

THE REPUBLIC OF KENYA

LAWS OF KENYA

THE BASIC EDUCATION BILL, 2024

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THE BASIC EDUCATION BILL, 2024

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THE BASIC EDUCATION BILL, 2024

[*Date of assent: 2024*.]

[*Date of commencement: 2024*.]

A Bill for

AN ACT of Parliament to give effect to Article 53 (1) (b) of the Constitution and other enabling provisions; to provide for the system and structure of basic education; to provide for registration, governance and management of institutions of basic education; to provide for establishment and facilitation of learning in special needs education; to provide for Quality Assurance and Standards; to provide for the establishment of the Kenya Education Management Information System, Kenya Institute of Special Education, Kenya Teacher Training College, Kenya School of Teacher Education and Management, School Learning and Materials Centre and National Council for Education in Marginalized Communities and for connected purposes.

ENACTED by the Parliament of Kenya, as follows—

PART I—PRELIMINARY

Short title.

1. This Act may be cited as the Basic Education Act, 2024.

Interpretation.

2. In this Act unless the context otherwise requires —

"Adult" means an individual who has attained the age of eighteen years;

"Adult and Continuing Education" means the learning processes within the perspective of lifelong learning in which an adult or out-of-school youth is granted an opportunity in an institution of basic education for purposes of developing abilities, enriching knowledge and improving skills;

"Alternative Provision of Basic Education" means an organized form of learning set up to deliver basic education and training to the disadvantaged persons who due to various circumstances cannot access formal schools.

"Alumni" a graduate or former student or member of a particular school;

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"Basic Education" means a programme offered at pre-primary, primary, junior school and senior school and includes a program offered at adult and continuing education centres;

"Basic Education Institutions" means a public or private institution or facility used wholly or partly, regularly or periodically for conducting basic education which includes pre-primary school, primary school, junior school, senior schools and teacher training institutions;

"Cabinet Secretary" means the Cabinet Secretary for the time being responsible for matters relating to education;

"College" means the Kenya Teachers Training College established under section 79 of this Act;

"Community" means persons residing in the neighbourhood of a basic education institution;

"Competency Based Curriculum' means an education system where emphasis is put on what learners can do and not what they know;

"Comprehensive School" means an institution registered under this Act offering basic education where primary and junior school are housed within a unified compound;

"County Education Board" means a Board established under section 33;

County Executive Committee Member means the County Executive Committee member for the time being responsible for matters relating to education;

"Curriculum" means all the approved subjects taught or programmes offered and includes all the activities provided at any institution of basic education;

"Duksi" means Islamic elementary institution that offers Quranic education and other related subjects;

"Education Appeals Tribunal" means the Appeals Tribunal

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established under the Education Appeals Tribunal Act, 2024;

"Formal Education" means the regular education provided in the system of schools, and other formal educational institutions;

"Informal Learning" means learning that takes place outside schools and colleges and arises from the learner's involvement in activities that are not undertaken with a learning purpose in mind.

"Information Communication and Technology Integration in Education" means the seamless incorporation of information communication technologies to support and enhance the attainment of curriculum objectives, to enhance the appropriate competencies including skills, knowledge, attitudes and values and to manage education effectively and efficiently at all levels;

"Integrated Schools" means a school which is shared with learners with special needs;

"In-Service Training" means the periodic professional development of teachers and capacity building of persons engaged in the management of basic education institutions;

"Institutional Administrators" has the meaning assigned to it under the Teachers Service Commission Act;

"Junior School" means a level of education comprising learning under the Competency Based Framework in Grades 7, 8 and 9;

"KEMIS" means Kenya Education Management Information System under section 123;

"Kenya Institute of Special Education" means the Institute established under section 56;

"Learner" means a person who is taught by another, especially a school child or student in relation to a teacher.

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"Madrassa" means the structural Muslim educational institutions or schools that offer Islamic and other subjects and are laddered from primary to secondary;

"Managers and Administrators of Basic Education Institutions" includes senior officers in the State Department responsible for basic education, members of the County Education Board, Board of Management and Parents Teachers Association and bursars in basic education institution;

"Marginalized" has the meaning assigned under the Article 260 of the Constitution;

"Middle Level Institutions of Basic Education" include an institution offering pre-service and in-service teacher training courses that support basic education;

"Mobile School" means a formal flexible institution that allows for mobility of learners and teachers;

"National Council for Marginalized Communities in Education" means the council provided for under section 139;

"Non-Formal Education" means any organized educational activity taking place outside the framework of the formal education system and targets specific groups/categories of persons with life skills, values and attitudes for personal and community development;

"Out-of-School Youth" means all persons who have attained the age of eighteen years but have not attained thirty-five years and who are not engaged in learning in the formal education system;

"Parent" has the meaning assigned to it under the Children Act.

"Parents' Teachers Association means an association as prescribed in section 49;

"Pastoral Programmes" means the programmes designed by

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different Christian churches;

"Pre-Primary Education" means education offered to a child of at least four years before joining grade one in a primary school

"Pre-Service Education" means the education of students in the College or a registered teacher training college;

"Primary Education" means education imparted to a child after pre-primary education and before junior school;

"Private School" means a school established, owned or operated by private individuals, entrepreneurs and institutions;

"Public School" means a school established, owned or operated by the Government;

"Salaries and Remuneration Commission" has the meaning assigned to it under the Salaries and Remuneration Act;

"School" means an institution registered under this Act;

"School Learning and Instruction Materials Centre" means the Centre established under section 128;

"Senior School" means a level of education comprising learning under the Competency Based Framework in Grades 10,11 and 12;

"**Special Needs Learners**" include —

(a) intellectually, mentally, physically, visually, emotionally challenged or hearing-impaired learners;

(b) learners with multiple disabilities;

(c) specially gifted and talented learners;

(d) deaf-blindness;

(e) special learning disabilities (dylesia, dysalculia, dysgraphia);

(f) cerebral palsy;

(g) speech and language difficulties;

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(h) autism;

(i) albinism;

(j) multiple disabilities; and

(k) any other form of special needs as may be determined by the relevant Government agency.

"Special Needs Education" means conditions physical, mental or intellectual conditions with substantial and long-term adverse effects on the learning ability (other than exposure) or the needs of those who learn differently or have disabilities that prevent or hinder or make it harder for them to access education or educational facilities of a kind generally provided for learners of the same age in the formal education system and includes education for gifted or talented learners;

"Special School" means a school established for the benefit of a particular class of children who require some special form of education, treatment or care;

"Sponsor" means a person or institution who makes a significant contribution and impact on the academic or financial or, infrastructural or spiritual development of an institution of basic education;

"Stakeholder" means a person, a public or private institution or organization involved in an education institution and with vested interests for the benefit of such an institution;

"Teacher" has the meaning assigned to it under the Teachers Service Commission Act;

"Teacher Training Institutions" means institutions offering pre-service and in-service teacher training courses that support basic education;

"**The School**" means the Kenya School of Teacher and Education Management established under section 100 of this Act;

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"Tuition Fees" means fees charged to cater for instruction or instructional materials.

Application.

3. This Act shall apply to all persons undergoing instruction and learning in basic education institutions and all persons or institutions engaged in or having an interest in the provision of basic education.

Guiding Principles.

4. The provision of basic education shall be guided by the following principles—

(a) equity in access;

(b) quality and relevance;

(c) accountability, transparency, rule of law and democratic decision making;

(d) non-discrimination;

(e) good governance, integrity, participation and inclusivity;

(f) human dignity and integrity; and

(g) intergovernmental consultation and cooperation.

PART II – ROLE OF THE NATIONAL GOVERNMENT

National Government.

5. The national government shall—

(a) formulate policies, norms and standards for the provision of basic education;

(b) ensure free and compulsory basic education to every child;

(c) ensure access to basic education for learners with special needs;

(d) register and monitor the operations of all education institutions providing basic education save for pre-primary schools;

(e) develop and implement curriculum that promote positive culture and the holistic development of the child;

(f) ensure access to basic education for vulnerable and

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disadvantaged children belonging to marginalized groups;

(g) ensure adequate non-teaching staff in basic education institutions;

(h) ensure adequate infrastructure, teaching and learning materials in basic education institutions;

(i) ensure quality basic education;

(j) give appropriate incentives to learn and complete basic education;

(k) collaborate with and support County Governments in the management of pre-primary education;

(l) engage stakeholders in the provision of basic education; and

(m) enforce compliance with this Act.

Cooperation between National Government and County Governments.

6. Subject to Article 189 of the Constitution, in the discharge of their respective functions the National and County Government may enter into an intergovernmental framework of cooperation, consultation and coordination in the provision of basic education.

Inter-Governmental Relations.

7. (1) Pursuant to Article 187 of the Constitution, either level of government may, upon request and with agreement of the other level, transfer to the other their respective functions relating to provision of basic education.

(2) The transfer contemplated under sub-section (1) may include—

(a) infrastructure development;

(b) hiring and renumeration of teachers; and

(c) implementation.

(3) The National Government, the County Governments and the Teachers Service Commission may enter into an agreement to facilitate the better performance of the functions incidental to each level of Government.

PART III—FREE AND COMPULSORY BASIC EDUCATION

Right of the child to free and compulsory basic education.

8. (1) Every child shall a right to free and compulsory basic education.

(2) The Government at either level shall implement the right of every

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child to free and compulsory basic education.

(3) The Cabinet Secretary shall, in consultation with the County Education Board, provide for the establishment of—

(a) primary, junior and senior schools, mobile schools, and adult and continuing education centers, within a reasonably accessible distance within a county;

(b) appropriate boarding primary schools in arid and semi-arid areas, hard-to-reach and vulnerable groups as appropriate;

(c) academic centres, or relevant educational institutions to cater for gifted and talented learners; and

(d) special and integrated schools for learners with special needs.

Formal basic education.

9. (1) Every learner shall undergo formal basic education.

(2) Subject to sub-section (1), the Cabinet Secretary shall formulate regulations and guidelines governing non-formal and informal learning and alternative provision of basic education in Kenya.

Free tuition.

10. (1) A public school shall not charge or cause any parent or, guardian to pay tuition fees for or on behalf of any learner in the school.

(2) Notwithstanding sub-section (1) tuition fees may be payable by persons who are not Kenyan citizens.

(3) A person who contravenes sub-section (1) commits an offence and is liable on conviction to a fine not exceeding one million shillings or to imprisonment for a period not exceeding three years or to both.

Other Charges

11. (1) A public school shall not impose other charges unless as approved by the Cabinet Secretary.

(2) The prohibition in sub-section (1) does not include includes personal effects.

(3) Subject to sub-section (1), a person or institution that collects any charges shall issue an official receipt.

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(4) No child shall be barred from attending school because of failure to pay such charges contemplated under this section.

(5) A person who contravenes the provisions of this section commits an offence and is liable on conviction to a fine not exceeding one million shillings or to imprisonment for a period not exceeding three years or to both.

Personal Effects

12. (1) It shall be the responsibility of the parent or guardian to provide a learner with personal effects to facilitate learning in school.

(2) Institutional administrators shall not restrict a parent or guardian on the place to procure or purchase personal effects.

(3) The Cabinet Secretary shall, in consultation with relevant stakeholders develop regulations for the better carrying out of this provision.

Admission to a Basic Education Institution

13. (1) It shall be the responsibility of every parent or guardian to present for admission or cause to be admitted his or her child, as the case may be, to a basic education institution.

(2) A child shall be admitted in a school at the commencement of the academic year or within such extended period as may be prescribed.

(3) A school or person responsible for admission shall not discriminate against any child seeking admission on any ground, including ethnicity, gender, sex, religion, race, colour or social origin, age, disability, language or culture.

(4) The provisions of sub-section (3) shall not apply in matters relating to gender in cases where a school is registered for a particular gender or disability.

(5) Where a parent or guardian defaults in the discharge of his or her responsibility under sub-section (1), such a parent or guardian shall be deemed to have committed an offence and is liable to fine not exceeding one hundred thousand or to a period not exceeding two years or to both.

(6) A parent or guardian shall have the right to participate in the

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character development of his or her child.

(7) For the purpose of admission to a basic education institution, the age of a child shall be determined on the basis of the birth certificate issued in accordance with the provisions of the Births, Deaths Registration Act or on the basis of such other document, as may be prescribed by regulations.

(8) No child shall be denied admission in a school or basic education institution for lack of proof of age.

Prevention from attending School

14. (1) No person shall prevent a child from attending school on account of employment, religion, parental conflict or cultural practices or on any other ground.

(2) A person who contravenes sub-section (1) commits an offence and is liable to fine not exceeding five million or to a period not exceeding five years or to both.

Restriction on Admission Tests

15. No public school shall administer or cause a person to administer any test related to admission of a child to a public school.

Review of admission decision.

16. (1) A parent of a child who has been denied admission to a public school may notify the County Education Board of the decision.

(2) The County Education Board shall review the decision of a school that denies a child admission and within fourteen days make a determination.

(3) where the County Education Board determines the denial of an admission not merited, the Board shall communicate the decision to the school and the Parent or Guardian with an order for immediate admission of the learner.

(4) Where the County Education Board determines the denial of an admission to be merited, the Board shall communicate the decision to the school and the Parent or Guardian with reasons for such decision.

(5) The Parent or Guardian may exercise the right of appeal to the Education Appeals Tribunal.

Parent or Guardian's

17. (1) Every parent or guardian whose child is —

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role.

(a) Kenyan; or

(b) resides in Kenya,

shall ensure that the child attends regularly as a pupil at a school or such other institution as may be authorized and prescribed by the Cabinet Secretary for the purposes of physical, mental, intellectual or social development of the child.

(2) A parent or guardian who fails to take his or her child to school as required under sub- section (1) commits an offence.

(3) A person who contravenes this section shall be liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding one year, or both.

(4) Sub-section (3) shall not apply to a parent or guardian who presents within a reasonable time a reason to the satisfaction of the County Director of Education for the absence of his or her child at a school or institutions of basic education.

Institutional Administrator's Role

18. (1) Where a learner fails to attend school, the institutional administrator shall cause investigation of the circumstances of the child's absence from school;

(2) Where the institutional administrator finds there are no reasonable grounds for the child's failure to attend school, the institutional administrator shall -

(a) issue a written notice to the parent of the child requiring that parent to comply with the provisions of this Act;

(b) submit a report on the child to the County Education Board;

(3) Any parent who without a reasonable cause and after a written notice from the–institutional administrator, fails to comply with this section, commits an offence and is liable on conviction to a fine not exceeding five hundred thousand shillings or to imprisonment for a period not exceeding two years or to both.

Discipline

19. (1) Every learner shall be subject to such disciplinary measures as shall be prescribed by rules and guidelines formulated by the Cabinet

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Secretary from time to time.

(2) No learner shall be subjected to torture and cruel, inhuman or degrading treatment or punishment, in any manner, whether physical or psychological.

(3) A person who contravenes the provisions of sub-section (1) commits an offence and shall be liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment not exceeding six months or both.

(4) Subject to sub-section (1) the Cabinet Secretary may make regulations to prescribe the discipline of a delinquent learner for whom all other corrective measures have been exhausted and only after such child and parent or guardian have been afforded an opportunity of being heard:

Provided that such a learner shall be admitted to an institution that focuses on correction in the context of education.

(5) Subject to this section, the Cabinet Secretary may make regulations to prescribe suspension and expulsion of a learner from school.

Transition to the next level

20. No learner admitted in a school shall be barred from transitioning to the next level.

PART IV— SYSTEM AND STRUCTURE OF BASIC EDUCATION

System and Structure of Basic Education

21. (1) The system of basic education in Kenya is comprised of—

(a) pre-primary education;

(b) primary education;

(c) junior school;

(d) senior school; and

(e) Teacher training institutions of basic education

(2) The system of basic education prescribed in sub-section (1) shall correspond to the 2-6-3-3 structure of basic education as provided in the First Schedule.

Categories of Schools

22. (1) Basic educational institutions shall be categorized as -

(a) public schools which are institutions established, owned

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or operated by the Government and includes sponsored institutions;

(b) private schools as those established, owned or operated by private individuals, entrepreneurs and institutions.

(2) Subject to sub-section (1), further categorization of the basic education institutions shall be as per regulations developed by the Cabinet Secretary.

(3) A public basic education institution shall not be converted to a private basic education institution.

(4) Subject to consultation with relevant stakeholders a private basic education institution may be converted to a public basic education institution.

Kenya National Qualifications Framework

23. The system and structure of basic education shall be administered in accordance with the Kenya National Qualification Framework set out under the Kenya National Qualifications Framework Act.

Foreign System of Education

24. (1) A person or institution seeking to offer foreign system of education in Kenya shall apply to the Cabinet Secretary for approval.

(2) The Cabinet Secertary shall make regulations prescribing the registration, licesing, accreditation and quality assurance in this regard.

PART V — REGISTRATION OF BASIC EDUCATION INSTITUTIONS

Registration of Basic Education Institutions

25. (1) Every institution, whether public or private, seeking to offer basic education in Kenya shall be registered in accordance with this Act.

(2) Subject to the provisions of this Act, the registration of any institution shall be provisional for a term of one-year renewable for one further term of one year until the institution is quality assured and notice given in writing that the registration is final.

Registration Requirements

26. (1) An institution shall not be registered to offer basic education under this Act, unless the institution -

(a) has sufficient number of registered teachers and non-

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teaching staff under the staffing norms prescribed by the Directorate of Quality Assurance and Standards have been complied with.

(b) has appropriate teaching and learning facilities;

(c) the available premises and accommodation are suitable with regard to the number, age, gender, and security of the learners who are to attend the institution;

(d) the premises and accommodation conform to the prescribed requirements of the occupational health and safety regulations;

(e) the necessary and suitable infrastructure as well appropriate and adequate equipment to carry out the programmes applied for as may be prescribed by regulations.

(2) The Cabinet Secretary shall prescribe regulations in line with sub-section (1).

Application Process

27. (1) A person or organization intending to register an institution offering basic education shall make an application in the prescribed manner to the relevant County Education Board.

(2) An application for registration of a basic education institution shall contain —

(a) name, physical, postal and electronic addresses of the proposed institution;

(b) in the case of a mobile school, the name of a general area and the name of the family in which the school is situated;

(c) the governance and management structures of the institution, membership of the proposed institution, academic qualifications and experience of the promoters and managers of the intended institution;

(d) the aims and objects for which the institution is to be established and the programmes of instructions and the courses

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of study that will be offered;

(e) the number, qualifications and competence of the teachers and non-teaching staff;

(f) available suitable infrastructure, and appropriate equipment;

(g) a statement of financial ability; and

(h) such other matters as may be prescribed in the regulations made under this Act.

(3) Upon receipt of the application, the County Education Board shall undertake verification of the application within a period of thirty (30) days. The report from the Directorate of Quality Assurance and Standards shall be part of the verification.

(4) Where the County Education Board is satisfied that the proposed institution has met all the requirements under this Act, the County Education Board shall recommend to the Cabinet Secretary for concurrence and issuance of the registration certificate.

(5) The Cabinet Secretary shall by regulation prescribe the format of application and the fees payable for registration.

Rejection of Application by the County Education Board

28. (1) Where the County Education Board is not satisfied that the institution has complied with the requirements set out under this Act the Board may:

(a) issue the applicant with a provisional registration which shall be valid for twelve months; or

(b) decline the application and shall within seven (7) days of making such decision, communicate to the applicant its decision with reasons.

(2) A person aggrieved by the decision of the County Education Board made under this part, may apply to the County Education Board for review within 14 days from the date the decision was made.

(3) Despite sub-section (2), the County Education Board may on its own motion review any decision made under this Act on any of the following grounds:

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(a) a mistake or error apparent on the face of the record; and

(b) discovery of new or important matter or information.

(4) A person dissatisfied with the decision of the County Education Board upon review may appeal to the Education Appeals Tribunal.

(5) Any person aggrieved by the decision of the County Education Board under sub-section (1) may appeal to the Education Appeals Tribunal within a period of thirty days of the decision.

Offences

29. (1) Any person engaging in the promotion or management of basic education institution without registration commits an offence and shall be liable on conviction to a fine not exceeding twenty million shillings or a term of imprisonment not exceeding three years or to both.

(2) Where an institution is found to be operating without registration, the institution shall be closed in addition to the criminal penalty contemplated under sub-section (1).

Regulations on Registration

30. The Cabinet Secretary shall in consultation with, the relevant stakeholders formulate regulations for the registration of basic education institutions.

PART VI – GOVERNANCE AND MANAGEMENT OF BASIC EDUCATION

Management of Basic Education

31. (1) The Cabinet Secretary shall be responsible for the management of primary, junior and senior schools' levels of education subject to the requirements of this Act.

(2) The County Governments shall be responsible for the management of pre-primary education subject to the requirements of the Early Childhood Education Act.

Decentralization

32. (1) The Cabinet Secretary shall pursuant to Article 6 (3) of the Constitution ensure reasonable access of its services to all parts of the Country so far as it is appropriate do so.

(2) The State Department responsible for Basic Education may establish offices at the zonal, sub-county, county and regional levels or at any such administrative level including in foreign missions as it may determine and deploy officers for the proper discharge of its

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functions.

County Education Board

33. (1) There is established a County Education Board for every county.

(2) The County Education Board established under sub-section (1) shall serve the National Government as the case may be.

Functions of the County Education Board

34. The functions of the County Education Board shall be to-

(a) collaborate with the County Governments in overseeing the operation and management of basic education institutions in the County;

(b) coordinate and monitor basic education in the County on behalf of the National Government;

(c) interpret national policies in education based on the County's needs;

(d) plan, promote, develop, and coordinate basic education in the County in accordance with the provisions of this Act, the national education policy and the laws and policies of the County Government;

(e) collaborate with the Board of Management, institutional administrators and other appropriate authorities in the management of basic education institutions;

(f) maintain a list of all basic education institutions within the County;

(g) monitor curriculum implementation in basic education in the County;

(h) monitor the conduct of assessments at the basic education levels in the County in collaboration with all the relevant national bodies;

(i) collaborate with the Teachers Service Commission and County Governments on teacher management within the County;

(j) coordinate with all relevant agencies to ensure that all the

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barriers to the right to quality education are removed and with National Government and County Governments to facilitate realization of the right to education within the County;

(k) put measures in place to ensure all children and youth of school going age within the County attend and complete basic education; and

(l) perform such other functions as may be necessary for the better carrying out of the provisions of this Act or any other written law.

Composition of the County Education Boards

35. (1) Every County Education Board shall consist of a Chairperson, and twelve other members appointed by the Cabinet Secretary and shall include –

(a) County Commissioner who shall be the Chairperson;

(b) the County Director of Education or his or her representative who shall be the Secretary to the County Education Board;

(c) a representative of the Teachers Service Commission

(d) where applicable, one person each representing-

(i) jointly, the National Council of Churches of Kenya and the Evangelical Fellowship of Kenya;

(ii) the Kenya Episcopal Conference; and

(iii)the Muslims Education Council;

(e) a representative of the association of private schools;

(f) two representatives of a trade union representing the interest of teachers;

(g) two representatives of parents' teachers' association; and

(h) a representative of persons with disability;

(i) two members nominated by the following bodies-

(i) the Primary School Head Teachers' Association; and

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(ii) the Secondary School Principals Association.

(j) a representative of a child rights organization.

(2) In appointing persons as Chairperson and members of the County Education Board, the Cabinet Secretary shall observe the principle of gender equity, regional, ethnic and religious balance, transparency, openness and shall have due regard to the principle of equal opportunities for persons with disabilities.

(3) All members of the County Education Board shall have a minimum qualification of secondary education certificate or its equivalent.

Conduct of Business and Affairs of the County Education Board

36. (1) The conduct and regulation of the business and affairs of the County Education Board shall be as provided in the Second Schedule.

(2) Except as provided in the Second Schedule, the County Education Boards may regulate its own procedure.

Tenure

37. (1) The Chairperson and members appointed under section 36 (a), (b) and (c) shall serve during the tenancy of the tenure in the relevant County unless removed from office or transferred to another County by the appointing authority.

(2) The members appointed under section 36 (d), (e), (f), (g), (h), (i) and (j) shall serve for a period of three years and shall be eligible for reappointment for a further one term subject to satisfactory performance.

(3) Provided that the Cabinet Secretary shall by regulation, provide for the, staggering of the terms of the inaugural Board members.

Remuneration of the County Education Board

38. The members of the County Education Boards shall be paid such allowances and disbursements for expenses as may be approved by the Cabinet Secretary in consultation with the Salaries and Remuneration Commission.

Co-option

39. The County Education Boards may from time to time co-opt into its membership such persons not being more than three as it is satisfied possess skills and experience to assist in the discharge of its

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functions.

Committees of the County Education Board

40. (1) A County Education Board may establish such committees as may be appropriate to perform such functions and discharge such responsibilities as it may determine.

(2) Without prejudice to the provisions of sub-section (1) the County Education Board shall set up specialized committees on -

(a)planning, finance and human resources;

(b) audit;

(c)registration, quality assurance and assessment;

(d) dispute resolution.

(3) All decisions of the committees appointed under subsection (1) may be reviewed by the County Education Board.

Reporting by County Education Board

41. (1) The County Education Board shall submit annual reports to the Cabinet Secretary.

(2) In addition to the annual report the County Education Board shall submit such reports on a specific issue of national importance, as and when required.

Board of Management

42. (1) There shall be a Board of Management for the following basic education institutions -

(a) comprehensive schools;

(b) senior school;

(c) special school;

(d) adult and continuing education centre; and

(e) multipurpose development training institute;

(2) Notwithstanding sub-section (1), a County Government may enter into an intergovernmental framework of cooperation with the National Government on the management of a school where a public pre-primary school is situated in the same compound as a public primary and junior school.

Composition of Board of Management

43. (1) The Board of Management established under section 43 shall consist of the following members appointed by the County Education Board

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(a) in case of a comprehensive school there shall be -

(i) three persons from among the parents in the school, one of whom shall be the chairperson of the Parents Teachers Association;

(ii) three representatives of the sponsor(s) of the school, where applicable;

(iii) one person living with disability;

(iv) two persons with relevant professional qualifications;

(v) three *ex-officio* members;

1. one nominee of National Government Administration Office;

2. the Sub-County Director of Education or their nominee who shall be an employee of Ministry of Education; and

3. The institutional administrator who shall be the secretary.

(b) for Senior school there shall be -

(i) the chairperson of the Parents Teachers Association;

(ii) three representatives of the sponsor(s) of the school, where applicable;

(iii) One person living with disability;

(iv)Two persons with relevant professional qualifications;

(v)Three *ex-officio* members;

1. One nominee of the National Government Administration Officer;

2. The Sub-County Director of Education or their nominee who shall be an employee of Ministry of Education; and

3. The institutional administrator who shall be the secretary.

(2) Notwithstanding sub-section (1) (b), the National and County

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Government may enter into an intergovernmental framework of cooperation on the management of a school where a pre-primary, a primary and a junior school share the same compound.

(3) The chairperson of the Board of Management in the case of a public school shall be elected by the members in their first meeting.

(4) Notwithstanding sub-section (3), the chairperson of the Board of Management of public schools sponsored by faith-based organizations shall be appointed by the County Education Board in consultation with the sponsor(s).

(5) The conduct and affairs of the Board of Management shall be as set out in the First Schedule.

Qualification of Members of Boards of Management

44. (1) The Cabinet Secretary shall by regulations prescribe the qualifications for persons who may be appointed to the Board of Management under this Act.

(2) In appointing persons as members of a board of management, the nominating and appointing authority shall observe and respect —

(a) the ethnic and regional diversity of the people of Kenya;

(b) impartiality and gender equity; and

(c) Article 10 and Chapter Six of the Constitution.

Remuneration of the Members of the Board of Management

45. The members of the Board of Management shall be paid such allowances as the Cabinet Secretary may determine upon the advice of the Salaries and Remuneration Commission.

Functions of the Board of Management

46. The functions of the Board of Management of a basic education institution shall be to —

(a) promote quality education for all learners in accordance with the standards set under this Act or any other written law;

(b) ensure and assure the provision of proper and adequate physical facilities for the institution;

(c) manage the institution's affairs in accordance with the

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rules and regulations governing the occupational safety and health;

(d) advise the County Education Board on the staffing needs of the institution;

(e) determine cases of learners' discipline and make reports to the County Education Board;

(f) facilitate and ensure the provision of guidance and counseling to all learners;

(g) provide for the welfare and observance of the human rights and ensure safety of the learners, teachers and non-teaching staff at the institution;

(h) encourage the learners, teachers and non-teaching staff and other, parents and the community, and other stakeholders to render voluntary services to the institution;

(i) oversee reasonable use of the facilities of the institution for community, social and other lawful purposes, subject to such reasonable and equitable conditions as it may determine including the charging of a fee;

(j) administer and manage the resources of the institution;

(k) recruit, employ and remunerate such number of non-teaching staff as may be required by the institution in accordance with this Act; and

(l) perform any other function to facilitate the implementation of its functions under this Act or any other written law.

Committees of the Board of Management

47. (1) The Board of Management of an institution of basic education may establish such committees as the Board may consider appropriate to perform such functions and discharge such responsibilities as the Board may deem necessary.

(2) Without prejudice to the provisions of sub-section (1), the Board of Management shall establish the following committees —

(a) finance, procurement and general purposes committee;

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(b) academic and student welfare committee;

(c) audit committee.

The Cabinet Secretary shall provide for terms of reference for each committee.

Reporting by Boards of Management

48. (1) The Boards of Management shall submit annual reports to the County Education Board.

(2) In addition to the annual report the Boards of Management shall submit such reports on a specific issue of national importance, as and when required.

Parents Teachers Association

49. (1) Every school, public and private, shall have a Parents' Teachers' Association.

(2) The functions of the Parents' Teachers' Association shall be to—

(a) promote quality care, nutritional and health status of the learners;

(b) maintain good working relationship between teachers and parents;

(c) discuss, explore and advise the parents on ways to raise funds for the physical development and maintenance;

(d) explore ways to motivate the teachers and learners to improve their performance in academic and co-curricular activities;

(e) discuss and recommend charges to be levied on learners or parents;

(f) undertake and oversee development projects on behalf of thewhole Parents' Teachers' Association.

(g) assist the school management in the monitoring, guidance,counseling and disciplining of learners; and

(h) discuss and recommend measures for the welfare of staff and learners.

(3) The Parents' Teachers' Association shall, at its first meeting, elect a

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Chairperson from amongst the persons elected under sub-section (1).

(4) The institutional administrator shall be the Secretary to the Parents' Teachers' Association.

(5) There shall be an Executive Committee consisting of representatives of each class and two teachers.

(6) The members of the Executive Committee shall be elected during an annual general meeting of parents and teachers.

(7) The Parents' Teachers' Association shall hold such number of meetings at such places and at such times as the Association shall consider necessary for the proper discharge of its functions.

(8) Subject to the provisions of this section the Parents' Teachers' Association shall regulate its own procedure.

Institutional Administrator

50. (1) Every public primary, junior, comprehensive and senior schools shall be headed by an institutional administrator duly appointed as such under the Teachers Service Commission Act.

(2) The institutional administrator appointed under sub-section (1) shall be responsible for the day-to day management of the school, act as an accounting officer and authorized officer and shall act an agent of the Principal Secretary of the State Department responsible for Basic Education with regard to management of the school.

(3) In exercise of the function under sub-section (2), the institutional administrator shall prepare such reports and file with the Cabinet Secretary as shall be determined from time to time in regulations.

Appointment as an Agent

51. (1) Subject to section 51 (2), the appointment of the institutional administrator as an agent shall be made in writing.

(2) Notwithstanding sub-section (1), the Principal Secretary of the State Department responsible for Basic Education shall retain the discretion of exercising any power delegated to the agent.

PART VII — SPECIAL NEEDS EDUCATION

Role of National Government and County Governments

52. (1) The national and county governments shall to the extent of their constitutional mandate, promote the development and

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implementation of education for learners with special needs

(2) In ensuring that the national government fulfils its obligation under sub-section (1), the Cabinet Secretary shall –

(a) adopt a comprehensive national strategy and plan of action and policies for the provision of education to learners with special needs;

(b) take measures to create opportunities and the environment that enables the realization of the right to special needs education by all persons requiring such education;

(c) put in place the necessary infrastructure, facilities and human resource necessary for the effective and efficient delivery of special needs education to learners in learning institutions falling within the mandate of the National Government pursuant to the Fourth Schedule to the Constitution;

(d) maintain an updated data of learners with special needs including the number of such learners, the nature of their disability, their educational requirements and level of education and their geographic distribution;

(e) maintain an inventory of the personnel and facilities available for the provision of education of learners with special education needs;

(f) monitor and evaluate the implementation of policies, plans and strategies for the provision of special needs education at the National and county level of government;

(g) appraise and review the levels of access to special needs education, assess the quality of the existing infrastructure and human resource and put in place measures for the continuous development of such infrastructure;

(h) formulate a programme for the recruitment and training, including in service, of educational to learners with special educational needs;

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(i) ensure that the education curriculum and public examinations recognize and take account of the needs and circumstances of learners with special educational needs;

(j) formulate programs and put in place structures for the provision of home based, non-formal, adult, continuing, alternative, free and appropriate public education;

(k) collaborate with county governments and the relevant stakeholders;

(l) putting in place measures to address factors that hinder the realization of the right to special needs education;

(m) formulating the appropriate strategies in ensuring that quality special needs education is accessible to persons requiring special needs and who are marginalized or fall within the category of vulnerable persons; and

(n) perform such other functions for the better implementation of this Act or as may be conferred on it under any other written law.

Collaboration with County Governments

53. (1) Subject to Articles 187 and 189 of the Constitution, the National Government may enter into a collaboration framework with the relevant County Government to support, promote and administer effective and efficient delivery of special needs education.

(2) Without prejudice to generality of sub-section (1), the respective County Executive Committee member shall, for the effective and efficient performance of the functions of the County Government under sub-section (1) —

(a) implement the National policy and program on the delivery of special needs education in the county;

(b) put in place the necessary infrastructure and establish the necessary education centres pursuant to its mandate under Part 2 of the Fourth Schedule to the Constitution for the delivery of special needs education;

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(c) ensure that there are in place, the necessary resources, including human resources necessary for the development of education centres and the administration of special needs education in the county;

(d) collaborate with the Cabinet Secretary and such agencies and stakeholders in the county as are necessary in ensuring a coordinated approach in facilitating access to, and delivery of, special needs education in the county;

(e) initiate, undertake and participate in the collection, preparation, production and dissemination of data and information on the needs of leaners requiring special needs education in the county;

(f) ensure the proper identification of food insecure areas appropriate programmes and eligible beneficiaries in relation to food security programmes and the correct application eligibility criteria;

(g) integrate the provision of special needs education in existing public learning institutions under the mandate of the county and for this purpose, ensure that every education centre has at least one teacher who is able to assist children requiring special needs education;

(h) provide the necessary facilities and put in place the necessary structures to ensure that there are adequate affordable assistive aids and devices for learners requiring them in the learning institutions in the county;

(i) coordinate the activities of State organs, institutions, the private sector, non-governmental organizations and community-based organizations involved in matters relating to special needs education;

(j) develop models and a curriculum for the delivery of special needs education that caters for various categories of learners

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requiring special needs education;

(k) mobilize and sensitize the community on food and nutrition programmes and in collaboration with the relevant stakeholders and institutions in the area, conduct capacity building, education and information campaigns on food and nutrition security issues

Establishment and Management of Special Schools

54. (1) Subject to the Constitution and the provisions of this Act, the Cabinet Secretary shall establish and maintain basic education institutions for learners with special needs.

(2) In establishing the schools contemplated under subsection (1) the Cabinet Secretary shall take into account the different categories of special needs and principle of equity in access to basic education.

(3) The Cabinet Secretary shall ensure provision of special needs education in special needs institutions established under sub-section (1) or in pre-primary, primary, junior and senior schools appropriate to the special needs of a learner.

(4) The Cabinet Secretary shall ensure that every special needs institution with learners with special needs school is provided with trained special needs teachers, non-teaching staff, appropriate infrastructure, learning and instructional materials.

(5) The Cabinet Secretary shall put in place measures to ensure prompt and continuous assessment of learners with special needs to determine the nature and degree of special needs to guide on requirements to facilitate functional learning.

(6) In case of integrated schools in pre-primary level of basic education, the Cabinet Secretary in liaison with the relevant County Government shall enter-into a framework of cooperation regarding resource sharing and management of the school.

Regulations in Special Needs Education

55. (1) The Cabinet Secretary shall make regulations for the establishment and management of special needs schools and institutions offering special needs education to learners with special needs.

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(2) Notwithstanding the generality of sub-section (1) the Cabinet Secretary shall make regulations to—

(a) prescribe the duration of pre-primary, primary and secondary education suitable to the needs of a learners pursuing special needs education;

(b) provide for the learning and progression of learners with special needs through the education system;

(c) prescribe standards and requirements relating to the conduct of schools making provision for special needs education for learners with special needs;

(d) prescribe the categories of learners requiring special needs education and methods appropriate for the education of learners in each category of special school or educational institutions under section ….;

(e) prescribe guidelines for the promotion of education for learners with special needs;

(f) establish mechanisms to ensure that every special school or educational institution offering special needs education has appropriate personnel, infrastructure, learning materials and equipment.

PART VIII - KENYA INSTITUTE OF SPECIAL EDUCATION

Establishment of the Institute

56. (1) There shall be established an institute to be known as the Kenya Institute of Special Education.

(2) The institute shall be a body corporate with perpetual succession and shall in its corporate name, be capable of—

(a) suing and being sued;

(b) taking, purchasing or otherwise acquiring, holding, charging, leasing or disposing of moveable or immovable property;

(c) borrowing money;

(d) doing or performing all such other acts necessary for

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the proper performance of its functions under this Act which may lawfully be done or performed by a body corporate.

(3) The headquarters of the institute shall be in Nairobi.

Branches

57. (1) The institute may establish branches as it deems necessary to facilitate the effective and efficient implementation of its mandate.

(2) In addition to the branches under sub-section (1), the institute may establish such branches to administer special needs education with regard to particular special need.

(3) Without prejudice to sub-section (1) and (2) above, the Kenya Institute for the Blind, shall, at the commencement of this Act be deemed as branch of the Institute.

Functions of the Institute

58. The functions of the Institute shall be to —

(a) advise Cabinet Secretary on policies on special needs;

(b) conduct capacity building on special needs and inclusive education, functional assessment, rehabilitation and related areas;

(c) conduct teacher training courses for teachers in various fields of the education of learners with special needs;

(d) conduct in-service training for personnel working in all fields of special needs education;

(e) prepare and conduct training for personnel in the field of special education;

(f) administer educational and psychological assessment centre;

(g) administer an orientation and mobility centre for training and demonstration purposes;

(h) conduct research on basic education for learners with special needs;

(i) design, produce, assemble and distribute special materials, assistive devices and technologies;

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(j) conduct advocacy on issues of learners with special needs and establish education assessment and resources centers in the Counties; and

(k) collaborate with relevant government agencies to ensure effective and efficient provision of basic education for learners with special needs.

Education Assessment and Resource Centers

59. (1) The institute shall establish such number of education assessment and resource centre in each County to facilitate research, development, advisory services and learning in matters of special need in education.

(2) Without prejudice to the generality of sub-section (1), the education assessment and resource centres shall be centres to facilitate —

(a) the study of learners with special education needs within the county;

(b) the giving of advice to parents and teachers as to appropriate methods of education for such children;

(c) in suitable cases, provision for the special education needs of such children in the identified clinics; and the giving of advice to county education boards regarding the assessment of the needs of any child under special needs education for the purposes of any of the provisions of this Act.

Membership of the Board of the Institute

60. (1) The institute shall be governed by a board which shall consist of the following members—

(a) a chairperson who shall be appointed by the President;

(b) the Principal Secretary for the time being responsible for Basic Education or his/her representative;

(c) the Principal Secretary for the time being responsible for National Treasury or a designated representative;

(d) the Chief Executive Officer of Teachers Service Commission or a designated representative;

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(e) the Chief Executive Officer of Kenya Institute of Curriculum Development or a designated representative;

(f) the Chief Executive Officer of the Council of Governors or a designated representative.

(g) a representative of the National Council for Persons with Disabilities;

(h) two independent members with expertise in special needs education appointed by the Cabinet Secretary; and

(i) Chief Executive Officer who shall be ex-officio member.

(2) The appointment of the Chairperson under sub-section (1) (a) and the independent members under sub-section (1) (h) shall be published in the *Gazette*.

Powers of the Board of the Institute

61. In performance of the functions under section 58 the board of the institute shall have powers to -

(a) manage control and administer the assets of the institute in such manner and for such purposes as best promotes the purposes for which the institute is established;

(b) open and operate a bank account subject to approval by the National Treasury;

(c)receive any gifts, grants or donations or endowments made to the institute or any other monies in respect of the institute and make disbursements therefrom in accordance with the provisions of the law;

(d) enter into association, partnerships or linkages with any person or entity in order to facilitate the conduct of the functions of the institute; and

(e)with the written prior approval of the Cabinet Secretary, carry out any other activity that in the opinion of the Board will promote and facilitate the realization of the objects and purposes for which the

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institute is established.

Qualifications of the Chairperson

62. A person shall be qualified for appointment as chairperson of the board under section 60 (1) (a) if that person—

(a) is a Kenyan Citizen;

(b) holds a degree in education from a university recognized in Kenya;

(c) has at least ten years' experience in special needs education; and

(d) meets the requirements of Chapter 6 of the Constitution.

Qualifications of the Member

63. A person shall be qualified for appointment as member of the board under section 60 (1) (h), if that person—

(a) is a Kenyan Citizen;

(b) holds a degree from a university recognized in Kenya;

(c) has at least five years' experience in special needs education; and

(d) meets the requirements of Chapter 6 of the Constitution.

Term limit

64. (1) The chairperson appointed under section 60 (1) (a) and members of the Board appointed under section 60 (1) (h) shall hold office for a term of three years and shall be eligible for re-appointment for one further term subject to satisfactory performance.

Vacancy of Office

65. (1) A chairperson appointed under section 60 (1) (a) and members of the Board appointed under section 60 (1) (h) may at any time resign from office, in the case of the Chairperson by notice in writing to the President, and in the case of the other members, to the Cabinet Secretary.

(2) A chairperson appointed under section 60 (1) (a) and members of the Board appointed under section 60 (1) (h) may be removed from office, in the case of the Chairperson by the President, and in any other case by the Cabinet Secretary, if the Chairperson or member, as

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the case may be -

(a) has been absent from three consecutive meetings of the Board without permission of the Chairperson or in the case of a Chairperson without permission of the President;

(b) is convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;

(c) is in breach of chapter six of the Constitution;

(d) is adjudged bankrupt or enters into a composition scheme or arrangement with his or her creditors; or

(e) is unable to perform the functions of office by reason of physical or mental incapacity.

Conduct of Business and Affairs of the Board of the institute

66. (1) The conduct and regulation of the business and affairs of the board of the institute shall be as provided in the Second Schedule.

(2) Except as provided in the Schedule, the board of the institute may regulate its own procedure.

Committees of the Board of the Institute

67. (1) The board of the institute may, for the effective discharge of its functions establish committees.

(2) The institute may co-opt into the membership of a committee established under sub-section (1), any person whose knowledge and skills are considered necessary for the effective discharge of the functions of the institute.

(3) Any person co-opted into a committee under sub-section (2) may attend meetings of the institute and participate in its deliberations, but shall not vote at such meeting.

Renumeration and Benefits of the Board of the Institute

68. The members of the board of the institute shall be paid such remuneration, fees or allowances as the Cabinet Secretary may determine in consultation with the Salaries and Remuneration Commission.

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Chief Executive Officer

69. (1) There shall be Chief Executive Officer who shall be appointed by the institute through an open, transparent and competitive process.

(2) A person shall be qualified for appointment as the Chief Executive officer of the institute if the person—

(a) holds a degree from a university recognized in Kenya;

(b) holds a Master's degree in Special Needs Education or any other relevant degree from a university recognized in Kenya;

(c) has at least ten years' experience in management in a public or private institution; and

(d) meets the requirements of Chapter Six of the Constitution.

(3) The Chief Executive Officer shall hold office for a term of three years on such terms and conditions of employment as the board of the institute may determine and shall be eligible for re-appointment for one further term subject to satisfactory performance.

(4) The Chief Executive Officer shall be—

(a) responsible for the day-to-day administration and management of affairs and staff of the institute;

(b) responsible for executing the decisions of the institute;

(c) custodian of all records of the institute; and

(d) undertaking any other duties, as the institute may deem necessary.

Vacancy of Office of Chief Executive Officer

70. (1) The Chief Executive Officer may at any time resign from office by notice in writing to the board of the institute.

(2) A Chief Executive Officer may be removed from office if the person–

(a) is convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;

(b) is in breach of chapter six of the Constitution;

(c) is adjudged bankrupt or enters into a composition

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scheme or arrangement with his or her creditors;

(d) is unable to perform the functions of office by reason of physical or mental incapacity.

Corporation Secretary

71. (1) There shall be a Corporation Secretary of the institute who shall be appointed by the board of the institute through a competitive process.

(2) A person qualifies to be appointed as a Corporation Secretary if the person–

(a) holds a degree from a recognized university;

(b) has not less than eight years' experience;

(c) is a registered Certified Public Secretary in good standing with the Institute of Certified Public Secretaries of Kenya; and

(d) meets the requirements of Chapter Six of the Constitution

(3) The Corporation Secretary shall–

(a) provide guidance to the board of the institute on its role and responsibilities; and

(b) assist the Chief Executive Officer in facilitating the board to carry out its functions.

Staff of the Institute

72. The institute may appoint staff as may be necessary for the proper discharge of the functions of the institute under this Act or any other written law, upon such terms and conditions of service as the board of the institute may determine.

Delegation of Powers of the Board of the Institute

73. (1) The board of the institute may, by resolution generally or in any particular case, delegate in writing, to a committee or any officer, member of staff or agent of the institute, the exercise of any of the powers or the performance of any of the functions or duties of the institute under this Act.

(2) A delegation under sub-section (1) shall not prevent the board of the institute from exercising the power in question.

(3) A delegation under this section -

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(a) shall be subject to such condition as the board may impose;

(b) shall not divest the board of the institute of the responsibility concerning the exercise of the powers or the performance of the duty delegated; and

(c) may be withdrawn, and any decision made by the person to whom the delegation is made may be withdrawn or varied by the board of the institute.

Seal of the Institute

74. (1) The common seal of the institute shall be kept in the custody of the Corporation Secretary or such other person as the board of the institute may direct and shall not be used unless upon the order of the institute.

(2) The common seal of the institute shall be authenticated by the signature of the Chairperson of the board of the institute or Chief Executive Officer provided that the board of the institute shall in their absence in any particular matter nominate one member of the board of the institute to authenticate the seal or the institute on behalf of the Chairperson of the board of the institute or the Chief Executive Officer.

(3) The common seal of the institute shall when affixed to a document and duly authenticated be judicially and officially noticed and unless a contrary is proven, any order or authorization by the board of the institute shall be presumed to have been duly given.

PART IX – TRAINING OF TEACHERS, MANAGERS AND ADMINISTRATORS OF BASIC EDUCATION INSTITUTIONS

Pre-Service

75. A person shall undertake pre-service education prior to registration as a teacher under the Teachers Service Commission Act.

Qualifications and Admission to Pre-Service Education

76. (1) The Cabinet Secretary shall in consultation with relevant government agencies prescribe minimum qualifications and criteria for admission to undertake pre-service education under this Act.

(2) Admission to undertake pre-service education shall not be denied on the basis of race, tribe, place of origin or residence or other local

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connections, political opinion, colour, creed or sex.

Curriculum

77. Pre-service education shall be offered in accordance with the programmes, curriculum and curriculum support materials developed by Kenya Institute of Curriculum Development.

Assessment and Award

78. (1) Assessment of persons pursuing pre-service education shall be undertaken by Kenya National Assessment Council.

(2) Certificates and Diplomas to persons who have passed assessment under sub-section (1) shall be issued by Kenya National Assessment Council.

Establishment of the College

79. There is hereby established a College to be known as Kenya Teachers Training College which shall be a body corporate with perpetual succession, with a common seal and shall in its corporate name, be capable of—

(a) suing and being sued;

(b) acquiring or disposing of moveable or immovable property;

(c) borrowing money; and

(d) doing or performing all such other acts necessary for the proper performance of its functions under this Act which may lawfully be done or performed by a body corporate.

Functions of the College

80. The functions of the College shall be to: -

(a)Conduct pre-service education;

(b) provide facilities for pre-service education;

(c)conduct research and provide consultancy services in pre-service education;

(d) collaborate with other relevant institutions in the provision of pre-service education;

(e)Advise the Cabinet Secretary and the County Executive Committee Members on matters relating to pre-service education; and

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(f) perform any other function conferred on it by this Act or any other written law.

Membership of the Board of the College

81. (1) The College shall be managed by a Board which shall consist of:

(a) a Chairperson who shall be appointed by the President;

(b) Principal Secretary responsible for Teacher Education and Training or a designated representative;

(c) Principal Secretary responsible for National Treasury or a designated representative;

(d) Chief Executive Officer of Council of Governors or a designated representative;

(e) Secretary of the Teachers Service Commission or a designated representative;

(f) Four independent members appointed by the Cabinet Secretary; and

(g) Chief Executive Officer who shall be an ex-officio member.

(2) The appointment of the Chairperson under sub-section (1) (a) and the independent members under sub-section (1) (f) shall be published in the *Gazette*.

Powers of the Board of the College

82. In performance of the functions under section 80 the Board of the College shall have powers to: -

(a) Administer the property and funds of the College in a manner and for purposes which shall promote the best interests of the College;

(b) In consultation with the Cabinet Secretary, determine the fees payable by students to the College and the conditions under which fees may be remitted;

(c) Open and operate bank accounts subject to approval by the National Treasury;

(d) Receive any gifts, grants or donations or endowments

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made to the College or any other monies in respect of the College and make disbursements therefrom;

(e) Enter into association, partnerships or linkages with any person or entity in order to facilitate the conduct of the functions of the College; and

(f) Regulate the conduct and discipline of students of the College.

Qualifications of the Chairperson of the Board of the College

83. A person shall be qualified for appointment as chairperson of the Board of the College under section 81 (1) (a) if that person—

(a) Is a Kenyan Citizen

(b) holds a degree from a university recognized in Kenya;

(c) has at least ten years' experience in education, management, human resource, science, technology, engineering, mathematics, social sciences, creative arts and sports; and

(d) meets the requirements of Chapter 6 of the Constitution.

Qualifications of Members of the Board of the College

84. A person shall be qualified for appointment as a member of the Board of the College under Section 81 (1) (f), if that person—

(a) Is a Kenyan Citizen;

(b) holds a degree from a university recognized in Kenya;

(c) has at least six years' experience in education, management, human resource, science, technology, engineering, mathematics, social sciences, creative arts and sports; and

(d) meets the requirements of Chapter 6 of the Constitution.

Term Limit

85. The chairperson appointed under section 81 (1) (a) and members of the Board of the College appointed under section 81 (1) (f) shall hold office for a term of three years and shall be eligible for re-appointment for one further term subject to satisfactory performance.

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Vacancy of Office of Chairperson and Members of the Board of the College

86. (1) A chairperson appointed under section 81 (1) (a) and members of the Board of the College appointed under section 81 (1) (f) may at any time resign from office, in the case of the Chairperson by notice in writing to the President, and in the case of the other members, to the Cabinet Secretary.

(2) A chairperson appointed under section 81 (1) (a) and members of the Board of the College appointed under section 81 (1) (f) may be removed from office, in the case of the Chairperson by the President, and in any other case by the Cabinet Secretary, if the Chairperson or member, as the case may be -

(a) has been absent from three consecutive meetings of the Board without permission of the Chairperson or in the case of a Chairperson without permission of the President;

(b) is convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;

(c) is found to have been in breach of chapter six of the Constitution;

(d) is adjudged bankrupt or enters into a composition scheme or arrangement with his or her creditors; or

(e) is incapacitated by physical or mental illness.

Chief Administrator

87. (1) There shall be Chief Administrator who shall be the Chief Executive Officer of the College and appointed by the Board of the College through an open, transparent and competitive process.

(2) A person shall be qualified for appointment as the Chief ~~Principal~~, Administrator, if the person—

(a) holds a degree in education from a university recognized in Kenya;

(b) has at least ten years' management experience five of which shall be in senior management in a public or private institution; and

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(c) meets the requirements of Chapter Six of the Constitution.

(3) The Chief Administrator shall hold office for a term of three years on such terms and conditions of employment as the Board of the College in consultation with Salaries and Remuneration Commission may determine and shall be eligible for re-appointment for one further term subject to satisfactory performance.

(4) The Chief Administrator, shall be:

(a) the academic and administrative head of the College;

(b) the supervisor of the institutional administrators, in the running of the Campuses of the College;

(c) responsible for executing the decisions of the Board of the College;

(d) custodian of all records of the College; and

(e) undertaking any other duties, as assigned by the Board of the College.

Vacancy of Office of the Chief Administrator

88. (1) The Chief Administrator, may at any time resign from office by notice in writing to the Board of the College.

(2) A Chief Administrator may be removed from office if –

(a) convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;

(b) found to have been in breach of Chapter Six of the Constitution;

(c) adjudged bankrupt or enters into a composition scheme or arrangement with creditors; or

(d) is unable to perform the functions of office by reason of physical or mental incapacity.

Corporation Secretary of the College

89. (1) There shall be a Corporation Secretary of the College who shall be appointed by the Board of the College through a competitive process.

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(2) A person qualifies to be appointed as a Corporation Secretary if the person–

(a) holds a degree from a recognized university;

(b) has not less than eight years' experience;

(c) is a registered Certified Public Secretary in good standing with the Institute of Certified Public Secretaries of Kenya; and

(d) meets the requirements of Chapter Six of the Constitution

(3) The Corporation Secretary shall–

(a) provide guidance to the Board of the College on its role and responsibilities; and

(b) assist the Chief Administrator in facilitating the Board to carry out its functions.

Conduct of Business and Affairs of the Board of the College

90. (1) The conduct and regulation of business and affairs of the Board of the College shall be as provided in the Second Schedule.

(2) Except as provided in the Schedule, the Board of the College may regulate its own procedure.

Committees of the Board of the College

91. The Board of the College may establish such committees as may be appropriate to perform such functions and discharge such responsibilities as it may determine.

Remuneration of the Board of the College

92. The members of the Board of the College shall be paid such remuneration, fees or allowances as the Cabinet Secretary in consultation with the Salaries and Remuneration Commission, may determine.

Staff of the College

93. The Board of the College may appoint staff as may be necessary for the proper discharge of the functions of the Authority under this Act or any other written law, upon such terms and conditions of service as the Board of the Authority may determine.

Delegation of Powers of the Board of the College

94. The Board of the College may, by resolution generally or in any particular case, delegate in writing, to a committee or any officer,

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member of staff or agent of the College, the exercise of any of the powers or the performance of any of the functions or duties of the College under this Act.

(2) A delegation under subsection (1) shall not prevent the Board of the College from exercising the power in question.

(3) A delegation under this section -

(a) shall be subject to such condition as the Board may impose;

(b) shall not divest the Board of the College of the responsibility concerning the exercise of the powers or the performance of the duty delegated; and

(c) may be withdrawn, and any decision made by the person to whom the delegation is made may be withdrawn or varied by the Board of the College.

Common seal of the College

95. (1) The common seal of the College shall be kept in the custody of the Corporation Secretary of the College and shall not be used unless upon the order of the Board of the College.

(2) The affixing of the common seal of the College shall be authenticated by the signatures of the Chairperson of the Board of the College and the Chief ~~Principal~~ Administrator and any document required by law to be made under seal and all decisions of the Board of the College may be authenticated by the signatures of the Chairperson of the Board of the College and the Chief ~~Principal~~ Administrator.

(3) The Board of the College shall in the absence of either the Chairperson of the Board of the College or Chief ~~Principal~~ Administrator, in any particular matter nominate one member of the Board of the College to authenticate the seal of the College on behalf of either the Chairperson of the Board of the College and Chief ~~Principal~~ Administrator.

Establishment of a

96. (1) The Headquarters of the College shall be in Nairobi.

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Campus of the College

(2) The Cabinet Secretary may on the advice of the Board of the College by notice in the *Gazette* establish a campus of the College.

Institutional Administrators of the Campuses of the College

97. (1) Every Campus of the College shall be under the administration of an Institutional Administrator, appointed by the Board of the College in consultation with the Teachers Service Commission.

(2) The Institutional Administrators appointed under sub-section (1) shall be responsible to the Chief Administrator of the College for delivery of pre-service education, maintaining and promoting efficient management of a Campus.

Capacity Building of Registered Teachers

98. The Cabinet Secretary shall in collaboration with the Teachers Service Commission and other relevant Government agencies provide for capacity building of registered teachers.

Capacity Building of Managers and Administrators of Basic Education Institutions

99. (1) Education managers and administrators in basic education shall undergo capacity building as prescribed under this Act.

(2) Evaluation of the Boards of Management shall be determined by the capacity building undertaken.

(3) The Cabinet Secretary in consultation with the Teachers Service Commission and other relevant stakeholders shall prescribe regulations to provide for the determination of capacity building of the education managers and administrators.

Establishment of The School

100. There is established The Kenya School of Teacher and Education Management which shall be a body corporate with perpetual succession, with a common seal and shall in its corporate name, be capable of—

(a) suing and being sued;

(b) acquiring or disposing of moveable or immovable property;

(c) borrowing money;

(d) doing or performing all such other acts necessary for the proper performance of its functions under this Act which may lawfully be done or performed by a body corporate.

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Establishment of Branches of The School

101. (1) The headquarters of The School shall be in Nairobi.

(2) The School may establish such number of branches as it deems necessary in accordance with standards prescribed under this Act.

Functions of The School

102. The functions of The School shall be to: -

(a) collaborate with the Teacher Service Commission and other relevant Government agencies to develop and evaluate capacity building programmes;

(b) collaborate with the Teacher Service Commission and other relevant Government agencies to conduct capacity building of registered teachers and education managers and administrators in basic education;

(c) offer induction courses to newly appointed members of the County Education Board, Boards of Management and Parents Teachers Association;

(d) Provide consultancy and research services designed to inform policy on capacity building of registered teachers and education managers and administrators in basic education;

(e) Promote public awareness on training for effective management of basic education institutions; and

(f) Advise the Cabinet Secretary on matters relating to capacity building of registered teachers and education managers and administrators in basic education.

Membership of the Board of The School

103. (1) The School shall be managed by a Board which shall consist of:

(a) a Chairperson who shall be appointed by the President;

(b) Principal Secretary responsible for Basic Education or a designated representative;

(c) Principal Secretary responsible for National Treasury or a designated representative;

(d) Chief Executive Officer of Council of Governors or a

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designated representative;

(e) Secretary of the Teachers Service Commission or a designated representative;

(f) The Chief Executive Officer of the Kenya Institute of Curriculum Development or a designated representative;

(g) Three independent members appointed by the Cabinet Secretary; and

(h) Chief Executive Officer who shall be an ex-officio member.

(2) The appointment of the Chairperson under sub-section (1) (a) and the independent members under sub-section (1) (g) shall be published in the *Gazette*.

Powers of the Board of The School

104. In performance of the functions under section 102 the Board of The School shall have powers to: -

(a) to administer the property and funds of the School in a manner and for purposes which shall promote the best interests of the School;

(b) open and operate bank accounts subject to approval by the National Treasury;

(c) in consultation with the Cabinet Secretary, determine the fees payable by students to the School and the conditions under which fees may be remitted

(d) receive any gifts, grants or donations or endowments made to the School or any other monies in respect of the School and make disbursements therefrom;

(e) enter into associations, partnerships or linkages with any person or entity in order to facilitate the conduct of the functions of the School; and

(f) regulate the conduct and discipline of students of the School.

Qualifications of the Chairperson of the Board of The School

105. A person shall be qualified for appointment as Chairperson of the Board of The School under Section 103 (1) (a), if that person—

(a) is a Kenyan Citizen;

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(b) holds a degree from a university recognized in Kenya;

(c) has at least ten years' experience in education, management, human resource, science, technology, engineering, social sciences or mathematics; and

(d) meets the requirements of Chapter 6 of the Constitution.

Qualifications of Members of the Board of The School

106. A person shall be qualified for appointment as a member of the Board of The School under Section 103 (1) (g), if that person –

(a) is a Kenyan Citizen;

(b) holds a degree from a university recognized in Kenya;

(c) has at least six years' experience in education, management, human resource, science, technology, engineering, social sciences or mathematics; and

(d) meets the requirements of Chapter 6 of the Constitution.

Term Limit

107. The chairperson appointed under section 103 (1) (a) and members of the Board of The School appointed under section 103 (1) (g) shall hold office for a term of three years and shall be eligible for re-appointment for one further term subject to satisfactory performance.

Vacancy of Office of Members of the Board of The School

108. (1) A chairperson appointed under section 103 (1) (a) and members of the Board of The School appointed under section 103 (1) (g) may at any time resign from office, in the case of the Chairperson by notice in writing to the President, and in the case of other members, to the Cabinet Secretary.

(2) A chairperson appointed under section 103 (1) (a) and members of the Board of The School appointed under section 103 (1) (g) may be removed from office, in the case of the Chairperson by the President, and in any other case by the Cabinet Secretary, if the Chairperson or member, as the case may be -

(a) has been absent from three consecutive meetings of the

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Board without permission of the Chairperson or in the case of a Chairperson without permission of the President;

(b) is convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;

(c) is found to have been in breach of chapter six of the Constitution;

(d) is adjudged bankrupt or enters into a composition scheme or arrangement with his or her creditors; or

(e) is unable to perform the functions of office by reason of physical or mental incapacity.

Conduct of Business and Affairs of the Board of The School

109. (1) The conduct and regulation of the business and affairs of the Board of The School shall be as provided in the Second Schedule.

(2) Except as provided in the Schedule, the Board of the School may regulate its own procedure.

Committees of the Board of the School

110. The Board of The School may establish such committees as may be appropriate to perform such functions and discharge such responsibilities as it may determine.

Remuneration of the Board of the School

111. The members of the Board of The School shall be paid such remuneration, fees or allowances as the Cabinet Secretary, in consultation with the Salaries and Remuneration Commission, may determine.

Chief Executive Officer of The School

112. (1) There shall be Chief Executive Officer of The School who shall be appointed by the Board of The School through an open, transparent and competitive process.

(2) A person shall be qualified for appointment as the Chief Executive Officer of The School if the person—

(a) holds a degree in education from a university recognized in Kenya;

(b) has at least ten years' working experience five of which shall be in senior management in a public or private institution; and

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(c) meets the requirements of Chapter Six of the Constitution.

(3) The Chief Executive Officer of The School shall hold office for a term of three years on such terms and conditions of employment as the Board of The School may determine and shall be eligible for re-appointment for one further term subject to satisfactory performance.

(4) The Chief Executive Officer of The School shall be:

(a) responsible for the day-to-day administration and management of affairs and staff of The School;

(b) responsible for executing the decisions of the Board of The School;

(c) custodian of all records of The School; and

(d) undertaking any other duties, as assigned by the Board of The School.

Vacancy of Office of the Chief Executive Officer of The School

113. (1) The Chief Executive Officer of The School may at any time resign from office by notice in writing to the Board of The School.

(2) A Chief Executive Officer of The School may be removed from office if the Chief Executive Officer is –

(e) convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;

(f) found to have been in breach of Chapter Six of the Constitution;

(g) adjudged bankrupt or enters into a composition scheme or arrangement with creditors; or

(h) is incapacitated by physical or mental illness from discharging their duties.

Corporation Secretary of The School

114. (1) There shall be a Corporation Secretary of The School who shall be appointed by the Board of The School through a competitive process.

(2) A person qualifies to be appointed as a Corporation Secretary if the person–

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(a) holds a degree from a recognized university;

(b) has not less than eight years' experience;

(c) is a registered Certified Public Secretary in good standing with the Institute of Certified Public Secretaries of Kenya; and

(d) meets the requirements of Chapter Six of the Constitution

(3) The Corporation Secretary shall–

(a) provide guidance to the Board of The School on its role and responsibilities; and

(b) assist the Chief Executive Officer in facilitating the Board to carry out its functions.

Staff of The School

115. The Board of the School may appoint staff as may be necessary for the proper discharge of the functions of The School under this Act or any other written law, upon such terms and conditions of service as the Board of the School may determine.

Delegation by the Board of the School

116. The Board of The School may, by resolution generally or in any particular case, delegate in writing, to a committee or any officer, member of staff or agent of The School, the exercise of any of the powers or the performance of any of the functions or duties of The School under this Act.

(2) A delegation under subsection (1) shall not prevent the Board of The School from exercising the power in question.

(3) A delegation under this section -

(a) shall be subject to such condition as the Board may impose;

(b) shall not divest the Board of The School of the responsibility concerning the exercise of the powers or the performance of the duty delegated; and

(c) may be withdrawn, and any decision made by the person to whom the delegation is made may be withdrawn or varied by the Board of The School.

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Common seal of The School

117. (1) The common seal of The School shall be kept in the custody of the Corporation Secretary of the Board of The School and shall not be used unless upon the order of the Board of The School.

(2) The affixing of the common seal of The School shall be authenticated by the signatures of the Chairperson of the Board of The School and the Chief Executive Officer of The School and any document required by law to be made under seal and all decisions of the Board of The School may be authenticated by the signatures of the Chairperson of the Board of The School and the Chief Executive Officer of The School.

(3) The Board of The School shall in the absence of either the Chairperson of the Board of The School or Chief Executive Officer of The School, in any particular matter nominate one member of the Board of The School to authenticate the seal of The School on behalf of either the Chairperson of the Board of The School and Chief Executive officer of The School.

PART X - QUALITY ASSURANCE AND STANDARDS

Establishment of the Directorate of Quality Assurance and Standards

118. (1) There shall be established a Directorate of Quality Assurance and Standards within the State Department responsible for Basic Education.

(2) The directorate shall -

(a) set standards in basic education in Kenya;

(b) ensure standards and maintain quality in basic education institutions;

(c) administer policies and guidelines set for basic education;

(d) ensure curriculum implementation and delivery is in accordance with the set standards;

(e) in cooperation with County Education Board and the Kenya National Assessment Council, monitor the conduct of assessments and examinations in

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institutions of basic education;

(f) undertake periodic audit of school systems, financial management, governance or any other matter related to provision of basic education at the school level.

Powers of the Quality Assurance and Standards Officers

119. (1) The quality assurance and standards officers shall ensure compliance with set standards.

(2) The quality assurance and standards officers shall provide appropriate incentives for voluntary compliance with the standards and quality assurance in basic education.

(3) Subject to sub-sections (1) and (2) a quality assurance and standards officers may -

(a) at any time to enter with or without notice any basic education institution including any part of the institution and any building used in connection with the institution, including workshops, dormitories, kitchens, sanatoria, hostels, ancillary buildings and any other buildings on the site of the institution to ensure compliance with education standards and regulations.

(b) require any person responsible for the management of a basic educational institution or teacher or employee-

(i) to produce for his or her quality review any time table syllabus, or record book, material or document;

(ii) to furnish the quality assurance and standards officer with such information relating to the teaching or the management of the basic education institution;

(c) require by order in writing, the attendance before him or her any person who appears to be acquainted with the facts or circumstances of the case.

(d) take such photographs or video recording as the quality

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assurance and standards officer deems necessary of the premises and persons reasonably believed to be acquainted with the fact or the circumstances of the case.

(4) Where appropriate an officer performing the functions under this section shall in consultation with the County Education Board, order either for a specific period until the basic standards are met or indefinite closure of the school

(5) A quality assurance and standards officer may make recommendations to the Teachers Service Commission, County Education Board, County Executive Committee member and Principal Secretary responsible for Basic Education for necessary action.

(6) On being requested by an officer performing the function under this section, the head of the institution or any other person responsible for the institution shall take place at the disposal of the officer all the facilities, records, accounts, notebooks, examination scripts and other materials belonging to the institution that the officer may reasonably require for the purpose of the inspection of the institution or the inspection or audit of its accounts.

National and International Standards and Quality Assurance

120. Every basic education institution in consultation with the Directorate of Quality Assurance and Standards shall, in accordance with the provisions of this Act -

(a) develop or adapt appropriate national and international standards;

(b) establish, implement and manage quality assurance systems;

(c) establish and promote appropriate collaborative arrangements with relevant national and international agencies on standards and quality assurance; and

(d) establish systems and processes for continuous review and improvement of standards and quality assurance.

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Standards, Quality and Relevance in Curriculum Development

121. (1) To ensure standards, quality and relevance in curriculum development, the Cabinet Secretary shall, upon advice of the relevant stakeholders, continuously develop, review, evaluate and monitor the curriculum.

(2) The curriculum under basic education shall be developed in accordance with the Kenya Institute of Curriculum Development Act.

Standards, Quality and Relevance in Assessment

122. (1) To ensure standards, quality and relevance in assessment, the Cabinet Secretary shall, upon advice of the relevant stakeholders, continuously evaluate and monitor the assessment process.

(2) The assessment under basic education shall be conducted as provided for under the Kenya National Assessment Council Act

PART X – KENYA EDUCATION MANAGEMENT INFORMATION SYSTEM

Maintenance of Registrar and Records

123. (1) The Cabinet Secretary shall maintain a real time central register and record of all learners and basic education institutions in the Country in electronic file or any other format.

(2) The central register contemplated under sub-section (1) shall consist of such modules containing—

(a) a register of pre-primary learners and pre-primary schools as shall be maintained by the respective County Governments;

(b) a register indicating learners in primary, junior school and senior school in terms of the school and the geographical spread;

(c) a register of basic education institutions for learners with special needs as well as the learners of these institutions;

(d) a register of Adult and Continuing Education Centres and learners; and

(e) a register of basic education institutions and learners in marginalized areas.

Particulars of the Register

124. The register shall contain the following particulars—

(a) the name of the learner and unique personal identifier;

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(b) the name of the parent(s)/guardian and the national identity card number/passport and physical address;

(c) the basic education institution of the learner;

(d) indication on the special needs status, if any;

(e) gender; and

(f) such other bio data as shall be provided for in the regulations made under this Act.

Information Sharing

125. (1) The Cabinet Secretary shall establish a mechanism of information sharing with the relevant stakeholders to facilitate the better administration of basic education.

(2) The information sharing mechanism contemplated under sub-section (1) shall include an information system, information sharing procedure, data protection measures, and the cost implications.

(3) The Cabinet Secretary shall make regulations prescribing matters which will require information from the central database.

False Statement

126. Any person who –

(a)knowingly make any false statement during the registration process, whether orally or in writing, relating to any matter affecting a learner or basic education institution; or

(b) being required under paragraph (a) to answer any questions, furnish any information or particulars, or produce any document or paper, neglects to do so without reasonable cause,

shall be guilty of an offence and in the case of paragraphs (a) and (b) be liable to a fine of not exceeding one hundred thousand shillings or to imprisonment for a term of not less than six months.

Unlawful Disclosure of Personal Data

127. Any person or institution or authority who without lawful excuse discloses personal data in any manner that is incompatible with the purpose for which such data has been collected or without lawful excuse, commits an offence in line with the Data Protection Act, 2019.

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PART XII – SCHOOL LEARNING AND INSTRUCTION MATERIALS CENTRE

Establishment of the Centre

128. (1) There shall be established a centre to be known as the School Learning and Instruction Materials Centre.

(2) The Centre shall be a body corporate with perpetual succession and shall in its corporate name, be capable of—

(a) suing and being sued;

(b) taking, purchasing or otherwise acquiring, holding, charging, leasing or disposing of moveable or immovable property;

(c) borrowing money;

(d) doing or performing all such other acts necessary for the proper performance of its functions under this Act which may lawfully be done or performed by a body corporate.

(3) The headquarters of the Centre shall be in Nairobi, but the Centre shall ensure reasonable access to its services in all parts of Kenya.

Functions of the Centre

129. The functions of the Centre shall be to—

(a) facilitate design, production, assembling and use of school equipment;

(b) collaborate with the Kenya Institute of Curriculum Development to facilitate design and production of school learning and instructional materials;

(c) provide logistical services for school equipment, learning and instructional materials in accordance with the relevant laws on public procurement;

(d) facilitate equitable distribution of school equipment and in collaboration with the Kenya Institute of Curriculum Development equitable distribution of learning and instruction materials;

(e) undertake capacity building on the innovative and sustainable use of various school equipment learning and instruction materials;

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(f) establish, develop and implement a secure infrastructure and systems for the handling, use and continuous maintenance of school equipment, learning and instruction materials;

(g) establish and maintain a database of school equipment, learning and instructional materials;

(h) conduct research on development of school equipment, learning and instruction materials; and

(i) advise the Cabinet Secretary on such measures or policy interventions to promote learning through the use of school equipment, learning and instruction materials.

Membership of the Board of the Centre

130. The Centre shall have a board which shall consist of the following members -

(a) a chairperson who shall be appointed by the President;

(b) the Principal Secretary for the time being responsible for Basic Education or a designated representative;

(c) the Principal Secretary for the time being responsible for National Treasury or a designated representative;

(d) the Chief Executive Officer to the Kenya Institute of Curriculum Development or a designated representative;

(e) the Secretary of the Teachers Service Commission or a designated representative;

(f) the Chief Executive Officer of the Council of Governors or a designated representative;

(g) three independent members appointed by the Cabinet Secretary; and

(h) the Chief Executive Officer of the Centre who shall be *ex-officio* member.

Powers of the Board of the Centre

131. In performance of the functions under section 130 the Board of the Centre shall have powers to—

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(a) manage control and administer the assets of the Centre in such manner and for such purposes as best promotes the purposes for which the Centre is established;

(b) open and operate a bank account subject to approval by the National Treasury;

(c) receive any gifts, grants or donations or endowments made to the Centre or any other monies in respect of the Centre and make disbursements therefrom in accordance with the provisions of the law; and

(d) enter into association, partnerships or linkages with any person or entity in order to facilitate the conduct of the functions of the Centre.

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Qualifications of the Chairperson

132. A person shall be qualified for appointment as a Chairperson of the board of the Centre under section 131 (a) if that person -

(a) is a Kenyan Citizen;

(b) holds a degree in Finance or Commerce or Supply Chain Management or Law from a university recognized in Kenya;

(c) has at least ten years' experience; and

(d) meets the requirements of Chapter 6 of the Constitution.

Qualifications of the Member

133. A person shall be qualified for appointment as member of the board of the Centre under section 131 (g) if that person—

(a) is a Kenyan Citizen;

(b) holds a degree from a university recognized in Kenya;

(c) has at least five years' experience in supply chain management, finance, management and education or other relevant experience; and

(d) meets the requirements of Chapter 6 of the Constitution.

Term Limit, Vacancy of Office Chairperson and Members of the

134. The term limit of the chairperson and independent members, vacancy of office of chairperson and members of the board of the

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Board, Conduct of Business and Affairs of the Board of the Centre, Committees of the Board of the Centre and Remuneration and Benefits of the Board of the Centre

Centre, conduct of business and affairs of the board of the Centre, the committees of the board of the Centre and remuneration and benefits of the board of the Centre shall apply *mutatis mutandis* as similar provisions as set out in sections 65, 66, 67, 68 and 69 under Kenya Institute of Special Education.

Chief Executive Officer of the Centre

135. (1) There shall be Chief Executive Officer who shall be appointed by the institute through an open, transparent and competitive process.

(2) A person shall be qualified for appointment as the Chief Executive officer of the institute if the person –

(a) holds at least a bachelor's degree from a university recognized in Kenya;

(b) holds a Master's degree in finance or economics or supply chain management or law or other relevant degree from a university recognized in Kenya;

(c) has at least fifteen years' management experience, five of which shall be in senior management in a public or private institution; and

(d) meets the requirements of chapter six of the Constitution.

(3) The Chief Executive Officer shall hold office for a term of three years on such terms and conditions of employment as the institute in consultation with Salaries and Renumeration Commission may determine and shall be eligible for re-appointment for one further term subject to satisfactory performance.

(4) The Chief Executive Officer shall be—

(a) responsible for the day-to-day administration and management of affairs and staff of the institute;

(b) responsible for executing the decisions of the

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institute;

(c) custodian of all records of the institute; and

(d) undertaking any other duties, as the institute may deem necessary.

Vacancy of Office of Chief Executive Officer of the Centre

136. (1) The Chief Executive Officer may at any time resign from office by notice in writing to the board of the Centre.

(2) The Chief Executive Officer may be removed from office if the person is –

(a) convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;

(b) found to have been in breach of Chapter Six of the Constitution;

(c) adjudged bankrupt or enters into a composition, scheme or arrangement with creditors; or

(d) is unable to perform the functions of office by reason of physical or mental incapacity.

Corporation Secretary and Staff of the Centre

137. The provisions relating to the appointment of the Corporation Secretary and staff members of the Centre shall apply, *mutatis mutandis*, to the appointment of the Corporation Secretary and staff of Kenya Institute of Special Education as set out in sections 72 and 73.

Delegation of Powers of the Board of the Centre and Seal of the Centre

138. The provisions relating to the delegation of powers of the board of the Centre and seal of the Centre shall apply, *mutatis mutandis* to the delegation of powers of the board of the Institute and seal of the Kenya Institute of Special Education as set out in sections 74 and 75.

PART XIII – NATIONAL COUNCIL FOR EDUCATION IN MARGINALIZED COMMUNITIES

Establishment of the Council

139. (1) There is established a National Council for Education in Marginalized Communities.

(2) The Council shall be a body corporate with perpetual succession and shall in its corporate name, be capable of -

(a) suing and being sued;

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(b) taking, purchasing or otherwise acquiring, holding, charging, leasing or disposing of moveable or immovable property;

(c) borrowing money;

(d) doing or performing all such other acts necessary for the proper performance of its functions under this Act which may lawfully be done or performed by a body corporate.

(3) The headquarters of the Council shall be in Nairobi, but the Council shall ensure reasonable access to its services in all parts of Kenya.

Functions of the Council

140. The functions of the Council shall be to -

(a) mobilize funds to facilitate education in marginalized communities and areas;

(b) institutionalize mechanisms for effective coordination, monitoring and evaluation of the activities of agencies involved in the provision of education in marginalized communities and areas;

(c) implement such policies and guidelines geared towards promoting education in marginalized communities and areas;

(d) establish appropriate linkages, collaboration and partnerships in the provision of education in marginalized communities and areas;

(e) collect data, of all basic education institutions and school going children in marginalized areas;

(f) implement such programmes and activities for school feeding, provision of clean water and sanitation, energy, health and nutrition in liaison with other relevant agencies to promote access to basic education in marginalized areas;

(g) promote establishment of low-cost boarding and mobile schools in marginalized areas;

(h) support the mapping of out of school children and their

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enrollment in suitable learning institutions;

(i) conduct research activities on education in marginalized areas in Kenya;

(j) advise the Cabinet Secretary on the development of policies on all matters relating to education in marginalized communities or areas in Kenya.

Membership of the Board of the Council

141. (1) The Board of the Council shall consist of the following members -

(a) a chairperson appointed by the President;

(b) the Principal Secretary responsible for Basic Education or a designated representative;

(c) the Principal Secretary responsible for National Treasury or a designated representative;

(d) the Principal Secretary responsible for arid and semi-arid lands and regional development or a designated representative;

(e) the Chief Executive Officer of the Council of Governors or a designated representative;

(f) a representative from a recognized faith-based organization on a rotational basis appointed by the Cabinet Secretary;

(g) three independent members appointed by the Cabinet Secretary, one of each shall be —

(i) a woman;

(ii) a youth; and

(iii) a person with disability.

(h) a Chief Executive Officer who shall be an *ex-officio* member.

(2) The appointment of the Chairperson under sub-section (1) (a) and the independent members under sub-section (1) (g) shall be published in the *Gazette*.

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Powers of the Board of the Council

142. In performance of the functions under section 141 the Council shall have powers to -

(a) manage control and administer the assets of the Council in such manner and for such purposes as best promotes the purposes for which the Council is established;

(b) open and operate a bank account subject to approval by the National Treasury;

(c) receive gifts, grants, donations or endowments made to the Council or any other monies in respect of the Council and make disbursements therefrom in accordance with the provisions of the law;

(d) enter into association, partnerships or linkages with any person or entity in order to facilitate the conduct of the functions of the Council; and

(e) engage consultants and experts, as it considers appropriate, to assist in the discharge of its functions.

Qualifications of the Chairperson

143. A person shall be qualified for appointment as a Chairperson of the board of the Council under section 142 (1) (a) if that person -

(a) is a Kenyan Citizen;

(b) holds a degree in Education, development studies, psychology studies, sociology from a university recognized in Kenya;

(c) has at least ten years' experience; and

(d) meets the requirements of Chapter six of the Constitution.

Qualifications of the Member

144. A person shall be qualified for appointment as a member of the board of the Council under section 142 (1) (g), if that person—

(a) is a Kenyan citizen;

(b) holds a degree from a university recognized in Kenya;

(c) has at least six years' experience in education or

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resource mobilization except for the youth; and

(d) meets the requirements of Chapter Six of the Constitution.

Term Limit, Vacancy of Office of the Chairperson and Members of the Board of the Council, Conduct of Business and Affairs of the Board of the Council, Committees of the Board of the Council and Remuneration and Benefits of the Board of the Council

145. The term limit of the chairperson and independent members, vacancy of office of chairperson and members of the board of the Council, conduct of business and affairs of the board of the Council, the committees of the board of the Council and remuneration and benefits of the board of the Council shall apply *mutatis mutandis* as similar provisions as set out in sections 65, 66, 67, 68 and 69 under Kenya Institute of Special Education.

Chief Executive Officer of the Council

146. (1) There shall be Chief Executive Officer who shall be appointed by the Council through an open, transparent and competitive process.

(2) A person shall be qualified for appointment as the Chief Executive officer of the Council if the person –

(a) holds at least a bachelor's degree from a university recognized in Kenya;

(b) holds a Master's degree in social sciences, development studies, gender or other relevant degree from a university recognized in Kenya;

(c) has at least fifteen years' management experience, five of which shall be in senior management in a public or private institution; and

(d) meets the requirements of chapter six of the Constitution.

(3) The Chief Executive Officer shall hold office for a term of three years on such terms and conditions of employment as the institute in consultation with Salaries and Renumeration Commission may determine and shall be eligible for re-appointment for one further term

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subject to satisfactory performance.

(4) The Chief Executive Officer shall be—

(a) responsible for the day-to-day administration and management of affairs and staff of the institute;

(b) responsible for executing the decisions of the institute;

(c) custodian of all records of the institute; and

(d) undertaking any other duties, as the institute may deem necessary.

Vacancy of Office of Chief Executive Officer of the Council

147. (1) The Chief Executive Officer may at any time resign from office by notice in writing to the Institute.

(2) The Chief Executive Officer may be removed from office if the person is –

(a) convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;

(b) found to have been in breach of Chapter Six of the Constitution;

(c) adjudged bankrupt or enters into a composition, scheme or arrangement with creditors; or

(d) is unable to perform the functions of office by reason of physical or mental incapacity.

Corporation Secretary and Staff of the Council

148. The provisions relating to the appointment of the Corporation Secretary and staff members of the Council shall apply, *mutatis mutandis*, to the appointment of the Corporation Secretary and staff of Kenya Institute of Special Education as set out in sections 72 and 73.

Delegation of Powers of the Board of the Council and Seal of the Council

149. The provisions relating to the delegation of powers of the board of the Council and seal of the Council shall apply, *mutatis mutandis* to the delegation of powers of the board of the Institute and seal of the Kenya Institute of Special Education as set out in sections 74 and 75.

PART XIV – SPONSORSHIPS AND ALUMNI ASSOCIATION

Sponsorship

150. (1) Any person or institution who intends to sponsor a basic education institution shall give a written notice to the County

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Education Board describing the details of such sponsorship.

(2) The County Education Board shall within a period of fourteen (14) days of receipt of the notification for sponsorship contemplated under sub-section (1) consider the notification.

(3) In consideration of the notification for such sponsorship the County Education Board may in consultation with the Cabinet Secretary –

(a) approve such request with or without amendments;

(b) reject such request based on specific reasons to be communicated in writing to the intending sponsor.

(4) Where an application for sponsorship is approved the County Education Board shall cause to be entered a framework agreement on the execution and management of the intended sponsorship.

(5) The Cabinet Secretary shall make regulations to –

(a) guide in the recognition and documentation of the contributions made by a sponsor; and

(b) provide for the framework of undertaking sponsorship activities or events in a learning institution.

(6) Without prejudice to the foregoing, any person or institution may participate in any of the following –

(a)representation in the School Management Committees and Board of Management;

(b) to provide supervisory and advisory services in matters regarding spiritual development in schools including the appointment of chaplains at their own expense;

(c)maintenance of spiritual development while safeguarding the denomination or religious right;

Alumni Association

151. (1) The basic education institutions may establish an alumni association, which may consist of graduates of the institution and such other persons as may be declared to be members of the basic

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education institution.

(2) An alumni association shall act as an interactive forum for the members specified under sub-section (1) and perform such other function as may be specified in its constitution.

PART XIV - FINANCIAL PROVISIONS

Financing of Basic Education

152. (1) The funds of the department and institutions established under this Act shall consist of -

(a) monies provided by Parliament for the purposes of the department and each institution;

(b) any funds provided by bilateral or multilateral donors, for the purpose of the basic education;

(c) monies that may accrue to or vest in the in the course of the exercise of their functions under this Act;

(d) gifts, grants, donations or endowments as may be given to the department and institution;

(e) monies that may be borrowed by the department and institution for the discharge of their respective functions;

(f) fees for services rendered to any designated institution in terms of a service agreement; and

(g) monies from any other source provided for the department and institution or relevant educational institution or programme.

(2) The funds shall be used to promote basic education.

Financial Year

153. The financial year of the department and institutions shall be the government financial year.

Annual Estimates

154. (1) Before the commencement of each financial year, the Cabinet Secretary shall cause to be prepared estimates of revenue and expenditure of the department and institutions for that year.

(2) The annual estimates shall make provisions for all the estimated expenditure of the department and institutions for the financial year

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concerned and in particular shall provide for —

(a) the payment of salaries, allowances and other changes in respect of the staff of the department of basic education, institutions and offices;

(b) the payment of pensions, gratuity and other changes in respect of retirement benefits which are payable out of the funds of the department of basic education, institutions and offices;

(c) the acquisition, maintenance, repair and replacement of the equipment, facilities and other movable properties of the department of basic education, institutions and offices;

(d) the proper maintenance of buildings and grounds of the department of basic education, institutions and offices;

(e) the creation of such reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance or replacement of buildings or equipment, or in respect of such other matter as the department of basic education and institutions may deem as appropriate;

(f) the infrastructural development; and

(g) conditional capitation funds to facilitate the acquisition of sufficient and quality sanitary towels to every girl child registered and enrolled in a public basic education institution who has reached puberty; and

(h) conditional capitation funds to facilitate assessment both at the formative and summative stages of basic education.

(3) The annual estimates shall be approved by Parliament before the commencement of the financial year to which they relate.

Accounts and Audit

155. (1) The Principal Secretary of the department and all accounting

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of Department and Institutions

officers of the institutions under this Act shall cause to be kept all proper books and records of accounts of the income, expenditure, assets and liabilities of the department and institutions.

(2) Within a period of three months after the end of each financial year, the Principal Secretary shall submit to the Controller of Budget and the Auditor General, the accounts of the department in respect of that year together with —

(a) a statement of income and expenditure during the year; and

(b) a statement of the assets and liabilities of the Department on the last day of that year.

(3) The accounts of the Department shall be audited and reported upon in accordance with the provisions of the Public Audit Act.

PART XV— GENERAL PROVISIONS

Data Protection

156. Any data processed under this Act shall be done in accordance with the provisions of the Data Protection Act, 2019.

General Penalties

157. Any person who commits an offence under this Act for which no other penalty is provided is liable -

(a) in the case of a first conviction, to a fine not exceeding two hundred thousand shillings or a term of imprisonment not exceeding twelve months, or both; and

(b) in any other case, to a fine not exceeding three hundred thousand shillings or a term of imprisonment of not exceeding twelve months or both.

Regulations

158. (1) The Cabinet Secretary may upon consultation with stakeholders make regulations for the better carrying out of provisions of this Act.

(2) Without prejudice to the generality of sub-section (1) the Cabinet Secretary may make regulations to provide for—

(a) implementation of the structure of education;

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(b) review, evaluation and monitoring of policy on standards and relevance in basic education to assure and ensure standards, quality and relevance;

(c) incentives to learners, teachers and non-teaching staff;

(d) discipline and corrective measures of learners;

(e) admission, progression and transfer of learners;

(f) integration of the *madrassa, Duksi* and pastoral programmes of instructions into the formal education system as appropriate to improve access and retention;

(g) Qualification and appointment process of Boards of Management of basic education institutions;

(h) school-based auditing for public schools; and

(i) alternative provision of basic education.

(3) The Cabinet Secretary may make regulations with respect to the conduct and management of basic education institutions and such regulations may -

(a) prescribe standards with regards to the numbers and qualifications of staff, the size of classes and the expenditure on educational standards in accordance with international best practices;

(b) prescribe minimum standards for the health and safety of learners and for a conducive and satisfactory environment for education;

(c) management of Kenya Education Management Information System (KEMIS);

(d) provide for admission, attendance and discipline of learners;

(e) provide for basic education calendar;

(f) make different provisions with respect to different classes or kinds of schools, impose conditions and make exemptions

(g) provide for the promotion, development, management and governance of education through ICT Integration;

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(h) provide for religious instruction and religious education in basic education having regard to the national values and principles under Article 10 and Chapter Six of the Constitution;

(i) prescribe the minimum entry requirements for admission into a Teacher Training College;

(j) requirements for registration of basic education institutions;

(k) provide for the implementation of international instruments on education and child rights to which Kenya is a party; and

(l) provide for or prescribe such other matters as the Cabinet Secretary considers necessary or desirable to provide for or prescribe.

(4) The Cabinet Secretary may make regulations prescribing the duties and rights of students.

PART XVI— REPEAL, SAVINGS AND TRANSITIONAL PROVISIONS

Repealed and Revoked Laws.

159. (1) The Basic Education Act No. 14 of 2013 is repealed.

(2) The following laws are revoked –

(a) Legal Notice No. 17 of 1986;

(b) Legal Notice No. 96 of 2006; and

(c) Legal Notice No. 163 of 2011

School Learning and Instruction Materials Centre to be the successor of the former School Equipment Production Unit.

160. (1) The School Learning and Instruction Materials Centre shall be the successor of School Equipment Production Unit.

(2) At the commencement of this Act, School Equipment Production Unit, established under the Companies Act as a company limited by guarantee, shall be wound up in accordance with the relevant laws.

Preservation of Proceedings and Rights of Appeal.

161. Any proceedings, instruments and any right of review, appeal subsisting immediately before the commencement of this Act by virtue of the repealed laws shall after the commencement of this Act be treated as subsisting by virtue of the corresponding enactment in this Act.

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Continuance of Periods of Time.

162. Where the period of time specified in the repealed Acts is current at the commencement of this Act, this Act shall have effect as if the corresponding provisions had been in force when the period began to run.

Preservation of Licenses, Certificates and Registration.

163. (1) Any register kept, registration effected, certificate issued, notice or information given, return made or other thing done under the repealed Acts which, immediately before the date of commencement of this Act, was in force or effect shall continue in force and have effect as if kept, effected, issued, given, made or done under the corresponding provision of this Act.

(2) Any form used and any requirement as to the particulars to be entered in any form used for the purposes of the repealed Act which was in force or effect immediately before the date of commencement of this Act shall continue in force and have effect as though prescribed under this Act until forms or particulars are so prescribed.

Transfer of Property, Assets and Liabilities

164. (1) All immovable and movable property and assets which immediately before the commencement of this Act were vested in, or possessed by the institutions established under the repealed Acts and Legal Notice No. 17 of 1986 and the School Equipment Production Unit shall by virtue of this section vest in the respective institutions established under this Act without further conveyance, transfer or assignment.

(2) All rights, obligations and liabilities which immediately before the commencement of this Act were vested in or imposed on the institutions established under the repealed Acts and Legal Notice No. 17 of 1986 and the School Equipment Production Unit are deemed to be the rights, obligations and liabilities of the respective institutions established under this Act.

(3) All references to the offices or institutions established under the repealed Acts and Legal Notice No. 17 of 1986 and in the School Equipment Production Unit, in any agreement or instrument relating

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to any property, assets, rights, privileges, immunity, obligations or liabilities transferred under sub-section (1) and (2) and subsisting immediately before the commencement of this Act, shall, unless the context otherwise requires, be read as references to respective offices or institutions and School Learning and Instruction Materials Centre established under this Act.

Transfer of property, assets, rights, obligations, liabilities, references, proceedings and staff to the College

165. (1) The colleges listed in the Third Schedule shall upon commencement of this Act be deemed as campuses of the College

(2) All property and assets which immediately before the commencement of this Act were vested in the institutions listed in the Third Schedule shall at the commencement of this Act be vested in the College.

(3) All rights, obligations and liabilities of the institutions listed in the Third Schedule shall at the commencement of this Act be deemed to be the rights, obligations and liabilities of the College.

(4) All references in any agreement or instrument relating to the institutions listed in the Third Schedule subsisting immediately before the commencement of this Act shall at the commencement of this Act be deemed to be references to the College.

(5) All legal proceedings by or against the institutions listed in the Third Schedule subsisting immediately before the commencement of this Act shall at the commencement of this Act be deemed to be legal proceeding by or against the College.

(6) All staff of the institutions listed in the Third Schedule shall at the commencement of this Act shall be deemed to be staff of the College.

Transfer of property, assets, rights, obligations, liabilities, references, proceedings and staff to the School

166. (1) The Centre for Mathematics Science and Technology Education in Africa established under Legal Notice No. 96 of 2006 and Kenya Education Management Institute established under Legal Notice No. 163 of 2011 shall upon commencement of this Act be deemed as branches of the School.

(2) Kibabii Teachers Training College, Kagumo Teachers Training

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College and Lugari Teachers Training College shall upon commencement of this Act be deemed as branches of the School.

(3) All property and assets which immediately before the commencement of this Act were vested in the institutions listed in sub-section (1) and (2) shall at the commencement of this Act be vested in the School.

(4) All rights, obligations and liabilities of the institutions in sub-section (1) and (2) shall at the commencement of this Act be deemed to be the rights, obligations and liabilities of the School.

(5) All references in any agreement or instrument relating to the institutions in sub-section (1) and (2) subsisting immediately before the commencement of this Act shall at the commencement of this Act be deemed to be references to the School.

(6) All legal proceedings by or against the institutions in sub-section (1) and (2) subsisting immediately before the commencement of this Act shall at the commencement of this Act be deemed to be legal proceeding by or against the School.

(7) All staff of the institutions in sub-section (1) and (2) shall at the commencement of this Act shall be deemed to be staff of the School.

Members of Board of School Equipment Production Unit

167. A person who is a member of the Board of School Equipment Production Unit immediately before the commencement of this Act shall remain in office under the restructured School Learning and Instruction Materials Centre until expiry of their term or six months, whichever is earlier.

Transfer of staff of School Equipment Production Unit

168. (1) All persons who were members of the staff of School Equipment Production Unit shall be members of the staff of the Centre established under this Act and shall be deemed to have been appointed under this Act on the terms and conditions of service applicable to them immediately before the commencement of this Act.

(2) All the employees of the Government who were serving at School Equipment Production Unit shall upon the commencement of this Act

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be given an option to elect to -

(a) serve in the Centre;

(b) retire; or

(c) be redeployed in the Public Service within a period of one year.

General Savings.

169. (1) Notwithstanding the repeal of the Acts under all acts, directions, orders, appointments, requirements, authorizations, decisions or other things given, taken or done under, and all funds, assets and other property acquired or disposed of by virtue of the repealed Acts shall, so far as are not inconsistent with this Act, be deemed to have been given, taken, done or acquired or disposed of under this Act.

(2) All rules and regulations made under the repealed Acts and in force immediately prior to the commencement of this Act shall continue to be in force but may be amended or revoked by rules and regulations made under this Act.

(3) All pending disciplinary matters will be determined as if they were commenced under this Act.

(4) All instruments issued by the offices or institutions established under the repealed Acts and Legal Notice No. 17 of 1986 and issued by Schools Equipment Production Unit and in force immediately prior to the commencement of this Act shall be deemed to have been issued under this Act.

FIRST SCHEDULE (*S 22*)

STRUCTURE OF BASIC EDUCATION

Level of Education	**Years of Learning**
Pre-Primary Education	2 years
Primary Education	6 years
Junior School	3 years
Senior School	3 years

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SECOND SCHEDULE

CONDUCT OF BUSINESS AND AFFAIRS OF THE BOARDS OF THE INSTITUTIONS ESTABLISHED UNDER THIS ACT

1. The Boards shall meet as often as necessary for the transaction of business, but not more than three months shall elapse between the date of one meeting and that of the next meeting.

2. The Chairperson may at any time, and shall upon written request by a majority of the members, call a special meeting of the Board.

3. The Chairperson shall preside at every meeting of the Boards at which he or she is present, but in the absence of the Chairperson the members present may elect one from among their number to preside.

4. The quorum for a meeting of the Boards shall be five members.

5. Unless a unanimous decision is reached, a decision on any matter before the Boards shall by a majority of the members present, and in the case of an equality of votes the Chairperson or person presiding shall have a casting vote.

6. A member who has a direct or indirect interest in a matter being considered or to be considered by the Boards shall, as soon as the relevant facts regarding the matter come to knowledge of the member, disclose the nature of such interest, and shall not be present during any deliberations on the matter.

7. The Boards shall cause the minutes of all proceedings of its meetings to be recorded and kept and shall be signed by the Chairperson or the person presiding at the meeting.

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THRID SCHEDULE *(s. 166)*

CAMPUSES OF THE COLLEGES

No.	Name of Institution
1.	Aberdare Teacher Training College
2.	Asumbi Teacher Training College
3.	Moi Baringo Teacher Training College
4.	Bishop Mahon Teacher Training College
5.	Bondo Teacher Training College
6.	Borabu Teacher Training College
7.	Bunyore Teacher Training College
8.	Chesta Teacher Training College
9.	St. Lawrence Egoji Teacher Training College
10.	St. Augustine Eregi Teacher Training College
11.	Galana Teacher Training College
12.	Garissa Teacher Training College
13.	Kaimosi Teacher Training College
14.	Kamwenja Teacher Training College
15.	Kenyenya Teacher Training College
16.	Kericho Teacher Training College
17.	St. Mark's Kigari Teacher Training College

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18.	St. John's Kilimambogo Teacher Training College
19.	Kitui Teacher Training College
20.	Kwale Teacher Training College
21.	Machakos Teacher Training College
22.	Mandera Teacher Training College
23.	Meru Teacher Training College
24.	Migori Teacher Training College
25.	Mosoriot Teacher Training College
26.	Murang'a Teacher Training College
27.	Narok Teacher Training College
28.	Seme Teacher Training College
29.	Shanzu Teacher Training College
30.	Tambach Teacher Training College
31.	Thogoto Teacher Training College
32.	Ugenya Teacher Training College

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