

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 30th October, 2024

Morning Sitting

*The House met at the Senate Chamber,
Parliament Buildings, at 9.30 a.m.*

[The Speaker (Hon. Kingi) in the Chair]

PRAYER

DETERMINATION OF QUORUM
AT COMMENCEMENT OF SITTING

The Speaker (Hon. Kingi): Clerk, do we have quorum?

(The Clerk-at-the-Table consulted the Speaker)

Serjeant-at-Arms, kindly, ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

The Speaker (Hon. Kingi): Order, hon. Senators. We now have quorum. We can proceed with today's business.

Clerk, you may proceed to call the first Order.

QUESTIONS AND STATEMENTS

QUESTIONS

The Speaker (Hon. Kingi): Hon. Senators, we expected two Cabinet Secretaries this morning for purposes of responding to the Questions as listed in the Order Paper. However, I have since received a communication from the Cabinet Secretary in charge of Lands, Public Works, Housing and Urban Development that she is unable to attend today's session for purposes of responding to the Questions directed to her Ministry, the reason being that she is indisposed.

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I had a phone call discussion with the Principal Secretary in that Ministry, who explained to me exactly what the problem was. The hon. Cabinet Secretary underwent an eye surgery three days ago. By yesterday, she was very much willing to appear today. However, this morning, she woke up with a swollen eye and she cannot see. That is why she indicated and registered her regrets that she will not be able to be with us today. That is a very valid reason, hon. Members.

We will have to defer all the Questions that were supposed to be responded to by that hon. Cabinet Secretary.

Question No.053

STATUS OF COMPENSATION TO OWNERS OF LAND COMPULSORILY
ACQUIRED BY GOVERNMENT AGENCIES SINCE 2013

(Question deferred)

Question No.071

MEASURES TO RESETTLE SQUATTERS ACROSS THE COUNTRY

(Question deferred)

Question No.082

STATUS OF ADJUDICATION OF BORDER AREAS OF
THARAKA-NITHI AND MERU COUNTIES

(Question deferred)

Question No.094

DELAYED COMMENCEMENT OF TURKANA HOUSING PROJECT

(Question deferred)

Question No.098

OWNERSHIP OF VARIOUS PARCELS OF LAND IN
KAMUKUNJI CONSTITUENCY

(Question deferred)

*Question No.119*CONTRADICTIONARY STATEMENTS ON THE LOSS OF
367 TITLE DEEDS/SECURITY PAPERS*(Question deferred)*

That leaves us with only the Cabinet Secretary in charge of Education, who I am told is present. Therefore, we will this morning proceed with the questions that are directed to the Ministry of Education.

Clerk, you may now usher in the Cabinet Secretary in charge of Education.

*(The Cabinet Secretary for Education (Hon. Ogamba)
was ushered into the Chamber)*

Hon. Senators, we have the Cabinet Secretary in charge of Education in the House. Hon. Cabinet Secretary and your team, welcome to the Senate Plenary. We will begin with Question No.35 by the hon. Senator for Kakamega.

Sen. (Dr.). Boni, you may proceed to ask your Question.

*Question No.035*DISBURSEMENT OF LEARNER CAPITATION GRANTS
FOR 2023/ 2024 ACADEMIC YEARS

Sen. (Dr.) Khalwale: Thank you, Mr. Speaker, Sir. I rise to ask Question No.035 on the Order Paper.

(a) How much money did the Ministry of Education set aside for learner capitation grants in the academic years 2023 and 2024, and could the Cabinet Secretary state the proportion that has so far been disbursed for each of the years?

(b) What measures has the Government put in place to ensure timely disbursement of the capitation?

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may now proceed to respond.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Speaker, Sir, for the invitation.

In order to answer that Question, I will give a background. The approved capitation rates to be provided by the Government for primary education is Kshs1,420 per learner per year, Junior Secondary School (JSS) is Kshs15,042 per learner per year and secondary schools is Kshs22,244 per learner per year.

Mr. Speaker, Sir, the disbursement to schools are aligned to the financial year, with the academic years falling in between two financial years. Thus, for example, the academic year 2023 fell within the Financial Year 2022/2023 and 2023/2024.

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The capitation grants for the various levels of education for 2023 and 2024 are stipulated in Table 1. For primary schools in the Financial Year 2022/2023, the budgeted allocation was Kshs11,811,734,102. Since that academic year falls in two academic financial years, the first academic year, the allocated amount was Kshs8,346,470,273.10. The actual amount disbursed for that academic year was Kshs10,922,126,767.

For that same year because it falls between two financial years, Financial Year 2023/2024, the budgeted allocation was Kshs9,000,476,460. For the academic year, it was Kshs8,063,900,179. The amount disbursed was about Kshs8.8 billion. You will see the figures in those tables.

For the Financial Year 2024/2025, the budgeted allocation was Kshs9,120,509,159. For the academic year, the allocation was Kshs1.6 billion and the amount disbursed was about Kshs1.5 billion.

The actual termly disbursements are as indicated on the second table that is on paragraph 3 and it shows that the amounts are disbursed per term. On 25th January, 2023, the total enrolment was 8,123,952 and the amount disbursed was Kshs2,798,701,464. On 15th May, 2023, which was Term 2, the enrolment was 3,753,610. The amount disbursed was Kshs4,276,174,553.10.

On 21st August, 2023, which was Term 3, the enrolment was 5,540,673. The total amount disbursed was Kshs1,532,829,077.40. In January 2024, Term 1, the enrolment was 6,047,112. The total amount disbursed was Kshs4,212,343,224.

On 24th June, 2024, which was Term 2, the enrolment was 4,995,791. The total disbursement was Kshs2,023,906,000.20. Lastly, on 28th August, 2024, Term 3 of this term, the enrolment was 5,398,191 and the disbursement was Kshs1,532,829,077.40.

Under Table 2, you will see the disbursements for free day junior school. For the academic year 2023, the budgetary allocation was Kshs13,385,331,614. For the academic year, the allocation was Kshs15,233,682,022.90. The actual amount disbursed was Kshs13,385,252,144.

In the Financial Year 2023/2024, Kshs31 billion was budgeted for, but for the academic year, the allocation was Kshs35,351,558,928.85. The amount disbursed was Kshs30,469,542,115.

In the Financial Year 2024/2025, the budgeted allocation was Kshs30,660,000,000 and for the academic year, Kshs6,109,654,634. The amount disbursed was Kshs6,109,654,633. The actual termly disbursements are indicated on the next table in paragraph 4 and it goes as follows-

On 11th March, 2023, which was Term 1 for 2023, the total enrolment was Kshs1,008,871. The total amount disbursed was Kshs9,581,468,671.20. On 15th June, 2023, Term 2 of 2023, the enrolment was 1,018,809 and the total disbursement was Kshs3.7 billion.

On 19th September, 2023, which was Term 3 of 2023, the enrolment was 1,018,847 and the disbursement was Kshs1,877,432,522. On 3rd January, 2024, Term 1 of 2024, the enrolment was 982,688. The total amount disbursed was Kshs15,194,529,753.

On 24th June, 2024, term 2 of 2024, the enrolment was 1,716,645 and the total amount disbursed was Kshs14,047,374,541. On 28th August, 2024, Term 3 of 2024, the enrolment was Kshs1,009,411. The disbursement was Kshs6,109,654,633.

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For Free-day secondary school, Term 3, academic year 2023, under the Financial Year 2022/2023, the budgeted allocation was Kshs63,160,788,241. For that academic year, the allocation was Kshs44,429,121,151. The amount disbursed for that financial year was Kshs61,037,919,069.

For the academic year 2023, Financial Year 2023/2024, the budgeted allocation was Kshs63,958,212,645. For the academic year, the allocation was Kshs64,787,591,731. For that financial year, the actual disbursement was Kshs62,853,104,675.

For 2024 academic year, the Financial Year 2024/2025, the budgeted allocation was Kshs59,885,600,000. For that academic year, the allocation was Kshs14,145,824,283 and the amount disbursed was Kshs14,145,824,283. The actual termly disbursements out of that, is as follows-

On 26th January, 2023, which is Term 1 of 2023, the total enrolment was 3,690,376. The total disbursement was Kshs16,289,024,433.92. On 12th June, 2023, Term 2 of 2023, the enrolment was 3,664,366. The disbursement made was Kshs15,208,401,428.10.

On 2nd January, 2024, which is Term 1 of 2024, the total enrolment was 3,881,717. The total disbursement was Kshs32,394,641,274.

On 24th June 2024, Term 2 of 2024, the total enrolment was 4,043,714. The total disbursement was Kshs18,247,126,174.

On 20th August, which is Term 3, the enrolment was 4,179,615. The disbursement was Kshs14,145,824,283.

Mr. Speaker, Sir, it is to be noted that over the last five years, the funds provided to the Ministry of Education have fallen short of the approved rates, leading to underfunding of the schools. The Ministry is compelled to divide the available amount with the number of learners which has been increasing every year.

This results in capitation amounts that are lower than approved. To illustrate this, there is a provision under Table 4. For example, in the Financial Year 2018/2019, the approved budget was Kshs59,418,512,759. The enrolment for that year was 2,810,655.

The requirement in order to meet that enrolment was supposed to be 62,520,209,820, based on the capitation figures of Kshs1,420, Kshs15,042 and Kshs22,244. The deficit, as you can see, there is Kshs3,170,568,934. The rates of disbursement come to Kshs21,140.45 instead of the Kshs22,244.

In the Financial Year 2019/2020, the approved budget was Kshs59,419,942,418. The enrolment for that year was 2,948,062. The actual requirement should have been Kshs65,575,691,128. The deficit is Kshs6,156,748,710. The rate disbursement then comes to Kshs20,155.59.

In the Financial Year 2020/2021, the approved budget was Kshs59,421,865,698. The enrolment was 3,396,322. The actual requirement was Kshs75,547,786,568. The deficit there is Kshs16,125,985,973. The rate disbursement then comes to Kshs17,495 from the Kshs22,000 that is required.

In the Financial Year 2021/2022, the approved budget was Kshs62,421,865,698. The enrolment was 3,587,081. The requirement was supposed to be Kshs79,791,029,764. The deficit is Kshs17,369,456,555. The rate disbursed was Kshs17,401.

In the Financial Year 2022/2023, the approved budget is Kshs64,000,421,865. The enrolment is 3.6 million, almost 3.7 million. The requirement was supposed to be at least

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age Kshs82,088,723,000. The deficit is 17, 666,873,000, leading to a rate of disbursement of Kshs17,456.

So, there has been a consistent deficit from the amount approved against the requirements and against the increment in enrolment of the students that have been increasing, while the budget has not been increasing in tandem with the students.

Mr. Speaker, Sir, the Ministry has taken steps to ensure that there is timely disbursement of capitation to schools from the beginning of the Financial Year 2023/2024 capitation is now disbursed on a timely basis on the ratio of 50:30:20. That means, for Term One, we do 50 per cent; Term Two, 30 per cent and Term Three, 20 per cent. This is a change from the previous disbursements that were being done quarterly.

The Ministry requests for funds and these funds are released immediately after they are received. The Ministry requests for funds from the Exchequer at least three weeks before schools open. Once funds are received from the Exchequer, the same are disbursed to schools immediately.

There might be some delays where some schools do not receive the money on a timely basis when the Exchequer has been delayed when the capitation disbursement is sometimes delayed. As a Ministry, we consistently follow up with the National Treasury to ensure that there is timely provision of the funds.

The schools are also required to upload all their learners and bank accounts on the National Education Management Information System (NEMIS). In some cases, where the schools do not receive their funds on time--- There are situations where there is erroneous information that is uploaded, causing the rejection of the funds by the banks. School heads are routinely oriented on what is required of them to ensure compliance.

Mr. Speaker, Sir, I submit.

The Speaker (Hon. Kingi): Sen. (Dr.) Khalwale, you may now ask your two supplementary questions.

Sen. (Dr.) Khalwale: Mr. Speaker, I thank the Cabinet Secretary for this detailed response and tell him that the situation on the report is acceptable, but on the ground, where the rubber meets the road, the situation is different.

In Kakamega and many other counties, all the heads of schools are waiting for money, which is not forthcoming. They are unable to fund the activities in the school and children end up being at home because of those delays.

My first question. Cabinet Secretary, please, go to page 2 of your response and look at bullet 4 on the actual termly disbursements. What is the accuracy of this response if in Term One, you had 900,000 children enrolled, and in Term Three, it had increased by one million children? Where did these one million children come from that were not there in Term One? It begs for the answer. Are these actual figures or you are sending money for fake and imaginary beneficiaries?

For my second question, I invite you to go to bullet 6 of your response. You are telling us that in the year 2023, there was a deficit of Kshs17.6 billion. Deficit!

Cabinet Secretary, where do you expect the headteachers to get the money to meet this deficit of Kshs17 billion, when you have sent a circular, forbidding leadership of schools from leaving any charges to the parents through these children?

The Speaker (Hon. Kingi): Now, Hon. Cabinet Secretary, just note down the questions. You will take a few more questions from other Senators and then you will respond at once.

Sen. Oketch Gicheru, you may proceed.

Sen. Mumma, you have the Floor.

Sen. Mumma: Thank you, Mr. Speaker, Sir. Welcome, hon. Cabinet Secretary to the Senate.

My question is on the information you have just given us of yearly deficits on capitation for secondary schools. Has the Ministry done an impact assessment on the continued failure to meet the required budget for capitation? If so, how many needy students have you captured who have fallen off the secondary school as a result of this?

Secondly, how do you link the bursary funds that purportedly are given by governors and by Members of Parliament regarding the deficit that you have presented in this table?

Thank you.

The Speaker (Hon. Kingi): Sen. Thang'wa, please, ask one question.

Sen. Thang'wa: Thank you very much, Mr. Speaker, Sir. Mine is very simple.

If you look at page three of the response from the Cabinet Secretary, he has given us a table there of the approved budget, enrolment, requirements, and deficit. All I wanted to know is that because he has only given the data for Financial Year 2022/2023, I would want to know how many learners we have in the current year of 2024 in secondary schools. How many learners do we have?

The Speaker (Hon. Kingi): Sen. Wambua, you may proceed.

Sen. Wambua: Thank you, Mr. Speaker, Sir. Looking at the table on page 2, the one after bullet 6, there is a consistent deficit in funding for capitation since the years 2019, 2020, 2021, 2022, and 2023, a serious deficit.

How does the Ministry then bridge that gap and why are they not learning? Since 2019, there has always been this deficit. What are they doing about this? I mean, they are carrying it forward every year.

Can that be linked to the talk about ghost schools and students, as asked by Sen. (Dr.) Khalwale?

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Orwoba, proceed.

Sen. Orwoba: Thank you, Mr. Speaker, Sir. My question regards all the deficits that we are seeing. Does the return-to-work-formula with the lecturers have a relation with the current deficits that you have? We are currently seeing the university lecturers striking, claiming that the return-to-work-formula stated that Kshs9 billion should have been released, but the Government only gave about Kshs4 billion, pointing out that there is a deficit, which is clearly a recurring problem.

The Speaker (Hon. Kingi): Sen. Okenyuri, proceed.

Sen. Okenyuri: Thank you, Mr. Speaker, Sir. I also wish to direct this to the Cabinet Secretary. There are general concerns around the disbursement of capitation, especially to special needs educational institutions. This is because the Ministry of

Education tends to prioritize primary and secondary school institutions, ignoring this other cadre.

During public participation done recently on a Bill by Sen. Crystal Asige, the chairpersons of these institutions brought to our attention that the top up to learners with disability in these special needs institutions is less than Kshs2,500 per disabled learner. They also mentioned that all of them are treated equally, whether blind or lame. They all get an equal treatment. Cabinet Secretary, please, highlight why this is happening.

The Speaker (Hon. Kingi): Sen. Abass.

Sen. Abass: Thank you, Hon. Speaker. I want to know from the Cabinet Secretary why Junior Secondary Schools (JSS) have a big challenge in this country, especially in northern Kenya. My county, Wajir County, has a shortage of teachers.

The Speaker (Hon. Kingi): Sen. Abass, your supplementary question must flow from the primary question. The subject matter is capitation.

Sen. Abass: Yes, I see.

The Speaker (Hon. Kingi): Okay, proceed.

Sen. Abass: Should I proceed?

The Speaker (Hon. Kingi): Yes, as long as you are talking on capitation.

Sen. Abass: No, I am asking the same question. Maybe I can ask later.

The Speaker (Hon. Kingi): Yes, because the Cabinet Secretary has a few more questions to respond to. Maybe it will be captured in one of the questions that are going to be responded to.

Hon. Cabinet Secretary, you may now proceed to respond to those questions.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Speaker, Sir, for those questions. On the question on the increment of the numbers that changed from Term One to Term Two, it is because at Term Two, there were two cohorts moving; the Grade Seven together with Grade Eight, because of the transition that was taking place between the Competency Based Curriculum (CBC) and the 8-4-4 curriculum. That was the cause of that increment in number.

With respect to the deficit of Kshs17.6 billion, the figures that are being disbursed by the National Treasury against the requirements in view of the policy of 100 per cent transition has continuously differed. The numbers of students have gone up, but the amounts have not been proportional to the number to meet the actual capitation that is given. So, at no time has the Ministry received funds that are sufficient to cover the capitation that is approved; the Kshs1,420, 22,000, and the 15,000. That makes it difficult for the heads of schools to run the schools.

We advise them to try and reallocate the resources they have across the board. Of course, it affects the running of the school, but we have consistently urged the National Treasury and the Government to at least disburse as close as possible to the requirements.

It is not an easy solution. The Government has a challenge on allocation. The allocation is normally given as a block instead of as a student. Therefore, if the money does not come through, the Ministry does not have capacity to insist. We can only say the number of students we have and the amount of money we need, then wait for the allocation to come. Whatever is disbursed is what we normally distribute. It is a challenge that the

Ministry has. The Ministry is grappling with that problem to see what else can be done because it is affecting the running of schools.

On next question on whether we have done the information in terms of the impact assessment on the consistent failure to meet the required standards and the students have fallen off, we have not yet done. However, we know that when you do not give enough money to the schools, there is evidence that the quality and performance of some of the schools may fall below the required standards because it becomes very difficult for the headteachers to run the schools. As a Ministry, we have to grapple with this and see what can be done and where we can efficiently use these funds to ensure that we are able to uphold the standards of our education that is required.

Mr. Speaker, Sir, with respect to the bursary funds, may I request that I answer this question when I am answering the bursary question because it is there. I can answer it together with that.

The Speaker (Hon. Kingi): Very well, hon. Cabinet Secretary.

The Cabinet Secretary for Education (Hon. Ogamba): How many students do we have currently in schools, especially in the secondary schools? The actual number for the year 2024 is 4.2 million. How does this gap link to shortage and ghost schools? I do not think there is a link between the shortages and ghost schools. That would be a surplus. What we have is a shortage because we have more students than we have the resources. So, there is no linkage between arguments of ghost schools or ghost students. In fact, from last year, we did an actual physical census of all the schools and the students we have in the country. We completed that exercise about two weeks ago.

Currently, we are undertaking an analysis of that data that was collected to ensure that the question about ghost schools and students that keeps recurring is put to rest. We have done a physical census of each student and school we have in the country with proper coding. We are now doing an analysis to link them to what we have in the National Education Management Information System (NEMIS) to ensure that the numbers that we are giving are the numbers that we have on the ground.

Sen. Orwoba, you asked whether the current deficit is linked to the deficit that Universities Academic Staff Union (UASU) is having *vis-a-vis* the return-to-work formula. The answer to that question is this. There is a general deficit of the budget against what is required. This is in every ministry because of what has been happening this year relating to the Finance Bill. We had a deficit of the budget and we had challenges in ensuring that we meet the obligations that we have. However, we are having a meeting this afternoon to continue discussing the challenge that is there between UASU and us.

We had agreed on a 7 and 10 per cent increment, which had to be financed. You have to do the actual calculation to come up with a figure that supports the 7 and the 10 per cent increment *vis-a-vis* the number of years that we have to do that. However, when that simulation was done, the figure that the Government has against the figure that UASU has differs by almost Kshs5 billion. We will have a discussion to find out the reason for that calculation. When we calculate with the 7, 10, and the 4 per cent annual increment, it comes to Kshs4.3 billion. When we put in the figure of Kshs9 billion, the increment moves from 7 or 10 per cent to a different percentage. We now have to do the workings and find out a middle ground and agree on the actual figure.

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We have a meeting this afternoon. So, I requested that you allow me to finish by 1.00 p.m., so that I can go and have that meeting with them and solve that problem.

Sen. Okenyuri asked a question about special needs schools. The problem falls across the board. So, even in special needs schools, the amount of top-up that they are supposed to get is limited. The problem is the same. It cuts across the board. We receive the disbursements as a block, then, we allocate them to the number of students that we have. There has always been a deficit.

We are trying as much as possible to see whether there is a way that we can have these figures ring-fenced so that in the future, we can at least be sure that our education system does not face the number of crises that it faces every year, every time. I think that was the last question.

The Speaker (Hon. Kingi): Okay, hon. Senators, we will move to the next Question, that is, Question No.36. However, we will skip it for a few minutes. We will come back to it. We will instead move to Question No.48 by the Senator for Kisumu County. I am informed that Sen. Eddy is holding a brief for Sen. (Prof) Tom Ojienda, who is representing the Senate in the case before the court today.

Proceed.

Sen. Oketch Gicheru: Thank you, Mr. Speaker, Sir. Indeed, I am holding a brief for Senator for Kisumu County, Sen. (Prof.) Tom Ojienda, who sought to ask the Cabinet Secretary the following Questions.

Question No.48

IMPACT OF SUSPENSION OF NON-ESSENTIAL FOREIGN TRAVEL IN PUBLIC UNIVERSITIES

Sen. Oketch Gicheru: Mr. Speaker, Sir, I beg to ask the Cabinet Secretary for Education the following Question, on behalf of Sen. (Prof.) Tom Ojienda.

(a) Could the Cabinet Secretary state whether the Ministry of Education has effected the contents of circular number OPCAB.308/018, dated 2nd October, 2023, issued by the Chief of Staff and Head of Public Service, suspending non-essential foreign travel by government officers?

(b) Has the Ministry assessed the consequences of the travel suspension on public universities, particularly with regard to capacity building, the discharge of public duty, and the quality of education offered?

(c) What measures will the Ministry take to ensure that the implementation of the circular does not indiscriminately hinder essential travel in public universities?

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may now proceed to respond.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Speaker, Sir, I do confirm that the Ministry of Education has effected the contents of the circular. The circular seeks to rationalise foreign travel and achieve prudence and cost-effectiveness in relation to costs associated with foreign travel.

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With respect to the second limb of the question, I wish to clarify that the circular is not a blanket ban on foreign travel. The circular suspends non-essential travel. Travel to attend critical activities outside the country is still permitted. Requests for travel are assessed on a case-to-case basis and approved on their merits.

Staff of our public universities have indeed continued to travel to attend essential and critical businesses abroad. On the third question, as I have indicated above, essential travel is not prohibited. Each request for foreign travel is reviewed on its merits, and where such travel is deemed essential, approval is granted.

Each request for foreign travel has to demonstrate the value that such travel will add to the individual---

(Sen. Cherarkey consulted Sen. Kathuri loudly)

The Speaker (Hon. Kingi): Senator for Nandi, just go take your seat.

(Sen. Cherarkey resumed his seat)

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may now proceed.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Speaker, Sir. Each request for foreign travel has to demonstrate the value that such travel will add to the individual and his or her institution. There has to be a demonstration of value for money. The key factors that are considered are the value that such travel will add, the necessity of such travel to fulfil either treaty or regional or international obligations, and the unavailability of other cost-effective alternatives such as virtual meetings or sending our officers who are stationed in those foreign countries to represent the team.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Oketch Gicheru, you may now ask your two supplementary questions.

Sen. Oketch Gicheru: Thank you, Mr. Speaker, Sir. From the presentation by the Cabinet Secretary, you have realised that the clarification on non-essential travel as it pertains to the Ministry is not that clear. So, my question is, Cabinet Secretary, have you been able to put a circular through the universities or public universities on what entails non-essential foreign travels and what entails essential foreign travels to the clarity of the public universities?

Secondly, when exactly were the dates of implementation of this particular notice? What has been the impact assessment of that implementation since then?

The Speaker (Hon. Kingi): Sen. Cherarkey, proceed.

Sen. Cherarkey: Mr. Speaker, Sir, I wanted to find out from the Cabinet Secretary the question on capitation. For every child to access capitation, you need---

The Speaker (Hon. Kingi): Hon. Senator, we are done with that Question. We are now on Question No.048.

Sen. Cherarkey: Mr. Speaker, Sir, could the Cabinet Secretary give us the reason why non-essential travel was banned and how much has been saved by the Ministry?

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The Speaker (Hon. Kingi): Sen. Onyonka, proceed?

Sen. Onyonka: Thank you, Mr. Speaker, Sir, for giving me the opportunity. Cabinet Secretary Migos Ogamba happens to be a good friend of mine. I want to congratulate him and wish him the best. I believe he is up to the task of the responsibility that the Government has given.

Cabinet Secretary, you said the number of students is 4.2 million and that there was a physical census.

The Speaker (Hon. Kingi): Sen. Onyonka, we are on Question No.048 on foreign travel.

Sen. Onyonka: Thank you, Mr. Speaker, Sir. I will ask him a question about foreign travel.

You explained that the circular issued had something to do with essential travel and the number of people who are supposed to be travelling. I did not hear you mention the number. In other words, the feeling and the observation I have made is that when Government officers are travelling, even when you have reduced the number of the individuals travelling, you do not particularly discuss the number that, for example, a Principal Secretary or a director could travel.

Indeed, in your office, I know you are entitled to go either with a Personal Assistant or two other people. Have you observed that as an issue that could have increased the number of people who are travelling?

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Hon. Sen. Kisang', proceed.

Sen. Kisang': Thank you, Mr. Speaker, Sir. I wanted to find out from the Cabinet Secretary since the release of the circular and requests that the universities have made--- Our lecturers are researchers; they go to conferences and also meet their peers to enhance their knowledge.

Since the release of the circular, how many requests have been made to the Cabinet Secretary, and how many did they approve since the time of the release of the circular?

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may now proceed to respond.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Speaker. The circular is quite clear on what essential travel is, and it states that essential travel is part of the fulfilment of state obligations and pursuant to the conduct of critical state party engagements for the purpose of fulfilling a statutory leadership or membership role in which critical decisions impacting on the country's position are considered.

So, there are parameters that have been provided in the circular, which is a guiding light. This circular has been sent to all the universities, and every vice-chancellor has circulated it to their members. This is what we are following. We are not creating anything new.

What is important is to confirm that what the officer is going to do cannot be done by anybody else or it is going to bring some advantage or value that is required as indicated in that particular circular. The impact assessment has not been undertaken since the circular was issued on 2nd October, 2023. It is just about a year old. The time is now ripe for that particular impact assessment to be undertaken. That is what we are likely to do. However,

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we have not done it yet to confirm how much money has been saved, how many people have travelled, *et cetera*. However, the numbers have reduced.

Sen. Cherarkey wanted to know why non-essential travel was banned. It is because many people were traveling without good reason and it increased the cost of foreign travel by the Ministries. Therefore, it became necessary to ensure that there are regulations and guidelines to limit the number of travels that are not essential.

As I said earlier, some of the activities can be performed by officers we have in those foreign countries or could be done using online meetings. It became necessary that we limit the numbers to reduce costs. It is a cost-cutting measure across the Ministries and various Government sectors and this is one of them.

To answer Sen. Onyonka, yes, the number was reduced. Initially, you would find a Cabinet Secretary travelling with a big delegation. So, the number was reduced. There is a provision for a delegation size in that particular circular. For example, delegations headed by a Cabinet Secretary shall not exceed three persons, including the Cabinet Secretary as the head of the delegation. You need to decide if you are going with one other person. If it is a technical meeting, you should go with a technical person, so that you do not carry all and sundry when you are travelling.

A delegation headed by a Principal Secretary (PS) shall not exceed two persons, including the PS. That is one plus one. Where a chairperson of a state corporation is travelling, they will not travel with any other person. They have to travel alone. That is one plus zero.

A delegation headed by Chairpersons or Chief Executive Officers (CEOs) of constitutional commissions are allowed one plus one. That is the Chairperson or the CEO plus one other person. This is the model we are following and obviously, it has reduced costs and expenses. As I indicated, we have not done the actual figures, but we are going to do that because now we have finished one year.

Regarding the question relating to requests from the universities, we do not have the exact number. As indicated earlier, when a request comes, an assessment is done against the circular. We have to ask whether what a university vice chancellor or don going to do is essential, or whether it can be done by somebody else. We also look at the number.

We are following that closely. We have not arbitrarily rejected or not approved an essential travel. However, where we see that is not essential, or the number exceeds what is required, of course, we rationalise and do not approve.

Thank you. I submit.

The Speaker (Hon. Kingi): Hon. Senators, we will now move to Question No.52. Proceed, Sen. Ogola.

Question No.052

WELFARE OF INTERNS ENGAGED BY BASIC EDUCATION INSTITUTIONS

Sen. Ogola: Thank you, Mr. Speaker, Sir, for granting me the chance. I thank the Cabinet Secretary for being present to address these questions.

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Kindly address Question No.052 as indicated-

(a) What criteria is used in the selection of interns to be engaged by basic education institutions in Kenya, and could the Cabinet Secretary clarify whether individuals who undertook teaching practice during their studies in college are eligible?

(b) Could the Cabinet Secretary provide a list of interns currently engaged in the institutions and specify their responsibilities, terms of engagement and duration of service?

(c) Could the Cabinet Secretary state plans by the Government to transition the engagement of the interns into permanent or pensionable terms, and provide the criteria to be used as well as the timelines?

(d) What steps has the Government taken to ensure that Junior Secondary Schools (JSS) are adequately staffed, considering the existing staffing gap being filled by the interns?

I thank you.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may now proceed to respond.

The Cabinet Secretary for Education (Hon. Ogamba): Mr. Speaker, Sir, registration and recruitment of teachers is a constitutional mandate of the Teachers Service Commission (TSC) as per Article 237(2) of the Constitution.

Upon consultation with the Commission over the Question, the Commission has advised as follows:

The selection of teacher interns adheres to the Teachers Internship Policy and Guidelines, 2019, set by the TSC. The Commission follows a structured set of criteria to ensure equity, diversity and the highest standards of professionalism.

The criteria includes professional and academic qualifications. Candidates must meet specific academic and professional qualifications. For example, primary school teacher interns must possess a P1 certificate or a diploma in primary teacher education. The JSS and secondary school teacher interns must hold at least a diploma in education with a minimum mean grade of C+ in Kenya Certificate of Secondary Education (KCSE), and at least C+ in the two teaching subjects.

The selection is based on fair competition and merit. The available vacancies are advertised based on budgetary provisions appropriated by the National Assembly.

Selection is based on merit, assessed through factors like quality of academic certificates, age and length of stay since graduation. There is also the issue of regional representation. Candidates are selected with consideration for regional diversity ensuring that all areas of the country are represented and have equal access to teaching opportunities.

There is also gender consideration. Efforts are made to promote gender balance in the teaching service and support equal opportunities for all genders. Special consideration is also given to candidates with disabilities, ensuring that the teaching service is inclusive and offers equal opportunities to individuals with diverse needs according to the Persons and Disabilities Act, 2003.

Concerning registration and employment status, all candidates seeking internship must be registered with the TSC and be unemployed and not previously employed by the Commission on permanent and pensionable basis. Lastly is availability of vacancies.

Selection is strictly based on availability of vacancies within each county and or sub-county.

Teaching practice is a core component of teacher training programme that is undertaken during a teacher's training in college or university and it lasts for a term. Accordingly, all teachers must have undertaken teaching practice while in college before qualifying.

On the other hand, teacher internship programme is a postgraduate step intended to provide opportunity for qualified teachers to acquire, develop and sharpen their teaching skills and also learn the ethos of the teaching service. In addition, the programme enables interns to enhance their pedagogical skills and competencies through job experience. It also assists in providing teaching service with qualified, mentored, and fully inducted personnel for purposes of curriculum delivery.

On the second limb of the question on the list of interns currently engaged, the TSC maintains a list of all teacher interns, including their stations. The standard duration of internship is two years, with responsibilities primarily centred on teaching, lesson planning and participation in other school activities such as co-curricular activities.

The list of intern teachers is provided in Annexure 3. We forwarded a soft copy because it runs---

The Speaker (Hon. Kingi): Hon. Senators, that particular list is contained in your iPads.

Proceed, hon. Cabinet Secretary.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you. On the third limb, the TSC commenced the process of transitioning 46,000 intern teachers to permanent and pensionable terms in September this year. The process will be completed in December 2024, and the candidates will be confirmed into their positions in January, 2025.

If you can remember, this was part of issues that were raised by their unions at the beginning of the term and we promised to ensure that these 46,000 teachers are placed on permanent and pensionable terms.

Mr. Speaker, Sir, the fourth limb of that question is to address staffing gaps in junior schools.

The Government has been making provision for the annual recruitment of additional teachers. The Government has also been deploying qualified teachers from primary to junior schools to further bridge the gap.

Since 1st February, 2023, a total of 56,928 teachers have been serving in junior school, made up as follows:

Nine thousand teachers on permanent and pensionable terms, 8,378 teachers deployed from primary schools to enhance the number of teachers in junior school, and 39,550 intern teachers engaged to address teacher shortages. As noted above, these interns are in the process of being transitioned to permanent and pensionable terms.

Starting this month to December, 2024, the Government is recruiting an additional 20,000 teachers to further bridge in the junior schools. The projected establishment, therefore, for junior school teachers in 2025 will be 149,350 teachers. The teachers on duty will be 76,928, resulting in a shortage of 72,422 teachers. The Government will then progressively recruit more teachers to bridge this gap.

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However, the Teacher Service Commission (TSC), through a multi-agency approach, has trained 60,642 junior school teachers in both public and private schools to handle grade seven and eight. The teachers will undergo further re-tooling in November and December to prepare them to handle Grade Nine. During the same period, 19,960 junior school headteachers will be also re-tooled.

The Commission, in collaboration with the Centre for Mathematics, Science, and Technology Education in Africa (CEMASTE) has also provided a specialized tailor-made re-tooling programme for 7,700 teachers, teaching integrated science and mathematics to cover that gap. That substantially reduces that shortage of 72,422.

I submit, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Beatrice, you may now proceed to ask your two supplementary questions.

Sen. Ogola: Thank you, Mr. Speaker, Sir. On my question (d), I was particular on the existing staffing gaps. The nature of training of secondary school teachers is that they are trained on two subjects. A number of our schools have averagely two teachers, teaching JSS, which means that there are only four subjects at maximum being covered. What then happens to the other subjects that are not taught?

Firstly, most schools have two teachers teaching subjects. An example is that, in my sub-county Ndhiwa Sub-county in the recent adverts, the schools averagely received the arts cluster vacancies - History and Christian Religious Education (CRE). What then happens on the science subject teaching in my sub-county? I believe that replicates in most of the sub-counties.

Mr. Speaker, Sir, my second question to the Cabinet Secretary is, when will the Ministry put in a JSS policy?

The Speaker (Hon. Kingi): Sen. Kathuri Murungi.

Sen. Kathuri: Thank you, Mr. Speaker, Sir, for this chance to also ask my supplementary question to the hon. Cabinet Secretary.

When the JSS interns went on strike a few months ago, one of the reasons was about their remuneration, which is around Kshs17,000, noting that these are trained teachers who have been to universities and are competent enough to handle any subject. In this Financial Year, what has the Ministry done to increase the remuneration or the wages for these JSS teachers, so that they can feel they are working for this country and they are doing a noble job of training our children?

The Speaker (Hon. Kingi): Sen. Eddy?

Sen. Oketch Gicheru: Thank you, Mr. Speaker, Sir. In his presentation, the Cabinet Secretary has indicated that one of the criteria used in placing interns is the length of stay. I would guess that it is the length of stay from the time that a teacher has gone through training. However, I am worried about this because a teacher has to go through a teaching practice and after a long period of training, they are taken in as interns. That opportunity, using that criteria of length of stay leaves a swath of many teachers outside.

Therefore, my question is, as a Ministry, especially because he is a new Cabinet Secretary, does he have a strategy to re-think the issue of internship for teachers? This is because, if teachers have gone through a training and have gone through the teaching

practice, what then entails internship? Does that not leave a swath of teachers out and what do we do with those who have been left out?

The Speaker (Hon. Kingi): Sen. Wamatinga.

Sen. Wamatinga: Thank you, Mr. Speaker, Sir. My question to the Cabinet Secretary is that most of the JSS teachers who have been posted to different schools have been housed in the primary schools are graduates. We have head of teachers who are P1s. Will the Cabinet Secretary tell us how administratively, a graduate and a P1 teacher are supposed to work under the P1s?

The Speaker (Hon. Kingi): Sen. Richard Onyonka.

Sen. Onyonka: Thank you, Mr. Speaker, Sir. The matter that I would like to raise pertains to the numbers of the teachers that he has stated in terms of qualifications and their allocations. One of the most controversial issues which I bring to his attention because he has just come in, is the fact that if you look at all our 47 counties, we do not have any list or data which can explain the total number of teachers that have been employed in every county, yet one of the responsibilities of this House is to protect the counties.

Would it be possible that the Cabinet Secretary is in possession of that list, and if necessary, it gets posted in their portal, so that Kenyans can see the distribution, whether it is gender-based, has people with disability and the general public distribution of these teachers within our Republic?

The Speaker (Hon. Kingi): Before Sen. Abass poses his question, Sen. Onyonka, if you look at the response to the question by the Senator for Kakamega that we have just skipped, although we are coming back to it, there is a very long annexure there. You could look at it as you wait for a response from the hon. Cabinet Secretary. It may shed light on the question you have just asked.

Sen. Abass: Thank you, Mr. Speaker, Sir, I would like to ask the Cabinet Secretary if he is aware that in Wajir, there is an acute shortage of teachers, both in the primary and secondary schools. Most of the JSS schools are not fully functional. My question is, as rightly asked by Sen. Ogolla, in most instances, schools have one trained teacher. The rest are PTA teachers. In my place and in most schools, it would only the principal. The rest are employed by the PTA boards in those schools.

The JSS schools are unique and is a new thing that was started recently as a result of the CBC. Therefore, are PTA teachers trained to go and teach the JSS? Are there opportunities given to those teachers because there are no other teachers? How many JSS teachers out of the 56,928 teachers have been sent to Wajir County?

The Speaker (Hon. Kingi): Sen. Cherarkey, please, proceed.

Sen. Cherarkey: Thank you, Mr. Speaker, Sir. A quick one to the Cabinet Secretary. Can you tell us, after the Kenya Primary School Education Assessment (KPSEA) exams, what is the population of Grade 9 and the number of teachers that are needed?

In addition, tell us the subject that every teacher shall be teaching, bearing in mind that the Cabinet Secretary has said in his answer that the Government is employing 20,000 interns? How long should those interns be in an internship programme before they are confirmed to be Permanent and Pensionable (PnP)? What is their remuneration status?

I thank you, Mr. Speaker, Sir.

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The Speaker (Hon. Kingi): Sen. Esie?

Sen. Okenyuri: Thank you, Mr. Speaker, Sir. While I appreciate the Government initiative to extend an offer of employment to the Junior Secondary School (JSS) interns, I also feel it is unfair for the Teachers Service Commission (TSC) to still subject them to a six-month probation period after they have had an encounter with them for more than two years.

(Applause)

I feel that the probation policy by TSC should work for people who are encountering it for the first time, but not interns who have served for more than two years.

Thank you.

The Speaker (Hon. Kingi): Sen. Gloria Orwoba.

Sen. Orwoba: *Waziri*, how sustainable is this internship programme considering that the transition from internship into PnP has proven to be an issue with the first batch of interns? Considering that the past Finance Bill was rejected and we saw that there was a hiccup on now absorbing those interns that were supposed to be moved to PnP, what is the future financing model to ensure that this internship programme is sustainable? Otherwise, we will have many interns who will not be taken in permanently.

The Speaker (Hon. Kingi): Sen. Kavindu?

Sen. Kavindu Muthama: Thank you, Mr. Speaker, Sir. Hon. Cabinet Secretary, I want to know how prepared you are about the Grade 8 candidates who are supposed to go to Grade 9 in January considering that many of the schools have no infrastructure. I do not know what you are doing about that as a matter of urgency. You can update us on what you are planning to do.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may now proceed to respond.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Speaker, Sir. In answering the question of the teachers being able to teach only one or two subjects, I indicated that more teachers are retooled to ensure that they teach more than two subjects. However, the focus again on the 20,000 teachers that will be recruited as interns will be towards the science-based subjects, so that we can further reduce that gap. Something is being done to ensure that we reduce the gap as much as possible through retooling, retraining and the extra recruitment that is taking place.

In terms of the question relating to where the JSS is anchored, it is anchored in the Sessional Paper that is yet to be brought to Parliament. It was anchored out of the Presidential Working Party. We have come up with the necessary Cabinet Paper, which will birth the Sessional Paper.

In terms of the remuneration of the interns to increase from the Kshs16,000 or Kshs17,000 that they were getting, it is anchored in the general Government Internship Policy. As I indicated, it is based on the available budget and resources. That is why the last two years we had 46,000 interns, but this coming year, we will be having 20,000 interns. It is because of the limitation of resources that we are not able to employ or take on board as many interns as possible.

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Concerning the question of the length of stay, it is the time when the teacher finished training and has been registered as a TSC member. So, the longer you have stayed without employment, you are given the first priority when it comes to teachers' recruitment. It is no secret that we have over 400,000 trained teachers who do not have jobs. Even this 20,000 interns does not do any justice to that number. This is because of limitation of resources.

Currently, our strategy is to see whether we can have some of these teachers employed to teach in foreign countries. We have teachers who have been have not been employed for more than 10 years. That is unfair. We are also trying to ensure that Kenya is listed as a native English-speaking because that is a basis for sending teachers outside the country to work. Once we make that proposal and it is accredited, then we will reduce the number of jobless teachers in our country.

The question relating to the graduate teacher serving under P1 heads of schools is an administrative and a leadership issue. Somebody could be a Grade P1 head teacher who has been there for a long time and has experience which fresh graduate does not have. There should be no problem serving under that particular Grade P1 leader because there are policies and regulations under which each and every one does their job. So, all that people have to adhere to is what is provided for in the policies and guidelines.

The question of how long the 46,000 interns will take to be confirmed is dependent on the availability of resources. That was the reason it was delayed. However, once the resources are availed and put in the budget, they will be confirmed.

We are expecting Grade 9 be 1 million students. The six-month probation period is a good one. I think we will pass it over to TSC to see how they can maybe amend that policy to ensure that those who have already served for over 24 months, need not be put on probation for another six months. It should not be applied holistically.

The sustainability of the programme of interns is dependent on the availability of resources. We will continue looking for resources to ensure we absorb many teachers as possible in the service.

There was a question by Sen. Abbas, which I did not quite understand. With regard to the number of trained teachers sent to Wajir County, we have given that list on soft copy, and I hope the hon. Senator will be able to see it. There is another list showing the number of teachers in each county. I think it is annex number two or something like that.

Regarding the question of how prepared we are, an assessment was done for the 1 million Grade 9 students. The Ministry came up with a requirement of 16,000 classrooms and the World Bank gave Kshs12 billion. The Ministry is doing 11,000 classrooms in phases. Phase One was for construction of 3,500 classrooms, which has been done.

We are now in Phase Two constructing 7,500. There is also a co-funding with the National Government Constituency Development Fund (NG-CDF). The Ministry gave Kshs3.4 billion and we expect NG-CDF to contribute to a tune of Kshs3.4 billion, which will be used to build 6,000 classrooms, making a total of the 16,000 that are required.

Mr. Speaker, Sir, we are in the process. As I said, we have done 3,500 buildings, of the 7,500 in various stages of completion. Our target is to complete all these classrooms by 15th December, 2024. This is because resources were availed to every school to building a classroom. The classrooms were standardized. The budget for each classroom is Kshs1

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million or thereabout. These resources were released to the individual schools that require classrooms.

This is being done locally. Each classroom takes between six and eight weeks to complete. We have been going around the country and commissioning those that have been completed just to assure the country is ready in terms of classrooms.

With the textbooks that are required, we have already started distributing them to schools on the one-to-one ratio. We will ask the head teachers to remain in school to continue receiving them. This is to ensure that each of the Grade 9 student who come to school in January have a textbook for each subject. We have textbooks for all the nine subjects. I have already indicated what we are doing to address shortage of teachers in our schools.

Mr. Speaker, Sir, that is what we are doing to ensure that we are ready by next year. As a country, we need all of us to work together, including Members of Parliament (MPs), to ensure that we complete these classrooms by the end of 15th December. Where there are challenges, we face them and deal with them. We do not want have a crisis in January.

I submit.

The Speaker (Hon. Kingi): Hon. Senators, if you need any further clarification, you may see the hon. Cabinet Secretary on this.

We now move to Question No.064.

Proceed, Sen. Boni to ask Question No.064.

Question No.064

DELAYED COMPENSATION TO FAMILIES THAT LOST
CHILDREN IN A STAMPEDE AT KAKAMEGA PRIMARY
SCHOOL AND FROM WATER POISONING
AT MUKUMU GIRLS' HIGH SCHOOL

Sen. (Dr.) Khalwale: Thank you, Mr. Speaker, Sir. I rise to ask Question No.064.

(a) Could the Cabinet Secretary provide a list of the learners who lost their lives in the stampede that occurred at Kakamega Primary School on Monday, 3rd February, 2020?

(b) When will the families of the deceased learners receive the compensation awarded to them by the courts, and could the Cabinet Secretary indicate the amount due to each family?

(c) Could the Cabinet Secretary also indicate when the families of the three students and a teacher, who died from water poisoning in Mukumu Girls' High School in Kakamega County, will receive the Kshs400,000 that was promised to them by the Cabinet Secretary, the Hon. Machogu?

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may now proceed to respond.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Speaker, Sir. On part (a) of that question, the list of the learners who lost their lives in that unfortunate incident is as follows:

(1) Atonnet Iramwenya of Class 5V

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- (2) Prudence Eliza of Class 5W
- (3) Catherine Aloo of Class 5W
- (4) Naila Kiverenge of Class 4G
- (5) Prince Vermaline of Class 4G
- (6) Nicholas Achola of Class 5P
- (7) Vanessa Adesa of Class 5P
- (8) Fidel Kumbetie of Class 5P
- (10) Simon Waweru of Class 4G
- (11) Samuel Simekha of Class 5V
- (12) Lavenda Akasa of Class 5P
- (13) June Nakhumincha of Class 4G
- (14) Joseph Musami of Class 5B,
- (15) Bertha Munywele of Class 5Y
- (16) Salma Olesi of Class 5W.

Mr. Speaker, Sir, on the part (b) of the Question, by a judgment delivered on 15th March, 2023, the court ordered a compensation of Kshs1.25 million to each learner's family. We are working to secure the resources to effect the judgment before the end of this Financial Year.

Through a multi-stakeholder effort involving the national Government, the County Government of Kakamega, the Ministry of Interior and National Administration and the Salvation Army Church, each family has been paid Kshs413,000.

On part (c) of the question on the issue of the Kshs400,000 and the three others who suffered, the three students were part of the comprehensive medical insurance cover under Edu-Afya Scheme. The scheme which was operated by the National Hospital Insurance Fund (NHIF), included a last expense payment of Kshs100,000 and a group life cover of Kshs400,000, totalling Kshs500,000 per student.

Thus far, the families of the following two students have already been paid. The late Miriam David Namajanja, Admission No.18675, under policy No.UPI-JSL-SUA, the last expense and group life benefits, totalling Kshs500,000, were paid on 20 February, 2024 to her parents, Mr. Sitoshe Webo David. The payment was deposited in a Kenya Commercial Bank (KCB) account at the Webuye Branch.

The late Mambili Diana, Admission No.17351, Policy No.UPI-29RLSM. Her next of kin, Mr. Paul Mambili, received the Kshs500,000 being payment for the last expense and group life benefits. This amount was deposited in Cooperative Bank account at Kakamega Branch.

The third case concerned the late Wendy Amani Oyugi Abeti, Admission No.19037, Policy No.UPI-3HB6FN. The claim for her last expense and group life benefits has not yet been processed. Errors were found in the claim form and her parents were advised to correct and resubmit the form. The NHIF received the corrected document on 28th June, 2024 and the claim is now being processed.

Regarding the deceased teacher, the Teacher Service Commission (TSC) is currently processing the gratuity for payment to the family.

I submit.

[The Speaker (Hon. Kingi) left the Chair]

[The Deputy Speaker (Sen. Kathuri) in the Chair]

The Deputy Speaker (Sen. Kathuri): Sen. (Dr.) Khalwale, do you have any supplementary questions?

Sen. (Dr.) Khalwale: Yes, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Go ahead.

Sen. (Dr.) Khalwale: Mr. Deputy Speaker, Sir, this was a very sad case in Kakamega. We are talking about 2020, four years ago. Purely on humanitarian grounds, would the Cabinet Secretary assure me, so that I go and tell the parents that he will expedite it so that they are paid?

Losing a child and the Government giving them Kshs400,000 is nothing. When you delay it, you make the mourning to continue. When will you settle it?

The case of the children at Mukumu Girls is unique because the Principal Secretary is an alumnus of that school. They are very hopeful that Hon. Cabinet Secretary, you will help their old girl to take the money to them, since she is on your immediate right.

Hon. Cabinet Secretary, can I request that you help the Principal Secretary, Ms. Beatrice, to look good in her old school? In fact, one of the children - Beatrice might not have told you - is from her village. When I went to bury her, we did not have the words.

Finally, also on that day, the Cabinet Secretary promised to give Ksh15 million to Butere Girls and Kshs20 million to Mukumu Girls, respectively. The Kshs15 million for Butere Girls was received. The Kshs20 million for Mukumu Girls has not come. When will he do so for the same problem?

The Deputy Speaker (Sen. Kathuri): Do we have questions on that? If I follow my list, then I can see Sen. Mumma.

Proceed, Sen. Mumma.

Sen. Mumma: Thank you, Mr. Deputy Speaker, Sir. Hon. Cabinet Secretary, my follow-up question on this is whether the Ministry of Education has a policy regarding compensation of families of learners in the events of accidents, loss and deaths arising from events such as what happened in the case of Mukumu Girls poisoned water and Nyeri fires?

I think it is despicable that you would have somebody begging a Ministry on the delivery of rights.

Do we have a policy on this to ensure that every school has insurance or an arrangement that can ensure that the loss of lives, loss of limbs and disability costs because of negligence are covered by the Government or the insurance companies?

The Deputy Speaker (Sen. Kathuri): Sen. Joe Nyutu, the Chairperson of the Senate Standing Committee on Education, you have the Floor.

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker, Sir. My question may not be very different from what Sen. Catherine Mumma has asked. However, I will put it differently.

Over the years, we have had very many incidents in schools causing deaths to students. All the Ministry has done is tell us about some safety measures that they have set

in place for learners to be safe. However, it seems that when these incidents do happen, they defy the regulations that the Ministry has put.

Exactly what new measures have the Ministry instituted because the old measures seem not to work anymore? The issue of staircases because that is what happened in Kakamega; inadequate staircases in school buildings. Does the Ministry inspect regularly or does this happen only when an incident happens?

What new strategy does the Ministry have save for the old measures of ensuring student safety in schools?

The Deputy Speaker (Sen. Kathuri): Thank you.

Sen. Beatrice Ogola, you may proceed.

Sen. Ogola: Thank you, Mr. Deputy Speaker, Sir. My question is related to compensation for losses. Sometime back, a student at St. Albert's, Ulanda Girls, then, called Quinta Amondi, was shot by a stray bullet from a prison warden and lost half of her face and half of the eye. This affected the learning process of the student. However, up to date, the student is yet to get compensation. What would you say about that and what follow-up would you make?

The Deputy Speaker (Sen. Kathuri): Sen. Cherarkey, you have the Floor.

Sen. Cherarkey: Mr. Speaker, Sir, the reason there was a stampede in Kakamega and the Hillside Enderasha Academy fire--- There is a Ministry of Education policy on the standards and safety of learners. How regularly is the Ministry of Education - through the new Cabinet Secretary, Mr. Migos - do spot checks to ensure that the boarding facilities are either fireproof or are compliant with safety measures?

What has the Ministry done to ensure compliance or in partnership with National Government Administration Officers (NGAO) and other agencies, so that our learners are not subjected to the challenges of safety within the learning institutions, especially primary and secondary schools?

The Deputy Speaker (Sen. Kathuri): Hon. Senators, those questions are just similar. So, I want to pick these two other Senators and then the Cabinet Secretary will be able to respond.

Sen. Mariam Omar, you may proceed.

Sen. Mariam Omar: Thank you, Mr. Deputy Speaker, Sir. Hon. Cabinet Secretary, what do you think about the Kenya Primary School Education Assessment (KPSEA) Exam which requires a lot of resources, and the end of it, there is no certificate? What is the difference between the KPSEA and the internal exam done by individual schools?

The Deputy Speaker (Sen. Kathuri): Last one, let us have Sen. Kavindu Muthama.

Sen. Kavindu Muthama: Thank you, Mr. Deputy Speaker, Sir. Hon. Cabinet Secretary, from the tragedy of Kyanguli on 25th of March, 2001, the Ministry of Education must have put in place strict measures about fires in schools by now.

I would also like to know if those students who died in the Kyanguli tragedy were completely compensated.

The Deputy Speaker (Sen. Kathuri): Hon. Cabinet Secretary, please, proceed to answer those questions then we proceed to the next Question.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Deputy Speaker, Sir. I agree with Sen. (Dr.) Khalwale that these cases of death were very sad. I

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assure you that I will follow these up even as an advocate to ensure that this compensation comes through as soon as possible. There is no reason why it should take more than four years to sort out such issues. Four years is a long time. So, I will handle that one.

In terms of the monies that were promised, the Kshs15 million was, of course, paid. Out of the Kshs20 million, we have already paid 5 million. We are following up with the Kshs15 million balance. This is because of the limitations of resources, as you may understand. Once resources are available, we will be able to sort that out. So, it is in the programme.

Now, regarding the compensation policy at the Ministry for accidents, fires and any other misfortune events, during the previous financial year, we had the policy that was provided for under the Edu-Afya. That covered all these requirements and every incident and accident was compositable through that policy.

Now, it is again being provided for under the Universal Health Programme that we are rolling out, the Social Health Insurance Fund (SHIF). We have already sent out a circular to parents and all our teachers to ensure that the students through the parents are registered on SHIF.

As a Ministry, we are ahead. The large number of those 12 million that are already registered come from our Ministry. So, the compensation is already provided for in that particular policy.

The defiance of the regulations and what new strategy we are coming up with is that after this particular accident, it became clear that the penalties that are provided for in the regulations are not punitive enough. We are amending the Basic Education Act and we will be bringing it to Parliament. We want to raise those policies into provisions of the law. When you violate them, the penalty is that much more severe, including imprisonment.

The policies are in place, but sometimes there is some laxity in terms of obeying them. However, we are elevating them to the level of being regulations and statutory so that people can take them very seriously. We are working on the amendment and I am sure we will remedy that.

When the Hillside Endarasha event occurred, we commissioned a thorough investigation of all the boarding schools. The report was written and we started analysing it yesterday. We have not completed the analysis, but we will issue a circular to tell the people what they are supposed to do. Any school that will be found not to be conforming will be deregistered.

On the question of Quinta Amondi, I am unaware of the case as we speak. I would suggest that if you forward us the details of that case, I will be happy to follow it up for conversation and proper handling of it.

Now, the regularity of sports checks on how the schools are adhering to the policies is an issue also related to the limitation of resources because the safety and quality assurance officers that we have are not sufficient.

So, we will be coming back to Parliament to seek more resources to employ a number that is proportional to the schools that we have to ensure that the spot-checks are done regularly. We want have enough personnel, and well capacitated in terms of tools and vehicles, to ensure that they are doing their job. There is a question of vehicles that come to it and ensuring that that spot check will be done regularly.

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Under KPSEA, the assessment is focused on monitoring the learner's progress and it is done in two phases. There is a formative assessment within the school that is done by the school at the teacher's level. There is also a summative assessment that is now done to validate the internal assessment, so that we know that when the child is transiting, they are carrying it forward every year.

There are three reports given to each learner. There is a learner's report, a school report and a national report. That report informs the assessment of the student, so that we exactly understand the learner's progress.

On the question of the 2001 Kyanguli compensation, I do not have those details right now, but we will confirm whether the students were compensated. We have already put it down and we will share that information with you once we have it. As we said, we will put in place measures to ensure that these things do not happen. Kenyans need to take it seriously, especially parents. They need to inform us when they go to schools and find that students are congested so that we act.

I submit.

The Deputy Speaker (Sen. Kathuri): Thank you, hon. Cabinet Secretary. Let us now go to Question No.095.

Sen. Gataya Mo Fire, proceed.

Question No.095

SHORTAGE OF EDUCATIONAL STAFF
IN THARAKA-NITHI COUNTY

Sen. Gataya Mo Fire: Thank you, Mr. Speaker, Sir. I rise to ask the Cabinet Secretary for Education the following Question No.095:

(a) What is the Ministry doing to address the existing shortage of educational staff, specifically curriculum support and quality assurance officers in Tharaka-Nithi County?

(b) Are there plans by the Ministry to deploy additional vehicles to Tharaka-Nithi County to address the prevailing insufficiency and enhance delivery of educational services across the county?

(c) Could the Cabinet Secretary also explain why it has taken long for teachers serving in Kathwana and Chuka municipalities in Chuka and Igambang'ombe sub-counties, respectively, to be considered for hardship allowance, despite serving under similar adverse conditions as their colleagues in Tharaka South and Tharaka North sub-counties?

I submit, hon. Deputy Speaker.

The Deputy Speaker (Sen. Kathuri): Thank you. Cabinet Secretary, proceed to respond.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Deputy Speaker, Sir. The answer to part (a) of that question is-

Tharaka-Nithi County has one lead County Quality Assurance and Atandards Officer based at the County Education Offices; one Quality Assurance and Standards Officer based at the County Education Offices; and seven Sub-County Quality Assurances

and Standard Officers that are stationed in the seven sub-counties in Tharaka Nithi County as follows-

S/N	Name	Gender	P/No.	J/G	Designation	Current Station
1.	Titus Kamande Mburu	M	2008090910	S	CQASO	CDE's Office
2.	Simon Tanoi Waigwa	M	2006088439	P	ADQAS	CDE's Office
3.	Wahome F. Mureithi	M	1998045109	R	SCQASO	Meru South- Chuka
4.	Peter Thurania Nkubitu	M	2008908452	P	SCQASO	Tharaka South
5.	Eliud Karanja Kamau	M	1994071271	R	SCQASO	Igambang'ombe
6.	Peter Kabiro Laibu	M	2010633455	P	SCQASO	Muthambi
7.	Patrick Muriira	M	20060889503	N	SCQASO	Chiakariga
8.	Michael Kariuki	M	20020813423	N	SCQASO	Tharaka North
9.	Kinyua Silas	M	20030665602	N	SCQASO	Maara

Tharaka Nithi County has a quality assurance and standards officers in all its seven sub-counties. This is the standard staffing level for quality assurance and standard officers. All these officers have also been capacity built and inducted in the ongoing education reforms and are executing their mandates within their respective sub-counties.

Part (b) of the question, the Ministry dispatched three Isuzu DMax Double Cabin vehicles to Tharaka Nithi County in November 2023. An additional vehicle was dispatched to the county this October. The following are the vehicles serving the county.

S/No.	Registration No.	Received by
1.	GKC 670A	CDE
2.	GKC 680A	SCDE Tharaka South
3.	GKC 653A	SCDE Tharaka South
4.	GKC 671A	SCDE Maraa

The Ministry is seeking the requisite budgetary allocation in order to purchase more vehicles for the remaining sub-counties. Indeed, other parts of the country also facing the similar shortages.

Part (c) of the question, the payment of hardship allowance is done automatically once an area is classified as a hardship area. The classification is done by the Ministry of Public Service and Human Capital Development. The areas of the county that are currently classified as hardship zones are indicated in Legal Notice No.534 of 1997 and provided as Annex No.4. Tharaka South and Tharaka North sub-counties are not classified as hardship areas at the moment.

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As a Ministry, we write to the Ministry of Public Service and Human Capital Development to request it to consider specified areas as hardship areas. Once that classification is done, the TSC will automatically pay the allowances.

I submit.

The Deputy Speaker (Sen. Kathuri): Sen. Gataya Mo Fire, do you have any supplementary question?

Sen. Gataya Mo Fire: Mr. Deputy Speaker, Sir, I have captured the answers given by the Cabinet Secretary. However, I am asking questions on behalf of the service consumers, especially on part (a), where we are seeking to know whether we are getting some quality assurance and curriculum developer officers. This is an issue that has bedeviled quite a number of sub-counties, although the Cabinet Secretary has just highlighted the number of the quality assurance and curriculum developer officers on the ground.

I want to be on record that, that is not the situation on the ground. Parts of Tharaka-Nithi County is an arid area. You do not expect one sub-county quality assurance officer to traverse the whole sub-county in check of the quality of education in those schools, for that matter.

On question (b), I have captured the Cabinet Secretary also talk about the number of vehicles. If you go to places like Tharaka South, which cuts across all the way from Mitunguu to areas like Kamanyaki and then you expect that sub-counties to have one vehicle. That is not rational.

Hon. Cabinet Secretary, once the budget allows, make sure that we have enough vehicles to make sure that people get services.

On question (c) about allowances---

The Deputy Speaker (Sen. Kathuri): How many supplementary questions have you asked?

Sen. Gataya Mo Fire: No, that is just one question. I am just interrogating the answers that the hon. Cabinet Secretary has given. I am not deviating from my previous question.

Mr. Deputy Speaker, this is my time third time I am trying to question about the hardship allowance. We have our brothers in Tharaka North and Tharaka South who are enjoying hardship allowance. Even teachers from the upper zone of Tharaka Nithi County are scrambling to go to Tharaka, where they can get some extra coins. Igambang'ombe Sub County is equally a hardship area just like Tharaka South and Tharaka North. What measures is the Ministry initiating to make sure that we do not have disparities in those three sub-counties.

The Deputy Speaker (Sen. Kathuri): Let me get a few other supplementary questions so that he can handle them together.

Sen. Korir, proceed.

Sen. Korir: Thank you very much, Mr. Deputy Speaker, Sir. I would like to know the plans the Ministry has on the issue of the prolonged registration of the new schools because it takes a lot of time. Even after the schools have been in place for even up to four years, there is no registration. That means they miss on capitation and other ministries' services.

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The other thing is the issue of unemployment of teachers who have graduated 15 years ago. What plans does the Ministry have? The formula you are doing right now is not favouring those who graduated back in 2009. What plans are you putting in place?

The Deputy Speaker (Sen. Kathuri): Sen. Korir, unfortunately, members earlier asked similar questions.

I was hesitant to cut you short because of gender issues. Gender issues are sensitive and this is why I gave you a leeway to ask your question. I will allow other Senators.

Sen. Ogola, proceed.

Sen. Ogola: Thank you, Mr. Deputy Speaker, Sir. In the same spirit, what means of transport does the Ministry provide to sub-county offices in the spirit of devolution and decentralisation?

A case in point is my sub-county, Ndhiwa. With over 153 primary schools across seven wards, what means of transport do these Ministry staff use for quality assurance?

The Deputy Speaker (Sen. Kathuri): Sen. Wambua, proceed.

Sen. Wambua: Thank you, Mr. Deputy Speaker, Sir. My question is about the hardship allowances for teachers. However, this is more like a comment. There seems to be a serious disparity across Government departments. One department of Government would appreciate a region as a hardship area and staff working there are considered for support as working in hardship areas. Other departments of Government do not consider the same area to be a hardship area.

It is complicated by the support provided by the Equalisation Fund, from which we have identified 33 counties to benefit. You realise that some teachers in some of those marginalised areas identified as deserving of Equalisation Funds are not considered for hardship allowance.

Cabinet Secretary, would you propose a multi-agency approach to ensure that staff working in marginalised areas in one region are treated as deserving of allowances from across Government departments?

Thank you, Mr. Deputy Speaker Sir.

The Deputy Speaker (Sen. Kathuri): Hon. Cabinet Secretary, proceed to answer those questions.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Speaker, Sir. The matter of classification of hardship areas is currently being handled by a technical team appointed by the Ministry of Public Service and Human Capital Development. The TSC has made submissions to that team to ensure that there are areas that are treated like Sen. Wambua said by one department or one side of the Government, as hardship is treated the same way across the board.

So, I could not agree with him more. We need to take that multi-agency approach so that we have a harmonised system for knowing and confirming that if an area is a hardship area for the Ministry of Interior and National Administration of National Government, for example, it should be a hardship area for the Ministry of Education or the TSC. So, we thank you for those suggestions. We will ride on them and make the relevant submissions to the technical team. We will also look at the circular that was issued in 1997, many years ago.

We need to look at it and have a current one that works, harmonises all the other areas and ensures that we do not disenfranchise other people who are working in the same conditions. It is even discriminatory. This is because under Article 27 of the Constitution, you should be treated the same. We promise that we will look at it.

On the issue of school registration, we have decentralised the registration of schools. Now they are registered in the counties. If it has taken that long, we will look at it. If we can get those schools' details, we will ensure that they are registered if they meet the requirements.

When we do not register them, we disenfranchise the students who go there. This is because without registration, there is no capitation. This means we are not obeying Articles 43 and 53 of the Constitution, which require us to give free primary education to children. So, if that is happening, please bring it to our attention so that we can deal with it.

On the issue of the means of transport in Ndhiwa, the position is the same as I have answered. Each particular county has a vehicle. Sub-counties have vehicles, but they are not sufficient. Some sub-counties have two vehicles or three vehicles when they need maybe five.

So, we are rationalising that and trying to get the funds from the National Treasury to ensure that each sub-county has at least one vehicle for our officers to move around. I do not have the data for the Ndhiwa Sub-county. I will get the data and share it with the Senator, so that we are on the same page.

We have covered the issue of the hardship allowance and the issue that Sen. Wambua raised.

I submit.

The Deputy Speaker (Sen. Kathuri): Sen. Ogola, what is your clarification? The Cabinet Secretary has no data for Ndhiwa or Homa Bay County.

Sen. Ogola: Mr. Deputy Speaker, Sir, if you allow, I would have just loved to get an example of which sub-county, especially in Homa Bay, has a vehicle. Based on my knowledge, I do not see any.

The Deputy Speaker (Sen. Kathuri): This is the data that the Cabinet Secretary requested to be available to you as soon as possible. Once you are ready, you can ---

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Speaker, Sir. We have requested for the list. Maybe before we leave, if I get it, I will share it with you. We have requested that the office gets the list.

Thank you.

The Deputy Speaker (Sen. Kathuri): Chairperson Committee on Education, proceed.

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker, Sir. This is an important question and I thank you for giving me the opportunity to ask it. It is related to the quality assurance and standards officers.

In response to Sen. Mwenda Gataya's Question, the Cabinet Secretary said that the standard staffing level for quality assurance and standards officers, according to his response, is one officer per sub-county.

I want to challenge this. He should know that we used to have what we called an inspectorate. There is a reason why this was changed from an inspectorate. They were like a fault-finding department. It was changed to quality assurance and standards.

Cabinet Secretary, there is a big shortage all over the country. When the Cabinet Secretary states that if you say that the staffing level is one officer per sub-county, these officers are not adequate to go to schools and help with curriculum support. I want to challenge that because the Cabinet Secretary seems to be comfortable with that standard. We need more quality assurance and standards officers to guide schools and teachers and to help them with curriculum support.

I would like to hear from the Cabinet Secretary about whether he thinks this is sufficient. If not, what does the Ministry think should be done? Otherwise, curriculum support is something that teachers need because now we are not inspecting them. We want to assist them. We need more officers.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Chairperson of the Committee on Education. I thought you knew you were lamenting more than those of us who are not on the Education Committee. I would request you to do more interaction with the Cabinet Secretary, so that you can sort out these problems. I can see you understand everything, so do a lot of interaction with the Ministry.

(Sen. Joe Nyutu spoke off record)

No, no. I will request him to meet the Committee today from the chair. I want us to move on to the next question. We have so many other questions left here.

Hon. Senators, I guide that as we move along, I will give you that leeway to ask that question.

Sen. Thang'wa, proceed to ask Question No.001.

Sen. Thang'wa: Thank you, Mr. Deputy Speaker, Sir. As I rise to ask my Question, allow me to bring to the attention of the House that in the afternoon we anticipate under Order No.37 to discuss matters on consolidation of bursary. This is a very important issue and we should listen to the answers from the Cabinet Secretary. However, I beg to ask the following Question No.100.

Question No.100

BURSARY ALLOCATION AT THE NATIONAL AND COUNTY GOVERNMENT LEVELS

(a) Could the Cabinet Secretary provide statistics on the total amount of funding allocated for bursaries at both the county and national levels over the past three years and clarify on how the funds have been disbursed per county?

(b) Has the Government maintained records of all bursary beneficiaries and could the Cabinet Secretary explain the mechanism for tracking this information?

(c) What is the number of students who have benefited from bursary allocations at both the county and national levels during the past three years?

(d) Could the Cabinet Secretary outline the measures the Government uses to monitor bursaries allocated by various Government agencies and clarify the mechanism for this monitoring indicating how the money is disbursed after the funds have been allocated?

I thank you.

The Deputy Speaker (Sen. Kathuri): Proceed, Hon. Cabinet Secretary to answer.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Deputy Speaker, Sir. With your kind permission, allow me to respond to these four sub-questions collectively.

The Deputy Speaker (Sen. Kathuri): Okay.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you. Mr. Deputy Speaker, Sir. First, I wish to state that the Ministry does not provide any bursaries for basic education.

The Ministry only administers the Elimu Scholarship which supports selected students through secondary school. The scholarship has been running since 2020. During that period, 52,000 students have benefited under the programme.

The breakdown of the funding per year is as follows. In the year 2020 there were 9,000 scholarships at a total sum of Kshs1,013,238,782. In the year 2021, there was 9,000 scholarships at a total amount of Kshs1,322,841,971.

In 2022, there was a total of 9,000 scholarships at a total amount of Kshs2,967,055,422. In 2023, there was a total of 10,574 scholarships at a total amount of Kshs3,405,949,326. In 2024, we had 14,426 scholarships at a total amount of Kshs4,018,177,480. That makes a total of 52,000 scholarships at a total amount of Kshs12,727,262,981.

Secondly, bursaries are provided through the framework of the National Government Constituency Development Fund (NG-CDF) and the county governments. The Ministry of Education is not involved in the processes at both levels and does not have the records of the allocations of awards that are made by the respective Members of Parliament and the county governors.

The Ministry does not have any legal or administrative mechanism for monitoring the bursaries allocated by the NG-CDF and by the county governments.

Mr. Deputy Speaker, Sir, the challenge relating to the management of bursaries and scholarships was identified by the Presidential Working Party on Education Reform.

The Working Party noted that there are various sources of funding available, but that they are fragmented and uncoordinated, leading to some students benefiting from multiple awards while leaving many others outside or without.

The Government is spending heavily on education at 27 per cent of the total budget expenditure. This is well beyond the United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended rate of 15 to 20 per cent of the annual public expenditure. Yet we still experience lower outcomes which can be attributed to inefficiencies in the allocation of resources in the sector.

To address this challenge, one of the recommendations by the Working Party was to create a coordinated framework for scholarships and bursaries across all levels of education.

In this regard, we have developed two Bills. One, the Basic Education Bursaries and Scholarships Bill 2024 that establishes bursaries and scholarships fund to coordinate and administer scholarships and bursaries in basic education.

The council will also provide oversight in the governance of scholarships in the county and maintain a database of the administration and coordination of scholarships in Kenya.

We have also developed the Tertiary Education Placement and Funding Bill, 2024 which creates the Tertiary Education Placement and Funding Authority. The authority will have the mandate of placing students in tertiary institutions and granting loans and scholarships. It will also maintain a database in tertiary education placement and funding.

The Bills were subjected to stakeholder validation on 1st March, 2024 and to public participation from 28th February 2024 to 15th March 2024. They are awaiting Cabinet approval after which we will submit them to Parliament. We will welcome the support of this hon. House in debating and passing these Bills with any necessary amendments so that we can create a foundation towards ensuring that resources in the education sector are optimally used.

I submit.

The Deputy Speaker (Sen. Kathuri): Sen. Thang'wa, proceed.

Sen. Thang'wa: Mr. Deputy Speaker, Sir, I think the good Cabinet Secretary evaded my Questions. I believe the response is not satisfactory in the sense that I am sad to hear that the Ministry of Education appears to lack awareness of how much bursary goes to Government schools of which the Ministry is in charge.

Mr. Deputy Speaker, Sir, whether the bursary is given by NG-CDF, women representative or the county government, I believe the schools receive the money and they are supposed to report back to the Ministry.

This answer is not very satisfactory, but I have a supplementary question. If you allow me, I will ask one because I am entitled to two then after that one is answered I can come back and ask the second one.

In that regard to my question to the Cabinet Secretary, how much does the Ministry need to make secondary education fully free? How much would you require to make sure that every student who joins secondary school does not pay anything?

I thank you.

The Deputy Speaker (Sen. Kathuri): Proceed, Sen. Mbugua.

Sen. Mbugua: Thank you, Mr. Deputy Speaker, Sir. I would like the Cabinet Secretary to clarify something for me. In the breakdown of what he has given, we take the example of the year 2024; there is a figure, total amount and the number of scholarships. I do not know whether I got it right, but it is almost Kshs200,000 or so, per learner.

Could you elaborate this and probably tell this House where these 14,000 students are, so that we can know where the schools you are giving Kshs200,000?

I thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Veronica Maina proceed.

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Sen. Veronica Maina: Thank you, Mr. Deputy Speaker, Sir. Hon. Cabinet Secretary, welcome to Senate---

The Deputy Speaker (Sen. Kathuri): I said I am giving a chance to Senators who have not spoken this morning. There is no policy that says I should give this side and the other.

Sen. Mumma, we know you are in the precipice---

Proceed, Sen. Veronica Maina.

Sen. Veronica Maina: Thank you, Mr. Deputy Speaker, Sir. Hon. Cabinet Secretary, we are headed for school holidays in another few weeks in December. During school holidays, girls suffer; a lot of violence is meted against school girls. There are those who face mutilation through the Female Genital Mutilation (FGM) and yet, they are school-going children. Does the Ministry have any plan or any strategy to ensure that these schoolgirls are protected this December?

Mr. Deputy Speaker, Sir, I have in mind counties where FGM is rampant like in some of the North Eastern counties, the central part of Kenya and counties like Bomet. What plans does the Ministry have to ensure that these girls come back to school in January without having faced that knife, the FGM menace and the consequences that befall these children?

Further, what is the Ministry doing about the 68 or so girls who have been prosecuted because of going through that rite? The victims have been prosecuted through criminal proceedings and they are facing sentences or serious penal consequences because of having faced the knife, and yet they were taken there by adults. What measures does the Ministry to safeguard that?

The Deputy Speaker (Sen. Kathuri): Thank you, Sen. Veronica. Kindly remember to ask questions that are relevant to the prime Question. We are now handling bursaries and the mind of the Cabinet Secretary is focused on bursaries, but you have taken him to the FGM. Let us first ask questions relevant to the questions requested by Members. If we have some time later, we can ask general questions.

Sen. Veronica Maina: Mr. Deputy Speaker, Sir, there would be no bursary if they are going through the FGM.

The Deputy Speaker (Sen. Kathuri): Okay, Senator. Sen. Kavindu.

Sen. Kavindu Muthama: Thank you, Mr. Speaker, Sir. My question to the Cabinet Secretary is not about the CDF bursaries. It is about hardship allowances in Mwala and Kalama sub-counties. By all standards, Mwala and Kalama sub-counties are supposed qualify for hardship allowances because even the surrounding sub-counties like Yatta and parts of Makueni where we border Mwala, receive hardship allowances.

We have been requesting for these allowances for Mwala sub-counties and Kalama, but nothing has come up. What is the Cabinet Secretary doing about these sub-counties?

The Deputy Speaker (Sen. Kathuri): Sen. Kavindu, just have your seat. Let us have some order. I will give you free advice that the Cabinet Secretary responded to those questions and he directed you to the Cabinet Secretary for Public Service. That is where Senators should go to sort out these issues of hardship allowances.

I understand what you are doing, but kindly let us ask questions that are relevant to the prime Question. Otherwise, I will ask my team here to disconnect any Member who is

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digressing from the main Question because we have several Senators who have been here since morning to ask their questions.

Cabinet Secretary, you can answer those. From there, we will go to the question by Senator for Isiolo County.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Speaker, Sir. I was trying to get some clarity. I would like to state that I do not want to go on record that I am evading a question. The response I am giving is a response based on the facts, the data and the information that we have on the issue of bursaries as well as on the issue of the scholarships.

It is true that the schools receive these bursaries. However, the Ministry has no system of getting feedback. It has not been having a system of getting feedback of how much bursary the students have received. It is a good suggestion that maybe going forward, we need to have a structure where all the amounts paid per child to a school, needs to be database or domiciled in the Ministry. That is the reason why we said that the exercise is uncoordinated.

I can go further to answer and state that there is no analysis that has been done to determine, for instance, how much money is required for a child to start from ECD and go all the way to university. We do not have that data. That is the same position *vis-à-vis* that we do not have data of how much money the country is spending on education.

The 27 per cent I talked about is the Government allocation. There are other figures, other amounts that donors give and other people contribute, including the donations we give. That analysis has not been done to determine how much money we are spending in education.

This conversation came about after we started having these issues relating to the higher education funding model. So, it is ripe for us to discuss and I believe it is the way to go. We need to determine how much money we need to give free education to our children. How much money we are spending so that we find out whether we are spending more or less. Then we can determine, come up with policies and regulations on how to deal with these issues.

On the second question, we do not have a figure that can tell this is the actual amount that we need to give free secondary education to children. It is a conversation we need to have. All of us on the table need to work on it because 27 per cent of the budget is unsustainable. We will not be able to raise this. We need to get a better way of dealing with it.

Mr. Deputy Speaker, Sir, on the issue of FGM, what usually happens in this situation is that we work with the national Government administration to ensure that the parents comply with regulations. Where we get information that our students are being harassed in any way, the county officers we have in our counties and sub-counties take action.

Mr. Deputy Speaker, Sir, sometimes, these cases are done under the table, therefore, it is hidden. We need the Ministry of Interior to work with us. There is need for us to work with the headmen, chiefs, police officers and generally the administration, so as to ensure that when our girls are on holiday are not harassed in any way. We do not have our own police or administration to manage that space.

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I had answered the question on the hardship allowance.

The Deputy Speaker (Sen. Kathuri): I will give Sen. Wambua and one of you from that table. Just agree amongst yourselves and, finally, Sen. Karungo, I am aware.

Sen. Wambua: Thank you, Mr. Speaker, Sir. This area of bursaries is a very grey area and I am happy that we will be discussing this later in the afternoon. However, the Cabinet Secretary is here; I want to know from him whether the Presidential Bursary Scheme for orphans and vulnerable students is still operational and who benefits from it. I ask that question because we read some of these things on newspapers.

I would wish after this because he may not have that data, if he could give us a list of students per county who have benefited from that Presidential Bursary Scheme.

The Deputy Speaker (Sen. Kathuri): Sen. Korir.

Sen. Korir: Mr. Speaker, Sir, it sounds funny to learn from the Cabinet Secretary that the Ministry does not have the amount that can give our students or pupils free education. What formula does the Ministry use to come up with the capitation because capitation is based on population?

The Deputy Speaker (Sen. Kathuri): Sen. Nyutu, just a direct question, like your colleague.

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker, Sir. Allow me to tell you that I feel gagged. I chair the Committee on Education. If I need clarification, kindly allow me to seek it.

The Deputy Speaker (Sen. Kathuri): It was just a fair comment.

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker, Sir. The issue of bursaries is very important. I thank the Government of Kenya of His Excellency William Samoei Ruto, for the many things that are happening in the education sector, particularly in the answer that the Cabinet Secretary gave about the Elimu Scholarship that the Ministry runs.

We have seen figures there. However, could the Cabinet Secretary kindly tell us the criterion the Ministry uses to identify the learners that benefit from the Elimu Scholarship? Looking at the year 2020, for example very quickly and I know that we do not have time, if you divide the number of learners that have benefited from these scholarships, it was supposed to be about Kshs112 million, if it was uniformly distributed. However, the question is, how do they identify the learners that benefit from the Elimu Scholarship?

I thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Karungo Thangw'a?

Sen. Thang'wa: Mr. Deputy Speaker, Sir, the Cabinet Secretary admitted that there is no data available on monies disbursed to schools. I think we, as a Senate, need to step in and assist the Ministry, so that we can have that data.

In line with that and not to speak on behalf of Sen. Mbugua, there was a question he had asked about the Kshs4 billion that was given to 14,426 learners as a scholarship. If you do the math, that is to say, each student received Kshs278,000 within this year of 2024. If this money was to go to capitation, if you divide that to 22,244, it means that it could have assisted 180,000 students.

I think the best thing is to have this discussion as a House on the Motion that we have and help the Education Ministry to have data. Nobody knows where the money is going. I do not have further questions.

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The Deputy Speaker (Sen. Kathuri): Cabinet Secretary, please proceed to answer the question.

[The Deputy Speaker (Sen. Kathuri) left the Chair]

[The Temporary Speaker (Sen. Abdul Haji) in the Chair]

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Temporary Speaker, Sir. On the question of the Elimu beneficiaries, I will answer just briefly. The figure that you see is cumulative. It covers not just tuition, but transport, school fees, personal kits, *et cetera*. That is why the figure might look different. However, I agree that we need a conversation.

We need clarity on the amount of money that the Government contributes or gives us capitation per student. In reality, that is not the actual figure that is spent. If you say you are giving a capitation of Kshs1,450, that cannot be the cost that you require per learner in that school. The parent then is required to do other things and the figure goes up.

What I meant is that there has not been a clear mathematical formula to determine how much we need per student to be in school. That is what I mean. That is why I said we need to have a conversation on this so that we come up with a proper figure. We can come up with a figure for the purposes of planning as a Government and as a country. We need to know exactly what we are looking at. As I said, it is time to have that conversation.

The Presidential Bursary Scheme is still operational, but it is domiciled in the Ministry of Labour and Social Protection. That is why we do not have data on it. This is what I am talking about. So there are many players in the field who are playing in this space whose data as a Ministry we do not have. We need it synchronise and centred, so that it is linked. I think I have answered most of those questions.

I submit.

The Temporary Speaker (Sen. Abdul Haji): Sen. Wambua, what is your clarification?

Sen. Wambua: Thank you, Mr. Temporary Speaker, Sir. Did I hear the Cabinet Secretary say that the Presidential Bursary Scheme is domiciled in the Ministry of Labour and Social Protection?

The Cabinet Secretary for Education (Hon. Ogamba): Yes.

Sen. Wambua: Oh, my goodness. Can there be an explanation for that? What does the Ministry of Labour and Social Protection have to do with a bursary scheme for students in high schools?

Please, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Yes, Sen. Mumma, what is your clarification?

Sen. Mumma: Thank you, Mr. Temporary Speaker, Sir, for giving me the opportunity. One of the answers of the Cabinet Secretary to Sen. Thangwa's question is so important for us as the Senate to interrogate. He has stated that the Ministry of Education is not involved in processes at both levels and does not have records of allocations and awards of NG-CDF money.

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Additionally, the Ministry does not have any legal and administrative mechanisms for monitoring these bursaries. He has further provided information that there are monies under the Presidential Bursary that he is not even aware of.

Devolution includes both national Government and county governments. The function of delivering education, including primary education, secondary education and universities is assigned to the Ministry of Education. This is so urgent that we would not have a clueless Ministry.

We are currently discussing bursaries. I even asked an earlier question and asked that he links bursaries to capitation, but he did not answer. He may not be able to answer right now. As a Senate, that is a serious red flag; a confirmation of what was said by the courts that the Ministry has ceded its responsibility as the owner of that function to other players. No wonder we have problems in this sector.

The Temporary Speaker (Sen. Abdul Haji): Senator of Murang'a, what is your clarification?

Sen. Joe Nyutu: The Cabinet Secretary did not answer the question I asked on the criterion employed by the Ministry to identify beneficiaries of the Elimu Scholarship that is run by the Ministry. Based on the principle of equity, we may want to know exactly how they pick the beneficiaries.

The Temporary Speaker (Sen. Abdul Haji): Sen. Abass?

Sen. Abass: There is a question that I asked and the Cabinet Secretary has not come out very well. I said in northern Kenya, we rely on teachers employed by the Board of Management (BoM) both in the primary and secondary schools. I asked whether the Ministry could train those teachers because TSC does not have enough teachers.

Can the Ministry train those teachers so that they can catch up with the new curriculum of Competency Based Curriculum (CBC) and all these things? We do not have enough teachers. So, we are asking if the Ministry can help us to train those teachers.

The Temporary Speaker (Sen. Abdul Haji): Hon. Cabinet Secretary, I am not sure if you will be able to address all those questions by Sen. Mumma, Sen. Joe Nyutu, Sen. Abass and Sen. Wambua.

The Cabinet Secretary for Education (Hon. Ogamba): Mr. Temporary Speaker, Sir, the reason the Presidential Bursary Scheme is domiciled at the Ministry of Labour and Social Protection, is because it is treated as a special programme, just like the cash transfers to the vulnerable members of our society. Therefore, that is why they saw it fit to domicile it in that space.

We are not okay with it, and that is why I think if you look at the Ministry of Education and the challenges that are there, we are saying we need clarity. This way we are doing all these cases and having all these discussions, so that we can have clarity. We can know how much money we need and even ring-fence it.

Consequently, with that, then we will avoid so many of these strikes and issues that are in the Ministry. As I said, there are many players in the Ministry of Education playing in different places and we do not have sight of it. That is why it is domiciled there.

With respect to the criteria that the Chairperson of the Committee on Education asked for, the criteria include issues relating to students being orphans and their socio-economic background. Those are some of the criteria that they look at. There is a

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community selection committee that is set up in the localised and devolved areas, who then identify those students who are going to be beneficiaries of the Elimu scholarships. That is the answer that I have at the moment.

With respect to whether the Ministry of Education can train the Board of Management (BOM) teachers in North-Eastern and Wajir, that is a preserve of the Teacher Service Commission (TSC). Perhaps, we need to have a discussion with them to see, since they do not have their own teachers trained in those spaces, whether we can come up with a special programme, that they can use to train those teachers to bring them up to the other standard in order for them to attend to our children.

Hon. Members, all that we are saying is that we are ready for that conversation so that we can bring clarity to this sector in all ways, including the funding. This is to enable us have the linkages and sight.

The Temporary Speaker (Sen. Abdul Haji): Sen. Wambua, what is your point of order?

Sen. Wambua: Mr. Temporary Speaker, Sir, you know we are listening to the Cabinet Secretary. It is very clear to us and this country, that this Ministry is basically just groping in the dark. They are hoping for a conversation to resolve these issues. To hear that a bursary fund is being treated as a cash transfer to *wazees*, is really amazing.

My question to the Cabinet Secretary and the Ministry of Education would be, before we have that conversation, what is the solution to the problems that you are facing? What solutions are you proposing to get yourselves out of the mess that you are in? How much money is put in that Presidential Bursary Scheme and how many people have benefited? You cannot just say it is being transferred as money to *wazees*. There must be a scheme of doing these things. That is why it is called a scheme. It is a fund.

Mr. Temporary Speaker, Sir, we are left with a lot more questions than answers. Can he clarify what inner solutions they have to the mess that they find themselves in?

The Temporary Speaker (Sen. Abdul Haji): Senator, I would have to put an end to this line of questioning. What is your point of clarification?

Sen. Korir: Mr. Temporary Speaker, Sir, there is something that Sen. Wambua is trying to raise. I have served in this Parliament, previously in the National Assembly, as a Vice-Chairperson to the Committee on Labour and Social Welfare. We have never, at any single day, deliberated on the Elimu Fund as a Committee on Labour and Social Welfare. I really want to know when this Elimu Fund was started because the Presidential Bursary has been there.

The questions that Hon. Members are raising are very pertinent. When were these bursaries taken to the Ministry of Labour and Social Protection?

Thank you.

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, at this point we have to proceed. Sen. Abass, what is your clarification?

Sen. Abass: Mr. Temporary Speaker, Sir, the Ministry of Education is supposed to make policies. The TSC does not make any policies. The money comes from the Ministry of Education.

When we ask, since we do not have teachers in places, like Wajir and Mandera, Garissa, we have been relying on the teachers being employed by the parents and the board of management.

My question is this: Can you come up with a policy so that at least we can be able to fill the gap? You train those people on the new curriculums so that they can catch up and teach the students.

The TSC only takes instruction from the Ministry of Education. So, please, come up with a policy because the TSC cannot employ each and everybody. The teachers are there, the parents have employed them, but they are not trained.

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, we have to understand one thing. As Senators and as legislators, we have heard clearly what the Cabinet Secretary has said in terms of the Elimu Fund.

If we have an issue with it, then, it is for us, as the Senate and legislators, to take legal redress and address that issue. So, as far as the Cabinet Secretary is concerned, he has given the position of the Ministry.

For the TSC, he was also very clear. The mandate for the welfare, recruitment, and training of teachers is the mandate of the TSC. So, at this point, Senators, I will have to leave this matter at that and proceed to the next question.

The Question by Sen. Fatuma Dullo.

Question No.107

STATE OF INFRASTRUCTURE IN PUBLIC
SCHOOLS IN ISIOLO COUNTY

Sen. Dullo: Thank you, Mr. Temporary Speaker, Sir. My questions are:

(i) Could the Cabinet Secretary indicate the number of schools that are connected to electricity and water in Isiolo County, and outline steps the Government has taken to ensure that the remaining schools are connected?

(ii) What plans does the Government have to also address the security risk posed by the lack of fences along school borders to students and staff?

(iii) Could the Cabinet Secretary state plans by the Government to improve school infrastructure in Isiolo County, specifically in Mogore Primary School in Sericho Ward, where Grade 6 pupils are studying in twigs placed under a tree?

(iv) Could the Cabinet Secretary confirm whether there is budgetary allocation to address the infrastructural challenges facing schools in Isiolo County in the 2024/2025 financial year and, if so, state the amount?

Mr. Temporary Speaker, Sir, I could share the photograph of the school if you allow me, I could table it, if only that will give sympathy to this particular school in in Sericho Ward.

The Temporary Speaker (Sen. Abdul Haji): Thank you Senator.
Cabinet Secretary, please, proceed.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Temporary Speaker, Sir.

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To Part (a) of the Question, out of the 144 schools, 98 have electricity either from the national grid or through solar power. Sixty-three schools are connected to the water supply. The status of the school connection to water and electricity per sub-county in Isiolo County is as stipulated in Table No.5.

(1) In the Merti Sub-county, there are 17 primary and junior secondary schools and 4 secondary schools. Three schools are not connected to electricity. Seven schools are not connected to water. To address the water challenge, water tracking is done by the county government and NGOs. Insulation of gutters to harvest rainwater and piping water from community pipes to connect to the school.

(2) In the Cherab sub-county, there are twelve primary schools and two secondary schools. None of the schools is connected to the national grid. Only Dadachabassa has a functional solar. Dadachabassa Secondary School does not have a reliable water supply. Water tracking is done by an NGO in collaboration with the county government from Atheruabesa to other surrounding schools during the drought period, though not on regular and not adequate.

(3) In Sericho sub-county, there are 10 primary schools and two secondary schools.

There are 10 primary schools and two secondary schools in Sericho Sub County. Only three primary schools and two secondary schools are connected to the national grid. They are however not connected to any water supply.

There are 24 primary and junior secondary schools and six secondary schools in Garbatulla Sub-County. There are 12 primary schools and four secondary schools connected to the national grid for power supply, and two secondary schools and six primary schools are on solar energy.

There are 34 primary and junior schools and 15 secondary schools in Isiolo sub-county. Most schools in this sub-county are connected to the national grid while the remaining have solar connections. Three secondary schools namely Aremiet Mixed Day Secondary School, Ngaremara Boys Secondary School and Leparua Mixed Secondary School have neither electricity nor solar. All the schools are connected to piped water, however, the supply of the water is not consistent.

There are 15 primary and junior secondary schools and three secondary schools in Oldonyiro Sub County. There are 14 primary and junior schools that are not connected to the national grid. Two secondary schools are not connected to the grid at all.

Mr. Temporary Speaker, Sir, the Government is committed to ensuring that all schools have both electricity and reliable water supply as these are essential for improving the quality of education and supporting the welfare of staff and students. The Ministry of Education works closely with the relevant ministries, especially the Ministry of Energy and Petroleum, county governments and development partners towards addressing these challenges.

In the meantime, to address the water supply challenges, Non-Governmental Organizations (NGOs) collaborate with the county government to track water in gutters to harvest rainwater and piped water to schools.

To answer Part (b) of the Question on what plans the Government has, at the moment, over 72 schools in Isiolo county do not have fences along their boundaries. The Ministry of Education is pursuing a multi-stakeholder approach to address the challenges

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posed by the lack of fences along school borders. School heads and boards of management are required to prioritize the fencing of schools using the capitation that the Government sends to them.

At the same time, we call upon Members of Parliament (MP) to dedicate a part of their National Government Constituency Development Fund (NG-CDF) to support the development of critical infrastructure such as fences for our schools.

On Part (c) of the Question, Isiolo County has benefited from the funds from the construction of junior school classrooms. The Ministry has disbursed resources for the construction of Grade 9 classrooms in the county. Already, 22 classrooms have been built in 21 schools.

An additional 50 classrooms are being constructed in 42 schools across the county. The Government has also provided Kshs11,725,483 to the two constituencies in the county for the construction of additional classrooms.

Mogore Primary School is one of the targeted schools. The construction of Grade 6 classroom has been earmarked by the area NG-CDF for this financial year. It is also important to note that the capitation disbursed by junior secondary school has a component of Kshs4,000 for maintenance and infrastructure. Parents with children in boarding schools also pay an extra Kshs2,000 towards maintenance and infrastructure as part of parental obligation.

On Part (d) of that Question, the resources that have been provided to address infrastructure challenges are as I have explained above. There is no additional budget for the financial year 2024/2025 for infrastructure.

I submit.

The Temporary Speaker (Sen. Abdul Haji): Sen. Dullo, do you have a supplementary question?

Sen. Dullo: Mr. Speaker, Sir, I have many questions and I also need to interrogate the response. If you do not mind, I will do it once.

The Temporary Speaker (Sen. Abdul Haji): Sen. Dullo, ask two supplementary questions.

Sen. Dullo: Mr. Temporary Speaker, this is a weighty matter. I will go very fast. Two minutes will be enough for me if you will allow. They are all related.

The Temporary Speaker (Sen. Abdul Haji): I give you two minutes.

Sen. Dullo: Thank you, Mr. Speaker, Sir. First, I am disappointed with the response given by the Cabinet Secretary. I had expected he would give me the list of the schools that are connected to electricity and the ones that are not, but the response is general. It only gives the number of schools. It will be easier for me and the public to see which schools do not have electricity and water.

Number two, it is unfair for the Ministry to tell us that National Government Constituency Development Fund (NG-CDF) will be provided or county governments will provide water when I know well that county governments are unable to even provide water to their own citizens.

Many schools lack water, and I wish the Ministry could actually liaise with the relevant departments and Ministries to ensure that the schools have electricity and water.

What strategies are in place to ensure that capitation allocation has been properly used? If it is properly used, that money will help our children.

I would expect the Cabinet Secretary to show us what NG-CDF and the national Government have done. On the fences, there are so many drugs in our counties. Without a fence, the display issues will be affected. The issues of drugs will also affect our children. What is the Ministry doing about it?

Thank you.

The Temporary Speaker (Sen. Abdul Haji): Cabinet Secretary, proceed.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Temporary Speaker, Sir, for the first part of providing the particularised list of those schools. We will provide you with that list and send it to you so that it aligns with the information we have given.

Now, we do work with county governments because water and sanitation are devolved functions. So, we try to work with them to provide some of these facilities to the schools. We also work with the Ministry of Water and the Ministry of Energy and Petroleum to ensure that most of our schools, through the Last Mile Programme, are connected to power.

We are doing all that we can to ensure that all our schools are connected to power or solar and that water is also provided. In terms of capitation and utilisation, we do have accounting programmes or standards that once the funds are released to schools, they have to do returns, and accounting is done.

The Auditor-General audits all the money to confirm that the amount that is given to schools has been utilised properly. Yes, we agree in the counties, we have a lot of drugs, and it is everywhere. The question of fences as an infrastructure requirement is because of financial and budgetary limitations. We will continue looking for resources and working together as a team to ensure that our schools are fenced.

Thank you.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Cabinet Secretary. We will proceed to the next question by Senator---

I did not see any interest in supplementary questions. How many Senators want to ask supplementary questions on this Question?

There are three Senators who want to ask supplementary questions, only on this Question. S

Senator for Homa Bay, proceed.

Sen. M. Kajwang': Mr. Temporary Speaker, Sir, as I ask my question, allow me to congratulate the Ministry and the millions of children who are finalising their Kenya Primary School Education Assessment (KPSEA) examinations today.

Unfortunately, the presentation by the Cabinet Secretary makes it clear that the Ministry seems as clueless as the children who are taking exams today. The children are not very sure what will happen after the examination.

I am the parent of a child who is taking his final examinations today. With the confusion that has come up, where the Cabinet Secretary is saying that a Sessional Paper on Competency-Based Curriculum (CBC) is still under development, yet our children are already sitting exams, this is a sign of serious problems.

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If we want to destroy a nation, destroy its education system. The Cabinet Secretary's submission confirms that our future is bleak. The Secretary says we have teachers without jobs, we have children without teachers, and he wants to export teachers. This is a mess.

My question to the Cabinet Secretary is about the infrastructure question from Sen. Dullo. What is the criteria for allocation, and could we get a schedule of distribution of infrastructure funds from the Ministry by county for the past three years?

Mr. Temporary Speaker, Sir, on 30th June, 2023, the PS for Education, my friend, Dr. Belio Kipsang', was in Mbita High School which was founded by my late father and the late Tom Mboya. He promised on that occasion that he would allocate Kshs10 million to improve the infrastructure of Mbita High School as well as Senator Otieno Kajwang' Secondary School. Would the Cabinet Secretary tell us whether that money was disbursed?

Now that we are mourning the prolific Prof. Karega Mutahi, could the Cabinet Secretary also consider an infrastructural support to Prof. Karega Mutahi Secondary School which was established by the then PS in Mfangano Island?

I thank you.

The Temporary Speaker (Sen. Abdul Haji): Sen. M. Kajwang', you were supposed to ask one question only but you have asked three. We have heard you. However, I will ask the Cabinet Secretary to answer one question only.

Sen. Cheptumo, proceed. Let us be brief on supplementary questions.

Sen. Cheptumo: Mr. Temporary Speaker, Sir, I want to confirm to the House that the new Cabinet Secretary for Education was my classmate at the University of Nairobi (UoN), Faculty of Law. I congratulate him on the appointment. We look forward to you serving our country and our education sector diligently as you have always been.

Baringo County where I come from has three constituencies that have had many challenges in matters security. Many schools have been closed. Through Government efforts, there has been some peace in that area. Some of the schools are now being reconstructed in Baringo North, Baringo South, and Tiaty Constituencies.

I am worried that there is no Infrastructure Fund for 2024/2025. I know he is consulting with the PS, but I wanted the Cabinet Secretary to confirm the status of the ongoing renovations in those schools which you have been doing together with the Ministry of Defence. What are you going to do if you have no money for that purpose in this financial year? That is my concern.

I think there are about four schools in Baringo North, five or so in Baringo South, and some in Tiaty where works had already started.

The Temporary Speaker (Sen. Abdul Haji): Sen. Mumma, ask your question because we are running out of time.

Sen. Mumma: Mr. Temporary Speaker, Sir, this will be a quick one. Hon. Cabinet Secretary, you will agree with me that education is the greatest opportunity that can help in bridging the gap between the inequalities among regions and persons in Kenya. Looking at the answers you have given about Isiolo County which has only two constituencies, it shudders my mind that we have schools that do not have water.

At this stage in life, we should be doing the Eliud Owalo thing; which is, getting laptops to schools because everything is getting digitized. To find that we have regions that do not have water is not acceptable.

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Cabinet Secretary, I request that you provide a breakdown of all Funds and support to the education sector. Whether it is the National Government-Constituencies Development Fund (NG-CDF) or Ministry of Labour and Social Protection, please, provide to the Senate the breakdown by counties. That is the only way we can speak to the issue of equity, so that we start looking at this issue together.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Senator. We will take the last question from Commissioner, Sen. Joyce, very quickly.

Sen. Korir: Mr. Temporary Speaker, Sir, I have one question related to the Principal Secretary (PS) in charge of higher education. What are the plans of the Ministry with regard to the Bomet University structure that has been there for the last two years? I remember I raised this question a year ago, and the same structure is still stuck to date. What are the plans that they have for Bomet University?

The Temporary Speaker (Sen. Abdul Haji): Cabinet Secretary, if you could please answer those questions very quickly.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Temporary Speaker, Sir. After Sen. Kajwang' congratulated us, I thought he was going to retain that congratulation, but he congratulated us and took it away immediately. However, we are not completely clueless.

We are quite informed on KPSEA, and as I earlier indicated, there is in existence Sessional Paper No.1 of 2019 on the policy framework for reforming education and framing for sustainable development. There is also another policy that deals with curriculum policies, basic education policy, basic assessment policy and they are a number. We are coalescing all these ones into one policy so that we have everything in one system so that it is easier to be clear about what we are doing. Therefore, we are not completely clueless and I hope he retains those congratulations.

To Sen. Cheptumo, we are going to try and raise this issue of infrastructure in the supplementary budget. This is because there were issues and challenges with the Finance Bill which has brought in more challenges in that space. However, when we do the next supplementary in the coming month, we will bring this to the attention of Parliament so that we can get a budget in order to undertake these exercises.

The Kshs10 million that was promised has already been disbursed. I have just been informed that and that is a good thing. Then I could not agree more with Sen. Mumma on her question regarding laptops and getting all those funds. We are going to do as directed and we are going to try and get all these funds together and then submit a list of how many funds and bursaries are in the Ministry that deals with education, then we can submit that to ensure that we are clear and then have that conversation together.

Mr. Temporary Speaker, Sir, there is the question of Bomet University. We had allocated funds in the budget for Bomet University but when the budget was rationalized this year again because of the Finance Bill of 2024/2025, it was rationalized to zero.

We shall, therefore, try again and work backwards and see how much can be allocated for us to be able to complete that. There are many, instances where this has happened. We are going to continue working. We have a number of ongoing capital projects across 38 universities that amount to 62 and we are therefore working to ensure that that figure is included in the supplementary budget.

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The Temporary Speaker (Sen. Abdul Haji): Thank you. Hon. Senators, we are going to try and move very fast. There are three Questions remaining by Sen. Mbugua, Sen. (Dr.) Khalwale and Sen. Mumma.

We will, therefore, take the three questions, and the Cabinet Secretary will reply to the three questions and once he finishes replying, we will take the supplementary questions. Sen. Mbugua, please proceed with your question.

Question No.111

BUDGETARY ALLOCATION AND SUPPORT
FOR SNE IN KENYA

Sen. Mbugua: Thank you, Mr. Temporary Speaker, Sir. I rise to ask Question No.111.

Could the Cabinet Secretary tell us:

(a) What is the budgetary allocation for competition to primary special schools and units, Special Needs Educations (SNE) junior and senior secondary schools in the 2024/2025 financial year? Also, could the Cabinet Secretary provide a status update on the establishment and implementation of the Minimum Essential Package (MEP) capitation for special needs schools and units?

(b) What is the budgetary allocation for infrastructural development in primary special schools and units in the 2024/25 Financial Year and could the Cabinet Secretary provide a per-county list of all the ongoing infrastructural projects in their schools;

(c) What budgetary allocation has been made for the construction of learning materials and assistive devices production unit at the Kenya Institute of Special Education (KISE) as well as for the procurement and supply of instructional materials and devices to special needs schools and units in the 2024/25 Financial Year and could the Cabinet Secretary explain how this location has impacted on the S&E capitation;

(d) Could the Cabinet Secretary also provide details on the disaster mitigation measures and administrative protocols the Ministry has put in place to address the diverse safety needs for learners in special schools and units?

Thank you.

The Temporary Speaker (Sen. Abdul Haji): Sen. Catherine Mumma? Question No.115.

Question No.115

STATUS UPDATE ON THE PREPARATION
FOR TRANSITION OF JSS LEARNERS TO GRADE 9

Sen. Mumma: My question to the Cabinet Secretary is:

(a) Could the Cabinet Secretary provide a status update on the programme for the construction of the required 16,000 classrooms and other related critical infrastructure across the 47 counties in preparation for the transition of junior school learners to Grade 9

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and also indicate the number of schools that are adequately prepared to accommodate Grade 9 learners;

(b) How much money has been allocated for the successful completion of the programme in the 2024/2025 Financial Year and could the Cabinet Secretary state the amount disbursed so far;

(c) What measures has the Government put in place to ensure the programme is completed before the start of the 2025 academic year and;

(d) Could the Cabinet Secretary explain how the Government plans to address the existing shortage of junior school teachers, which is expected to worsen with the transition of junior school learners to Grade 9?

The Temporary Speaker (Sen. Abdul Haji): Thank you.

Sen. (Dr.) Khalwale, Question No.36.

Question No.036

RECRUITMENT OF 36,505 TEACHERS COUNTRYWIDE

Sen. (Dr.) Khalwale: Thank you, Mr. Temporary Speaker, Sir. I would like the Cabinet Secretary to:

(a) Confirm whether 36,505 teachers were promoted following the recent countrywide interviews and if so, provide a breakdown of their distribution per county.

(b) Could he provide a list of all the promoted teachers indicating their respective ethnicities and counties of origin?

(c) Finally, how many of these teachers were interviewed for promotion and could he explain any measures put in place to ensure that the outcome met the constitutional requirement for regional and ethnic balance?

Thank you.

The Temporary Speaker (Sen. Abdul Haji): Yes, Catherine Mumma?

Sen. Mumma: Thank you for your indulgence. The fifth question is-

(d) Could the Cabinet Secretary outline any steps the Ministry is taking to address concerns raised by the Kenya Union of Post-Primary Education Teachers, (KUPPET) and other stakeholders regarding staffing, teacher motivation, and overall capacity of primary schools to accommodate junior school learners?

The Temporary Speaker (Sen. Abdul Haji): Thank you. Cabinet Secretary, you can proceed to answer those questions.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Temporary Speaker, Sir. On the question by Sen. George Mbugua, in the Financial Year 2024/2025 at the Primary School Level, Kshs166.9 million was allocated as free primary education capitation to the 117,565 special needs education learners in Primary Schools.

In addition, Kshs270.3 million was allocated as a top-up on the free Primary Education capitation to the 117,565 special needs learners at the rate of Kshs2,300 per learner.

This amount is for the provision of specialized learning materials, assistive devices and technologies. For learners in special boarding schools, Kshs455 million was allocated to cater for 43,645 special needs learners.

This allocation is meant to subsidize boarding expenses and pay salaries for non-teaching staff and these allocations are indicated in Tables Six and Seven.

For junior schools, the Ministry has budgeted an allocation of Kshs30.6 billion for junior capitation. All learners, inclusive of learners with special needs and disabilities, receive a capitation of Kshs15,042 per learner per year as free day junior school capitation.

Special learners in special junior boarding schools, as well as those in pre-vocational institutions, receive a further top-up of capitation of Kshs35,730 per learner per year, to subsidize boarding expenses and pay salaries for non-teaching support staff. At the secondary school level, the approved rate of capitation per learner is Kshs22,244 per learner per year.

In addition, an additional budgetary allocation of Kshs200 million is provided annually to cater for special needs learners' capitation as a top-up capitation grant. Special needs grants are meant to support the provision of specialized learning materials, assistive devices and technologies, personnel emoluments for non-teaching staff and for food subsidy for the learners mainly in Special Needs Education (SNE) boarding schools.

The implementation of the minimum essential package has been provided for in the draft Sessional Paper, which the Ministry has developed to implement the recommendations of the Presidential Working Party on education reform. The Sessional Paper is pending Cabinet and Parliamentary approval. Once these approvals are granted, the Ministry will start implementing the package.

Question, Part (b), the special needs primary schools do not have a specific budget line for infrastructure development in the budget. Instead, they rely on the allocation generally provided for primary schools. However, in the Financial Year 2024/2025, no provision was made for infrastructure development in primary schools. Consequently, there are no ongoing projects funded under this budget line.

On the third question, the proposed projects to construct and equip the National Assistive Devices Production Unit at the Kenya Institute of Special Education (KISE) was birthed through a Presidential pronouncement when His Excellency the President visited the Institute in October 2023.

The project was allocated Kshs350 million for the main structure and a further Kshs150 million for initial equipment through Supplementary One of Financial Year 2023/2024. However, only Kshs150 million recurrent allocation was disbursed. The Kshs350 million development allocation lapsed.

The procurement for the works was undertaken and construction started in June, 2024. The works are now at 30 per cent completion and estimated to be completed in June, 2025. However, the project faces financing risk if the anticipated allocation is not reinstated and disbursed. The delay in funding may impact the completion timelines and cause price escalation. In the current financial year, the allocation to KISE for the project was rationalized to nil, meaning that the project is not funded this year.

Mr. Temporary Speaker, Sir, regarding the procurement and supply of instructional materials and devices to special schools and units, I wish to state as follows -

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In July 2022, the Ministry of Education and the KISE undertook a verification study in the schools and established that most of the institutions lacked the requisite specialized learning materials despite receiving the funds. Consequently, it was recommended that the Ministry considers centralized production and or procurement and distribution of specialized learning resources based on the needs of individual learners.

The centralized procurement has the advantage of economies of scale because of the large volume of purchases. Based on the recommendation, the Ministry adopted a centralized production procurement system for specialized learning resources in August 2022.

Under this model, the Ministry disburses half of the capitation to schools and retains half, which is sent to KISE upon confirmation and verification that the learning resources have been delivered to the schools.

Moving to question three, out of the total allocation of Kshs334,562,600 as free primary education top-up grants, the Ministry sent 50 per cent of these, being Kshs167,281,300 to the Kenya Institute of Special Education (KISE) and sent the remainder to schools. In the Financial Year 2023/2024, the Ministry sent Kshs135,199,750 to schools, being 50 per cent of the total allocation.

Going to question four, the Ministry of Education adopted the Safety Standards Manual for schools in 2008. Over the years, we have enriched the provisions of the manual with circulars issued from time to time.

The manual prescribes the safety standards and procedures that schools must adhere to. It sets out the roles of school administrators and teachers in relation to the learner when the learner is within the custody of the school.

The manual requires each school to have a school safety subcommittee, which is coordinated by the head of the school. Paragraph 5.2 of the manual requires the subcommittee to monitor and evaluate various aspects of school safety with a view to enhance school safety, keep learners, parents, and other stakeholders informed about the school safety policies and implementation activities, and constantly review issues of child safety in and around the school.

The manual outlines the guidelines on safety on school grounds and safety in school areas. The manual also guides several issues such as skills-based education on prevention of endemic conditions and other health risks; promotion of environmental sanitation and hygiene practices; provision of safe water and sanitation; protection of children with special needs with regards to their health and hygiene; and taking of immediate steps when there is a threat of an epidemic outbreak.

Through our quality assurance and standards team, we continually and regularly monitor compliance with the requirements of the manual. In addition, the Ministry has the Education Sector Disaster Management Policy, 2017.

The policy emphasises the need for co-ordinated efforts by the education sector, development partners, county governments, volunteers, and private agencies in the management of disasters to save lives, protect school property, and ensure that learners continue to access education in a safe and sound environment.

Currently, we are undertaking a thorough audit to ascertain compliance with the Safety Standards Manual. We are also reviewing the applicable framework to identify

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aspects that need to be strengthened to guarantee the safety and security of all learners, including learners with special needs.

Moving to Question No.115 by Sen. Catherine Mumma, on the first question, the Ministry undertook a country-wide assessment which found that the total classroom requirement for Grade 9 are 16,000 classrooms. Significant progress has been made in the construction of the necessary classrooms. With the support of the World Bank and Global Partnership for Education (GPE), construction is already being undertaken at the school level.

The first phase, which started in August, is now underway. We aim to construct 3,500 classrooms countrywide at a cost of Kshs3.5 billion. This phase is complete across the country.

The second phase involves construction of 7,500 classrooms at a cost of Kshs7.5 billion also with the support of the World Bank and GPE. Construction has commenced. The completion date for all construction work is set for December 2024.

A sum of Kshs3.4 billion was allocated and disbursed to the NG-CDF for construction of another 6,800 classrooms. The NG-CDF is matching this funding shilling to shilling. The construction is ongoing.

Public junior schools with learners on the National Education Management Information System (NEMIS) get Kshs15,042 per learner per year. There is a vote head on repairs and improvement of school infrastructure, which is currently at Kshs4,000 per learner per year.

The Ministry has directed that the money under this vote head for this term be strictly used for provision of desks and chairs for Grade 9 learners. We project that by January 2025, a total of 19,862 schools across the country will be prepared to accommodate Grade 9 learners.

As indicated, the Ministry has disbursed Kshs11 billion to schools across the country for construction of Grade 9 classrooms. A further Kshs7.8 billion has been allocated to the NG-CDF, being Kshs3.4 billion from the Ministry, which will be matched by another Kshs3.4 billion from the NG-CDF.

The 18 constituencies in Nairobi City County have also been allocated a total of 1 billion for infrastructure development through the NG-CDF.

Mr. Temporary Speaker, Sir, the Ministry has taken the following measures to ensure that grade 9 classrooms are completed before the start of the academic year 2025-

(1) Strict timelines were provided for the construction to ensure completion by December 2024.

(2) The procurement process was undertaken at the school level so that they can manage the process and progress of construction of grade 9 classrooms.

(3) Monitoring of the construction sites have been going on to ensure the timely completion of the projects.

(4) Field officers provide weekly updates to the Ministry on the progress of the construction of grade 9 classrooms and any challenges are remedied on time.

The answer to part (d) of that question is, as earlier stated, the Teacher Service Commission (TSC) through a multi-agency approach has trained 60,642 junior school teachers to handle grade 7 and 8. The teachers will undergo further retooling in November

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and December 2024 to prepare them for grade 9. During the same period, the 19,960 junior school headteachers will be retooled.

The Commission, in collaboration with the Centre for Mathematics, Science and Technology has provided specialized tailor-made training for 7,700 teachers in integrated science and mathematics.

As I have indicated, the 46,000 intern teachers will be confirmed on a permanent and pensionable basis for January 2025. Starting this month, 20,000 more teachers will be employed.

The answer to the last part of that question on Kenya Union of Post Primary Education Teachers (KUPPET), the Ministry together with the TSC have taken several steps to address the concerns that have been raised by KUPPET and other stakeholders regarding staffing of teacher motivation and overall capacity of primary schools to accommodate junior school learners.

On staffing, for example, the Government is finalizing the conversion of 46,000 intern teachers to permanent and pensionable. A process of recruiting 20,000 more teachers has commenced and the TSC is working to address the matter of the promotion of teachers.

The commission has been allocated 1 billion shillings for promotion of teachers in the 2024/2025 financial year. The TSC through a multi-agency approach has trained 60,642 junior school teachers for grades 7 and 8. I have given information that retooling of 19,960 and 7,700 is already being done.

The matter of the domicile of junior school was considered by the Presidential Working Party on Education Reform. The working party engaged various stakeholders and sought their submissions. Notably, 93 per cent of the submissions received by the working party recommended that junior school be hosted in existing primary schools. Only 5 per cent of the submissions recommended the hosting of junior school in existing secondary schools, while 2 per cent suggested new schools for junior school.

The working party analysed the merits of hosting junior school in existing primary schools as opposed to secondary schools. It was noted that junior school learners would experience psychosocial challenges in settling down and integrating with secondary school learners who are relatively much older. Cost considerations were also a justification. Since Standard 7 and 8 classrooms would be unoccupied, it was considered more cost effective than constructing new classrooms in secondary schools.

The Temporary Speaker (Sen. Abdul Haji): Cabinet Secretary, I will interrupt you briefly because of time. I am going to invoke Standing Order No.34 (2) (a) and extend the time for adjourning the House for a further 10 minutes, so that you can conclude answering the questions.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Speaker, Sir. As I have already indicated, we are well on track towards completing the 16,000 classrooms required for Grade 9. On textbooks, the Ministry through the Kenya Institute of Curriculum Development (KICD) has already commenced countrywide distribution of materials in readiness for Grade 9.

May I conclude by assuring this honourable House that we are taking all steps possible to mitigate any risks that may affect the transition to Grade 9.

On Question No.036 by Sen. (Dr.) Khalwale, the promotion of teachers is a constitutional mandate of the TSC in line with Article 237 (2) (d) of the Constitution.

In the Financial Year 2023/2024, the Commission advertised a total of 36,505 vacancies for teacher promotions. However, only 36,504 teachers were promoted, as one vacancy for the principal position in special needs remained unoccupied due to a lack of applicants.

The 36,504 were promoted in two categories: 333 teachers were promoted in accordance with or based on achievements, including outstanding performances in the 95th Kenya Drama Festival State Concert 2023 and exemplary results from schools in the 2022 Kenya Certificate of Primary Education (KCPE) and Kenya Certificate of Secondary Education (KCSE) examinations.

Number two, there were competitive promotions. That is, 36,171 vacancies were filled through a competitive selection process. The teachers were assessed and selected based on specific criteria outlined by the commission. The distribution of the promoted teachers per county, is as shown in Annex No.1, which was submitted as a soft copy.

Question number two is on the list of the 36,504 promoted teachers, indicating their respective ethnicities and counties of origin. Annex number two, which was also submitted as a soft copy because of its size, also indicates their respective ethnicities and counties of origin.

On Question number three, all applicants, totaling 149,849, were interviewed for promotion to the positions countrywide. In executing this mandate, the Commission applied the values stipulated in Article 232 of the Constitution accordingly to ensure that the outcome of the promotion process reflected regional and ethnic balance in the measures put in place.

Mr. Temporary Speaker, Sir, because of time, I will list a few: Adherence to the legal framework governing the promotion of teachers. Promotion processes strictly adhered to Regulation 73 of the Code of Regulations of Teachers, the career progression guidelines, and the policy on the selection and appointment of institutional administrations. This regulatory framework provided the foundation for fair and transparent promotion practices. Equal opportunity, all applicants, totaling 149,849, were interviewed for a promotion.

This approach ensured that every teacher, regardless of their region or ethnicity, had an equal chance to compete for promotion. Upholding the principle of equal opportunity is fundamental to our commitment to fairness and inclusivity. Regional representation to ensure equal regional representation, the commission extended the interview processes to the sub-county level, allowing candidates from all regions to participate, thus ensuring that representation from diverse geographical areas across the country was met.

A standardised scoring criteria was used during the interview to assess candidates objectively. This criterion encompassed various factors such as performance appraisal, institutional leadership, experience, age and contribution to academic excellence. The rigorous evaluation process was designed to prioritise meritocracy, ensuring fairness and consistency while minimising the potential for favouritism or bias.

On transparency: Vacancy announcements were published on the teacher service commission website, ensuring transparency and enabling wide dissemination. Publication of results: The results of successful candidates were published on the TSC website, announcing transparency and accountability. This allowed for public scrutiny of the promotion process, ensuring the outcomes were accessible to all stakeholders.

In terms of inclusivity and diversity, special attention was given to ensuring the representation of diverse ethnic groups, genders, and Persons with Disabilities. This commitment to inclusivity reflects the principles of national unity and diversity. I submit.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Cabinet Secretary. Sen. Mbugua, Sen. Mumma and Sen. (Dr.) Khalwale, you will each have one supplementary question to ask the Cabinet Secretary. Sen. Veronica Maina, proceed to ask the question on behalf of Sen. Mbugua.

Sen. Veronica Maina: Thank you, Mr. Temporary Speaker, Sir. Sen. Mbugua has given me a chance to ask one question. Hon. Cabinet Secretary, you have been asked a question on the capitation that you are giving to special schools where children with special needs can be catered for.

You know that these children with special needs are left at home and many times hidden by parents instead of being taken out to schools. There are few schools for special needs children.

What is the Ministry doing to ensure that access can be given even at the ward level where certain schools are customised to have infrastructure that can accommodate special needs children, so that they are not further stigmatised by being taken to specific schools which are only dealing with PWD children?

Is there any capitation planned? Do you have a budgetary allocation for customising ordinary schools to take in children with special needs?

The Temporary Speaker (Sen. Abdul Haji): Sen. Mumma, proceed.

Sen. Mumma: Mr. Temporary Speaker, Sir, my supplementary question is to request the Cabinet Secretary to provide county-level data on the number of classrooms, those furnished, and those with laboratories in preparation for these classes that we are talking about. That is the only way we can tell whether we are getting it done equitably.

The Temporary Speaker (Sen. Abdul Haji): Sen. (Dr.) Khalwale, proceed.

Sen. (Dr.) Khalwale: Mr. Temporary Speaker, Sir, allow me to thank the Cabinet Secretary. In many years, I have hardly gotten such a comprehensive answer. You have given me an annexure of all the people who participated in the interview. I want you to take administrative action against the person in charge of Communication and Public Relations (PR) in your Ministry because these are the people who are making the Government unpopular.

If you had publicised this, the noise about recruitment that it favoured Kikuyus and Kalenjins would not have been there. According to this list, the distribution has met the standard of ethnic diversity and regional inclusion.

I have two brief clarifications.

The Temporary Speaker (Sen. Abdul Haji): Just one, Sen. (Dr.) Khalwale, because we do not have time.

Sen. (Dr.) Khalwale: I need a clarification on two areas. The first one is that you appear to promote some teachers based on the contribution they bring in drama, but that is not the only co-curriculum activity. Could you also extend that to soccer?

We have teachers, particularly in Kakamega High School and Musingu High School who all the time have been doing well. They should also benefit from this, together with many other schools, although there is no soccer in Murang'a County.

Finally, it is not clear why---

The Temporary Speaker (Sen. Abdul Haji): Sen. (Dr.) Khalwale, there will be no time for the Cabinet Secretary to answer. Could we allow him to answer those questions?

Sen. (Dr.) Khalwale: Invoke Standing Order No.1.

The Temporary Speaker (Sen. Abdul Haji): I have already extended time. We only have three minutes left. Let us allow the Cabinet Secretary to answer. Please, *Mzee*. Thank you.

Cabinet Secretary, please proceed.

The Cabinet Secretary for Education (Hon. Ogamba): Thank you, Mr. Temporary Speaker, Sir.

To begin with the question on children being hidden by parents and whether we have plans to integrate schools to accommodate them, many of our regular schools are now integrated to accommodate Special Needs Education (SNE) learners. When it comes to capitation, there is an extra amount for top up.

In the new programme, we have identified a further 20 schools that will be integrated and will have all the facilities to take other children, so that they learn within the same space as the rest. That programme is being undertaken and it will be extended as we move along.

Regarding the list of the schools that we have already built, and we will continue building classrooms, we will provide that to you per county. I do not have it right here, but we will send it to you in soft copy. It will be available to you so that we keep that progress. I urge that when you go to your constituencies and counties, check whether that is going on, so that you assist us also to sort of supervise and ensure that we have these classrooms ready.

Thank you, *daktari*, for that comment that we have provided comprehensive answers. It is true that we are extending the variables that we need to use in order to promote teachers. We suggest that they should include even how somebody manages a school, so that we do not have a lot of crises.

We are going to extend to include utilisation of resources in schools, the issue of soccer and creative arts, so that we motivate them. Thank you so much for that information.

Mr. Temporary Speaker, Sir, I take this opportunity to thank you so much for giving me this opportunity to address you.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Cabinet Secretary.

ADJOURNMENT

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, it is now 1.10 p.m. Having concluded the business for which I extended the hours of the Sitting, pursuant to Standing Order No.34(2)(A), the Senate stands adjourned until today, 30th October, 2024, at 2.30 p.m.

The Senate rose at 1.10 p.m.