



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fifth Session

Wednesday, 25th March, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 25th March, 2026

*The House met at the Senate Chamber,
Parliament Buildings, at 2.32 p.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)

We now have quorum. Clerk, proceed to call out the first Order.

NOTICE OF MOTION

The Speaker (Hon. Kingi): Order No.6 is deferred.

PROMOTION OF ARTIFICIAL INTELLIGENCE AND INNOVATION POLICY IN KENYA

THAT AWARE THAT, the Fourth Industrial Revolution is redefining economies globally through emerging technologies such as Artificial Intelligence (AI), blockchain, and financial technology (Fintech);

FURTHER AWARE THAT Kenya has made commendable strides in digital infrastructure and mobile innovation, positioning itself as a potential leader in Africa's tech-driven future;

NOTING THAT in a landmark decision, the African Union Executive Council endorsed the Continental AI Strategy during its 45th Ordinary Session in

Accra, Ghana, on July 18-19, 2024 to underscore Africa's commitment to an Africa-centric, development-focused approach to AI, promoting ethical, responsible, and equitable practices;

COGNIZANT THAT the Continental AI Strategy calls for unified national approaches among AU Member States to navigate the opportunities of AI-driven change, aiming to strengthen regional and global cooperation and position Africa as a leader in inclusive and responsible AI development;

APPRECIATING THAT the Ministry of Information, Communications and the Digital Economy recently formulated and launched the Kenya National Artificial Intelligence (AI) Strategy 2025-2030;

RECOGNIZING the need to align Kenya's development with global standards in AI adoption while also safeguarding national values, inclusivity, and employment;

CONCERNED THAT the absence of a comprehensive framework may hinder innovation among local start-ups and youth-led tech enterprises and slow down Kenya's ability to harness AI for inclusive growth;

NOW THEREFORE, the Senate resolves that the Ministry of Information, Communication and Digital Economy develops a Policy to promote Artificial Intelligence and emerging technologies with particular emphasis on:

- i) promoting research and development of locally relevant AI solutions;
- ii) facilitating ethical guidelines to ensure responsible and beneficial application of AI;
- iii) creating innovation-friendly 'Sandboxes' for supervised testing of AI and emerging technologies;
- iv) strengthening public-private partnerships to build digital skills and innovation ecosystems; and
- v) integrating AI and coding into the education curriculum to prepare the next generation for the digital economy.

(Notice of Motion deferred)

Next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

The Speaker (Hon. Kingi): Statements pursuant to Standing Order No.53(1).
Senator for Machakos County, Sen. Agnes Kavindu.
The Statement is dropped.

DELAYED PAYMENT OF GRATUITY TO FORMER EMPLOYEES
OF MACHAKOS COUNTY GOVERNMENT

(Statement dropped)

Next Order.

BILL

Second Reading

THE AGRICULTURE PRODUCE (MINIMUM GUARANTEED
RETURNS) BILL, (SENATE BILLS NO.17 OF 2025)

(Sen. Veronica Maina on 26.02.2026)

(Resumption of Debate Interrupted on 10.3.2026)

The Speaker (Hon. Kingi): Debate on this Order had concluded. I now call upon the Mover to reply.

Sen. Veronica Maina: Mr. Speaker, Sir, thank you for this opportunity to reply to this Motion before you today. As I had earlier mentioned and as I had earlier debated, the Bill brings reprieve to the small-scale farmers. I take this opportunity to sincerely thank all the Senators who have contributed to this Motion. I know Sen. Methu, Sen. Wamatinga, Sen. Ledama Olekina, Sen. Cherarkey, Sen. Maanzo and many others who debated on this Bill and saw the need for it to be enacted.

Hon. Senators, once again, the purpose of this Bill is to ensure that we have food security in our country. People who invest in agriculture, especially small-scale traders, should find a ray of hope. Funds being devolved to the counties for agriculture should have an accountability mechanism, so that they are allocated in the right way and also, for the productivity of the farmers to be determined, weighed and scaled.

Mr. Speaker, Sir, I remember what happened to Murang'a County the other day. Farmers were asked to harvest mangoes and they expected the counties to purchase them. However, tonnes of them were wasted. The mangoes were rotting in their backyards. The enactment of this law will ensure such farmers do not walk back to their homes empty handed. In such an eventuality, Murang'a County Government would have been held to account for damage of the mangoes wasted because they harvested them expecting the county to organise and arrange for the mangoes to be purchased. However, they failed to turn up and allocate any resources even from the agriculture resource allocation.

This Bill will erase that situation. It will also ensure that the jobless youths can, at least, invest in agriculture. They can take a glance at the opportunities available within the agri-preneurship sector, so that we do not have young people without jobs in this city looking for white collar jobs while jobs can be found within counties that will have allocations.

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On how these funds gets resourced---

The Speaker (Hon. Kingi): Senator, reply.

Sen. Veronica Maina: I am replying, Mr. Speaker, Sir. These are the issues raised by some of my colleagues. Sen. Ledama Olekina had concerns about how the funds to be paid to farmers will be resourced. In my response, the Bill offers different streams of income that will ensure the fund is available. That is what will be allocated by the national Government through the county governments and what the counties will raise from other sources. That will form the funds that will be used to resource the farmers using this framework. Once again, this Bill will ensure that it is streamlined towards the framework that the government has and the bottom-up economic transformation model.

Mr. Speaker, Sir, with those remarks, I beg to reply. Under Standing Order No.66, I request that you defer the putting of the question.

The Speaker (Hon. Kingi): Okay, the putting of the question is hereby deferred.

(Putting of the Question on the Bill deferred)

Next Order.

BILL

Second Reading

THE CULTURE BILL (NATIONAL ASSEMBLY BILLS NO.12 OF 2024)

The Speaker (Hon. Kingi): That Order is deferred.

(Bill deferred)

Next Order.

BILL

Second Reading

THE PUBLIC AUDIT (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO.4 OF 2024)

The Speaker (Hon. Kingi): That Order is deferred.

(Bill deferred)

BILL*Second Reading*

THE HEALTH (AMENDMENT) BILL
(SENATE BILLS NO.12 OF 2025)

The Speaker (Hon. Kingi): That Order is deferred.

(Bill deferred)

Order No.12 to 21 are deferred.

BILLS**COMMITTEE OF THE WHOLE**

THE NUTS AND OIL CROPS DEVELOPMENT BILL
(SENATE BILLS NO.47 OF 2023)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE HERITAGE AND MUSEUMS BILL (SENATE
BILLS NO.8 OF 2023)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(SENATE BILLS NO.10 OF 2024)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE COUNTY HALL OF FAME BILL (SENATE
BILLS NO.18 OF 2023)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE PUBLIC FUNDRAISING APPEALS BILL
(SENATE BILLS NO.36 OF 2024)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE ENVIRONMENT LAWS (AMENDMENT) BILL
(SENATE BILLS NO.23 OF 2024)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE SPORTS (AMENDMENT) (NO.2) BILL
(SENATE BILLS NO.45 OF 2024)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE KENYA NATIONAL COUNCIL FOR POPULATION AND
DEVELOPMENT BILL (NATIONAL ASSEMBLY BILLS NO.72 OF 2023)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE SEEDS AND PLANT VARIETIES (AMENDMENT) BILL
(SENATE BILLS NO.4 OF 2025)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL
(SENATE BILLS NO.3 OF 2024)

(Committee of the Whole deferred)

Let us move to Order No.22.

MOTION**INCLUSION OF TEACHER TRAINING COLLEGE
STUDENTS IN HELB FUNDING MODEL**

AWARE THAT, the Constitution of Kenya under Article 43(1) (f) guarantees every citizen the right to education, and Article 53 (1) (b) provides that basic education is free and compulsory;

FURTHER AWARE THAT, the government of Kenya launched the New Education Funding (NHEF) model in 2023, primarily targeting University and Tertiary and Vocational Education and Training (TVET) students, leaving a significant gap in the financial support for students in Diploma and Certificate Teacher Training Colleges (TTCs);

CONCERNED THAT, students enrolled in Public Teacher Training Colleges are discriminated against and not expressly and fully provided for under the prevailing higher education financing framework, thereby limiting or excluding their access to structured government support for tuition and accommodation;

COGNIZANT THAT, the transition to the Competency-Based Curriculum (CBC) requires a highly skilled teaching workforce, and that the financial burden on teacher trainees, many of whom come from marginalized backgrounds, threatens the sustainability of the teacher supply chain;

NOW THEREFORE, the Senate urges the Ministry of Education, in conjunction with the Higher Education Loans Board (HELB) and the Universities Fund (UF), to:

- (i) . Formally integrate Teacher Training College students into the New Funding Model to ensure equity, quality and inclusivity in the education sector; and
- (ii). Develops regulations and guidelines to define the eligibility criteria for Teacher Training College students covering tuition and reasonable accommodation and upkeep costs.

(Sen. Joe Nyutu on 19.3.2026)

(Resumption of debate interrupted on 24.03.2026)

The Speaker (Hon. Kingi): Hon. Senators, the Floor is open. We will debate Order No.22. Before I give an opportunity to Hon. Senators to contribute, allow me to pass this communication.

(Interruption of debate on the Motion)

COMMUNICATION FROM THE CHAIR

VOLUNTARY SERVICE TO THE SENATE
BY MS. GABRIELA MURIMI

The Speaker (Hon. Kingi): Hon. Senators, I would like to acknowledge the presence in the Speaker's Gallery this afternoon, of Ms. Gabriela Murimi, a Grade 10 student from Braeburn Garden Estate International School, who is undertaking a one-week service in the Senate under the school voluntary service scheme. I request Ms. Murimi to stand to be acknowledged in the Senate tradition.

(Applause)

Hon. Senators, on behalf of the Senate and my own behalf, I extend a warm welcome to her and wish her a fruitful visit. I call upon the Senator for Nairobi City County to extend a word of welcome to her.

Sen. Sifuna: Mr. Speaker, Sir, I do not know if Ms. Murimi knows that this is the first time that only one person from one specific school is sitting in the Speaker's Gallery. We usually have hundreds of students. So, we are honored. I guess you are the guest of honor this afternoon.

(Laughter)

Welcome to the Senate. It is such a rare site. I can assure you that it is lighter on the Nairobi delegation when it is just one student to deal with KFC concerns.

I want Ms. Murimi to know that we have a large delegation in the Senate from Nairobi. There is a total complement of seven Senators from Nairobi and I am the only male Senator in that group. The rest are lovely ladies like yourself. Therefore, I encourage you. They include Sen. Karen Nyamu and Sen. Catherine Mumma as part of my delegation from Nairobi. Another one is Sen. Veronica Maina. We are many. We welcome you to the Senate. Since you have undertaken---

(An hon. Senator spoke off record)

You will notice that I get heckled a lot by upcountry Senators, but we have known how to deal with it.

Mr. Speaker, Sir, since the lovely lady here needs to get some inspiration from lady Senators, if it is not too much trouble, you could give one lady Member of the delegation a chance to say something, even if it is Sen. Karen Nyamu or Sen. Veronica Maina, of course with your permission. I have requested on behalf of the delegation.

The Speaker (Hon. Kingi): Proceed, Sen. Karen.

Sen. Nyamu: Thank you so much, Mr. Speaker, Sir, and my head of delegation, Sen. Sifuna. Perhaps I should take this opportunity for everyone to know today that *mimi si Sifuna*.

(Laughter)

Madam, welcome to the Senate.

(Remarks made by Sen. Nyamu were expunged from the Hansard following an order by the Speaker)

This is the House where we take care of our county governments. We fight for the interests of the counties and for funds to go to our counties. We also make laws that are relevant to all the counties.

We hope that you are going to have a wealth of knowledge and get good experience here. We also hope that you will get inspired and that one day you will also be here as a leader.

Welcome. We are here if you need any support.

The Speaker (Hon. Kingi): Now let us go back to the debate on Order No.22. Proceed, Sen. Richard Onyonka.

(Resumption of debate on Motion)

Sen. Onyonka: Mr. Speaker, Sir, the truth is that--- Could I pass this because I am---

The Speaker (Hon. Kingi): I saw you struggle. I understand.

Sen. Onyonka: My apologies.

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

Sen. Wamatinga: Thank you so much, Mr. Speaker, Sir, for giving me an opportunity to contribute to this important debate. The formulation of the new education model is supposed to address issues that we have been facing since Independence.

We have witnessed a situation whereby the system has not been alive to the fact that there are students who come from different backgrounds. We have had a system where even children from rich families have enjoyed what has been raised through taxes to fund higher education. Across the world, we know that systems are created and structures are made to address prevailing circumstances under which people find themselves. They address dynamic issues as they are.

It came with a bit of a surprise to many of us that we talk about Technical and Vocational Education and Training (TVET), university funding and the Kenya Medical Training Colleges (KMTCs), but we left out a very significant part of financing teachers in the teacher training colleges (TTCs).

We know that the new Competency Based Education (CBE) calls for rethinking, remodeling and retooling the way we have approached our education system since Independence. We have a model that seeks to identify, promote and give children who are gifted in different ways other than academics, an opportunity to make sure that they use their talents or skills to earn their livelihoods. Therefore, by not financing students of

TTCs, we disadvantage the very model that is supposed to address some of the issues that have been a major challenge in this country.

It may not surprise many of us today trying to get someone to work as an artisan, plumber or welder. Due to our emphasis on academic excellence, which is mostly based on theoretical framework, that has been given priority at the expense of the broad and most importantly, technical bases that we need to build our country.

There is no single economy in this world that can grow without skilled technicians. Therefore, it is important that as we plan to move this country to Canaan, on the way to Singapore, we should make sure that we have the right technical skills. We should embed technical skills by ensuring that we retool our teachers to cope with that situation. How can that be done? It can only be done by ensuring that we give the same opportunities to people who join TTCs as people who do degrees and those at the KMTCS. That will ensure that the students in our schools - that is primary, junior and senior schools - are up to the task.

It is important that as we mainstream other education sectors, we ensure that the most important sector; that is teachers, are also taken care of. It is constitutionally and morally right and we must do it today if we want to have a country that is self-sustaining.

We know that some years back, people used to be assisted when called to big schools. Those of us who went to “polling station” schools had to struggle to prove their worth. I am happy that many of us sitting in this House who went to “polling stations” are now here proving that we are equal. That is why it is imperative that as we craft around the education model, we mainstream TTCs to ensure that we get the right teachers.

Mr. Speaker, Sir, as I wind up---

Sen. Kinyua: On a point of order, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): What is your point of order, Sen. Kinyua? What is so disorderly about Sen. Wamatinga?

Sen. Kinyua: Bw. Spika, ni kuhusu alivyosema kuwa wale walioenda katika shule ambazo ni “polling stations.” Hiyo ni kejeli. Kuna wanafunzi wengi ambao wako katika shule hizo. Tunapaswa kuwapa motisha badala ya kuja hapa na kukejeli watu.

The Speaker (Hon. Kingi): Sen. Wamatinga, you may proceed because you are not in any way out of order. You should be proud that your school is also doubling as a polling station.

Sen. Wamatinga: Thank you very much, Mr. Speaker, Sir. That was meant to be a compliment because not many of us made it to those super high schools. I intended to say that the opportunity to any Kenyan, regardless of which school they attended, must be equalled by the fact that we train the teachers uniformly, so that they deliver on the quality of the students they produce.

I am sure that my colleague from Laikipia understands that it is important to ensure the quality of the education given in our schools is right. It is hurting to see that a teacher will do everything possible to get him or herself trained and still struggle to even get that job. Once they get that placement, they do not get the right facilities.

As a country, it is high time we delink education from one’s background. We should give every child born in this country an opportunity to become somebody, not

because they went to a particular school, but because their trainers were trained in a standard, uniform way. The end product should have uniformity.

As I wind up, that is a step we missed many decades ago. This is the right time to make it good. As we are doing that, it is also imperative that we ensure that the quality of the teacher training colleges that we have some general infrastructure that will allow them---- In the CBE, there is one requirement that children must learn computer programming, but the infrastructure and teachers are not there. People do not have that training.

During the Christmas holidays, I was the only Senator who took it upon myself to train teachers in primary and Junior Secondary School (JSS) in scratch coding and Python programming, after I realised that the world was moving digital. This is an area that we must keep up with.

I support.

Sen. Sifuna: Thank you, Mr. Speaker, Sir. I was signaling the Serjeant-at-Arms to ensure that Ms. Murimi is here to hear her Senator contribute to the debate this afternoon.

Mr. Speaker, Sir kindly allow me to address her.

The Speaker (Hon. Kingi): You may.

(An hon. Senator spoke off record)

Sen. Sifuna: Do not be jealous. Ms. Murimi, the Motion before us this afternoon seeks to have a resolution of this House to include teachers or people who go for training as teachers in the higher education funding. So, as it is right now, there are very few at the tertiary level of education who actually get access to funding. So, this is what this House is trying to achieve through this Motion.

I want to confirm to you, Mr. Speaker, Sir and you already know this, that I am a child of a teacher. My mother went to a teacher training college called Asumbi somewhere in Nyanza. I also want to confirm that I am a product of public education unlike Ms. Murimi, who has found herself at Braeburn School. I went to a primary school called Kakamega Township Primary School in Amalemba., which Sen. Khalwale knows very well.

After I finished that, I went to Musingu High School, which Sen. Khalwale is very familiar with. When I qualified to do law at the University of Nairobi, I want to confirm here, that I was educated under the support and funding of the Higher Education Loans Board (HELB).

I also want to confirm that immediately I finished in 2006/2007, because the environment was such that if you finished university education, you would get something to do, I was able to clear my loan before I ever became a candidate for election in 2017. I have a certificate from the HELB saying that I cleared all my dues from the University of Nairobi.

Mr. Speaker, Sir, unfortunately, for many Kenyans and young students that is no longer the case. We saw a report last week in the media, that over 500,000 people who have graduated from the universities are unable to service their loans. I remember the

very first time I got a job, I did not have to inform HELB because they had my details. They immediately began deducting. If we have 500,000 graduates who are unable to start paying back their loans that tells you that there is a problem. We are graduating people, but there are no opportunities for them to get jobs in accordance with what they studied at the universities.

We have had debates here from both political sides. You know we do not belong to the same political camps. There are those of us who believe that *kazi ni kazi*. There are those of us who believe that a job cannot just be called a job. We need a job that is commensurate with your training, which can actually uplift you and your family from poverty.

That same report talks about Kshs90 billion owed to the HELB by people who are unable to pay. Therefore, my concern is that we are adding another group of higher education students to the HELB education funding model which has a lot of challenges. I wonder whether, indeed, we are ready and prepared as a country to absorb the new numbers of teachers who will also come under this programme.

If HELB was properly financed, including from receipts of the people who were beneficiaries and are paying back, it would be possible for us to add more people. You cannot look at anyone in the eye, who is looking for higher education at any level; whether it is a teacher or whether they are in KMTC or in these other institutions, and tell them that somehow because they went to the University of Nairobi to study law, they deserved the loan more than others. We all come from diverse backgrounds irrespective of what we decided to pursue at higher level.

If you look at the numbers, you will see that in the Financial Year 2025/2026, almost 1.1 million students needed financing. This is according to statistics from the HELB and the university's placement system. We were only able to finance about 650,000 of those people, meaning that for every three applicants, two of them got and one missed out. The data shows that these numbers have been rising.

In the previous financial years, we only had maybe 170,000 missing out, then it went to 270,000, and then to 380,000. Who are these people who are missing out, because of the new system that was introduced? If you are not poor enough to fit into that thing called “means testing”, you miss out. If you lie between not poor enough and not rich enough to pay your own university fees, you are likely to miss out on these applications. You may remember that those of us who are beneficiaries of HELB, there was a way to ascertain that you were a person of low means. Even our chiefs were involved.

Mr. Speaker, Sir, I told you that I am a beneficiary of HELB. Owing to my name, some people think that I am from a dynasty. However, that is not the truth. While growing up, we were very poor.

(An hon. Senator spoke off record)

I am telling you, if I showed you my mother's face, you would weep. If I checked your M-Pesa balances right now, I know that as Senators, you have more money than the money teachers earn in a month.

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(Loud consultations)

Mr. Speaker, Sir, can I tell my own story? Why are people heckling?

The Speaker (Hon. Kingi): Order, honourable Senators. Order, Senator for Nandi.

(Sen. Korir spoke off the record)

Sen. Joyce Korir, you do not have to give the story of your husband, please.

Sen. Sifuna: You have your own parents. You can tell the story of your circumstances while growing up. Allow me to tell mine.

At that particular moment in time, they used to involve even the chiefs and there were forms to be filled to ascertain that you were eligible for these loans.

We have a situation where testing has become a bit problematic. There have been many complaints and all of us have heard that the system is not working the way it is supposed to work. They have raised questions about the transparency of the system with regard to means testing. It is shrouded in a lot of mystery. People do not know whether it is accurate or whether after that “means testing” is applied, the result is accurate to portray your status in life and whether you deserve financing.

The idea is this: As a House, we should support this Motion. You cannot argue that those going to universities are more deserving than those going to the KMTCs or the TTCs. We should agree that all Kenyans deserve support from the HELB if they wish to pursue higher or tertiary education.

Is there enough funding towards education in the country? No. We have demonstrated to this House that there are serious financing gaps. One out of three applicants is unable to access the loan. If you listen to young people, they will tell you that just like we have problems in terms of frequency of disbursement of money to counties, those who qualify face delays in receiving loans too. Therefore, we need to relook at the entire sector. Let us agree that we must prioritise good education at the tertiary level. We must resource it properly so that no category is left out.

With those remarks, I support.

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

Sen. Mungatana, MGH: Thank you, Mr. Speaker, Sir, for giving me the opportunity to comment on this Motion.

I congratulate Hon. Joe Nyutu for moving a very good Motion that will promote the discussions around the funding of education in this country. Every time we talk about education, I am reminded of Cuba. In Cuba, education is fully funded. Even old people pursue second and third degrees because education is well supported. You will recall that in the past administration, we received support from many Cuban doctors. In that country, you stop going to school only when you choose to.

This Motion raises the question of how we should fund our education and whether TTCs should be included in the existing model of funding. The second part of the Motion is consequential. It says we need to create the necessary guidelines.

Facts are facts. Kenya, compared to its neighbours, funds education at a very high percentage of the budget. That is why this country boasts of and takes pride in being a nation of well-educated people. We have a reputation abroad for being hardworking and well educated. This is because of our investment in education funding.

Looking at the Financial Year 2025/2026, the allocation for education was Kshs702.7 billion. This was part of the total budget of Kshs4.24 trillion. The amount of money spent on education is quite substantial. Education in Kenya takes about 28 per cent of the total budget in terms of sector funding. Most of this money goes to salaries of teachers, funding primary and secondary education and supporting universities.

This Motion seeks to ensure that aside from university students, teacher training college students also benefit. The intention is good. However, we need to think carefully and be creative. Should the Cabinet Secretary for Education go back to the National Treasury and ask for more money knowing that education already takes 28 per cent of the budget? We need to reflect more on this question. This is where I invite deeper thinking from those in academia, particularly those in education funding. How can we ensure that TTC students are included in this sector?

We need to make a case for these students. It is obvious that they also require support. There is no doubt about that. Two or three days ago, students from Tana River County were sent out of examination rooms at Shanzu Teachers College. We had to intervene. This shows the personal sacrifice required to keep those students in college during the examination period. The case is clear. Many students attending teacher training colleges are unable to meet the costs.

I thank the TTCs and I want to single out Shanzu Teachers College because of my recent experience there. They do everything possible to keep students enrolled yet when exams come, students are told to pay their fees balance before sitting their papers; whether it is Kshs45,000, Kshs 20,000 or even Kshs60,000. The pressure is real. Many students cannot raise the required amounts.

On average, they pay about Kshs70,000 a year for education, excluding living expenses and other requirements. The case is there. However, is it enough for this Senate to simply say; “let us include them,” and leave it at that?

We need to think about the models to use. We are not inventing the wheel. Other countries have done it. They have been able to fund teacher training colleges. We need to support the students in teacher training colleges. How are we going to do it? This is the elephant in the room.

During our time, we had uniform funding called “boom.” Everybody received the same amount. It did not matter your social standing or circumstances. We all got the same amount and were expected to live on it.

The current President has made a good attempt. He has engaged professors to ask why a person whose parents are in business, earning so much, going to private schools and receiving quality education, should be paid the same as a person who has gone to public schools all their life and have not even cleared secondary school fees. Through the universities, professors and the team that the President constituted, we started to look at a model.

Mr. Speaker, Sir, although there have been difficulties in the implementation of this model because of the bands and means testing, I think we have started the actual conversation on it. It is unfortunate that the TTCs were not included. I think this Motion is trying to urge that they be included but there is a reason. This is because it would mean billions more on the budget. I have already said 28 per cent of the sector allocations go to education in Kenya.

What is the way forward? I think one of the things that we could do is to create yet another model that will involve, possibly, funds that are allocated to other colleges, universities and so on. They can be hived off, so that some of it can go to the deserving students in the TTCs. This is what we need to ask our academia to think about. We have some of the best brains around Africa. I know, in the finance departments of various universities here in Kenya, we could find a solution. This is because the solution cannot be for us to take mass action, because that would collapse the system of funding. We are in between taking as many students as possible and cutting some of the funding that is already allocated to other models of funding. This is a tough decision to make and a tough conversation we must have. However, if the only amount that is available for the week is a quarter kilogramme, there must be a way that we can spread it from Monday to Friday.

Mr. Speaker, Sir, I support this Motion cautiously by saying that we need to think outside the box. The resources are not enough, but there is need for us to include TTCs going-students, so that they are not left out completely. We must find a way to think around these issues, so that we have a credible scientific model that can apply across the entire country, particularly to counties such as mine, where many of the students who go to these TTCs suffer due to lack of means to sustain themselves in those colleges.

With those many remarks, I beg to support.

Sen. Mwaruma: Asante, Bw. Spika, kwa fursa uliyonipa ili nichangie mjadala ambao umeletwe na Seneta wa Murang'a, Sen. Nyutu, kuhusu kuwapa mikopo waalimu walio katika vyuo vya walimu.

Niko katika Kamati ya Elimu ya Seneti inayoongozwa na Sen. Montet. Swala hili kwa mara isiyo moja, tumelileta kwa maafisa na Mawaziri wanaohusika na kupeana mikopo hii ya elimu. Ni jambo la kuudhi na kushangaza kwa nini vyuo vya walimu vinatengwa kupewa mikopo ya HELB. Vyuo vikuu vyote, vyuo vya kitaifa, vya anuai na pia zinazofunza elimu ya matibabu KMTCs vinapewa mikopo. Inashangaza ni kwa nini vyuo vya walimu vinanyimwa mikopo hii.

Kihistoria, taaluma ya walimu kidogo imedharauliwa. Nikianza masomo yangu ya uzamili kule Dar es Salaam, tuliongea na wenzetu wa Afrika Mashirika. Watanzania na Waganda wengi waliongea wakasema sasa wewe unatakikana kwenda chuo kikuu kusomea taaluma. Kwa nini hujapata taaluma yeyote hata ya kuwa mwalimu? Ukiangalia dhana ambayo ipo kwa wananchi wa Afrika Mashariki, wanaona ualimu sio taaluma inayofaa. Ninafikiri labda ndio sababu wanatelekezwa na kukosa kupewa ufadhili.

Bw. Spika, taaluma ya ualimu ni muhimu kama zile zingine. Kwa hivyo, wanapaswa kupewa mikopo na ufadhili wa elimu kulingana na kazi wanayoifanya ya kukuza watu wa kufanya kazi. Katika huu mjadala tunatakiwa tuwe na azimio la kusema

ya kwamba vyuo vyote vya elimu vipewe mikopo na ufadhili kupitia ile bodi ya kupeana mikopo.

Kabla tufike hapo, lazima tuelewe kuna changamoto la mapato ya Kenya katika Hazina ya Kitaifa. Kwa nini tubague taaluma ya walimu pekee? Kwa nini tusiwe na njia ya kupeana kidogo katika vyuo vya walimu, vya matibabu, vyuo vya kitaifa vya anuai na wale ambao hawajiwezi ili kuwe na kigezo cha kuwa wale ambao wanajiweza, wapewe fursa ya kujisaidia wenyewe.

Kumekuwa na changamoto nyingi sana kwa bodi ya kupeana mikopo. Hii ni kwa sababu wale ambao tayari wanapewa mikopo hii ikiwemo vyuo vya mafunzo ya matibabu, vyuo vikuu na TVET hadi sasa wengi hawajapewa mikopo ambayo ni changizo za Serikali. Katika mfumo mpya wa kufadhili elimu Kenya, kunakufadhili mara tatu. Mara ya kwanza ni mkopo unaotoka kwa Serikali. Pili, ni mikopo na ya tatu ni mzazi analipia.

Tumekuwa na Permanent Secretaries (PSs) katika Kamati ya Elimu. Tumegundua ya kwamba pesa ambazo zinatakikana kutolewa na Serikali ya *scholarship*, vyuo vingi havijapata pesa hizo na wako na malimbikizi ya pesa ambazo hawajalipa wakandarasi wao.

Vijana wengi wanaoomba mikopo wanawachwa nje. Wengi wanaacha shuleni kwa kukosa masomo. Mimi mwenyewe ni mwalimu wa miaka mingi. Nimefundisha Hisabati na Fiskia. Ninajua kazi ambayo walimu wanafanya ili kupeana masomo na maadili mema ili kuwaandaa wananchi ambao wanatakikana kutoa huduma kwa jamii.

Taaluma hii ni muhimu sana na haitakikani ibaguliwe wakati taaluma zingine zinapewa kipaumbele katika kufadhiliwa. Kuna maswali mengi Maseneta wameuliza kuhusu ufadhili wa elimu na moja ni swali lililoulizwa na Seneta wa Nairobi, Sen. Edwin Sifuna, ya kupanda kwa gharama ya elimu yetu ya Kenya, hasa, vyuo vya kitaifa ama Technical and Vocational Education and Training (TVETs). Tumeweza kuliingilia kati hilo swala, na nafikiri tuliita Katibu mkuu ambaye anahusika. Nashukuru kwa sababu Rais Mkuu juzi akiwa anaongea, alisema ya kwamba ile ada inayotakikana kulipwa na wale wanafunzi imeshuka mpaka Shilingi 67,000 ingawaje sasa bado hatujaita Katibu Mkuu ili kutuelezea hiyo Shilingi 67,000 inafaa kulipwa namna gani.

Pia, nikiangalia zile pesa ambazo zinalipwa katika vyuo vya walimu, ni kama Shilingi 85,000 kwa mwaka. Ningependa kusema kwamba nikiwa mwalimu, sielewi ni kwa nini hivi vyuo vitoze ada ya Shilingi 85,000. Kwangu kibinafsi, naona kama hizo pesa zitakuwa ni nyingi sana. Hii ni kwa sababu shule nyingi za sekondari ambazo ni za kitaifa, ile ada wanaotoza wanafunzi ni kama Shilingi 50,000 ama Shilingi 45,000 kwa mwaka ikiwemo chakula na nyingine ya kununua vifaa vya maabara na kadhalika.

Sielewi ni vipi vyuo vya walimu ambavyo vinapata ufadhili wa walimu kutoka kwa tume ya kuajiri walimu ama Teachers Service Commission, zile pesa zote ambazo wanatoza vyuo vyetu, Shilingi 85,000 wanazipata namna gani. Nafikiri baada ya kupitisha hii Hoja, ni vyema pia hii kamati yetu ya elimu, inayoongozwa na Sen. Montet ambayo mimi pia ni mwanakamati, tuite hivi vyuo ama viongozo wa hivi vyuo na Katibu Mkuu pia, labda watuelezee hizi pesa wanazitumia namna gani. Hii ni kwa sababu katika fikira yangu, naona kwamba tunaweza kushukisha bei ama ada inayotozwa kwa hivi vyuo ili wanafunzi wengi zaidi wapate masomo yao ya elimu. Naunga mkono moja kwa

moja ya kwamba tuweze kutenga pesa katika bajeti ya kuhakikisha ya kwamba wale wanafunzi wanaoenda katika vyuo vya walimu wapate ule mkopo unaopeanwa na Higher Education Loans Board (HELB) kwa sababu taaluma ya walimu ina umuhimu kama zile taaluma zingine.

Kwa hayo machache, naunga mkono huu mjadala.

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

Sen. Nyamu: I rise to support this Motion by Sen. Joe Nyutu, the Senator for Murang'a County, on the exclusion of funding from the higher education funding model because it speaks to fairness and the reality in our teaching colleges and institutions. Our Constitution guarantees the right to education in Article 43. In the same Constitution, under Article 53, it makes basic education compulsory and free. Let us be honest with ourselves, education is only as strong as the teacher who is delivering it. We are disadvantaging our teachers right at the training stage.

In 2003, the government rolled out the new model of funding for higher education. Interestingly, it left out the teachers training colleges. That gives us a very interesting situation where the university students can access HELB loans. A TVET student is supported, but the student-teacher in colleges is left to figure it out. Then what happens? They start to hustle, doing side jobs, miss classes and we start having trainees who are on survival mode. We cannot have a quality teacher under such circumstances.

Let me bring it closer to home. A student from Mathare gets admitted to a teacher's training college. Their parents are already struggling. There is no provision for HELB, there is no structure for upkeep provision or even guaranteed accommodation in those institutions for them. So, they end up in this situation where they are doing side hustles instead of attending classes. That is not the kind of situation that we want to have our teachers in.

Let us talk about our daughters. A lot of these students in these teacher's training colleges are young females. When they do not have any means of survival, we are exposing them to unsafe methods of survival where they could end up being taken advantage of. That policy gap ends up having our daughters exposed and that is a gap we need to seal.

At the same time, the CBC system requires us to have well-trained, motivated teachers who are on top of things. However, we get demoralised trainees who translate to demoralised teachers. If we do not fix this, we will end up having less trained teachers, a lot of dropouts and future shortages in our classrooms.

Another set of students that need to be supported are students at the Kenya School of Law (KSL). That is also a tertiary institution. Why are they not included under the new funding model? We would like to see our young lawyers supported, so that we can have all students under this funding model.

I support this Motion, and congratulate Sen. Joe Nyutu for such a progressive Motion.

With those few words, I support.

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

Sen. Mumma: Thank you, Hon. Speaker, for the opportunity to contribute to this Motion. I am a member of the Committee on Education and would like to thank Sen. Joe

Nyutu for this very important Motion, something that I think has been overlooked over the years.

Beginning with the constitutional requirement, the failure or the lack of support for teacher training for the teachers in TTCs is actually a violation of Article 43. Access to education is facilitated, first, from the primary level. I think we are wearing the dress inside out when we assess the need for support to learning institutions from the universities and fail to actually support the first level of instruction to our learners. It is something that we need to think about as a country. It is also something that the national Government executive needs to look at. The ministry needs to actually revisit and ensure that we correct this anomaly.

Mr. Speaker, Sir, before 1995, education in the universities was for free. That is when we had boom. Sen. Mungatana, boom was actually money for leisure. University was paid for. We had the halls and food paid for. We could have dialogue in the dining. The men used their boom for boomboxes which were music systems, while the girls bought skirt suits and dresses.

The Speaker (Hon. Kingi): What is your point of order, Senator for Nairobi City County?

Sen. Sifuna: Mr. Speaker, Sir, it is only fair when - I do not want to say older Members, but - when people who were there, when these things were happening---

(An hon. Senator spoke off record)

Thank you, I stand corrected. When the senior Members use some of these terms that we do not understand, they should dumb it down for us, so that we are able to understand, the way we have dumbed it down for them, phrases like *niko kadi*, so that they understand what we are saying. So, I am lost. I need to follow the debate.

The Speaker (Hon. Kingi): Sen. Catherine Mumma, would you simplify, so that your colleagues, especially the young ones can follow?

Sen. Mumma: Thank you, Mr. Speaker, Sir. When we went to university, the government supported us. We did not even know what the fees was, because it was paid. When you came in, you were given a residency. You had a hostel in which you lived. You could eat in the dining and the food was good. We had sausage, bread, chapati, jelly for breakfast. Has anyone in the new lot eaten jelly?

In addition, we had pocket money that we called boom. Those days, most of the men would pull their boom for a semester to buy the biggest music system, while the girls would buy clothes. Of course, those who came from struggling families would support their siblings with school fees. However, we moved on from 1995 to 2010, when the Higher Education Loans Board (HELB) came in to offer loans to support students. Between 2014 and 2022, we moved on to supporting the Technical and Vocational Education and Trainings (TVETs), when it was recognised that we need a skilled workforce in order for the economy to grow.

Incrementally and progressively, this has been good. However, the Motion brought by Sen. Joe Nyutu is important in the sense that we have usually charged learners in teacher training colleges, yet that is the lot that actually focuses on the primary

education. In my opinion, in this era and age, particularly when we have 75 per cent of all our population being under 35, and therefore many people who need these services, we need to rethink this model and see how we can support this team.

Mr. Speaker, Sir, it is a paradox that we are willing to support a diploma in Information and Communications Technology (ICT), but not in the TTC. In my opinion, this is a mistake that we need to re-look at. I know the bill is big, but education is the number one equity tool that we have. That is the first opportunity the poorest family has. If their child goes to school, then there is hope that they can move through the motions and be able to move from poverty. So, it is our first equalisation tool, and we need to spend as much as we are able to in order to ensure that this happens.

Mr. Speaker, Sir, last session, we also discussed the wastage of funds within the education sector. We discussed the multiple bursary and scholarship schemes that are happening, and felt that these need to be consolidated. As the Senate Committee on Education, we have over 30 statements that the Cabinet Secretary (CS) and the Ministry have not responded to. Among these issues, one of them that we think that the Parliament of Kenya must help to do is to consolidate and ensure that the pilferage of public funds through parallel and overlapping bursary schemes stops. We actually need to relook at this, aggregate and see how much in terms of funds do we have from the exchequer, loans taken with the World Bank, philanthropists, Mastercard and the banks that we have, and how this can be reorganised in order for us to account for every cent.

Mr. Speaker, Sir, if we do this, we probably will be able to reorganise the education system in order for that education system to be more valuable to as many learners as possible. We will be able to train as many in the tertiary institutions, including the TTCs, to ensure that our learners have the best skilling tools in terms of the personal resource.

Mr. Speaker, Sir, if you follow up with the National Government Constituencies Development Fund (NG-CDF) and the other funds that are going to the education sector, everybody is fixated with bursaries. I asked the Cabinet Secretary for Education whether he knew what development had been delivered by NG-CDF. He said he does not know and yet he is the Cabinet Secretary for Education. He said he does not follow up on NG-CDF, so he cannot tell you this is the extent of the development in the education sector by the NG-CDF. That is a big problem.

We need to have software in terms of the instruction being given to our learners more than classrooms. Classrooms are important, but if every year you have classrooms, books and same list of those who have received bursaries from the governors, MasterCard and other agencies, there is a problem. We need, as a matter of urgency, bearing in mind as I have said that education is the first equalising tool, to go back and do our accounts. We need to balance and find out. I believe we may have enough funds, and need to reorganise and see how we move on.

Mr. Speaker, Sir, even as we are speaking for teacher training colleges, I would want us to tell the House that as a committee, we have found that 60 per cent of those who finish O-Level are hardly getting any skilling. The larger burden of training those who finish Form 4 to have some sort of skill is actually on counties because the universities and tertiary institutions are only taking about 30 per cent or 35 per cent. If

you add on the teacher training colleges, you might move that to about 50 per cent. However, the teacher training colleges are only those who are able to afford to pay. On the other hand, you have this entire lot of young people who are not getting any skill, who are supposed to go to Vocational Training Centres (VTCs) that are under governors. We have found out that over the past 13 years, governors have not been spending any monies on VTCs. They have not been spending good money on the---

The Speaker (Hon. Kingi): Is that a point of information or a point of order?

(Sen. Mandago spoke off record)

Sen. Catherine Mumma, would you wish to be informed?

You may go ahead, Sen. Mandago.

Sen. Mandago: Thank you very much, Mr. Speaker, Sir. I would like to inform Sen. Cathy Mumma that from 2013, a number of counties have actually been allocating funds for VTCs. I say so as a former Governor of Uasin Gishu County who served for two terms. I ensured that there was Kshs13,000 capitation for every student attending the VTC. We also made sure that the enrolment in all our 12 VTCs was more than 400; Sen. Betty Montet can bear me witness.

Thank you.

Sen. Mumma: Thank you, Mr. Speaker, Sir. I take the point made by Sen. Mandago and actually rephrase what I said to say that majority of governors have not been investing in VTCs and Early Childhood Development and Education (ECDE). In fact, very few have invested in childcare which is within their function.

In Uasin Gishu, we would like to confirm that not one more VTC has been built since you left. We have been checking and since we started monitoring on this particular function, some governors are now busy trying to build ECDEs. We visited Busia County and you remember what we saw. Some of them have all of a sudden realised that they are supposed to be doing something and yet, this is important. Education is important and both levels of government; the national and county, need to imagine the way in which we can functionalise our VTCs. VTCs are stigmatised. They are called village polytechnics and because of that, a number of governors have not seen the need to put in funds.

Sen. Joe Nyutu, I thank you. What you have brought up is absolutely important. Of all the things that I have raised, as a House and possibly together with the National Assembly, we need to seriously do the young people of Kenya a favour. We need to relook at the education system and ensure that we are not dumping our youth after they finish form four. That is a time bomb that is awaiting this nation.

We congratulate the county governments where they have done something, but what needs to be done is a lot more. I whole heartedly support the need for teacher training colleges to actually be included in receiving the public funds to support them.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Abbas, proceed. Sen. Fatuma Dullo, what is your issue?

(Interruption of debate on the Motion)

POINT OF ORDER

SAFETY CONCERNS OF SEN. FATUMA DULLO

Sen. Dullo: Mr. Speaker, Sir, sorry. It is not that I want to contribute to this Motion, but about three weeks ago, you made a ruling on the Floor of this House. The ruling said that the Inspector General of Police should submit the report on my shooting that happened in Isiolo County by 20th. It is 25th today and there is no response from the IG. I request you to intervene.

The Speaker (Hon. Kingi): Clerk, ensure the Inspector General of Police appears before the Senate on Tuesday at 2.30 p.m. next week.

You may proceed, Sen. Abass.

(Resumption of debate)

Sen. Abass: Thank you, Mr. Speaker, Sir. I want to also contribute to the Motion. Teachers are the most disadvantaged public servants in this country. Teaching is actually a noble career which, of course, has been taken to be a second to all other jobs simply because of the way teachers are being paid and the way their welfare is not being taken care of.

When teachers are employed, their remunerations and other allowances are not even mentioned. For other civil servant jobs, you will hear house allowance and health insurance being mentioned while teachers struggle for all those things. They are most disadvantaged when actually, this is a very noble profession. Of course, teachers have taken this profession as a second-class business.

Mr. Speaker, Sir, this country is actually dreaming of becoming an industrialised country and be at par with Singapore, which has always been sung by everybody and all politicians. Of course, we cannot reach that stage with this business of neglecting teachers, especially in the education system.

Teaching has, actually, become a second option for those who went to school because of the salary. It is not seen as a serious profession. Therefore, if this country has to move forward, it is a high time that teachers' welfare is taken care of. They should not be struggling for their HELB. These are people who are in class for almost 24 hours. They teach young children with no time to even do their own business outside their job. These are people who never even enjoy their leave days.

This country's education system, the Competency Based Education (CBE) says that every child must go to college or university after Form 4. This means the number of students is increasing, but they do not even have enough infrastructure. The government is spending Kshs700 billion which is almost 76 per cent of the current budget on education, which is not even enough because the system is not well planned.

The CBE system of education that is now currently ongoing is actually creating a class system in Kenya. A child comes to tell you that they have been given homework and you must help them as their parent. We have pastoralists who have never gone to

school. They do not even know what A, B, C, D is yet they are being told to go and buy books, boxes, do knitting and cook. My friend, this is what is supposed to be done by the mothers at home. You are making students busy on irrelevant things.

You will see a primary school child carrying 27 books, including an encyclopaedia. How should a grade three pupil, who is not even able to read, use the encyclopaedia? Students are actually developing hunchbacks from carrying loads of books. They are told to wake up at 5.00 a.m. be picked by school buses when they are sleeping to go round and round the estate picking more pupils. That kind of education will never help anybody.

Mr. Speaker, Sir, one other thing is that the new system of education funding is also biased. I do not even know what the categorisation of category C and B is. What kind of criteria are these people using because most of the students do not meet that criteria? That criteria was developed by somebody who can afford to pay school fees for his children. He does not know how the sons and daughters of poor people look like and where they are.

They are being told that this thing is classified; that, class B gets this amount of money and class C gets this amount of money. This is not the system that we need to have in this country. I think the old system of funding of Higher Education Loans Board (HELB) should be followed. The new system should be done away with. It is very biased and confusing.

I am also a parent who pays school fees. I even pay for orphans and every time, I am being told that there is a balance; that this has not been done and this has not been paid. Even during admission, if a student changes their course, they do not get the money, they are barred. If somebody wants to do medicine and he or she is qualified, they should be allowed. I say these things with a lot of respect. If you want to undertake surgery and medicine, the government will not sponsor you. This is a very bad system.

Honourable Speaker, for us to industrialise, the TVET students must be supported. The TVETs are a good job. They are doing a lot of good in terms of developing technology. It is only through the technical schools and colleges that we can be able to get industrialised.

The diploma teachers are not even given bursaries. The students who are undertaking diploma courses at the KMTC are not given bursaries. If you look at it, there is plenty of money in this country. There is government sponsorship, bursaries from CDF, bursaries from the Jomo Kenyatta Foundation (JKF) and from the President. This money only goes to persons; who is who and whom you know. It does not go to the poor. Even the teacher who fills those forms, especially like JKF, you just fill for his record, because he knows better - it is given to a student who is a kinsman.

So, the whole system is rotten. We need to have an overhaul and bring the system of education sponsorships and bursaries together, including even the bursaries from the Members of Parliament. I have been an MP in the National Assembly and I know what is going on there. It is so biased and skewed politically. This is because they only look for those who supported you. Therefore, it is high time that all this money should be brought to one basket, so that there will be a fair distribution of resources for health and education.

Honourable Speaker, the students in the colleges actually are really having problems. Even the TVETs and the teachers' colleges - they are boarding yet they are not being paid well. They do not have sponsorships and the students there are almost starved.

For the Kshs700 billion available to the Ministry of Education, it is high time that this country must come back to the drawing board. If you look at the CBE system - we do not want to play politics in our education system. Most of us who are here today, I am sure none of our children are going to public schools. Let us be honest. People are taking their children to international schools. So, you are leaving the poor people.

So, there is a class system simply because you are teaching them how to cook and bake breads. There will be more domestic workers than professionals such as doctors. You are breeding here and educating more domestic workers. So that is why I am saying there is a class system in our education system.

Thank you, Mr. Speaker, Sir, I beg to support.

Sen. Osotsi: Mr. Speaker, Sir, as much as I support this Motion, I have looked at it. It says that we urge the Government to include the TTCs in the funding model. I have said in this House before, severally, that when we spend time to debate Motions, let us focus on Motions where we are giving an order, not basically to urge government institutions or ministries. This is because when you say, urge, it means it is an open cheque. They can implement it, they can keep it on their shelves and nothing happens.

What we are supposed to say is that we are resolving as a House. We will spend like one or two hours discussing this Motion and after that, nothing happens. It is so sad. So, I start on that note by saying that this is a very good Motion. How I wish we were making a resolution because by the mere reading of this Motion, this is not a resolution because we are urging the government. We are not making a resolution.

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

[The Temporary Speaker (Sen. Veronica Maina) in the Chair]

So, Madam Temporary Speaker, those who are drafting these Motions from our Secretariat need to take that into account, so that when we sit here, debate and give ideas, let those ideas be implemented by the government.

Now, coming to the Motion, the spirit you get from this Motion is that there is a serious problem with funding education generally in this country. This is because we are saying that we would like teacher training colleges to be included in the funding model. From the discussions, I have heard from the Members, they have even talked about the vocational training centres in this model as well and many other institutions. That tells you that overall, something has to be done on funding education in this country.

As much as we focus too much on brick and mortar, wanting to make roads and build the Standard Gauge Railway (SGR), as a country, the most important thing we need to do is to invest in our people, so that we have cheap labour that we can use in this country and also export it.

If you look at our budget, you realise maybe last financial year is when we hit 28 percent of our budget on education. However, in the other years, between 16 to 20 per

cent of our budget was in education. That means we need to spend more on education, so that we turn out many Kenyans who are skilled and can do some of the things that we import. Right now, we are importing even roads from China. We are importing basically everything. Things that can be done in this country if we had the right skills, qualified people, they will find no reason why we need to invite Chinese to build bridges when we can do it ourselves.

Therefore, it is a priority if, indeed, we are serious about going to Singapore, which I hear every day. We are not going to Singapore by building roads, many of which are driven by the corruption interest. We are going to Singapore by investing in our people. Why am I saying that? If, for example, we increased our budgetary allocation in education and we made education free in this country, we will produce enough graduates who are skilled in all manner of fields and we will not need to import people to come and do some of the jobs that we do in this country, “ Mr. Speaker”.

We have many young people in this country, if well trained---

The Temporary Speaker (Sen. Veronica Maina): There is no, Mr. Speaker. That is the last warning to Senators---

Sen. Osotsi: Sorry Madam, you know that this disease started in the morning.

The Temporary Speaker (Sen. Veronica Maina): Referring to Madam as Mr. Speaker?

Sen. Osotsi: Madam Speaker, I am sorry, but this disease started in the morning from my senior brother, Khalwale. So, you can know where it is coming from.

The Temporary Speaker (Sen. Veronica Maina): What is your point of order, Sen. Hezena?

Sen. Lemaletian: Madam Temporary Speaker, is it in order for the Senator for Vihiga County to mislead the House that, indeed, investing in roads is not investing in the people? For some of us who come from very marginalised parts of this country without roads, we know the detrimental effect of not having proper infrastructure to connect citizens to basic needs across the country. So, on a statement of fact, he is misleading the House.

Thank you.

The Temporary Speaker (Sen. Veronica Maina): Hon. Senator Osotsi, for purposes of clarity and good communication, can you rephrase your argument to ensure it captures the feelings and the understanding of the need for a structure as an investment into people, as proposed by Senator Hezena?

Sen. Osotsi: Madam Speaker, if you understand English, then you will understand the meaning of the word “priority”.

The Temporary Speaker (Sen. Veronica Maina): Everybody here understands English. The Chair and Sen. Hezena understand English. That is just a point of confirmation.

Sen. Osotsi: I said priority should be on education. That means roads are important, but they are not a priority compared to education.

The Temporary Speaker (Sen. Veronica Maina): Sen. Osotsi, let me guide you. The reason you are having a challenge with Sen. Hezena is because of the approach you are taking in your communication. In your response, you began your sentence with; “If

you understand English.” Of course, every Senator here understands English. Could you do clear communication in proper English?

Sen. Osotsi: Madam Temporary Speaker, so that I do not waste my time, I want to say that priority is---

Sen. Mandago: On a point of information, Madam Temporary Speaker.

The Temporary Speaker (Sen. Veronica Maina): Sen. Osotsi hold on. Would you like to be informed by Sen. Mandago?

Sen. Osotsi: Sen. Mandago is a former governor who was involved in education issues. Therefore, he can inform me.

The Temporary Speaker (Sen. Veronica Maina): Sen. Mandago, please, inform him adequately.

Sen. Mandago: Madam Temporary Speaker, I just wanted to inform Sen. Osotsi that the current administration has doubled funding for education from Kshs350 billion to a tune of Kshs700 billion. For the first time since independence, this Government has employed 100,000 teachers. That is a clear indication that the Government is investing in its people, not just for now, but also in the future. That is why we even have the Sovereign Wealth Fund (SWF).

Sen. Cherarkey: On a point of order, Madam Temporary Speaker. I rise under Article 7 of the Constitution. Sen. Osotsi asked whether Sen. Lemaletian understands English, but that is unconstitutional since it is made in bad faith.

Under Article 7 of the Constitution, the national language of the Republic is Kiswahili. The official languages that should be used on the Floor of the House are either Kiswahili, English or Kenyan Sign Language (KSL). We can also use braille or any other communication appropriate for Persons with Disabilities (PwDs).

The only languages allowed to be used officially under Article 7 of the Constitution are English, Kiswahili or KSL. Therefore, he is totally out of order and he must apologise. He can say those statements in *Linda Mwananchi* or *Linda Tumbo* rally somewhere in Narok.

Sen. Lemaletian: On a point of information.

The Temporary Speaker (Sen. Veronica Maina): Sen. Osotsi, would you like to be informed by Sen. Hezena?

Sen. Osotsi: Madam Temporary Speaker, you know that these points of orders are meant to waste my time.

The Temporary Speaker (Sen. Veronica Maina): Your time is paused.

Sen. Osotsi: You asked me to clarify and I have clarified by saying that priority should be on educating Kenyans. That is my clarification. Therefore, allow me to proceed with my contribution.

(Sen. Korir spoke off record)

The Temporary Speaker (Sen. Veronica Maina): Sen. Joyce, please hold on. Clerk, please, pause his time, so that they do not use his minutes.

Sen. Osotsi, would you like to be informed by Sen. Hezena based on her wealth of experience?

Sen. Osotsi: Madam Temporary Speaker, I have had so many points of information from Members. Let me proceed.

What I was trying to say before I was interrupted is that education is so important to the country that it should be given priority in budget-making. I appreciate that the budget has increased to 28 per cent, but we can put more money in education, so that we make education basically free. That is the most important gift we can give to Kenyans because with education, as Sen. Mumma said, it becomes an equaliser. That way, many other things that indirectly rely on education will have a multiplier effect.

I was giving an example and asked why we should import skills, for example, in road construction when we can train our people to be world-class engineers, so that we spend less money. The same should apply to Information and Communications Technology (ICT) where I belong. We have big ICT institutions like Safaricom. Why would they, for example, import experts from China to do things that if we improved the capacity of our own local ICT engineers, we would reduce the cost and that would have a multiplier effect on our education?

My view is that education is such a critical aspect of our lives that the Government needs to consider making it free by increasing budgetary allocation to that sector then other things will flow, including things that Sen. Cherarkey is always protective about such as going to Singapore. We can go to Singapore through software and not necessarily hardware.

We have to look at the software and hardware and ask ourselves what we need to invest in. It is not necessarily brick and mortar. We can invest more in health, so that we have a healthy society or in education, so that we have an educated society and therefore everything else will flow.

Talking about investment in education, we have a lot of money in this country. What we lack is appropriate allocation. We also have an issue of wastage in the government. It does not make sense that one institution or a small government office can be given Kshs17 billion. What do they need that money for when we are talking about underfunding of education or collapse of our universities in this country?

Our universities are collapsing because of funding yet we put money in places where ordinarily we should be saving. That is why some of us question this myth of going to some other small country in Asia yet we cannot make quick fixes to our software that includes education and health because we are lying to ourselves and basically not moving in the right direction.

The point I want to make is that this Motion is timely. How I wish we looked at the entire education sector and made sure that education is prioritised and properly funded. It should not just be primary or secondary but also tertiary education. For example, we have Technical Training Institutes (TTIs) and that was a good concept, but our TVET centres in the counties are dying. Actually, they have died. Like in my own county, most of them have died because there is nothing much happening there.

We would like the government to revert back to the old approach of co-funding TVET centres, so that many young people in the villages who cannot go to colleges or universities can have a chance to go and learn skills like masonry, carpentry, metalwork and all that. That will help them to sustain themselves in the villages.

Sen. Lemaletian: On a point of order, Madam Temporary Speaker. Again I am rising under the Standing Orders on responsibility for statement of fact.

I really respect our ranking Member, the distinguished Senator for Vihiga. However, is it in order---

(An hon. Senator spoke off record)

Thank you for that correction.

Madam Temporary Speaker, is it in order for the Senator for Vihiga to allege that Singapore is a small country when its Gross Domestic Product (GDP) is way higher than Kenya's?

It is also important for him restrict his arguments to maybe the confines of western Kenya, when he talks about priority areas. As much as education is very important in our country, there are other very dire priority areas. For example, access to that education is a huge problem in Samburu.

Madam Temporary Speaker, secondly, there are people who are starving in some parts of Kenya for lack of a basic commodity such as water. Dams are a priority in some parts of Kenya. It is important that he bases his arguments on facts and speaks as a national leader; as the Deputy Party Leader of the Orange Democratic Movement (ODM).

The Temporary Speaker (Sen. Veronica Maina): Sen. Hezena, what was your point of order based on?

Sen. Lemaletian: Madam Temporary Speaker, it was based on a statement of facts by referring to Singapore, where we aspire to go as Kenya, as a small country.

The Temporary Speaker (Sen. Veronica Maina): Sen. Hezena, when you rise on a point of order, you should always state what standing order you are rising on. We know that is Standing Order No.10. Sen. Osotsi, you can proceed and respond to that as you continue winding up your submissions.

Sen. Osotsi: Madam Temporary Speaker, you know it is important that some of these Members learn from us, but that was not a point of order. Let me proceed.

It is important that we relook at our budgetary processes, so that areas of wastage and unnecessary budget allocation should be re-examined, so that more funds are put in critical sectors such as education and health. That way, this country will make progress. Fixation on issues of brick and mortar should not be the approach. The approach should also look at the software aspects of our lives, and that includes education and health.

As I earlier said, how I wish this Motion was making a resolution that the House resolves and not the House urges, because we do not want to waste our time here discussing very good things which no one implements.

I support.

The Temporary Speaker (Sen. Veronica Maina): Sen. Osotsi, once again, I am not Mr. Speaker. Please remind yourself again and again. I might not excuse it again.

Sen. Kisang: Thank you, Madam Temporary Speaker. I will not repeat the mistake that has been done by my colleagues, because you are my neighbour here. As I

rise to support this Motion, it should not become a talkshow, because what we are doing now, basically, is a talk show.

We used to do a lot of these talkshows both in the Senate and National Assembly, because when you say “we urge”, as soon as we vote on this Motion, it will go nowhere. Even the implementation committee which is basically the standing Committee on Education will do nothing, because the House will not have resolved.

I wish maybe the Mover of the Motion, if it would be allowed, maybe to redraft it, so that we resolve as a House to ensure that our teachers who are training in teacher training colleges are included in the funding model. Even the funding model should be renamed from the university's funding model to higher education funding model because this model is benefiting those in the university. It should benefit those in teacher training colleges, the KMTC TIVETs and national polytechnics. This is because most people, especially going to teacher primary colleges, are from very poor backgrounds.

I saw you were very surprised that, when Sen. Mumma was speaking, up to 1990, all those who went to the university, even those who were in teacher training colleges used to pay nothing. Students in Primary teachers colleges, diploma teachers and the university were not paying anything. They were being fed, accommodated and even given a stipend, which we used to call boom around Kshs5,040. If you divide 5,040 by four, it was more than 1,000 a month.

Primary teachers then used to earn like about Kshs800. So basically, somebody who was in the university was earning more than a teacher at that time. We cannot go back to those days because the numbers in the universities and colleges have increased. We have more students and more universities.

Maybe to also alleviate the financial crisis in our universities, we need to reintroduce Module II. I remember in the early 2000, up to around 2012, 2014 or so, the parallel programme in our public universities used to support the universities. The universities were not dependent on the Exchequer because they were getting money through the parallel programme.

There are some parents who are endowed and they are willing to pay extra. This is because if your child is called to a particular course, but they can still qualify to do a different and more competitive course, then the parents can be allowed to pay for them using Module II, which will assist and ensure the universities have own-source revenue that will support their operations.

Madam Temporary Speaker, universities and HELB need to sit down, devise ways of ensuring those who have benefited from loans repay them. They should pay off maybe when we are seeking for political positions or when they apply for positions that require clearance from HELB. They need to devise and find ways of ensuring that those who benefited from the loan, both who are within the country doing business, employed or even out of the country continue repaying the loans. This loan was supposed to be a revolving fund. After a while, the National Treasury was not supposed to fund them anymore. It was supposed to be funded by past beneficiaries yet, they have not achieved that.

It means there are some systemic issues within HELB that they need to relook and get a good system to follow up those who benefited from the loans, so that they do

not have to go to the National Treasury for additional resources. They should be having enough.

They also need to partner with the counties because in our committees, both the County Public Investments and Special Funds Committee (CPISFC) and County Public Accounts Committee (CPAC), most of the counties are giving out loans to universities and college students and they are unable to make recoveries because they do not know what to do. They can partner with HELB, which then gets a percentage for agency which will boost the income that they can give to the students.

Madam Temporary Speaker, sometimes, I do not know why we left the teacher training colleges from this funding model because most of them are from very poor backgrounds. This is especially because in the recent past, most of our National Assembly Members have opened up teacher training colleges across the constituencies. It means the reach to go to the colleges is within the areas.

In most of these rural constituencies, most of the children are from poor backgrounds and cannot afford to pay college fees. That is why we are saying it is important that they are included in the university funding model, which we are proposing to change to higher education funding model to benefit them. This is so that our teachers training students do not get turned away from colleges when exams are nearing and told to go back and look for school fees, which they do not have. The bursaries, both from the county and the constituencies, might not be enough.

In fact, there was a Motion here that we should have pursued it and even converted it into a Bill where all the bursaries, including the presidential, National Government Constituencies Development Fund (NG-CDF), county bursary and the resources of HELB be put together in one place. This would make education free in Kenya, from primary to college. That way, classifications would not be necessary.

People have complained about means testing. It is important that we ask the Ministry of Education takes a look at this system. What does means testing really mean? What are they looking for? It is very easy to follow up. If a child has been in public primary and secondary schools and supported by well-wishers and bursaries, those are the parameters to consider.

Sometimes the system asks about assets such as cows, yet one cow may give not more than two litres of milk, while another gives 20, 40 or 50 litres. One cow may be worth Kshs150,000, another only Kshs15,000. If you sell that cow, what happens? These parameters must be re-examined to achieve fair means testing for students.

Madam Temporary Speaker, some of us went to university when it was still free. However, it was not truly free. The loans were minimal. Those of us who graduated in 1991 still paid. I recall that in 1990, the system changed. We went to the Kenya Commercial Bank (KCB) and other banks to collect our "boom."

Before then, cash was brought to the universities. You would go to the nearest bank, perhaps Postbank, and be given a passbook. Each withdrawal was recorded and deducted. Sen. (Dr.) Khalwale is looking at me because he also went through the same process. It was not free. We eventually paid. I want to report to this House that I am among those who cleared my debt. I paid about Kshs56,000 for the three years I was in university.

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It is important to remind Kenyans who benefited from HELB support to start paying if they have not. This will allow children from poor backgrounds to benefit. The government helped you; please, pay your debt, so that others in need may also benefit. I remember before joining university, we had to go through the National Youth Service (NYS). It instilled discipline, ensuring that by the time you finished, you were an all-rounded Kenyan.

The budget for the Ministry of Education currently stands at 28 per cent. Out of the Kshs4.7 trillion budget, half is debt. What remains is about Kshs2.7 trillion. The Kshs2.7 trillion divided by Kshs700 billion is close to 30 per cent.

We need to devise ways of raising funds for our education system, so that it becomes an equaliser. Some of us had parents who never went to school. We did not have resources to go to school. It was courtesy of HELB support and the government assistance that we were able to attend university, get employed and return to society to assist. In fact, some of us used the so-called “boom” to pay school fees for our siblings.

Today, poor students in universities are being chased away from class. They cannot afford a simple meal of *ugali* and *mboga*. We must look at this issue seriously. Let us support this Motion, so that it becomes implementable.

Thank you. I support the Motion.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Kisang. The time intended for debate on this Motion is almost expiring. It was allocated three hours. We now have very little time before we close. I have three requests and we also need time for the Mover to reply.

I, therefore, ask Senators to exercise restraint. My option will be to cut back when time expires for the debate. So, the Senator who takes up the Floor should consider the remaining requests and share time with colleagues. Otherwise, from my seat, I will cut back when time is up.

Sen. Agnes Muthama.

Sen. Kavindu Muthama: Bi. Spika wa Muda, nashukuru kwa kunipa nafasi nichangie Hoja iliyoletwa na Sen. Joe Nyutu. Kwanza, nampongeza kwa kuleta Hoja hii kwani ni muhimu sana. Walimu ni watu muhimu katika taifa letu la Kenya. Bila walimu, hatuwezi kuwa na viongozi kama wewe unayeketi hapo kuongoza Seneti, rais ama maseneta kama sisi. Kwa hivyo, walimu ni watu muhimu sana. Ningeomba Hoja hii iangaliwe kwa makini ili wanafunzi wa vyuo vya ualimu wapate ‘boom’ kama wengine.

Tunapata simu nyingi kutoka kwa wanafunzi wa vyuo vya ualimu wakitaka tuwalipie ada ya shule. Kama tunavyojua, maseneta hawana pesa za kuwalipia wanafunzi wowote ada ya shule. Ningeomba wanafunzi wa vyuo vya ualimu wapate ufadhili kama vile wanafunzi wa vyuo vingine wanavyopata. Wanafunzi wa shule ya upili wanapata fedha. Sijui hawa walisahaulika vipi. Ni kina nani waliokuwa wanapanga pesa za kuendeleza elimu? Kwani walikosea.

Hatufai kupatia wengine wote pesa za kuwasaidia kusoma na hawa wa vyuo vya ualimu tukose kuwapatia. Sijui jambo hili lilipitia wapi. Sen. Nyutu, nakushukuru sana kwa kuleta mjadala huu. Kama jambo hili litashughulikiwa vizuri na Kamati ya Elimu na waweze kujumulisha wanafunzi hawa, itasaidia sana. Wanafunzi wa vyuo vya ualimu

wataweza kusoma bila matatizo, kama vile vyuo vingine. Hii itawasaidia na tutakuwa na walimu wengi na elimu itasonga mbele sana.

Napendekeza kama wangeweza kusaidia wale wanaotoka kwa familia masikini sana. Waangaliwe hata wakiwa kwa hivi vyuo---

The Temporary Speaker (Sen. Veronica Maina): Sen. Kavindu, just take your seat now. It is time for the Mover to reply, and he is persuaded to donate some of the minutes to the two remaining Senators.

Resume your seat, Sen. Agnes.

Proceed, Sen. Nyutu.

Sen. Joe Nyutu: Thank you, Madam Temporary Speaker. Just like you have indicated, we have two Senators on the line; that is Sen. Consolata and Sen. (Dr.) Khalwale. I do not have a lot to say as I reply. Therefore, allow me to donate five minutes to Sen. Consolata and five minutes to Sen. (Dr.) Khalwale, respectively. Then, I will take another five minutes.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Nyutu, for that consideration.

Sen. (Dr.) Khalwale, stick to your minutes.

Sen. (Dr.) Khalwale: Thank you, Madam Temporary Speaker. In a condensed fashion, the country remembers that in 2003, the biggest change that took place after election was the announcement by President Mwai Kibaki that there shall be free primary education. One million Kenyan children came from nowhere and joined school. That was leadership.

Fast forward to 2022, the biggest announcement that came was that we will have the new funding model and solidify the competency-based system of education. Unfortunately, the new funding model and the Competency Based Curriculum (CBC) have both failed completely. It is a shame that the failure of CBC has resulted in the loss of free education that we have in this country. We have to be the adults in the room and accept that our oversight role demands of us to call out when things are not being done right.

The top eight African economies are South Africa, Egypt, Algeria, Nigeria, Morocco in position five, Kenya in position six, Angola and Ghana in seven and eight. In all these top African economies, education is free. It is only in Kenya, which is one of those countries that we do not have free education. What are we planning for our youth?

I know that the biggest argument has been the growing population of children. Please, those people who are propagating that misinformation must stop. This is because South Africa has free education and they have a bigger population than us. Egypt has free education and their population is in hundreds of millions. Nigeria has free education and their population is over 200 million.

We are visiting a crime against a generation. The long and short of this challenge is that we have enough money. Even the 28 per cent that is allocated for education is enough, but it is subjected to financial mismanagement and corruption.

Colleagues have spoken to financial mismanagement. This nonsense of presidential, governors' and National Government Constituencies Development Fund (NG-CDF) bursaries are just avenues for corruption. The country remembers that only

last month, the Auditor-General released a report which said Kshs2.1 billion has been corruptly handled by Members of the National Assembly of Kenya and nothing is moving. No action can be taken because the poor guys there cannot oversight themselves.

Out of that, the Auditor-General was able to single out actual NG-CDF committees and the heads of those committees are known. I have read in that report that the MP of Embakasi West or Central spent Kshs62 million training salonists because they are voters.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. (Dr.) Khalwale.

Proceed, Sen. Wakwabubi Consolata.

Sen. Wakwabubi Consolata: Thank you, Madam Temporary Speaker, for according me this opportunity to contribute to this substantive Motion by Sen. Nyutu. I am a product of teaching. I want to reiterate that teachers need a dignified lifestyle. Looking at this Motion, it is one of the avenues that will improve their welfare, even as they join the teachers' training colleges. While I was growing up, I used to be told 'teaching is a noble profession'. Indeed, it is a sacred profession. It is a career of altruism because it is selfless.

I concur with what the rest of the hon. Senators have presented on the Floor of the House today. This is because we are looking at an avenue to churn out a nation's human capital that is highly trained, with a lot of quality presentations because at times, we compromise quality for quantity.

So, as a product of the same profession, I echo the fact that this inclusion aligns with the student-centred funding model, which is the goal that was intended for to provide financial aid to the teacher trainees. This is because most of them come from marginalised and minority areas. Some of them come from impoverished family backgrounds that are less privileged.

As a House of legislation, although I stand to be guided and corrected, at this juncture, we can maybe craft a subsidiary legislation to buttress this substantive Motion. Otherwise, I support the Motion by Sen. Nyutu and also call upon the House and maybe the Standing Committee on Education and other related agencies, to look at the role of Article 43(1) (f), Article 53 (1) (b), Article 55(a), 56 (b), and 54 (1) (b) of the Constitution of Kenya, 2010.

Thank you, Madam Temporary Speaker. I support the Motion.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Consolata.

Sen. Nyutu, you can proceed to reply.

Sen. Joe Nyutu: Thank you, Madam Temporary Speaker. Allow me to say that I am very pleased with the very rich contributions and support that this Motion has received from Members from both sides of the House. I wish that we can have that unanimity in all the matters that we prosecute in this particular House. This is because most of them are of national importance, but because of partisan interests, sometimes we are not able to agree. I appreciate the spirit in the support of this Motion.

Allow me to also thank Members who have contributed to this particular Motion. Some of the contributions that were made, I had not even thought about them. This is because there are Senators who also thought that we can think of funding other

institutions or other levels of education that have been left out in the new funding model of institutions of higher learning.

Madam Temporary Speaker, one of the members mentioned the Kenya School of Law. Another member brought in the issue of Vocational Training Centres (VTCs), although we know that VTCs are, of course, under county governments. However, it was an eye-opener as the House charged with the responsibility of protecting counties and of citing the same. That is something that we can consider looking at again, and generally to say that all of us are agreed that no learner should be discriminated against because we will be going against the spirit of Article 43 of our Constitution.

We have also had an occasion to be corrected by some of the Members who contributed. Although they drew the challenge, I think specifically Sen. Osotsi and Sen. Kisang', that we should, going forward, say the Senate resolves and not the Senate urges, so that we can have this implemented by the Committee on Implementation.

These contributions are very rich and I think they were informative to also yours truly. I think this was a timely Motion. I can see that the Chairperson of the Committee on Education, Sen. Betty Montet, is still in the House. I thank her for staying through the contribution to this Motion. I pray that she can do in the committee what needs to be done to see to it that we do not just urge the Minister of Education to implement this, but see to it that it is actually done.

I have the benefit of being served with a list of Members who contributed to the Motion. If you allow me, and if time allows, allow me to mention them. These are Sen. Wahome Wamatinga, Sen. Edwin Sifuna, Sen. Danson Mungatana, Sen. Johnes Mwaruma, Sen. Karen Nyamu, Sen. Catherine Mumma, Sen. Abass Sheikh, Sen. Godfrey Osotsi, Sen. William Kisang, Sen. Agnes Kavindu, Sen. Boni Khalwale and Sen. Consolata Wakwabubi.

I thank those Senators for contributing to this Motion. This is the spirit that should guide us in our deliberations in this House, like I had said. Allow me to say that while we differ, of course, we are about to differ because each one of us has their own heads, and they use their heads.

With those few remarks, I beg to reply, but ask and request you that because we may not have enough numbers, if you could deem it fit, pursuant to Standing Order No.63(3), to defer the putting of the question to a later date to allow a situation where we will have an adequate number of Members to be able to answer.

(Loud consultations)

I have already replied. I leave it to your discretion as per Standing Order No.1. The Members that are urging me have just come in but---

The Temporary Speaker (Sen. Veronica Maina): Sen. Nyutu, I think you have done justice to your Motion. You have already replied to it, and that marks the end. You remember we did not have sufficient time, and we were winding up on the time available for that Motion. Also to bring it to your attention that yours truly, the Temporary Speaker, contributed to that Motion in your absence, and a few more Senators. So, that marks the end. The putting of the question is deferred.

(Putting of the question on the Motion deferred)

BILL

Second Reading

THE COUNTY GOVERNMENT STATE OFFICERS REMOVAL
FROM OFFICE PROCEDURE BILL (SENATE BILL NO.34 OF 2024)

(Bill deferred)

BILL

Second Reading

THE COUNTY GOVERNMENT'S (AMENDMENT) BILL
(SENATE BILL NO.39 OF 2024)

Sen. George Mbugua is not present, so that order is deferred.

(Bill deferred)

Next Order.

BILL

Second Reading

THE STREET NAMING AND PROPERTY ADDRESSING
SYSTEM BILL (SENATE BILL NO.43 OF 2024)

Sen. Fatuma Dullo is not present. That Order is deferred.

(Bill deferred)

Next Order.

BILL

Second Reading

THE COUNTY GOVERNMENTS LAWS (AMENDMENT) BILL
(SENATE BILL NO.52 OF 2024)

Sen. Kathuri Murungi is not in the House, so that order is deferred.

(Bill deferred)

Next Order.

BILL

Second Reading

THE COUNTY GOVERNMENTS LAWS (AMENDMENT)
BILL (SENATE BILL NO.14 OF 2025)

Sen. Abdul Haji is not in the House. That Order is deferred.

(Bill deferred)

Next Order.

BILL

Second Reading

THE NATIONAL CONSTRUCTION AUTHORITY
(AMENDMENT) BILL (SENATE BILLS NO.15 OF 2025)

Sen. Eddy Okech is not in the House, so that order is deferred.

(Bill deferred)

Next Order.

MOTION

ADOPTION OF REPORT ON OVERSIGHT NETWORKING ENGAGEMENTS IN
KITUI, MAKUENI, MACHAKOS, AND KIAMBU COUNTIES

THAT, the Senate adopts the Reports of the Standing Committee on Health on the County Oversight and Networking Engagements in Kitui, Makueni and Machakos Counties, laid on the Table of the Senate on Thursday, 26th February, 2026; and Kiambu County, laid on the table of the Senate on Thursday, 19th March, 2026.

The Chairperson, Committee on Health, Sen. Mandago, is not in the House. That Order is deferred.

(Motion deferred)

MOTION

DELINKING JSS FROM PRIMARY SCHOOLS

THAT, AWARE that, the Ministry of Education in Kenya, introduced Junior Secondary Schools (JSS) as part of the Competency-Based Curriculum (CBC) implementation marking a major milestone for the country's education system, and a key opportunity to improve the quality of education available to students;

APPRECIATING THAT, the Junior Secondary Schools program play a vital role in shaping the academic trajectory of learners by providing students with a strong foundation in core subjects, helping them develop essential skills and offering them opportunities to participate in extracurricular activities promoting greater social inclusion;

CONCERNED THAT, the integration of Junior Secondary Schools within primary school setups has posed major challenges for Junior Secondary teachers, including inadequate training on the new competency-based curriculum, limited opportunities for career advancement, conflict in leadership, decision-making and resource allocation leading to strained relationships with head teachers;

FURTHER CONCERNED THAT Junior Secondary Schools (JSS) face critical shortages in essential infrastructure such as laboratories, libraries, ICT hubs, and science equipment necessary for the implementation of the JSS curriculum, coupled with inadequate access to approved learning materials and teaching resources, resulting in inconsistencies in curriculum delivery hindering effective teaching, learning, and overall student development;

NOW THEREFORE, the Senate resolves that the Ministry of Education, the Teachers Service Commission and the Kenya Institute of Curriculum Development should: -

i) Provide for an independent administrative and operational framework for Junior Secondary Schools to enhance governance, streamline management, and create a more focused learning environment for the learners;

ii) Allocate adequate funds for the construction and equipping of Junior Secondary Schools with essential facilities such as science labs, libraries and ICT rooms, and provide adequate learning materials relevant with the curriculum;

iii) Offer professional development programs for Junior Secondary School teachers to help them specialize in specific subjects to effectively implement the JSS curriculum;

iv) Develop a clear career progression framework for Junior Secondary School teachers, including opportunities for promotions and additional responsibility allowances;

v) Formulate clear policies and guidelines outlining the structure, curriculum, and management of Junior Secondary Schools; and,

vi) Ensure an optimal teacher-student ratio to facilitate personalized student attention and effective learning.

Sen. Mwenda Gataya is not in the House. That Order is deferred.

(Motion deferred)

POINTS OF ORDER

NOTIFICATION TO MEMBERS ON BUSINESS LISTED ON THE ORDER PAPER

That is the last Order for the day. What is your point of procedure? Proceed, Sen. Cherarkey.

Sen. Cherarkey: Madam Temporary Speaker, I hope you will indulge me under Standing Order No.1. There is a matter that I have waited to raise under Article 118, but let me start with Standing Order No.1, on observations. Since I do not know whether you still sit in the Senate Business Committee (SBC), would it be in order, for administrative purposes, that your office would be kind enough to be putting note reminders to the people who have business on the Order Paper, colleague Senators, so that they are aware? I have noted some colleagues have called me that they are now being made aware that their matters are on the Order Paper. I know as the SBC, you have immense powers, but it is just administratively to allow efficiency.

PUBLIC ACCESS TO LIVE STREAMING OF SENATE PROCEEDINGS ON YOUTUBE AND OTHER SOCIAL MEDIA PLATFORMS

I rise under Article 118, and this is a constitutional matter. I wish the distinguished Sen. Okong'o Omogeni and Sen. Wambua would be patient.

Under Article 118, Parliament shall conduct its business in an open manner, and its sittings and those of its committee shall be open to public, and facilitate public participation and involvement in the legislative and other business of Parliament and its committees.

(Loud consultations)

I wish Sen. Okong'o Omogeni would be listening.

Secondly, Article 118(2) of the Constitution states-

“Parliament may not exclude the public, or any media, from any sitting unless in exceptional circumstances the relevant Speaker has determined that there are justifiable reasons for the exclusion.”

Madam Temporary Speaker, I am happy that you were present during the morning session. Since morning, you have noticed that our screens and devices have been malfunctioning for the better part of both the morning and afternoon sittings. This

issue affected the live streaming on *YouTube*. If Kenyans cannot access the live streaming---

I am happy that Sen. Wambua, who is a long-term media guru and media practitioner, is here.

As per the Constitution in Article 118(2), the malfunctioning of our screens, that of the Speaker and the devices is impeding public access to the serious deliberations of the House, unless there was a gag order or justifiable reason.

Madam Temporary Speaker, I know somebody can argue that this matter is administrative, but it is not. It is a constitutional provision under Article 118(2) that we must ensure that there is a public access to all the deliberations, unless we are in camera. So, you can order the administration or give us the interpretation when the systems malfunction, as a House--- The *YouTube* and our social media outlets are not live streaming. Kenyans cannot access the discussions and deliberations on the Floor of the House. Does that undermine Article 118(2)?

I know you can deal with it constitutionally and administratively. I am happy that Sen. Okong'o Omogeni, a Commissioner in Parliamentary Service Commission (PSC) is here. Somebody can wish it away that it does not matter, but it goes back to Article 118(2), which is a constitutional provision, on public access to the deliberations and sittings of Parliament; not only the Senate, but also the National Assembly.

Under Article 10 on principles of national values and good governance, one of the tenets is openness, public participation, law and order. So, there should be an open democracy---

Sen. Omogeni: On a point of order, Madam Temporary Speaker.

Sen. Cherarkey: Can I converse? These are constitutional matters.

The Temporary Speaker (Sen. Veronica Maina): What is your point of order, Sen. Omogeni?

Sen. Omogeni: Madam Temporary Speaker, before you allow a matter to be conversed the way it is being conversed by my good neighbour, Senator for Nandi County, the facts should be undisputed. I do not know how Sen. Cherarkey has ascertained that our transmission this morning was not on *YouTube*, and our gadgets were malfunctioning. Indeed, I was somewhere and was watching the proceedings of Parliament live this morning.

So, before he is allowed to proceed the way he is proceeding, can he table evidence before the House to indicate that the gadgets malfunctioned this morning, and Kenyans were not receiving live transmission of the proceedings of today morning? Otherwise, you will be dealing with rumours. Anybody can rise here and address Parliament and say we are not live on *YouTube*.

Let us know from Sen. Cherarkey on what authority he is telling you that we were not live on *YouTube*. What evidence does he have that he can table before the House this afternoon that can convince you beyond reasonable doubt before you address that issue, that we were not live on *YouTube* today? This is not a House of rumours. When you raise serious issues like this, especially when I am not in the right mood because the railway line that was meant to pass through Nyamira County has been diverted to Sotik and then from Sotik we are being told we should just watch as it passes

through Kericho to Sondu, then to Kisumu. Those are the issues we should be deliberating on, as a House, not telling us issues of us not being on YouTube. Those are the things I want to hear as a representative of the people of Nyamira County.

The people of Nyamira pay taxes like everybody else. If you want to develop a country, you connect counties. This railway should be called inter-county railway line, all the way to Malaba. There is no way you are going to develop the economy of this country if the railway passes through Narok County, Bomet County, Kericho County, then you skip Kisii and Nyamira counties, yet we are serious economic movers in this country. You know the tea that comes from Nyamira and Kisii counties. We also supply bananas to Nairobi, the traditional vegetables called *chinsaga*, as well as avocados. It is unthinkable that a railway line can leave Nairobi, pass through Narok, Bomet, Kericho and then you skip Nyamira and Kisii. We are being told that we should watch it pass to our neighbouring counties; that I cannot board it and alight in Nyamira.

(Sen. Cherarkey spoke off record)

Sotik is not Nyamira, neither is it Kisii. If you want me to alight, if you want me to alight---

The Temporary Speaker (Sen. Veronica Maina): Sen. Omogeni, I would like to guide you on the question that you rose to respond to. It was on live streaming. However, on this, bring a substantive question or substantive Motion. That is a serious issue.

Sen. Omogeni: This matter is emotive.

The Temporary Speaker (Sen. Veronica Maina): It cannot be conversed casually.

Sen. Omogeni: This matter is emotive. Even my mother who is 86 years is wondering. This matter is being discussed in our local media houses every day. So, when I have an opportunity to speak about it--- Even the Senator for Kitui County will always know that is an injustice.

The Temporary Speaker (Sen. Veronica Maina): I understand it is emotive and Murang'a could also question---

Sen. Omogeni: So, to go back to the point I was making, before you allow the Senator for Nandi County to prosecute the issue that he has raised, you need evidence that the assertions he is making are indeed factual, that we were not live on YouTube. If not, ask him to first tender the evidence before he misleads the House that we were not on YouTube.

The Temporary Speaker (Sen. Veronica Maina): Before I respond to what you have submitted on, I will give Sen. Enoch a chance, then I will respond.

Sen. Wambua: Madam Temporary Speaker, today I had the opportunity to move a Motion on the report on Artificial Intelligence (AI) and was very sure that the whole world was following what we were doing, because we were doing a good job. There were disruptions, on the screens inside the Chamber and Members raised issues. Since I was moving to the Floor for the next Order, I approached the Clerks-at-the-Table, and asked whether---

(Sen. Tabitha Mutinda gestured at Sen. Wambua)

Madam Temporary Speaker, Sen. Tabitha is disturbing the flow of my thoughts by engaging in a way that is unbecoming.

The Temporary Speaker (Sen. Veronica Maina): Sen. Enoch Wambua, I recommend that you focus on your submissions and ignore Sen. Tabitha.

Sen. Tabitha, avoid distracting the Senator.

Proceed, Sen. Enoch.

Sen. Wambua: You saw what she did. You have just seen the gestures that she has made. That makes it even worse. However, if you insist that I persevere, I will.

I bring to the attention of Sen. Cherarkey that when I personally approached the Clerks-at-the-Table on the matter of the live streaming, they confirmed to me that the interruptions were just internal, and that the live streaming was taking place, unless then Sen. Cherarkey has additional evidence or maybe he was not in the Chamber. I do not know.

The people of Nandi elected Sen. Cherarkey to follow proceedings from the Floor, not on YouTube. So, the people of Nandi have a right to their Senator following proceedings and participating on the Floor of the House, not to follow proceedings online on YouTube. If that was what he was doing, then he can confirm to us that he was not in the Chamber.

The Temporary Speaker (Sen. Veronica Maina): You cannot have a point of order on top of a point of order, just resume your seat, so that I can give direction on this matter.

You have raised two issues.

Sen. Cherarkey: On a point of order, Madam Temporary Speaker.

The Temporary Speaker (Sen. Veronica Maina): Sen. Cherarkey, what is the problem now?

Sen. Cherarkey: Madam Temporary Speaker, you know very well that one of the most active and industrious Senators of this session is yours truly. He even asked about Wote while I asked about Kapsabet Stadium when the Cabinet Secretary was here.

Before you rule, I demand the following; one, an Information Technology (IT) audit be done because when there is a disruption of live streaming in this House, they upload it later. Number two; I have heard my senior saying that this is a non-issue and yet, it is a constitutional matter under Article 118. When he speaks about the railway going to Kisii and Nyamira, those people in Nyamira cannot all come to the Senate, they must follow online somehow. By the way, for his information, Kenya has the highest access to internet in Africa followed by Nigeria and then South Africa.

While I agree on the issue of the railway, which I saw Dr. Matiang'i discussing, I ask Sen. Okong'o Omogeni to go with me to State House, if he is gracious enough. We will sit with the President and ensure that the Standard Gauge Railway (SGR) passes through Nyamira and Kisii counties---

(Sen. Omogeni spoke off record)

Madam Temporary Speaker, can you protect me from the Senior Counsel?

The Temporary Speaker (Sen. Veronica Maina): Sen. Cherarkey, can you finish your submissions on the earlier points?

Sen. Cherarkey: That is why I am saying, if Sen. Okongo Omogeni, SC, is saying that Article 118 should not be a priority, I want the people of Nyamira and Kisii counties to see where Sen. Okongo Omogeni is saying the railway should pass.

Finally, I will be demanding that an IT audit of the system be done. Even the Office of the Auditor-General (OAG) can do it because if there is an internal disruption of live proceedings, it will affect--- I know that the Parliamentary Broadcasting Unit (PBU) will upload the HANSARD later.

My argument is that, under Article 229, the Office of the Auditor General should do the IT audit of the Senate HANSARD, so that my assertion is very correct. At least, Sen. Wambua said that there was internal disruption of the proceedings, which is a serious matter contravening Article 118. However, I appeal to Sen. Okongo Omogeni, a Member of Orange Democratic Movement (ODM) and broad-based Government to go with me to State House, where we will solve a small matter of ensuring that the SGR passes Kisii and Kisumu.

Madam Temporary Speaker, I rest my case and request for favourable ruling on this matter. I know it is an administrative issue, but it is very critical for the country because these proceedings should be open and accessible to the public through any platforms, either physically, online or through television (TV). We thank the Kenya Broadcast Corporation (KBC) for tirelessly ensuring that proceedings from Parliament are accessible to Kenyans across the country through their channel.

I yield back and request that we go to State House with the Senator after this.

The Temporary Speaker (Sen. Veronica Maina): Sen. Cherarkey---

(Sen. Omogeni spoke off record)

Give Sen. Onyonka 30 seconds.

Sen. Omogeni: Today, I have been christened Sen. Onyonka.

The Temporary Speaker (Sen. Veronica Maina): I apologise for that.

Sen. Omogeni: Madam Temporary Speaker, we were at university with you and Sen. Onyonka has never been to that School of Law where we were with you.

The Temporary Speaker (Sen. Veronica Maina): I apologise for that, it is Sen. Omogeni.

Sen. Omogeni: Madam Temporary Speaker, I am sure the people of Nyamira and Kisii region are watching these proceedings or they will access them on YouTube. It is not proper for Sen. Cherarkey to mislead the people of Nyamira and Kisii that the only way the railway line will traverse through Nyamira or Kisii is if I go to the State House and kneel before the President. That is not right. We deserve access to the usage of the railway line, the way my brothers in Bomet, Kericho and Narok deserve it.

Mr. Speaker, when the President raised the Bible when he was being sworn in---

The Temporary Speaker (Sen. Veronica Maina): There is no 'Mr. Speaker' here.

Sen. Omogeni: Sorry, Madam Temporary Speaker. The President raised the Bible with his right hand and said that he will serve all Kenyans. When the Kenya Revenue Authority (KRA) levies taxes, it does not exclude people of Nyamira or Kisii, we all pay taxes equally. So, on the issue of the railway, we just want fairness. We want that development to extend to all counties. All the 47 counties deserve equal access to the railway line as long as it is traversing in that region. That should be very clear. Sen. Cherarkey, we do not need to go to State House---

(Sen. Cherarkey spoke off record)

Sen. Cherarkey, I do not need to go to State House and I will not go to State House to beg on behalf of my people what they rightly deserve.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Omogeni, the point is made.

Yes, access is free to everyone without having to go to State House, but, obviously, State House also houses the President of the Republic of Kenya and it is accessible to every Kenyan, including Sen. Omogeni.

Coming to the points that are raised---

(Sen. Cherarkey consulted loudly)

Sen. Cherarkey, maintain peace for now, so that I give direction on the two issues that you raised.

On the administrative action that communicates to Senators on what is on the Order Paper; I confirm that the Order Paper is always circulated 12 hours before any session. It is the responsibility of hon. Senators who have brought business to the Floor of this House to ensure they are available during the sitting to execute their business without having to be reminded. They have the mandate both from the electorate or from where they have been sent to the Senate to do, they do not need to be coerced or pushed. They can actually take responsibility and prosecute their business.

On that issue, once the Order Paper is circulated, it is good enough for the Senators to read and come back to the sessions and make sure they are available when the session is running.

On the other question of whether we had live transmission throughout; I confirm from the secretariat that if you go to your phone even right now, there is a live streaming running. The KBC is also running these proceedings throughout, meaning nobody has been disintitiled from being able to access the Senate's live proceedings, and so, Article 118 of the Constitution of Kenya 2010 has not been breached. There may have been interruptions like when Sen. Wambua said that screens went blank for very few seconds on different occasions, but that did not affect the YouTube live streaming. So, the Article was not breached.

Finally, I request the PBU to ensure that there is no excuse for not transmitting seamlessly without interruption throughout, both in and outside Senate for the public to access what is happening in the Senate.

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That then gives direction and so, there is no need for audit, unless you present evidence to the effect that live streaming did not happen and that Kenyans were not able to watch the proceedings in the Senate. If upon presentation of that evidence from Sen. Cherarkey, that is the only time then an audit can be ordered, but not before.

Sen. Enoch, what do you want to clarify? I have rested the issue.

Sen. Wambua: Madam Temporary Speaker, the issue is properly rested. Perhaps then the Commissioner, because he is seated with us here, the only thing that he can do for the benefit of all of us, because these are not decorations, there is a reason why these screens have been mounted. The Commissioner may take responsibility and report to the House the contractual agreement between ourselves and the service provider, especially on the issue of uptime. At the uptime for these screens, what is the agreed percentage? This is so that we do not have a situation like we had in the morning, where we had the Cabinet Secretary responding to questions, then there are people who are monitoring the screens and some of them turn yellow. I do not know why specifically yellow. Others were turning to some other funny colours.

So, let us know what the uptime is, because there must be something in the agreement that these screens must be operational for the consumption of the audiences up to a certain percentage of the time.

Thank you.

The Temporary Speaker (Sen. Veronica Maina): Sen. Enoch, this is a new system. The tidier way to manage it would be just to first ask the technical team to ensure we do not have those disruptions in the next sittings. If they persist, then maybe we can dive into deeper issues of the contract that is there.

So, technical team, please, up your game, so that we do not have any downtime during the proceedings. I think we have exhausted that issue. We allow it to rest.

The Temporary Speaker (Sen. Veronica Maina): Sen. Eddy Oketch, did you have an intervention?

Sen. Oketch Gicheru: Madam Temporary Speaker, mine could be an expert opinion, if it is important. Again, it is very tough and difficult to rise on a matter that perhaps you have pronounced yourself on.

The Temporary Speaker (Sen. Veronica Maina): Do not take that issue backwards. You can only move forward.

Sen. Oketch Gicheru: Just because you have given directives that perhaps the Commission and the technical team should be able to look at this issue and look at why this problem persists; if you look at the problem that we are seeing in this House, it is not just about persistence in terms of just transmission. It is a number of things. There is quality of pictures which insinuate the technicality in the system itself. There are blank images that come in anytime that somebody is speaking. There are times when the microphones cannot go on. At my back, one is blank, another one is not blank.

What is happening here is that maybe we are dealing with a number of problems that perhaps I need to highlight, so that we can know. I do not want to be presumptuous, but maybe there is insufficient internet bandwidth for this streaming, so that you do not assume that because we are seeing blank images here, then the outside one is okay. If there is a bandwidth problem in Parliament, then, certainly, there is a problem outside

there. Also, there could be network congestion because there is an introduction here of things like biometrics.

There are more technical things that have been put here. Can the technical team, perhaps through your honour, Madam Temporary Speaker, explain if we have got a network congestion in this Parliament, so that we do not necessarily look at only the multiple devices defectiveness that we are seeing in Parliament? When the Gen Z's attacked Parliament, the Wi-Fi signals became a problem. However, we cannot assume it. We need to be told what is the technical problem that is making things difficult to deal with this? That is why sometimes you do not do an audit because there is a problem.

You do an audit because you want to have efficiency and effectiveness and just pick where the problem is. This is what I think the hon. Senators are requesting for. That audit can even be an internal audit. It does not need to be an external audit. Some of us can even volunteer some of our services, both in IT and on the technical side, on the audit and financial backgrounds, to help with that audit. However, there are a lot of technical issues that we are seeing here, ranging from all those varieties that I have talked about, that we can help with, so that we can have a sufficiently run Parliament with the new systems, gadgets and devices that have come in Parliament.

Thank you, Madam Temporary Speaker.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Eddy. We know you are an expert in the subject matter. I hope the technical team can take advantage of that information you have shared. I am sure all these offices are open. So, you can access and assess.

Thank you very much. That issue is now closed. We have already spoken enough. So, we are done on that issue.

ADJOURNMENT

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, there being no other business on the Order Paper, the Senate stands adjourned until tomorrow, Thursday, 26th March, 2026, at 2.30 p.m.

The Senate rose at 5.26 p.m.