			officer, the judge or	
			magistrate or the	
			recruiting panel in the	
			case of a permanent	
			employee?	-
5			Clause 6(1) is	
			commendable because it	a section
			allows any of the	
		1.	enumerated parties to	
			communicate in their first	
			language without	
			discrimination.	
			Clause 6 (2) places the	
			onus on the presiding	
			officer to ensure that the	
			interpreter is competent.	
		*	However, there is a need	
			to be clear on whose	
		,	responsibility it is to get a	
			competent interpreter and	
		*	for that matter to also be	
			clear on who is a	
			presiding officer.	
			The presiding officer may	
			not be able to make a	
			determination of the	
			accuracy of the	
			interpretation either way.	
			However, the preferable	
			option is to ensure that at	
			least one competent sign	
			language interpreter is	

			employed in a permanent position per station.	
7.	7	Mwangi Harrison Thiong'o	Mwangi Harrison	The Committee
'	,	Proposed amendments to	Thiong'o	adopted the proposed
		enhance educational support for	1. Provide free or highly	amendments from Mr
		deaf learners	subsidized Hard	Thiong'o and NGEC
			copies of reading	The sales of the s
1		-	materials written in	
			normal English	
			language and of their	
		I I	own choice to Deaf	5
		1.	and Hard of Hearing	
			especially those in	
-(4)			white collar	Esta a s
1			professions. This will	
			help them improve	2 400 4 2
	4	The sail was find the	their writing in normal	Ta satistation
		The table of the state of the s	English syntax.	and the property
		National Gender and	National Gender and	gal track the see Alliga of the
		Equality Commission Proposed amendment to clause	Equality Commission	Branke Garage
		7(b) by inserting the words	Sign language interpreters need to be proficient in	
		'sign language interpreters and'	both languages i.e.	
		immediately after the word	English and Sign so that	
		''that'	none of the users of the	
			two languages is	
		·	shortchanged through	
			wrong or in- coherent	
			interpretation.	
8.	8	Kenya Sign Language	Kenya Sign Language	The proposals made
		Interpreters Association	Interpreters Association	by the Council of
		Proposed amendment to clause	Clause 8 presumes that	Governors was
		8 March 1997	only curriculum for	accepted
		salating hoteless	primary and secondary	
		r film of a second second second	schools need to be	
		as the second second	developed – it leaves out	
		garanta wasang Barang Araba wasa	tertiary and higher	8
		and the second of the second o	education entities that	
-		*5.5.	develop their own curriculum.	
		Council of Governors	Council of Governors	
		Proposed amendment to clause	Six months may be too	
		8(2 to read as follows—	short to develop the action	
5:		'The Cabinet Secretary	plan as it includes	940
16		responsible for matters	possible commitments by	
		relating to persons with	the County Governments.	
		disabilities shall, in	Further, a needs	9 h + 1 2 h
		consultation with the	assessment has to be	,
		most representative	conducted to identify what	
		registered association for	the County Governments	,
	-	Join Daniel Control of the Control o	, , , , , , , , , , , , , , , , , , , ,	

	1	.7. 7.0	1.	
		the deaf persons,	have already done in	1
		National Council for		1
		Persons with Disabilities		
		and the Council of		_
		Governors, develop a		
		Kenya Sign Language		
		Action Plan within a year		
		upon the commencement		
		of this Act'		
9.	9	Kenya Sign Language	Kenya Sign Language	The proposals made
		Interpreters Association	Interpreters Association	by the NGEC were
		Proposed amendment to clause	Clause 9 is in conflict	accepted by the
		9	with the mandate of	Committee
			Kenya National	Committee
	Rel			
			Accreditation Agency that is mandated with the	
		* *	The second secon	
		* , **	provision of licensing	
			criteria for professions -	
			Interpreting like other	
		W 9 9	professions need to be	
		1 1 1 1	standardized by this body	
			and not the ministry of	
			social services and labor.	
		National Gender and	National Gender and	
		Equality Commission	Equality Commission	
		The Commission proposes to	Development of national	
		expand the accreditation team	system of standards,	
		to include members of the Inter	accreditation and	
		Agency Coordination	procedures is a multi-	
		Committee.	disciplinary function and	
			may need the inter-	
			Agency Coordination	
			Committee to work on the	
			same.	77
			The two parties proposed	
	¥		i.e. the Ministry in charge	
			of matters of disability	
			and members of the deaf	
			_	
			and the second s	
		* * * * * * * * * * * * * * * * * * * *	,	
10.	10	Konyo Sign I	themselves.	TI C
10.	10	Kenya Sign Language Interpreters Association	Kenya Sign Language	The Committee
		Amendment to clause 10	Interpreters Association	rejected the proposal
		The same of the sa	the ministry of culture and	made by the Kenya
		proposed	national heritage should	Sign Language
			be the ministry where	Interpreters
			matters language is	Association
			domiciled not any other	
			ministry, KSL shouldn't	
			be the exception. It should	
			be explicit that the	

				domicile ministry is	
				ministry of culture and	
				heritage and not ministry	
			,	of education.	
				of Education.	
	-		National Gender and	National Gender and	
				Equality Commission	
			Equality Commission		
			Proposed amendment to clause	There is reference to two	
			10(1) by substituting section 8	Cabinet Secretaries i.e. of	
			with "subsection 9" and	Education and matters of	
			inserting after the word	disabilities in the Bill and	
			"Secretary" the following	so mention to the term	
				must be very clear and	
			words—	assigned to a specific	
			"for matters related to persons		. 1
			with disabilities".	Ministry.	
			,	At the same time there is a	
			Clauses 14 and 16 reference to	need to agree on which	
			Cabinet Secretary to be	Cabinet Secretary is best	
			amended to refer to the	suited to implement this	
			dillenate	law.	
			"Secretary for matters related to	The main problem as	
			persons with disabilities"	The main problem as	
			The state of the s	stated above is not in the	
			's	training of sign language	
				but rather the quality of	
			19 min 14 1	services to persons who	1
1			in the same of the	use sign language as their	
				first and only language.	
			- a	The Commission is of the	
				opinion that the Ministry	
			e e	in charge of issues of	
				disability should be in	
			6.	charge of implementation	
- 1	1			charge of implementation	
			9. g 5	of the Act.	
_		16	Manual Hamison Thiong's	of the Act.	The Committee
1	1.	16	Mwangi Harrison Thiong'o	of the Act. Mwangi Harrison	
1	1.	16	Proposed amendment to clause	of the Act. Mwangi Harrison Thiong'o	adopted the proposed
1	1.	16	Mwangi Harrison Thiong'o Proposed amendment to clause 16	of the Act. Mwangi Harrison Thiong'o Provide Free or highly	adopted the proposed amendments from Mr
1	1.	16	Proposed amendment to clause	of the Act. Mwangi Harrison Thiong'o Provide Free or highly subsidized hearing aids	adopted the proposed amendments from Mr Thiong'o and rejected
1	1.	16	Proposed amendment to clause	of the Act. Mwangi Harrison Thiong'o Provide Free or highly subsidized hearing aids and hearing aid batteries	adopted the proposed amendments from Mr
1	1.	16	Proposed amendment to clause	of the Act. Mwangi Harrison Thiong'o Provide Free or highly subsidized hearing aids and hearing aid batteries and other ancillary	adopted the proposed amendments from Mr Thiong'o and rejected
1	1.	16	Proposed amendment to clause	of the Act. Mwangi Harrison Thiong'o Provide Free or highly subsidized hearing aids and hearing aid batteries and other ancillary services to Hard of	adopted the proposed amendments from Mr Thiong'o and rejected
1	1.	16	Proposed amendment to clause	of the Act. Mwangi Harrison Thiong'o Provide Free or highly subsidized hearing aids and hearing aid batteries and other ancillary services to Hard of	adopted the proposed amendments from Mr Thiong'o and rejected
1	1.	16	Proposed amendment to clause	of the Act. Mwangi Harrison Thiong'o Provide Free or highly subsidized hearing aids and hearing aid batteries and other ancillary services to Hard of Hearing people. The costs	adopted the proposed amendments from Mr Thiong'o and rejected
1	1.	16	Proposed amendment to clause	of the Act. Mwangi Harrison Thiong'o Provide Free or highly subsidized hearing aids and hearing aid batteries and other ancillary services to Hard of Hearing people. The costs of these assistive devices	adopted the proposed amendments from Mr Thiong'o and rejected
1	1.	16	Proposed amendment to clause	of the Act. Mwangi Harrison Thiong'o Provide Free or highly subsidized hearing aids and hearing aid batteries and other ancillary services to Hard of Hearing people. The costs of these assistive devices are very high and many	adopted the proposed amendments from Mr Thiong'o and rejected other proposals
1	1.	16	Proposed amendment to clause	of the Act. Mwangi Harrison Thiong'o Provide Free or highly subsidized hearing aids and hearing aid batteries and other ancillary services to Hard of Hearing people. The costs of these assistive devices are very high and many people who suffer hearing	adopted the proposed amendments from Mr Thiong'o and rejected other proposals
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			educational institutions, employees in their	
			workplaces and other social settings	
	-		Social Settings	=
		National Gender and	National Gender and	-
	-	Equality Commission The Commission proposes that the functions be separated and responsibility of each level of Government to be enumerated clearly as done in Clause 7 – Ministry of Education and Clause 8.	Equality Commission Each entity has distinct mandates and responsibilities which they are accountable which need to be enumerated to avoid overlap and or neglect of mandates for lack of clarity.	
		The Commission further proposes the inclusion of obligations of the "Inter-Agency Coordination Committee" which has been proposed in the interpretations.		
12.	17	Council of Governors	Council of Governors	The Committee
		Proposed amendment to clause	Inclusion of Vocational	accepted the proposals
	-	17(2) of the Bill to read as follows	Training Centres is key as stand-alone institutions	made by the Council
	_	'Kenyan sign language	stand-alone institutions since the Act mandates	of Governors
		shall be offered as a	both the National and	
		discipline of study at	County Governments.	
		technical and vocational	e amoj e e vermiento.	
		training institutions and		
		centres, public colleges		*
		and public universities.'		"
13.	18		Kenya Sign Language	The Committee
		Interpreters Association	Interpreters Association	rejected the proposed
		Amendment to clause 18	the interpreters, deaf	amendments made by
			community through their	the KSLA
		e	associations should be the	
			key stakeholders involved	
			in the action plan	· .
		** · · · · · · · · · · · · · · · · · ·	development in	
			collaboration with the	
			council of governors, national council for	
		g 97	national council for persons with disabilities	
14.	Proposed	Kenya Association of Parents	Kenya Association of	All additional
	additional	of the Deaf	Parents of the Deaf	proposed clauses were
	clause	Creation of an institute for the	The creation of a public	rejected by the
Å se	350,000 350,000	hearing impaired whose	funded institute is a major	Committee
		mandate should include the	engagement and there are	
		The state of the s		

		following—	many other facets of the	
		<u> </u>	-	
		(a) Early assessment and		
		rehabilitation of		
		deafness	in addition to quality	
		(b) Provision of quality	interpretation services.	_
		sign language training		
		and interpretation		
		(c) Provision of quality		
	0	education and		
		healthcare for hearing		
		impaired persons		
		(d) Community, social and		
		economic integration		
		for the Deaf		
15.	Proposed	National Gender and	National Gender and	All additional
	additional	Equality Commission	Equality Commission	proposed clauses were
	clause	The Ministry of Health will	Persons with hearing	rejected by the
		ensure that all health facilities	impairment face a lot of	Committee
		have sign language	language barriers while	
		interpretation services through	seeking treatment in	
		the training of its employees at	health facilities in cases	
	19		where they are not	
		all levels	accompanied by an aide	
		* ' 🖈	or facilities that do not	
		가 . 역장, 당	have interpretation	
		1. 10 1. 10°	services. In summary the	
			system is discriminatory	
		_ T T	and they do not quality	
		4.5	treatment due to the	
- 1	0 NO.		Barriers.	* * * *
	ty i i i		In some cases, due to the	y vite what were
	7 : =		inability to communicate	. 14:
		A see the see that the see	they are chased out of the	e was a fill the
		e At Section 1	facility without being	
		and the first first	attended to.	
16.	Droposed	Notional Condon and		All additional
10.	Proposed additional	National Gender and	National Gender and	proposed clauses were
		Equality Commission The State Department of	Equality Commission	
	clause	The State Department of	The current public	rejected by the
		Transport to ensure all public	transport system is highly	Committee
		transport systems including	discriminative to deaf	
		buses, trains and air have either	persons right from the	
		a screen reader or monitor for	stations/ports stretching	
		the deaf and hard of hearing.	into the bus/aero	
			plane/train.	
			They are unable to follow	
			any announcements being	
		,	made and without	
			interpretation it's	
			frustrating for them	
,	-		especially when they	3 B 8 B
			don't have an aide.	
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			e de la companya de l	
		The Control of the Co	* 200 -	
		s		

17.	Proposed	National Gender and	National Gender and	All additional
	additional	Equality Commission	Equality Commission	proposed clauses were
	clause	providers shall make their	Persons who are deaf need	rejected by the
		services accessible to the deaf,	to have access to	Committee
		hard of hearing, and deafblind	telecommunication	
		community through the	services and so the	
		establishment and provision of	various providers must	
		relay services, including text	ensure that they are in	
		relay, video relay, captioned	accessible formats.	
		telephone relay, and		7
		communication facilitators for		
		the deaf or deafblind.		
18.	Proposed	National Gender and	National Gender and	All additional
	additional	Equality Commission	Equality Commission	proposed clauses were
; ⁷ .	clause	Communications Authority of	This ensures that this	rejected by the
	1	Kenya as a regulator shall	special group of persons	Committee
	1 ,	ensure television stations	are able to enjoy all the	in the state of
		provide closed captioning and a	important programs being	* 5 fa* * W
		Kenyan Sign Language inset	aired and participate	
		covering at least one third of	where necessary without	
		the size of the television screen,	feeling left out and	
	1	in all newscasts, educational	discriminated.	
	,	and national programs, for the		
		purpose of ensuring equality,		
		dignity and respect in terms of		
		the promotion and broadcasting		
		of such programs.	1	

3. COMMITTEE OBSERVATIONS

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The Committee made the following observations based on deliberations of the Bill and stakeholder input during public hearing and analysis of written submissions-

- 1) Deaf Community means a socio-linguistical cultural minority who use Kenyan Sign Language in their everyday communications and as a native/mother tongue, first or preferred language;
- 2) Kenyan Sign Language means a fully-fledged language that uses manual communication to convey meaning, as opposed to acoustically conveyed sound patterns. This can involve simultaneously combining hand shapes, orientation and movement of the hands, arms or body, and facial expressions to fluidly express a speaker's thoughts;
- 3) The Deaf Community faces barriers when interacting and integrating with the rest of the community in terms of communication. These barriers result in exclusion in employment, participation in the developmental activities of the society and also on miscarriage of justice;
 - 4) There are very few institutions that train sign language interpreters and as such the roll out of Sign Language Interpretation services in all places that offer services may face challenges related to the public the demand that is not corresponding with the supply.

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26th July 2021

The Clerk of the Senate Parliament Buildings

NAIROBI

COMMITTEE STAGE AMENDMENTS TO THE KENYA SIGN LANGUAGE BILL, 2021, SENATE BILL No. 5 of 2021

NOTICE is given that Sen. (Dr.) Alice Milgo, Chairperson, Standing Committee of Education intends to move the following amendments to the Kenya Sign Language Bill, Senate Bills No. 5 of 2021, at the Committee Stage—

CLAUSE 3

THAT clause 3 of the Bill be amended—

- (a) in sub-clause (d) by inserting the word "training" before the word "recognition"; and
- (b) by inserting the following new sub-clauses immediately after sub-clause (g) as follows-
 - (g) ensure that there is compliance in the development, recognition, promotion and integration of sign language as a language in the Country; and
 - (h) promote and recognize deaf culture in Kenya

PART II

THAT the title of the part be amended to read as follows- "KENYAN SIGN LANGUAGE"

CLAUSE 6

THAT clause 6 of the Bill be amended—

- (a) in sub-clause (2) by deleting the words "presiding officer" and substituting therefor with the words "judicial officer"; and
- (b) in sub-clause (3) by deleting the words "presiding officer" and substituting therefor with the words "judicial officer".

CLAUSE 7

THAT clause 7 of the Bill be amended by inserting the following new paragraph immediately after paragraph (i)

(h) ensure the provision of reading materials written in both English and Kiswahili for the educational support of the members of the Deaf Community

CLAUSE 8

THAT clause 8 of the Bill be amended by deleting sub-clause (2) and substituting therefor with the following new sub-clause:

(2) The Cabinet Secretary responsible for matters relating to persons with disabilities shall, in consultation with the most representative registered association for the deaf persons, National Council for Persons with Disabilities and the Council of Governors, develop a Kenya Sign Language Action Plan within a year upon the commencement of this Act.

CLAUSE 9

THAT clause 9 of the Bill be amended in sub-clause (1) by deleting and substituting therefor with the following new sub-clause—

(1) The Cabinet Secretary for matters relating to education shall in consultation with the Kenya National Accreditation Agency and members of the deaf community, develop a national system of standards, accreditation and procedures for Kenya sign language interpretation.

CLAUSE 10

THAT clause 10 of the Bill be amended—

- (a) in sub-clause (1) by inserting the words "responsible for culture and national heritage" immediately after the word 'Ministry'; and
- (b) in sub-clause (2) by inserting the words "responsible for culture and national heritage" immediately after the words "Cabinet Secretary".

CLAUSE 11

THAT clause 11 of the Bill be amended—

- (a) in sub-clause (1) by inserting the words "responsible for matters relating to culture and heritage" immediately after the words "Cabinet Secretary"; and
- (b) in sub-clause (2) by inserting the words "responsible for matters relating to culture and heritage" immediately after the word "Cabinet Secretary".

CLAUSE 16

THAT clause 16 be amended in sub-clause (1) by inserting a new paragraph immediately after (d) as follows—

(e) ensure the subsidization of hearing aids and other ancillary services to the deaf community

CLAUSE 17

THAT clause 17 of the Bill is amended by deleting sub-clause (2) and substituting therefor with the following sub-clause—

(2) Kenyan sign language shall be offered as a discipline of study at technical and vocational training institutions and centres, public colleges and public universities

CLAUSE 2

THAT clause 2 of the Bill be amended—

(a) by deleting the definition of the word "deaf community" and substituting therefor the following new definition-

"deaf community" means a socio-linguistical cultural minority who use Kenyan Sign Language in their everyday communications and as a native/mother tongue, first or preferred language;

(b) by inserting the following new definition-

"deaf culture" means the way deaf people interact and includes a set of social beliefs, behaviours, art, literary traditions, history, values and shared institutions of communities that are influenced by deafness;

(c) by deleting the definition of the word "relevant public authority" and substituting therefor the following new definition-

"relevant public authority" includes any entity established by the Constitution, an Act of Parliament or any other law;

(d) by deleting the definition of the word "Cabinet Secretary";

Sen. (Dr.) Alice Milgo Chairperson, Standing Committee on Education.



(038)

MINUTES OF THE 38th SITTING OF THE SENATE STANDING COMMITTEE ON EDUCATION HELD ON FRIDAY, 18th JUNE, 2021 ON ZOOM ONLINE MEETING PLATFORM AT 0900HRS.

PRESENT

1.	Hon. Sen.	(Dr.) Alice Milgo, MP	- Chairperson
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2. Hon. Sen. (Dr.) Agnes Zani, CBS, MP - Vice Chairperson

3. Hon. Sen. Fred Outa, MP - Member

4. Hon. Sen. Mary Y. Seneta, MP - Member

5. Hon. Sen. Iman Falhada Dekow, MP6. Hon. Sen. (Dr.) Gertrude Musuruve, MPMember

ABSENT WITH APOLOGIES

7. Hon. Sen. Mwangi Githiomi, MP - Member

8. Hon. Sen. (Prof.) Kithure Kindiki, EGH, MP - Member

9. Hon. Sen. (Prof.) Imana Malachy Ekal, MP - Member

SENATE SECRETARIAT

1. Mary J. Chesire - Deputy Director, Committee Services

2. Humphrey Ringera - Research Officer/Clerk

3. Malcom Ngugi - Legal Counsel

4. Winnie Atieno - Audio Officer

MIN. NO./SEN/EDU/231/2021

PRELIMINARIES

The meeting was called to order at 0908hrs. and the proceedings were opened with a word of prayer said by Sen. Mary Seneta, MP.

MIN. NO./SEN/EDU/232/2021

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted having been proposed by Sen. Mary Seneta, MP and seconded by Sen. Fred Outa, MP as follows:

- 1. Preliminaries
- 2. Adoption of agenda
- 3. Consideration of the Public Submissions on the following Bills
 - a. Basic Education (Amendment) Bill, Senate Bill No. 4 of 2021;
 - b. Kenyan Sign Language Bill, Senate Bill No 5 of 2021; and
 - c. The County Vocational Education and Training Bill, Senate Bills No. 6 of 2021.
- 4. Any other business
- 5. Adjournment/Date of the next meeting

MIN. NO./SEN/EDU/233/2021 CONSIDERATION OF THE PUBLIC SUBMISSIONS

1. The Committee was informed that at the sitting of the Senate held on Tuesday, $11^{\rm th}$ May, 2021, three Senate Bills were introduced in the Senate by way of First Reading and thereafter stood committed

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- to the Committees for consideration. These Bills are, Basic Education (Amendment) Bill, Senate Bill No. 4 of 2021; the Kenyan Sign Language Bill, Senate Bill No 5 of 2021; and the County Vocational Education and Training Bill, Senate Bills No. 6 of 2021:
- 2. The Committee was informed that the Kenyan Sign Language Bill was first published in 2019 and read a first time in the Senate on 11th September, 2019, while the Basic Education (Amendment) Bill was first published in 2020 and read a first time in the Senate on 17th September, 2020. The two Bills were thereafter committed to the Senate Standing Committee on Education for consideration after respective first reading;
- 3. The Committee was further informed that some of the stakeholder proposals and submissions on various clauses of the Kenyan Sign Language Bill had been adopted and incorporated in the Committee report and Committee stage amendments carried out in 2020 during the consideration of the Bill at the Committee of the Whole House;
- 4. However, on 29th October, 2020, the High Court in Nairobi ruled that several Senate Bills that were under consideration at various stages had been processed without concurrence in terms of Article 110 (3) of the Constitution. Consequently, the Kenyan Sign Language Bill and the Basic Education (Amendment) Bill were among many Senate Bills that were republished and have since commenced consideration again from the first reading.

1) Basic Education (Amendment) Bill, Senate Bill No. 4 of 2021

- 5. The Committee was informed that submissions on the Bill had received from the Council of Governors and the National Gender and Equality Commission.
- 6. The Secretariat presented a public participation matrix for the Bill and the Committee rejected proposal by the Council of Governors.
- 7. However, the Committee observed that the proposal by the National Gender and Equality Commission that the 'proposed amendment to consider learners who may be lactose intolerant' should be considered and that the government should provide an alternative for learners with special needs which cannot take dairy products especially children with autism and intolerance to casein.

2) Kenyan Sign Language Bill, Senate Bill No 5 of 2021;

8. The Secretariat presented a public participation matrix for the Kenyan Sign Language Bill, 2021 and the Committee **resolved** to **adop**t the proposal to

- a. clause 2, by Kenyan Sign Language Interpreters Association and the National Gender and Equality Commission;
- b. clause 3, by the National Gender and Equality Commission
- c. Title of the Part (PART II), by the Kenya Sign Language Interpreters Association;
- d. clause 6, by the National Gender and Equality Commission;
- e. clause 7, by Mwangi Harrison Thiong'o;
- f. clause 9, by National Gender and Equality Commission;
- g. clause 10, by Kenya Sign Language Interpreters Association;
- h. clause 17, by the Council of Governors
- 9. the Committee further **resolved** to **reject** all other proposed amendments to the Bill.

MIN. NO./SEN/EDU/234/2021 ANY OTHER BUSINESS

The Committee observed that the National Gender and Equality Commission (NGEC) had proposed several additional amendments to the Basic Education Act, No. 14 of 2013 which can be considered for processing through the legislative process by the Committee or individual members

MIN.NO./SEN/EDU/235/2021

ADJOURNMENT AND DATE OF THE NEXT MEETING

There being no other business, the meeting was adjourned at 1035 hrs.

SIGNED..

......DATE...*09/07/2021*.....

(CHAIRPERSON: SEN. (DR.) ALICE MILGO CHEPKORIR, M.P.)



(046)

MINUTES OF THE 46th SITTING OF THE SENATE STANDING COMMITTEE ON EDUCATION HELD ON FRIDAY, 23rd JULY, 2021 ON ZOOM ONLINE MEETING PLATFORM AT 0900HRS.

PRESENT

1. Hon. Sen. (Dr.) Alice Milgo, MP	 Chairperson
2. Hon. Sen. (Dr.) Agnes Zani, CBS, MP	- Vice Chairperson

3. Hon. Sen. Mwangi Githiomi, MP - Member 4. Hon. Sen. Mary Y. Seneta, MP - Member

5. Hon. Sen. Iman Falhada Dekow, MP - Member - Member

6. Hon. Sen. (Dr.) Gertrude Musuruve, MP

ABSENT WITH APOLOGIES

7. Hon. Sen. Fred Outa, MP - Member 8. Hon. Sen. (Prof.) Kithure Kindiki, EGH, MP - Member

9. Hon. Sen. (Prof.) Imana Malachy Ekal, MP - Member

SENATE SECRETARIAT

- Deputy Director, Committee Services 1. Mary Chesire

- Research Officer/Clerk 2. Humphrey Ringera

- Legal Counsel 3. Malcom Ngugi - Audio Officer 4. Winnie Atieno

MIN. NO./SEN/EDU/277/2021

PRELIMINARIES

The meeting was called to order at 09: 09 AM and the proceedings were opened with a word of prayer said by the Chairperson Sen. (Dr.) Alice Milgo, MP.

MIN. NO./SEN/EDU/278/2021

ADOPTION OF THE **AGENDA**

The agenda of the meeting was adopted having been proposed by Sen. (Dr.) Agnes Zani, CBS, MP and seconded by Sen. Falhada Dekow, MP as follows:

- 1. Preliminaries
- 2. Adoption of agenda
- 3. Confirmation of Minutes of the previous Committee meetings
- 4. Matters arising from the Minutes of the previous meetings
- 5. Consideration and adoption of the Draft Committee Reports
- 6. Any other business
- 7. Adjournment/Date of the next meeting

MIN. NO./SEN/EDU/279/2021

CONFIRMATION OF MINUTES OF THE **PREVIOUS COMMITTEE MEETINGS**

1. The Minutes of the 43rd Committee meeting held on Thursday, 8th July, 2021 were confirmed as the true records of the proceedings after being proposed by Sen. (Dr.) Agnes Zani, CBS, MP and seconded by Sen. (Dr.) Gertrude Musuruve, MP; and

2. The Minutes of the 44th Committee meeting held on Friday, 9th July, 2021 were confirmed as the true records of the proceedings after being proposed by Sen. (Dr.) Agnes Zani, CBS, MP and seconded by Sen. (Dr.) Gertrude Musuruve, MP.

MIN. NO./SEN/EDU/280/2021 MATTERS ARISING

There were no matters arising from the Minutes of the previous Committee meetings.

MIN. NO./SEN/EDU/281/2021

CONSIDERATION AND ADOPTION OF THE DRAFT COMMITTEE REPORTS

A. The Kenyan Sign Language Bill, 2021

- **a.** The Secretariat presented a draft report on the Kenyan Sign Language (Senate Bills No. 5 of) 2021 for the Committee consideration and adoption;
- **b.** The Committee considered the draft report and observed the following
 - i. The definition of Kenya Signed English should not be deleted;
 - ii. Part II should read KENYAN SIGN LANGUAGE;
 - iii. Clause 7 (b) proposed by National Gender and Equality Commission (NGEC) should be adopted;
- **c.** The Committee unanimously adopted the Kenyan Sign Language Bill, 2021 report with amendments;
- **d.** The report was proposed by Sen. (Dr.) Gertrude Musuruve, MP and seconded by Sen. Falhada Dekow, MP

MIN. NO./SEN/EDU/282/2021 ANY OTHER BUSINESS

- i The Committee should deliberate the proposed county visits and come up with a list of preferable counties and possible dates for the visit in advance to allow sufficient time for planning; and
- ii The Committee should consider conducting some meetings physically based on the nature of business to the transacted.

MIN.NO./SEN/EDU/283/2021 ADJOURNMENT AND DATE OF THE NEXT MEETING

There being no other business, the meeting was adjourned at 1027 hrs.

Alto

SIGNED....

.....DATE...25/07/2021...

(CHAIRPERSON: SEN. (DR.) ALICE MILGO CHEPKORIR, M.P.)

MATRIX OF PUBLIC PARTICIPATION FOR THE KENYA SIGN LANGUAGE BILL, 2021

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3. Proposed addition of term 'deaf culture' which shall mean the way deaf people interact. It includes a set of social beliefs, behaviours, art, literary traditions, history, values and shared institutions of communities that are influenced by deafness.	2. Proposed amendment to the term 'relevant public authority'. The interpretation should be amended to read "include" but not "mean"."	Agency Coordination Committee" comprising all the relevant players including the Council for Persons with Disability, the Ministry of Education, Ministry of ICT, Kenya Communications Authority and Public trainers of Sign Language, County Governments and other non-state Actors.	I. Proposed amendment to the term 'Cabinet Secretary'. The term 'Cabinet Secretary' appears 16 times and it isused interchangeably between the Cabinet Secretary for Education and Cabinet Secretary Responsible for issues of disability. The Commission proposes that the Cabinet Secretary responsible for issues of disability be the one in charge of implementing this Act. We also propose establishment of an "Inter
3. The definition is as per the Protocol to the African Charter on Human and People's Rights on the Rights of Persons with Disabilities in Africa which has been approved by the Cabinet for Ratification.	this proposed Bill it may be interpreted to mean National and County Government only instead of all public entities including Departments and Agencies and non- state actors who include the organizations of deaf persons and service providers.		Commission 1. The main problem faced by the deaf community is not only on the training of sign language but the barriers faced when interacting and integrating with the rest of the community in terms of communication. These barriers result in exclusion in employment, participation in the developmental activities of the society and also on miscarriage of justice. Hearing impairment is a disability and so

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Title of Part	3	
F PART II – KENYA SIGN LANGUAGE	Objects	
Kenya Sign Language Interpreters Association Proposed amendment to the wording of 'PART II—KENYA SIGN LANGUAGE' and the same phrase to be repeated consistently in this section	National Gender and Equality Commission 1. Proposed amendment to clause 3(d) by inserting the word "training" before the word "recognition". 2. Proposed amendment to clause 3(g) and clause 3(h) as follows—	and which use sign languages as the main means of communication.
Association The judiciary already defines the languages to be used for proceedings in the courts of law, where the parties do not understand national or official languages there is provision of interpreters — it is therefore redundant to introduce a specific language away from the norm of the Deaf community.	Commission I. There are very few institutions that train sign languages. interpreters and as we plan to roll the SLI services in all places that offer services to the public the demand must correspond to the supply. Deaf culture needs to be recognized just like other cultures that do not contravene the Constitution or any other law. The ultimate objective of enacting of a law is regulation of a matter and enforcement of compliance.	Article 24(2)(c) of the Protocol obligates State parties to recognize and promote the use of sign languages and deaf culture.
The Committee adopted the proposed changes	Proposed amendments adopted by the Committee	



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Use of sign languag in legal proceedings	Duty o authorities	Recognition
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Use of sign language in legal proceedings	public	
National Gender and Equality Commission Proposed redefinition of the term 'presiding officer' or in the alternative the most suited officer who bears the greatest responsibility.	National Gender and Equality Commission Commendable clause	National Gender and Equality Commission Commendable clause
Commission The law needs to be clear on who the responsibility rests on to ensure that sign language services are procured and are also accurate. Is it the accounting officer, the judge or magistrate or the recruiting panel in the case of a permanent employee? Clause 6(1) is commendable because it allows any of the enumerated parties to communicate in their first language without discrimination. Clause 6 (2) places the onus on the presiding officer to ensure that the interpreter is competent. However, there is a need to be clear on whose responsibility it is to get a competent interpreter and for that matter to also be clear on who is a presiding officer.	National Gender and Equality Commission This clause seeks to entrench the Kenya Sign Language as a language in terms of the provisions of the Constitution and also define and recognize the deaf community.	National Gender and Equality Commission This clause seeks to entrench the Kenya Sign Language as a language in terms of the provisions of the Constitution and also define and recognize the deaf community.
The Committee adopted the proposed amendments		The Committee adopted the proposed changes

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Council Proposes follows- 'Th madia	Kenya Associ Propos	Natio Propo insert and' i	Mwa Propo suppo	
Council of Governors Proposed amendment to clause 8(2 to read as follows— 'The Cabinet Secretary responsible for matters relating to persons with the disabilities shall, in consultation with the	atic ed :	National Gender and Equality Commission Proposed amendment to clause 7(b) by inserting the words 'sign language interpreters and' immediately after the word 'that'	Mwangi Harrison Thiong'o Proposed amendments to enhance educational support for deaf learners	
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Council of Governors Six months may be too action plan as it commitments by the C Further, a needs ass conducted to identify	Kenya Sig Association Clause 8 pre primary and developed — education er curriculum.	National Gender and E Commission Sign language interpreters need proficient in both languages i.e. Eng Sign so that none of the users of languages is shortchanged through win-coherent interpretation.	Mwangi Harrison Thiong?o 1. Provide free or highly su copies of reading mater normal English language own choice to Deaf and Hespecially those in professions. This will help their writing in normal Er	The presiding officer m make a determination of interpretation either way. However, the preferable that at least one compe- interpreter is employed position per station.
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Council of Governors Six months may be too short to develop the action plan as it includes possible commitments by the County Governments. Further, a needs assessment has to be conducted to identify what the County	Kenya Sign Language Interpreters Association Clause 8 presumes that only curriculum for primary and secondary schools need to be developed – it leaves out tertiary and higher education entities that develop their own curriculum.	National Gender and Equality Commission Sign language interpreters need to be proficient in both languages i.e. English and Sign so that none of the users of the two languages is shortchanged through wrong or in-coherent interpretation.	Iwangi Harrison Thiong ³ o 1. Provide free or highly subsidized Hard copies of reading materials written in normal English language and of their own choice to Deaf and Hard of Hearing especially those in white collar professions. This will help them improve their writing in normal English syntax.	The presiding officer may not be able to make a determination of the accuracy of the interpretation either way. However, the preferable option is to ensure that at least one competent sign language interpreter is employed in a permanent position per station.
	The proposals made by t Governors was accepted		Comind nd n	
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	The proposals made by the Council of Governors was accepted		The Committee adopted the proposed amendments from Mr Thiong'o and NGEC	
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Kenya Sign Language I. Association Amendment to clause 10 proposed	National Gender and Equality Comn The Commission proposes to expa accreditation team to include members Inter Agency Coordination Committee.	Kenya Sign Language Association Proposed amendment to clause 9	most assoc Natic Disa Gove Lang
Sign On ent to	Gend nmiss ion te ncy C	Sign on amend	most representative registe association for the deaf pers National Council for Persons Disabilities and the Council Governors, develop a Kenya Language Action Plan within a pon the commencement of this Act'
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Interpreters	National Gender and Equality Commission The Commission proposes to expand the accreditation team to include members of the Inter Agency Coordination Committee.	Interpreters	most representative registered association for the deaf persons, National Council for Persons with Disabilities and the Council of Governors, develop a Kenya Sign Language Action Plan within a year upon the commencement of this Act'
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Kenya Si Association the ministry should be language is c KSL should explicit that	Commission Development of national system of standards, accreditation and procedures is a multi-disciplinary function and may need the inter-Agency Coordination Committee to work on the same. The two parties proposed i.e. the Ministry in charge of matters of disability and members of the deaf community may not handle the task by themselves.	Kenya Sign Language Interpreters Association Clause 9 is in conflict with the mandate of Kenya National Accreditation Agency that is mandated with the provision of licensing criteria for professions – Interpreting like other professions need to be standardized by this body and not the ministry of social services and labor.	Governments have already done in terms of mainstreaming sign languages
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Kenya Sign Language Interpreters Association the ministry of culture and national heritage should be the ministry where matters language is domiciled not any other ministry, KSL shouldn't be the exception. It should be explicit that the domicile ministry is ministry	Commission Development of national system of standards, accreditation and procedures is a multi-disciplinary function and may need the inter-Agency Coordination Committee to work on the same. The two parties proposed i.e. the Ministry in charge of matters of disability and members of the deaf community may not handle the task by themselves.	eters ite of hat is nsing like ed by social	ns of
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The Committee rejected the proposals by the Kenya Sign Language Interpreters Association		The proposals made by the Nere accepted by the Committee	
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Committee rejected the Kenya Sign preters Association		proposals made accepted by the C	
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Code of conduct	Inspection of register	Certificate of registration	Register of sign language interpreters	Registrar	
					National Gender and Equality Commission Proposed amendment to clause 10(1) by substituting section 8 with "subsection 9" and inserting after the word "Secretary" the following words— "for matters related to persons with disabilities". Clauses 14 and 16 reference to Cabinet Secretary to be amended to refer to the "Secretary for matters related to persons with disabilities"
					National Gender and Equality Commission There is reference to two Cabinet Secretaries i.e. of Education and matters of disabilities in the Bill and so mention to the term must be very clear and assigned to a specific Ministry. At the same time there is a need to agree on which Cabinet Secretary is best suited to implement this law. The main problem as stated above is not in the training of sign language but rather the quality of services to persons who use sign language as their first and only language. The Commission is of the opinion that the Ministry in charge of issues of disability should be in charge of implementation of the Act.



18.	17.	16.
18	17	16
Action plan for Kenya sign language	Promotion of Kenya sign language	Sign language at the workplace
Kenva Sign Language Interpreters Association Amendment to clause 18	Council of Governors Proposed amendment to clause 17(2) of the Bill to read as follows 'Kenyan sign language shall be offered as a discipline of study at technical and vocational training institutions and centres, public colleges and public universities.'	Proposed amendment to clause 16 Proposed amendment to clause 16 National Gender and Equality Commission The Commission proposes that the functions be separated and responsibility of each level of Government to be enumerated clearly as done in Clause 7 – Ministry of Education and Clause 8. The Commission further proposes the inclusion of obligations of the "Inter-Agency Coordination Committee" which has been proposed in the interpretations.
Kenya Sign Language Interpreters Association	Council of Governors Inclusion of Vocational Training Centres is key as standalone institutions since the Act mandates both the National and County Governments.	Provide Free or highly subsidized hearing aids and hearing aid batteries and other ancillary services to Hard of Hearing people. The costs of these assistive devices are very high and many people who suffer hearing impairments cannot afford them, the effect is that the speech and language deteriorate over a course of time. The assistive devices are important especially for learners in educational institutions, employees in their workplaces and other social settings National Gender and Equality Commission Each entity has distinct mandates and responsibilities which they are accountable which need to be enumerated to avoid overlap and or neglect of mandates for lack of clarity.
The Committee rejected the proposed amendments made by the KSLA	The Committee accepted the proposals made by the Council of Governors	The Committee adopted the proposed amendments from Mr Thiong'o and rejected other proposals

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21.	20.	19.
Proposed additional clause	Proposed additional clause	19
Access to health care services- services- obligation to ensure all health facilities have sign language interpreters.	Establishment of institute for the hearing impaired	Regulations
National Gender and Equality Commission The Ministry of Health will ensure that all health facilities have sign language interpretation services through the training of its employees at all levels	Kenya Association of Parents of the Deaf Creation of an institute for the hearing impaired whose mandate should include the following— (a) Early assessment and rehabilitation of deafness (b) Provision of quality sign language training and interpretation (c) Provision of quality education and healthcare for hearing impaired persons (d) Community, social and economic integration for the Deaf	
Commission Persons with hearing impairment face a lot of language barriers while seeking treatment in health facilities in cases where they are not accompanied by an aide or facilities that do not have interpretation services. In summary the system is discriminatory and they do not quality treatment due to the Barriers. In some cases, due to the inability to communicate they are chased out of the facility without being attended to.	Kenya Association of Parents of the Deaf The creation of a public funded institute is a major engagement and there are many other facets of the disability of hearing loss that need to be considered in addition to quality interpretation services.	their associations should be the key stakeholders involved in the action plan development in collaboration with the council of governors, national council for persons with disabilities
All additional proposed clauses were rejected by the Committee	All additional proposed clauses were rejected by the Committee	

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24. Proposed additional clause Communicati regulator sh provide close Language ins the size of newscasts, ed and respect	23. Proposed additional service relay, video 1 and communication providers share clause	additional clause Proposed Public transport additional clause Public transport The State De all public trains and an monitor for the monitor for the clause Proposed Public transport The State De all public trains and an monitor for the clause
National Gender and Equality Commission Communications Authority of Kenya as a regulator shall ensure television stations of provide closed captioning and a Kenyan Sign provide closed captioning at least one third of the size of the television screen, in all newscasts, educational and national programs, for the purpose of ensuring equality, dignity and respect in terms of the promotion and		National Gender and Equality Commission The State Department of Transport to ensure all public transport systems including buses, trains and air have either a screen reader or monitor for the deaf and hard of hearing. Particular in the deaf and hard of hearing.
Commission This ensures that this special group of persons are able to enjoy all the important programs being aired and participate where necessary without feeling left out and discriminated.	National Gender and Equality Commission Persons who are deaf need to have access to telecommunication services and so the various providers must ensure that they are in accessible formats.	<u>Commission</u> The current public transport system is highly discriminative to deaf persons right from the stations/ports stretching into the bus/aero plane/train. They are unable to follow any announcements being made and without interpretation it's frustrating for them especially when they don't have an aide.
All additional proposed clauses were rejected by the Committee		All additional proposed clauses were rejected by the Committee