PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 7th May, 2025

Morning Sitting

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

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

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

The Speaker (Hon. Kingi): Clerk, do we have quorum? Serjeant-at-Arms, kindly ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Order, Hon. Senators. Kindly, take your seats. Let us proceed with the Morning Sitting. Senator for Kakamega County, kindly, take your seat.

We now have quorum, so we will start the day's business. Clerk, you may proceed to call the first Order.

QUESTIONS AND STATEMENTS

QUESTIONS

Hon. Senators, we expected two Cabinet Secretaries this morning for purposes of responding to seven questions. We expected the Cabinet Secretary for National Treasury and Economic Planning, and the Cabinet Secretary for Education. However, this morning, we received a letter from the Cabinet Secretary for National Treasury and Economic Planning indicating that he will not be in a position to attend this Session, as he has other official engagements.

Therefore, Question No.034 by Sen. Enoch Wambua, Question No.035 by the Senator for Kirinyaga County and Question No.048 by the Senator for Kisumu County, which had been directed to the Cabinet Secretary, National Treasury and Economic

Planning will not proceed as the Cabinet Secretary is not present for the reason indicated in his letter dated 6th May 2025, which was received this morning at 9.00 a.m.

Question No.034

STATUS OF PENSION DISBURSEMENT TO FORMER MPS

Question No.035

BREAKDOWN OF TAXES AND LEVIES IMPOSED ON THE TEA SUPPLY CHAIN

Question No.048

DELAYED PROCESSING OF PENSION TO RETIRED CIVIL SERVANTS

(Questions deferred)

We will proceed with the Cabinet Secretary for Education, whom I am informed is already in the House. He will proceed to respond to Question No.052 by Sen. Catherine Mumma; followed by Question No.058 by the Senator for Nairobi City County, Sen. Edwin Sifuna; followed by Question No.060 by Sen. George Mbugua; Question No.061 by Sen. Joyce Korir; Question No.064 by the Senator for Kakamega County, Sen. (Dr.) Boni and then Question No.071 by the Senator for Makueni County, Sen. Daniel Maanzo.

These questions are all directed to the Cabinet Secretary in charge of Education. Clerk, you may now usher in the Cabinet Secretary in charge of Education.

[The Cabinet Secretary for Education (Hon. Julius Migos Ogamba) was ushered into the Chamber]

Yes, Senator for Kitui County.

POINT OF ORDER

NON-APPEARANCE BEFORE THE SENATE BY THE CABINET SECRETARY FOR NATIONAL TREASURY AND ECONOMIC PLANNING

Sen. Wambua: Thank you, Mr. Speaker, Sir, for that communication.

I just want to go on record and register my disappointment with the Cabinet Secretary for National Treasury and Economic Planning because, if my memory serves

me right, this is the second time that the Cabinet Secretary is failing to present himself before this House to respond to questions by Members. I am disappointed.

Let me just go on record and say that it is the height of contempt for this House if the Cabinet Secretary, a former Member of Parliament, can afford to write to you this morning at 9.00 a.m. to say that he is not presenting himself at 9.30 a.m. at the opening of the House.

I saw the Cabinet Secretary the day before yesterday; he had accompanied the President on a tour of the Nyanza region. I heard him saying funny things about knives; that the President is holding the knife on one hand while he is holding the knife on the other hand and cutting. I do not know what he is cutting. I expected that the Cabinet Secretary would have come here to especially respond to the question that I had asked about the welfare of Members of Parliament that left this august House way back in the 1990s.

Mr. Speaker, Sir, for that question, I took a cue from the Cabinet Secretary himself. He had severally tried to push forward the agenda of the welfare of former Members of Parliament who served between 1979 and 1992. I thought that because he is seated in the office to which he was making that petition to, he would be in a better position to tell us what will happen to the welfare of those Members.

With those remarks, I am disappointed and let it be on record that I do not take it lightly that the Cabinet Secretary can at 9.00 a.m. say that he will not appear before the Senate at 9.30 a.m.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Yes, Sen. (Dr.) Boni.

Sen (Dr.) Khalwale: Yes, Mr. Speaker, Sir. I am equally concerned.

I sit in the Senate Committee on Finance and Budge. The Cabinet Secretary did the same thing to us yesterday only that he was clever by a half in the sense that his excuse was that he was attending the Cabinet. You can see that he was not in Cabinet, he was in a rally.

If this Parliament is not going to rise, what is happening in the Broad-Based Government is not going to be any different with what we saw in the Grand Coalition Alliance. Once people who have been opposing each other come together in the Executive, it is Parliament that can call them to order.

Colleagues, when we found ourselves where the Broad-Based Government is starting to take us, Hon. Martha Karua, Hon. Mungatana, Hon. Gitobu Imanyara and myself took it upon ourselves and created an opposition. Something must be done. This is arrogance of the highest level.

My brother from Kitui County, did you hear the Cabinet Secretary say the day before that whereas the Jaramogi Oginga Teaching and Referral Hospital could only access Kshs300 million from Prof. Anyang'-Nyong'o in the last budget, they now will be given Kshs3 billion in the budget, now that he is the Cabinet Secretary for National Treasury and Economic Planning?

Is that what we want to allow to be the working of the Constitution? We must say no, so that we protect smaller and unlucky communities that do not have a Cabinet Secretary. The Cabinet Secretary for National Treasury and Economic Planning is not the

Cabinet Secretary for any community, leave alone the Luo Community. He must serve us equally.

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

Sen. Sifuna: Mr. Speaker, Sir, let me begin by saying that I do not know whether this thing called Broad-Based Government exists. I do not recognise any entity called Broad-Based Government. There is a Government of Kenya Kwanza under the leadership of President William Ruto. Every Cabinet Secretary who serves in that Government serves the Kenya Kwanza Government.

I echo what Sen. (Dr.) Khalwale has said, that some of these individuals who joined Government recently think they are there to represent their ethnic communities. Every time a Cabinet Secretary stands up, he tells you of how much the Ministry of Energy and Petroleum has allocated to power projects in Nyanza. So, the rest of us who are Luhyas are sitting there wondering who is going to speak about the projects in Bungoma?

(Applause)

Mr. Speaker, Sir, I have said on this Floor that as a Senate and as a Parliament, it is the responsibility of all of us, irrespective of our political parties, to oversight the national and county governments. If there is a problem with a Cabinet Secretary, that Cabinet Secretary must account to Parliament as an institution, not even to their political parties or this monster they are calling Broad-Based Government, which does not exist, in my view.

Yesterday at night, just before the game between Inter Milan and Barcelona began, I saw the Cabinet Secretary for National Treasury and Economic Planning on Citizen TV. He has time to appear before Citizen TV, but no time to appear before this House. I refused to watch that interview and switched to the football match because I was expecting him here. The conversations that are important to me from that Cabinet Secretary are the ones that happen here.

Mr. Speaker, Sir, when I used to be in the Senate Business Committee (SBC), we said that a Cabinet Secretary must write in good time to tell the House that they will not be showing up. It is absolute contempt for a Cabinet Secretary to write a day before. They must be called out.

Sen. (Dr.) Khalwale, trust me, as long as I remain the Senator for Nairobi City County, and I am in this House with the oath that I took here the first day that I came to this House, we will not protect, babysit or cover up any Cabinet Secretary. It does not matter whether they come from the Orange Democratic Movement (ODM) or wherever. They are there to serve the public and we will call them out as we have always done.

(Applause)

Hon. John Mbadi must know that we are unhappy, as a House, that he has time to attend rallies where he explains how much money Luos will get from this Government. He also has time to go to *Citizen Television* to tell lies about economic growth. If you

read today's newspapers, data from the Kenya National Bureau of Statistics (KNBS) shows that the economy has done the worst since COVID-19. We have lost jobs and salaries and wages have shrunk because of the taxation that has been imposed by this Government. Still, you go to *Citizen TV* pontificating about the work that you are doing.

Mr. Speaker, Sir, we will call out these Cabinet Secretaries without fear. *Mimi siogopi mtu*. We will say these things publicly because that is what we swore to do. In fact, you need to confirm to this House whether he has ever appeared here since he was sworn in as Cabinet Secretary. I have never seen him here.

Mr. Speaker, Sir, this is an issue that we, as a leadership in the Senate, have to call out. We have to insist on doing our oversight role as Senators, regardless of whatever monster people think exists in this country called Broad-Based Government.

Thank you.

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

Sen. Mungatana, MGH: Mr. Speaker, Sir, when a Cabinet Secretary does not turn up, it is fair for us to have access to that letter. I overheard a conversation that even the letter that was written was addressed to a committee and not the plenary. It seems the Cabinet Secretary is not even aware that he was supposed to be in plenary this morning.

The Speaker (Hon. Kingi): Just for clarity, Hon. Mungatana. The letter is addressed to the Clerk. The reference is the three questions that are supposed to be responded to. Indeed, the Cabinet Secretary was aware that he was supposed to appear this morning before the plenary, but he chose not to appear, giving the reason as an engagement in other official duties.

Sen. Mungatana, MGH: Mr. Speaker, Sir, let me take it from there. Two of my colleagues have talked about what these cabinet secretaries do when they accompany the President to public rallies. I have heard Cabinet Secretary Hon. Mbadi speak about increasing the allocation of Jaramogi Odinga Teaching and Referral Hospital to Kshs3 billion.

I have also heard Hon. Opiyo Wandayi speaking about how much money he has put for electrification of his rural area in Nyanza. He even said that the money they have borrowed on behalf of Kenya has gone to his region. The majority of the people who have benefited are from his region. When a cabinet secretary increases the allocation to Jaramogi Odinga Teaching and Referral Hospital, what about Coast General Hospital? Mr. Mbadi, have you forgotten that you are also a cabinet secretary for the Coast region? Hon. Opiyo Wandayi, when you say you have gone to borrow money on behalf of Kenya to take to Nyanza, what about Tana River County? What about the Coast region? What is wrong with you, people? I think there is a problem with these people when they accompany the President on these political rallies.

Mr. Speaker, Sir, we should pass a law that cabinet secretaries should not accompany the President to political rallies. These people are supposed to be technical. The people who should accompany the President and be on the ground are governors and Members of Parliament. What do they do? The fact is that they do not go to those places if the President is not there. You will not see them doing official things such as opening the Technical and Vocational Education and Training (TVET). It is high disrespect for

this country that we approved you as a cabinet minister for Kenya, then you come and tell us about your rural projects.

Mr. Speaker, Sir, it is terrible and they must be called to order. I pray that the President watching this will call his cabinet secretaries to order. They are supposed to serve the Republic of Kenya and not their rural constituencies. It is wrong. Tana River County has never had a cabinet secretary since independence. So, what do we do? What will happen to us? Shame on these people.

(Applause)

Sen. Dullo: Mr. Speaker, Sir, let me join my colleagues in contributing to this discussion.

I remember yesterday we discussed this matter in the Senate Business Committee (SBC) and this letter did not come yesterday. What happens in the absence of these cabinet secretaries appearing in the House? There is a reason why we requested cabinet secretaries to appear on the Floor of this House. We also have other businesses to do.

Mr. Speaker, Sir, you said it on the Floor of the House that this is the time for action. We want to see that action. We cannot come running here in the morning and then the people supposed to appear and account for whatever they are doing for this country are giving excuses. Therefore, if it there is a need to change the Standing Orders, we must do so and hold these cabinet secretaries accountable.

To some extent, we can say that they can accompany the President to account for what they are doing within their ministries. However, the priority should be the Parliament and not that rally. As a House, can we stop lamenting? We should surcharge the cabinet secretaries if they do not indicate that he will not be available two or three days before the sitting.

Thank you.

Sen. Wafula: Bw. Spika, asante sana kwa nafasi hii. Nawapa kongole Maseneta ambao wamemfokea Waziri wa Fedha na Mipango ya Uchumi ambaye ameanza kuonyesha utovu wa nidhamu. Mamlaka imemwingia kichwani. Amekosa kuheshimu Seneti kama Bunge la kuwakilisha raia.

Najihusisha na matamshi ya mheshimiwa Mungatana. Kenya hii ina kaunti 47, zaidi ya maeneo bunge 290 na wadi zaidi ya 1000. Makabila yote yamo hapa nchini. Iwapo mawaziri watakuwa wanazingatia maeneo yao na kutenga fedha za kuwatetea makwao, hakuna haja wao kuleta stakabadhi za kupitishwa hapa Seneti. Waende katika vijiji vyao kupitisha bajeti zao. Watuachie sisi Bunge la Seneti na la Kitaifa kuwatetea Wakenya.

Bw. Spika, ni dhahiri shahiri kwamba hali sio nzuri hapa Kenya. Kila mara sisi ambao tuko mrengo wa serikali tunawatetea kutunga sheria. Tunaketi hadi usiku wa manane kuhakikisha kwamba sheria tunazotunga zinaboresha maisha ya wananchi. Hatuwezi kesha hivyo kisha yule tuliyempa mamlaka na nafasi ya kuamrisha jinsi fedha zitatumwa, anatupiga teke. Hatubembelezani hivyo.

Lazima tukubaliane ikiwa sisi tulio serikalini tunafanya yale serikali inataka. Wale wako katika serikali kufanya kazi wasioheshimu kazi zao, tukutaneni hapa. Siku ambayo watataka tuwasaidie pia sisi tutakataa. Tuone ikiwa watapata hizo fedha.

Juzi wamekuwa wakiturai hapa tupige kura ziende mashinani tukakubali kwamba tuko katika serikali ila wale tunaowatetea wanatudharau na kutuonyesha kiburi. Sasa tukubaliane na nawaomba viongozi katika mrengo wa serikali--- Ipo siku watakuja kutuomba tupige kura kupitisha Miswada yao. Tukatae kisha tuone ikiwa watatupigia makofi au kutushurutisha.

(Applause)

Nazungumza kwa niaba ya watu wa Bungoma. Wametangaza kwamba wanapandisha hadhi ya hospitali ya Bungoma. Ni sawa, tumekubali. Ila iwaje mtu atangaze fedha za kuenda kwao ilhali sisi tunaambiwa wamepandisha? Kupandisha nini? Katika nyumba zao, ukiamka kuna vitu unapandisha. Katika serikali, bendera hupandishwa. Kwa hivyo, ni lazima watueleze wamepandisha nini katika kaunti hizi zote ili Mkenya afurahi kwamba tunaunga serikali mkono.

Hatutakubali upumbavu, kiburi na fedheha tunayoona. Naomba kama Jumba la Seneta, amurishwe kuja hapa. Huko kwetu akija akibwatabwata kitaumana. Sisi sio watoto. Sisi ni viongozi tuliopigiwa kura. Tunawaheshimu, wao pia watuheshimu. Njia ni mbili.

Asante sana.

The Speaker (Hon. Kingi): Hon. Senators, we have with us the Cabinet Secretary for Education. He has about seven questions. We will be doing a lot of disservice if we eat into the time that the Hon. Cabinet Secretary would have used to respond to these questions.

I have heard your frustrations, disappointments and concerns. Indeed, this letter is contemptuous. It does not even indicate the reason why the Cabinet Secretary is not present. Standing Order No.51(D) clearly states that if a cabinet secretary fails to appear for no good reason, a Censure Motion can ensue.

(Applause)

Hon. Senators, you have a weapon to handle such kinds of cabinet secretaries. I have allowed a number of you to ventilate your frustrations so that a clear message is sent to the Executive on the frustrations that this House goes through when it wants to handle the question time. You will agree with me that some time back, we had to adjourn the question time because there was no cabinet secretary present. A morning sitting was almost collapsing if we did not have any other business that was indicated in the Order Paper.

Hon. Senators, we have lamented for quite some time. Time has come for you, hon. Senators, to invoke the provisions of Standing Order No.51(D).

(Applause)

Move a censure Motion, so that this Senate can regain its respect. The cabinet secretaries can also acknowledge, indeed, that this is a House that speaks for and on behalf of the people.

The questions that are supposed to be answered by the Cabinet Secretary for National Treasury and Economic Planning arise from concerns raised by Kenyans, not just you as Senators. Therefore, any cabinet secretary failing to appear for purposes of responding to these questions is basically failing Kenyans. Hon. Senators, we have talked, lamented and vented our frustrations enough. Move an official censure Motion against some of these cabinet secretaries, so that we can see some seriousness going forward.

Let us leave it there and allow the Cabinet Secretary for Education, who is in the House, to proceed and answer the questions before us. You will note that we have about six questions, so it will take quite some time before we discharge the Cabinet Secretary. The more we vent our anger against the Cabinet Secretary for National Treasury and Economic Planning, the more we eat into the time that we would have otherwise allowed the Cabinet Secretary for Education to respond to these very many questions. Therefore, hon. Senators, allow me to invite the Cabinet Secretary for Education for purposes of responding to the questions directed to his ministry.

Clerk, can you confirm that the Cabinet Secretary is in the House?

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

Hon. Cabinet Secretary, welcome to the Senate. You have heard anger and frustrations, though not directed to you, but that is a warning that when invited here, please appear so that this anger is not directed at you. Beyond this anger, there is a deadly weapon that when the hon. Senators elect to use it, it may be detrimental to some careers of some of the cabinet secretaries. Once you are censured, that is a very big dent in your career. Hon. Cabinet Secretary, I hope that you will continue with the good work and respect this House as and when called upon to come and respond to these questions.

We will start with Question No.052 by Sen. Catherine Mumma. Kindly, proceed to ask the question.

Question No.052

CURRICULUM AND TRAINING ALIGNMENT IN COUNTY-MANAGED VTCs AND NATIONALLY-MANAGED INSTITUTIONS

Sen. Mumma: Mr. Speaker, Sir, thank you for the opportunity to ask this Question. Welcome to the Senate, Cabinet Secretary for Education. I have three questions.

Mr. Speaker, Sir, I beg to ask the Cabinet Secretary for Education the following Question.

- (a) Do the national Government and county governments engage in any intergovernmental collaboration to align the curriculum and training in the county-managed Vocational Training Centers (VTCs) with the standards in the nationally managed Technical and Vocational Education and Training (TVET) institutions? If so, could the Cabinet Secretary explain the outcomes of the engagements in respective counties?
- (b) Could the Cabinet Secretary also outline steps being taken to encourage private investments in infrastructural development around VTCs, TVET institutions and universities to address the shortage of student accommodation facilities?
- (c) Could the national Government consider advancing conditional grants to county governments to support urban planning and development of basic infrastructure, such as water supply and sewerage systems, in areas around tertiary institutions to further attract private investment?

Mr. Speaker, Sir, please, indulge me for two minutes to explain that bit. The reason I am asking this question is because it is now clear that when you set up universities and national institutions, they trigger peri-urban growth. I was a chair of Sigalagala National Polytechnic and the first chair when it was formed as a national polytechnic. It rose from learners' population of 2,900 to 13,500 by the time I left.

Anybody passing Sigalagala can see that it has so much population. There was no intergovernmental conversation around growing Sigalagala as a peri-urban area. So, if we operationalized intergovernmental conversations, then the national Government as they declare national polytechnics and universities would be compelled to also give conditional grants to develop the relevant peri-urban infrastructure to support those learning facilities.

This is the context of that question. Thank you, Mr. Speaker, Sir.

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

Hon. Senators, before the Hon. Cabinet Secretary responds to this Question, we have six questions directed to him. To manage time efficiently, each question will be allotted a maximum of half an hour. The question by Sen. Mumma was raised at 10.00 a.m., and the latest we can extend it is until 10.30 a.m. Thereafter, we will proceed to the next question, ensuring that by 1 p.m., we will have addressed all six questions.

Hon. Cabinet Secretary, you may proceed to respond.

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Thank you, Mr. Speaker, Sir, and Hon. Members, for the invitation. The message received here is well noted. We will ensure that when called upon, we attend the Senate and respond to the questions to the best of our ability.

Having said that, Mr. Speaker, Sir, I beg to reply.

(a) The mandate of the national Government in education and training is outlined in the Fourth Schedule of the Constitution. This mandate includes the formulation of education policy, setting standards, developing curricula, conducting examinations, granting university charters and overseeing other related policies.

The national Government is also responsible for overseeing tertiary educational institutions, research centers and other institutions of higher learning. Additionally, its

mandate includes primary schools, secondary schools and special education institutions, as previously indicated. The mandate of the county government on the other hand, covers pre-primary education, village polytechnics, home craft centers and childcare facilities.

In the national Government, the Ministry of Education, through the State Department for Technical Vocational Education and Training (TVET) is responsible for education and training policies related to examinations, assessments and certification, including quality assurance in TVET institutions. The uniform implementation of these policies among the counties is key in achieving standardisation of the quality of qualifications achieved by learners.

The overall framework for intergovernmental relations is in the Intergovernmental Relations Act, 2012. The Act provides a framework for consultation and cooperation between the national and county governments, amongst county governments.

The State Department for Technical Vocational Education and Training works with the Intergovernmental Relations Technical Committee (IGRTC) and county governments and the Council of Governors (COG) to coordinate vocational education and training. This collaboration has been in the areas of policy development, legislation, norms and standards and implementation of the devolved functions.

It is critical to note that for the purpose of coordination, the State Department for TVET has fully-fledged directorates, known as the Directorate of Vocational Education and Training. Their primary mandate is to provide the linkage and coordination with county governments in the areas of policy coordination.

This coordination is also achieved through various semi-autonomous Government agencies under the State Department, such as the Technical and Vocational Education and Training Authority (TVETA), the Kenya National Qualifications Authority (KNQA) and the Curriculum Development, Assessment and Certification Council (TVET-CDACC).

(b) Mr. Speaker, Sir, TVETA undertakes the registration of TVETs, including vocational training centres and registration of trainers. In this regard, TVETA has so far registered 1,174 VTCs and licensed over 9,221 trainers countrywide. The TVETA Board has co-opted a representative of the Council of Governors (CoG to articulate the matters of vocational training in counties.

The KNQA is established under the Kenya National Qualifications Framework Act, 2014. The Act mandates KNQA to coordinate the development of policies on national qualifications. In developing policies, KNQA sets out the specific roles and coordination mechanisms for each agency. These include the roles of the qualifications awarding institutions, regulators, assessment and examination bodies, institutions that perform placement and admission of trainees and curriculum developers.

TVET CDACC, on the other hand, actively collaborates with various stakeholders, including county governments, industry players and regulatory bodies in the rollout of the Competency Based Education and Training (CBET). TVET-CDACC has partnered with county governments to roll out Competency-Based Assessment (CBA). So far, several VTCs have been trained on the CBA.

The VTCs accredited by TVETA to offer CBET courses have been trained and capacity built to implement Level 3 and Level 4 CBET curriculum in these institutions.

Trainers from the VTCs offering CBET have additionally been engaged by TVET CDACC as contracted professionals in the Level 3 and Level 4 courses. As assessors, the persons who develop and validate assessment tools, and also as examiners, these are the people engaged to mark national examinations. The same are engaged as supervisors, invigilators and monitoring officers to oversee the conduct of summative assessments. TVET CDACC works closely with VTCs offering CBET assessments in their timely assessment series, which are three in a year. That is March/April; July/August and November/December.

It is also important to note that county governments are represented in the boards of governors of TVET institutions in their respective counties. The Second Schedule of the Technical and Vocational Education and Training Act provides for a representative of the county governor of the county within which the institution is located to be a member of the board.

As a Ministry, we work closely with the county governments in implementing this requirement. This ensures that the voice of the county government is represented in the management of technical and vocational education institutions within their counties.

Through TVET CDACC, the Ministry has developed 165 CBET curricula and occupational standards for the Kenya National Qualifications Framework Level 3 and 4. They are currently being implemented by the vocational training centres at county level. TVET CDACC has also worked to develop the capacity of the VTC trainers. The counties that have so far benefited from this are indicated as follows-

S/No	Name of County	Number Trained	of	Trainers
1	Bungoma	254		
2	Trans Nzoia	133		
3	Kirinyaga	142		
4	Nairobi	23		
5	Laikipia	53		
6	Bomet	98		
7	Machakos	72		
Total		775		

TVET has engaged with the county governments and other stakeholders in the development of TVET in the following ways-

- (a) The Authority has developed services through the establishment of four regional offices; Coast, North Rift, Western and Mount Kenya regions.
- (b) They have co-opted a representative from the CoG to the TVETA Board to articulate issues of vocational training.
- (c) There has been organised two regional stakeholder for annually to share quality assurance reports with VTC managers and county directors of vocational training.

- (d) Periodic training of VTC trainers and managers on quality assurance and governance issues.
 - (e)TVETA trains 400 trainers in internal quality assurance annually.
 - (f) Licensing of trainers is utilised at all levels, both national and county.
- (g) Together with the development of partners, ILO, we have assisted in developing strategic plans for all VTCs in the three counties of Narok, Kajiado and Nakuru.
- (h) Together with the development partners known as, "No One Out", TVETA did capacity building for 180 managers of VTCs from 180 centres, where 540 board members, three from each of the centres, were trained.
- (i) They have conducted periodic quality audits VTCs to ensure compliance and provide advice on continuous improvement.
- (j) There has been an engagement of county governments as the stakeholders during standard developments. These include guidelines and standards on CBET, recognition of prior learning policies, trainers' qualification framework, national polytechnics requirements and guidelines, Open Distance and e-learning (ODel), centres of excellence, CBET assessment centres, competency-based assessment tools, recognition and equation of TVET qualification and industrial attachment.

Mr. Speaker, Sir, to the second part of that question, there are 1,156 Vocational Training Centres (VTCs) across all the 47 counties in Kenya, with a total enrolment of 141,157 trainees. These institutions are strategically located in villages to ensure that the youth can conveniently access skills training while residing at home.

Recognising the needs of trainees from far-flung areas, some VTCs, particularly those situated in the Arid and Semi-Arid Lands (ASALs) and urban centres, have established accommodation facilities. These facilities help to bridge the gap for learners who would otherwise face challenges in accessing training due to distance. As a Ministry, we also explore ways to enhance student accommodation in VTCs, particularly in areas where demand exceed available facilities.

The Government, in collaboration with development partners such as the African Development Bank (AfDB) and the German Development Bank (KfW), is actively investing in the infrastructural development of tertiary institutions. Additionally, funding is being sourced from the National Government Constituencies Development Fund (NG-CDF) and contributions from local communities surrounding these institutions.

To further address the shortage of student accommodation in tertiary institutions, the Government is engaging private investors, through structured Public-Private Partnership (PPP) processes. Through this, the Government encourages potential investors with interest in developing accommodation facilities within tertiary institutions to make such investments. We have taken measures such as encouraging institutions with land to enter into collaborative partnerships with private investors through which the private investors develop accommodation facilities for use by students.

(c) It is indeed true that conditional grants offer both levels of Government an opportunity to fund under-resourced services or infrastructure such as water supply and sewerage systems. Water and sanitation are a devolved function.

Noting how important these services are to the effective functioning of TVET institutions, we are committed to work together with specific county governments to seek conditional grants that will support them. This will be especially key in areas around universities and TVETs with high student enrolment that has placed pressure on existing resources.

Mr. Speaker, Sir, I submit.

The Speaker (Hon. Kingi): Any supplementary questions? Proceed, Sen. Mumma.

Sen. Mumma: Mr. Speaker, Sir, I have some. Could the Cabinet Secretary indicate whether the Ministry of Education has any collaborative working relations with the State Department for Housing at the national level to ensure part of the housing development units for tertiary institutions, to provide accommodation for students given that these are the most vulnerable individuals who need housing?

Secondly, does the Ministry have a record of the number of students who are not taken up by the universities? How many are taken up by VCTs and TVET institutions? Do you have the percentage, so that we are able to account to Kenyans how much we are absorbing or providing some kind of skills training to the high percentage of learners who do not make it to university?

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, proceed to answer.

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Mr. Speaker, Sir, I can confirm that we have collaborative working agreements with the national Government, through the Ministry of Lands, Public Works, Housing and Urban Development, to provide accommodation to tertiary institution students using the Housing Levy through the Affordable Housing Programme (AHP).

Indeed, in the last month, there was an advertisement on a number of housing accommodation units to our tertiary and VTCs. I do not have the exact number here, but we are working with them and they agreed that they will assist in providing hostels to our institutions using money from that Fund. Those institutions include universities and tertiary institutions which include TVETs. That will help increase the number of enrolment that we get to those institutions because accommodation is crucial.

In terms of the number of students that we are putting through TVETs, I will just use the example of last year's Kenya Certificate of Secondary Education (KCSE) Examination. We had 25 per cent of students who got C+ (Plus) and above. That means about 75 per cent got below C+ (Plus). The 25 per cent were about 246,000 students. The number of students who sat for KCSE examinations last year were about 965,000. Therefore, we have about 750,000 students who are supposed to go to VTCs and TVETs.

When we opened the TVETs portal, about 8,000 students who qualified to go to university elected to go to TVETs. I do not have the actual numbers that have been enrolled to join TVETs this year, but we can provide details in writing, so that I do not give a figure that is incorrect. However, we are doing something about it.

The Speaker (Hon. Kingi): Sen. Mumma, you have had your opportunity. Allow other Senators to ask any other supplementary questions.

Proceed, Sen. (Dr.) Boni.

Sen. (Dr.) Khalwale: Mr. Speaker, Sir, there has been additional strain on TTIs that have been promoted to become national polytechnics, with special reference to Shamberere in Malava Sub-County and Sigalagala National Polytechnic in Ikolomani Sub-County. While visiting, the President assured us that he was going to put up a number of hostels in those institutions.

Mr. Speaker, Sir, could the Cabinet Secretary confirm how much money he has set aside for constructing hostels in those two institutions as directed by the President? When is construction going to commence? Could he also reassure our students that the other areas of need, like lack of playing grounds---

At Shamberere Technical Training Institute, there are thousands of children walking up and down with nowhere to play. The same applies to Sigalagala National Polytechnic. They end up going to Khayega Market and Kambi ya Mwanza to take alcohol in the afternoon instead of being involved in sports. How much have you put aside to expand sporting areas in those two institutions?

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you have noted down those questions. We will take more, then you will respond at ago.

Proceed, Sen. Agnes Muthama.

Sen. Kavindu Muthama: Mr. Speaker, Sir, first, I would like to congratulate the Cabinet Secretary because when he is invited by committees, he appears. We invited him and he appeared before the Committee on Education. Cabinet Secretary, keep it up so that we do not speak like you have heard Senators talk about the Cabinet Secretary for the National Treasury and Economic Planning.

My question is this, how long does training in VTCs and TVETs take? Is it six months, one year, three years, or four years? We see some students being trained for two to three months and they are out. That leaves some of us wondering if they qualified based on such a short time of training.

Hon. Cabinet Secretary, there is also an issue of transfers that I brought to your attention. Please, answer me about that later.

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

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

The policy of upgrading polytechnics or Technical and Vocational Education and Training (TVET) institutions to national polytechnics is that each county needs to have at least one TVET being upgraded to a national polytechnic.

Once that is done, the financial implications of that particular upgrade is assessed and it is included in the next financial year to ensure that the infrastructure in those institutions is developed to meet the status of national polytechnics. I may not have the exact amounts allocated to the specific institutions that Sen. (Dr.) Khalwale has referred to, that is, Sigalagala and Shamberere, but I undertake to check the actual figures allocated to them and provide that answer, so that I do not give the wrong information.

With respect to expanding other infrastructure, including play fields, we are working with the Ministry of Youth Affairs, Creative Economy and Sports to ensure that we have facilities provided for, because they have a sports fund that is available to

develop and acquire extra land spaces to ensure that these institutions have enough space for expansion.

In reference to Sen. Kavindu Muthama's question, in TVET institutions, the trainees graduate using specific stages. There are courses that take three months. These are skills that somebody gains by just being trained for three months and they are given certificates. Others that take two years. So, we have come up with a curriculum that is specific to the needs of the students. For example, if a student wants to come and just learn masonry, masonry cannot take six months. So, he is trained for three months, gains the masonry skill, he is accredited and given certification for that. He can leave to go and use that skill to gain employment, then come back if he wants to learn something else, whether plastering or he can move on. So, it depends on what course it is. In fact, we have done modularization of courses, where you can come in, study what you require, finish, go and gain employment somewhere else and come back and continue learning.

Consequently, we have had to pass, for example, the specific policies, including the recognition of prior learning policy, which requires that if you have been trained outside the informal programme, you can come to an institution, showcase your skill, and you are awarded a certificate in order for you to move to the next stage. So it is staged and programmed depending on the course that one is taking.

Thank you.

The Speaker (Hon. Kingi): Hon. Senators, we shall now move to Question No. 058.

In the event that we save on time, we may come back to those Hon. Senators who still have supplementary questions on this particular Question.

The Senator for Nairobi City County, Sen. Edwin Sifuna, please proceed.

Ouestion No. 058

PROLONGED INDUSTRIAL ACTION BY LECTURERS AT THE TECHNICAL UNIVERSITY OF KENYA

Sen. Sifuna: Hon. Speaker, Sir, I beg to ask the Minister for Education the following Question.

- (1) What has the Government done to permanently address the root causes of the prolonged industrial action by lecturers at the Technical University of Kenya (TUK), which led to the closure of the university between 3rd February and 18th March, 2025?
- (2) Could the Government consider apportioning budgetary allocation to bail out the Technical University of Kenya from the prevailing financial crisis, as it did for Moi University, to forestall a collapse of the institution?
- (3) Could the Cabinet Secretary also outline the Government's strategy to generally address the challenges currently afflicting public universities, which include inadequate infrastructure, perennial strikes by the academic staff, and financial instability?

I thank you.

The Speaker (Hon. Kingi): Hon. CS, you may proceed to respond. These answers have been circulated to the Hon. Senators. You need not read them verbatim. You may even elect to paraphrase, so that we save on time.

You may proceed.

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

On this one, please allow me to read, because it includes figures that are specific to TUK. However, where it is a general response I shall paraphrase.

Mr. Speaker, Sir, the award of Charter to the Technical University of Kenya as a full-fledged university was done on 15th January, 2013. Since that time, TUK has operated with chronic funding shortfalls.

The monthly revenue is approximately Kshs207 million, including Kshs63 million that is given to them through capitation. This falls short of the monthly expenditure of Kshs314 million, which includes a wage bill of Kshs272 million, which has not been met, contributing to a debt of Kshs12.9 billion, inclusive of Collective Bargaining Agreement (CBA's) arrears of the cycle of 2017 to 2021

Mr. Speaker, Sir, because of these cash flow challenges, the university then resorted to paying net salary to all staff and was unable to pay or remit any statutory deductions, that is, pensions, payee and housing levy or any third-party deductions, that is, union dues, bank loans, Savings and Credit Cooperative Organizations (SACCOs), welfare, and insurance premiums. These challenges led to industrial action by staff of the university, as indicated in the Question.

Mr. Speaker, Sir, we have annexed Table Two, that shows the particularization of the debt, including what is due to contractors, what is pending to pension, which is Kshs4.3 billion, third-party funds, statutory deductions, banks, SACCOs, insurance, CBA arrears, staff claims, all totaling to Kshs2.9 billion.

To overcome these challenges, the Ministry of Education, in conjunction with TUK, came up with a recovery plan, which included the following measures-

There was an agreement that the Government will give a direct support of Kshs145 million for the period of January, 2025 through to 30th June, 2025, to ensure that staff salaries are paid in gross and on time.

We also agreed to offer conditional grants and enhanced capitation. The Ministry of Education will continue to channel conditional grants to bridge the budget gap with phased allocations over the next Financial Years from 2025/2026 to 2031/2032, to cover gross salaries and enable the timely remittance of the statutory deductions. We came up with a structured plan of sorting out that debt.

TUK has also put in place a recovery strategy anchored on three areas. They are going to-

- (i) increase student enrollment;
- (ii) implement cost-cutting measures, including staff rightsizing and also organizational restructure; and,
 - (iii) Ensure revenue enhancement, as indicated.

Table Three there indicates the pending bills payment plan that runs from 2025 all the way to 2031.

Regarding the retirement benefits and the remittance of statutory and third-party deductions, TUK has undertaken to do the following-

The TUK Staff Retirement Benefits Scheme, originally established in 2009 and registered on 12th November, 2013, was wound up by the court on 5th July, 2024. In the aftermath, TUK has engaged the Retirement Benefits Authority (RBA), the unions, that is University Academic Staff Union (UASU), Kenya University Union (KUSU) and Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers (KUDHEIA), and the Receiver-Manager Liquidator with a key meeting held on 30th January, 2025 and a follow-up scheduled for 21st May, 2025 on the liquidation process.

TUK has also undertaken to provide funds over the financial years 2025/2026 all the way to 2030 to settle outstanding liabilities of the wound-up TUK Staff Retirement Benefits Scheme in line with the overall recovery strategy.

TUK has also requested the Retirement Benefits Authority to give the authority to establish a new Retirement Benefits Scheme since the old one was wound up. That would ensure that the future financial deductions have a place to be utilized and for members who retire to get their benefits.

Mr. Speaker, Sir, to the second part of that Question, the Government is committed to bailing out the Technical University of Kenya.

Mr. Speaker, Sir, the Government is committed to bailing out the TUK from the financial crisis. As I have indicated, it started from day one.

The Government is committed to providing a net payroll support of Kshs145 million as I have indicated for the period from January 2025 to 30th June, 2025. Thereafter, the support will be anchored in the budget of financial year 2025/2026, all the way to financial year 2031/2032. This will cover gross salaries and enable the timely remittance of statutory reductions.

Part three of that question is with regard to the university sub-sector. As we all know, it has faced various challenges in recent times, largely occasioned by financial difficulties leading to a number of them being declared technically insolvent.

Indeed, as you would recall, the University's Academic Staff Union (UASU) and the Kenya University Staff Union (KUSU) issued strike notices in September and wanted to proceed to an actual strike in October.

The main issues that were raised were non-implementation of their financial year 2020/2021 Collective Bargaining Agreements (CBA) and the delay in the conclusion of its full implementation during the financial year 2021/2025. Key issues included the demand for basic salary increments by between seven to 14 per cent, the harmonisation of allowances across universities and the provision of car and mortgage scheme loans.

Following negotiations, the parties under the leadership of the Ministry of Education came up with a return-to-work formula, which was signed on the 26th September, 2024. The key terms and provisions of the return-to-work formula include the following:

The salary adjustments, the last two years of the financial year 2021/2025 CBA cycle, effective 1st July, 2023 and 30th June, 2025. It was agreed that for Grades 13, 14 and 15, a seven per cent salary increment. For Grades 10, 11 and 12, it was a 10 per cent salary increment.

We also agreed on an annual automatic four per cent increment. We agreed that the revised salaries would be effective October 2024. Retirement age was also sorted out and transition provisions were provided to ensure that there is a smooth transition with the higher retirement ages until the expiry of the existing contracts.

Harmonisation of allowances was also undertaken beginning October 2024, which resolved the issues that were raised relating to different allowances being given by different universities.

On budget enhancement, we gave commitments to address budgetary allocations for staffing, promotions and related priorities.

The Interpublic Universities Council (IPUCCF) and UASU were required to convene. They did that and they have undertaken the process of implementing the return-to-work formula.

Mr. Speaker, Sir, in line with the return-to-work formula, the technical team composed of IPUCCF representatives and the three unions convened and worked out the figures that were required. They came up with a figure of Kshs9.7 billion.

This figure was agreed to be spread out for the following financial years 2024/2025, 2025/2026 and 2026/2027 to ensure that they are taken care of. Therefore, it led to the signing of a CBA on the 23rd November, 2024. The payments for financial years 2021/2025 commenced in December, 2024, with the effective implementation date being 1st October, and we have adhered to it so far.

To avert a recurrence of industrial disputes in the university sub-sector, the Government has committed to ensuring that negotiations for future CBAs commence at the start of each cycle to allow proper planning and budgeting. Since the implementation of CBAs is resource-sensitive, we are also creating a legal and policy framework to ensure that our public universities are financially sustainable. Part of this includes the introduction of the student-centred-funding model, which replaced the DUC under which universities were seriously underfunded.

The ongoing law reform process is also geared towards ensuring that the governance frameworks in public universities are effective, efficient, transparent and accountable in the prudent use of university resources. We have also instructed our public universities to address staff issues as and when they arise instead of overlooking them until they assume crisis proportions.

Overall, the measures to improve governance and sustainable financing at our public universities will also support the enhancement of infrastructure in our public universities.

We have also encouraged universities to work on alternative resource mobilization initiatives in order to minimize reliance on the exchequer.

I submit, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): The hon. Senator for Nairobi City County, do you have any supplemental requests?

Sen. Sifuna: Mr. Speaker, Sir, I have one supplementary question, but before I ask it, I need some clarity on the answer that has been provided by the Cabinet Secretary.

Hon. Cabinet Secretary, you have said that you are supplying a net payroll support of Kshs145 million. Knowing that the monthly wage bill for the institution is

Kshs272 million per month. Can you clarify to me whether this Kshs145 million that you say is for the period January 2025 to 30th June, 2025 is a monthly support or for those three months? It would be a drop in the ocean when you compare it with the monthly wage bill.

Secondly, there is a mention of conditional grants that you say will bridge the budget gap. Unfortunately, you have not provided any figures. Do you have a figure for the total amount of the conditional grant that the institution will be supported with?

On the last clarification, there is suspicious language in the response on the recovery measures. I do not understand what you mean by staff right-sizing. This is the first time in my entire life that I have heard that word staff right-sizing. Are you saying you will sack some people? If that is what you are saying, can it come from you clearly on which cadre of staff are affected and in the numbers? After that, I will ask my supplementary question because those were just clarifications.

Mr. Speaker, Sir, that language is confusing. What is right-sizing? Are you cutting people down to size?

(Laughter)

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

Sen. Sifuna: Now Mr. Speaker, Sir, the supplementary question that I want to ask is, whether this idea of transforming these mid-level colleges like the Kenya Polytechnic into universities without sound financial and research grounding was ill-thought of and given the inability of these institutions to self-fund from internal resources.

He has brought that question out very clearly that these institutions are unable to sustain themselves because of the sources of funding. Would you still, as a Government, support this policy of transforming these mid-level colleges like Kenya Polytechnic into universities?

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

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Thank you, Mr. Speaker, Sir. For the first clarification to Sen. Sifuna, a figure of Kshs145 million is monthly support to cover gross payment of salary from January to June 2025.

The conditional grant figures have been in-built into the Kshs12.9 billion figure that we are supposed to pay, which we spread out from financial year 2025/2026 to financial year 2030/2031. There is a schedule of how much per year we are giving so that that figure can be met.

The idea was to take the Kshs12.9 billion and spread it out because the Government cannot afford to pay all of it at once. We spread it because, for example, if you take the Kshs4.3 billion that is the amount for pension, we know it is not required all at once, so we spread that figure out so that at least when people retire, they do not go home without any money.

So, we put in some money, so that when you retire, you are getting money and you keep increasing that figure so that by the end of 2031, we will have cleared the debt. We will be in a position of sustainability.

On right-sizing, this is the rationalisation of the staff and let me explain it further. What we found is that in universities, the ratio of teaching staff to non-teaching staff is supposed to be 70:30, but what we have in most of our institutions is the opposite. We have academic staff that are 30:70. So, right-sizing or rationalisation is as you continue employing, you see where you need to employ and where you need to release. For example, if a casual or somebody is on contract and you find he is in the 70 per cent portion, you do not replace that person. You let them go at the end of their contract so that you have an opportunity to bring this other side above, not at right size.

There will be issues relating to sending people home, but that is dependent on a programme that would work if that becomes necessary, just like what we have done in Moi University.

At Moi University, we agreed that the first thing that will happen is the people whose contracts are coming to an end and are not required to be renewed because they are in the category of where you have more than you need.

When you want to deal with the rest of the group, for example, you want to send them home, you have to work using the normal process because it is a labour right. We discuss with them and with the unions.

You must have funds if you are sending people home to pay them. These are the strategies or structures that we put in place. One is to ensure that we have sustainable programmes in the universities and we do not offend the rights of the employees.

Mr. Speaker, Sir, we will not just sack people and tell them to go home. We will work with them and their unions to ensure that we have a transition programme to ensure we get the right level. That is the right-sizing rationalization that we are talking about.

We will work together with them. We will not wake up and say, this group, go home. There could even be those who are willing to voluntarily go home and get their sendoff payment packages.

On the issue of transforming these middle-level colleges into universities came about because there was a large number of students who wanted to pursue degree courses. Where students were supposed to go to universities we would start from the position of how many spaces we had in the universities for us to admit. We the did a cut-off point and say, for example, that year we were taking students from Grade B and above. Even the people who are qualified to go to universities were not getting the spaces.

That is the basis upon which the transformation of these middle colleges to universities came about. Where we are now, the conversation needs to confirm whether we have enough spaces. For instance, this year, the spaces we have in universities to accommodate students are 305,000.

The people qualified on the C-Plus to go to universities are 246,000. That means we have almost 60,000 available space to admit other students. So, the question would be, do we really need to do or create more universities since we are not getting enough students to admit?

So, it is a conversation that we will have. At each and every discussion, this is the rationalization, discussion, the assessment that needs to be done, including the financial implications of it to see whether it is possible to upgrade.

Currently, we have almost 79 universities in the country. Out which, 43 are public and the rest being private. So, we have enough spaces to admit all our students. As I said, it is a conversation that we need to have

Sen. (**Prof.**) **Kamar:** Thank you, Mr. Speaker, Sir, for the opportunity and thank you, Cabinet Secretary for the answers. I am just wondering about the universities in relation to the Technical and Vocational Education and Training (TVETs) and you answered the question earlier.

How much space do we have in the TVETs and mid-level colleges to absorb our students? I am asking that because you have rightfully said the percentage of the university is about 20 of those who did KCSE. You have also said that those figures are at least well-accommodated as far as admission is concerned, because we have even extra rooms.

How many do we have in the mid-level colleges? This percentage that qualifies to go to college, what capacity do we have for them? That is for the mid-level, before we even talk of Vocation Training Centres.

I know, since you are a Cabinet Secretary for both basic and higher education, we also have students who were offloaded in class eight and they could not go to secondary school because the spaces were less than the output that came out of primary schools.

What plans does the Ministry have to make sure that we do not offload our children to the streets? This is because they are either somewhere or they are nowhere and we will find them out there in the streets.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, just note down the questions. Senator Eddy.

Sen. Eddy Oketch: Thank you, Mr. Speaker, Sir. Thank you, Cabinet Secretary for coming to answer these questions.

Hon. Speaker, my supplementary question is on Question No.58(c) that the Senator of Nairobi had started to understand the Government's strategy on generally addressing the issues and the challenges currently affecting public universities, particularly by perennial strikes by academic staff.

Hon. Cabinet Secretary, is there a specific remedy or a variety of remedies that you have put in place to deal with the disadvantage that students get with these strikes, particularly where sometimes they are not concerned?

A particular case is the rampant cases of late or delayed schooling. For instance, when there is a delayed element or changes in calendars, where you find that a student who is supposed to even graduate in a year's time ends up graduating in two years or three years. This is becoming a very serious issue in public universities that I think that it needs to be dealt with, once and for all.

Are there specific remedies that the ministry is putting in place to make sure that those disadvantaged students are also catered for in the middle of these perennial strikes?

Sen. Mariam Omar: Thank you, Mr. Speaker, Sir, for giving me this opportunity. My question is on paragraph 31, which is the Hon. Cabinet Secretary, saying he supports a payroll of Ksh145 million, but the gross one is Kshs272 million. So, there is what you call avoidable expenditure, which if you have not remitted the statutory deduction on time, there is interest per month. So, how will he take care of the interest?

Sen. Onyonka: Mr. Speaker, Sir, I thank you for giving me the opportunity to raise a supplementary question to the CS.

Hon. Cabinet Secretary, I welcome you as my CS because we come from the same county, but professionally, I am happy. I am declaring my interest. Given the fact that you realize we are having a challenge on the housing problem within these institutions, has the Ministry done an audit to find out, for example, how many hostels all our TVETs need? I am sure, you know even all our universities have no adequate housing facilities or hostels.

What is the most probable solution would you offer this country in terms of either systematically spread out over a period of time so that we can then solve the issue of the deficit of all our universities and technical vocational training institutes where our children have no places to stay?

I am sure, like you heard Sen (Dr.) Khalwale state that when these young men and women are going for this training, they engage in untoward issues of alcohol abuse and social dysfunction. If we had hostels which are managed properly and where law was observed, we would make our children responsible and they would work hard.

Sen. Gataya Mo Fire: Thank you, Mr. Speaker, Sir. The predecessor to the current Cabinet Secretary came here and I had the same question. There is a school called Kamutwalu Primary School which was allocated Kshs10 million. A sum of Kshs2 million was advanced in the financial year 2019/2020 and the school is yet to get the balance of Kshs8 million up to now. The predecessor, Hon. Machogu, had promised to give them the balance. I do not know if Hon. Waziri has that information in his archives.

We have Tharaka Technical College and the community together with its board would want it elevated to a national polytechnic. This is because that technical college serves a very huge population. It serves the entire lower part of eastern province, part of Ukambani and some part of Maua. Therefore, the community together with board requests that this technical college be uplifted to a national polytechnic for it to serve the intended purpose.

Thank you, Mr. Speaker, Sir.

Sen. (Dr.) Khalwale: Thank you, Mr. Speaker, Sir. Cabinet Secretary, let us admit it. From your table, the school needs Kshs12.9 billion in pending bills and you want to give them Kshs145 million per month for the next six months. That gives us a total of Kshs870 million. That is in view of the paltry Kshs207 million that they are able to generate on their own.

The college is insolvent. Hon. Cabinet Secretary, can you make an undertaking? You cannot do it now, but you can take an undertaking that a few weeks or months from now, you will present to the public a comprehensive strategy of how you want to weed out the insolvency problem at the TUK.

Having said that, allow me to briefly make a passing remark. The Government must do something to let the parents know that it is not a must that every child gets a university degree. The courses that were being offered by the Kenya Polytechnic before it was converted to a university were equally competitive in the job market.

Thank you, Mr. Speaker, Sir.

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

The Cabinet Secretary for Education (Hon. Jullius Migos Ogamba): Thank you, Mr. Speaker, Sir. I will start by answering the question raised by Sen. (Prof.) Kamar. She wanted to know of the space that we have in the mid-level colleges. My response is that we have almost one million spaces available in TVETs. This is because of the structure of the programmes that are offered.

As I indicated, we have modularized those programmes. Therefore, students can come in and out. Remember when TVETs were formed, they were supposed to absorb the students who were not going to universities.

In 2024/2025, we had a total of 375,000 students in TVETs when the student admission to universities was at 22 per cent. The universities had almost 800,000 students. So, the pyramid was inverted; we had more students in universities than in TVETs. We should have more students in TVETs than universities.

Mr. Speaker, Sir, we started a programme of increasing the enrollment of the students and we targeted above one million. We started in January this year and have raised the enrollment from 375,000 to almost 700,000. They are all in college. We do admissions in January, May and in every quarter. So, there is enough space to admit students who do not go to universities in our institutions, in both TVETs and VTCs.

I will next respond to Sen. (Dr.) Khalwale's recommendation. Right now, our universities have a TVET institution within them. We, therefore, have students who go to a university, but are actually in the TVET. This means that those students are absorbed for those courses in those universities.

It has been said that we have a number of young people between the age of 18 and 35 who are neither in formal school nor in formal employment. They are the ones who are out here. The TVETs are supposed to absorb and remove them from the streets. If we do so, we will skill them and they will play a role in the economy. We will then have plumbers, electricians and engineers. They can later progress their studies. We are also offering many other IT programmes in that space.

In fact, the issue of enrollment to TVETs is being spearheaded in conjunction with National Government Administration Officers (NGAO). That is because we are using an all-of-government approach. When these officers go to barazas, they tell the parents what is important and the usefulness of the courses being offered by those institutions.

Apart from that, we have a lot of equipment in those institutions. Therefore, hands-on learning is more effective. We recently passed a policy called a dual training policy where our students would be taught in institutions for 50 per cent of the time then they go to the industries for the other 50 per cent of the time.

We are signing collaboration agreements with industries in various places. We are looking at textile industries and any other industry for us to have our children have a hands-on learning. We are doing something in this space to ensure that we reduce the number of students who are not skilled.

Sen. Eddy has asked if there is a specific remedy to deal with--- You will recall that there were students who were pursuing degree in medicine at Moi University and had

been in that institution for nine years for courses that were supposed to take six years. Therefore, those students had lost three years in that university. When there was a strike, we came up with a package to resolve the issues of Moi University. We also came up with a package to resolve the problem of those medical students.

Their problem related to training in the referral hospitals. We came up with a programme where they expanded it from Moi Teaching and Training Referral Hospital to Iten Hospital. That now provides opportunity for more students to train. That initiative enabled us to graduate those students in March this year. The first students graduated on 28th November last year, but the medical students and the other batch that had remained behind graduated in March this year.

When we come up with a programme to ensure that the strike is resolved, we also work towards coming up with a programme on how the students who have suffered will meet their lecture time so that they can graduate.

We, as Kenyans, need to also agree that we need to resolve the problems early. One of the problems we discovered is that most academic strikes arise out of the CBA. We found out that CBAs are negotiated at the end of their lifespan. When you do so, it simply means you have not budgeted for it, there is no predictability and you are not aware of what was required. We have now insisted that going forward, the CBAs should be negotiated at the beginning of their lifespan.

With that, we will know the amount of money that we will need. That way, we can budget or plan for it. I am glad to note that they are already negotiating the CBA for 2025/2029 as I speak. We will then be able to factor it in our next budgets to ensure that the teachers know or the lecturers know what they require. That is how we are trying to resolve this space and it is a multi-pronged approach. We have to deal with it because the students who are in these universities are our students. If we do not do something about them, they suffer.

As we indicated, almost 23 of our universities were technically insolvent. If we carried through the insolvency and said these ones are dead, let them go, we would be having a number of our students not having spaces to go. So, we had to make a hard decision on what we need to do so as to keep those universities floating for our students to get their education and graduate.

The other question is on the interest on the Kshs145 million. We are negotiating with the institutions. For example, payee is remitted to Kenya Revenue Authority (KRA). When you do not remit, there is penalty and interest. We are, therefore, negotiating with them, ensuring that we pay the principal while seeking the removal of interest and penalties.

Additionally, we have established a payment plan spanning several years to bring the matter up to standard. This is the course of action we are taking regarding the issue of interest and penalties.

Regarding housing challenges, the Ministry has not conducted an audit of all universities to determine their housing needs. However, each university has undertaken its own assessment to determine the percentage of student hostels required.

I am pleased to report that as independent institutions under their charters, some universities have performed remarkably well. For example, Maseno University has

conducted an assessment of its student hostels and continues to expand them annually. The university has also demonstrated the capacity to secure loan facilities for construction projects while efficiently managing repayments.

At the Cooperative University of Kenya where we visited recently, I am delighted to note that we recently enthroned the youngest Chancellor in the country, a 36-year-old professional working for an international bank.

These are some of changes we are implementing to ensure that we get support from various partners and secure external support. At this institution, an agreement, partnership and MOU have already been signed with an investor to construct 7,000 housing units to accommodate the university's 10,000 students. Therefore, each university is working towards resolving the housing challenge.

Additionally, we are collaborating with the Ministry of Housing and Urban Development under the Housing Levy to facilitate the construction of student hostels. Several agreements have been signed and construction on some housing units have begun.

Sen. Gataya Mo Fire's concern pertains to a specific school. Allow me to verify. Excuse me, I did not get the name.

Sen. Gataya Mo Fire: The school is Kaputwando Primary School, located in Tharaka North Constituency in Kadangachiri Location.

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Mr. Speaker, Sir, I undertake to counter-check that information. I hope my Director General has taken notes. We will provide a specific response. However, as you are aware, there have been no infrastructural funds allocated in the budget over the past two years. Therefore, we were not able to support institutions in terms of infrastructure development.

This year we have allocated a portion of the budget toward infrastructure. I am hopeful that we will address a significant number of existing requests and requisitions. This allocation will also cover any pending matters. We are actively working on them, including directives issued by the presidency.

Regarding the Technical College, there is a specific criterion used to determine whether a particular TVET institution qualifies for an upgrade to national status. Once a requisition is made, a team visits the institution, conducts an assessment and compiles a report. Based on this report, a Cabinet Memo is prepared. After which, the upgrade process is initiated.

The criteria include factors such as land space, student population and other relevant considerations. Our team is available to conduct site visits upon request. Once the institution meets the necessary requirements, we will proceed with the upgrade accordingly.

Regarding Sen. (Dr.) Khalwale's question on the Kshs145 million allocation. this amount was designated solely for salary support as the TUK has only been paying net salaries. We decided to allocate a grant of Kshs145 million for six months, January to June. During this period, staff could receive their gross salaries.

As for the Kshs12.9 billion debt, we have developed a strategic plan to address it as outlined in Table 3. The approach involves spreading payments over several years,

ensuring structured settlement for different categories. For example, the pending bills for contractors and general creditors amount to Kshs360 million. In the Financial Year 2025/2026, a figure of Kshs17 million will be allocated for payment. The next payment is scheduled for the Financial Year 2028/2029.

We have deliberately spread the Kshs12.9 billion debt over a longer period, allowing the Government to allocate funds in each budget cycle. This is to ensure that by 2031, it will be fully cleared while concurrently addressing other outstanding issues. Our plan ensures that no university is allowed to deteriorate.

This strategy has been implemented at TUK and similarly at Moi University, whose financial plan extends until 2028. That is how we are resolving this problem. Over and above that, we are also addressing governance challenges, which we have identified as one of the biggest threats to our universities.

Additionally, we are working to strengthen institutional research capacity to enhance revenue generation, enabling universities to better support their budgets.

Thank you, Mr. Speaker, Sir. I submit.

The Speaker (Hon. Kingi): We will now proceed to Question No. 060 by Hon. Sen. George Mbugua.

Ouestion No.060

ENROLMENT OF CHILDREN WITH HEARING IMPAIRMENT ACROSS SPECIAL AND REGULAR MAINSTREAM SCHOOLS AND INTEGRATED SPECIAL UNITS

Sen. Mbugua: Thank you, Mr. Speaker, Sir. I beg to ask the Minister for Education the following Question.

- (a) Could the Cabinet Secretary provide data on the enrolment of children with hearing impairment in pre-primary, and in grades one, two and three of lower primary, across special schools, integrated special units and regular mainstream schools from 2022 to date?
- (b) Could the Cabinet Secretary provide an overview of the Government's policy on integration of learners with hearing impairment in pre-primary and lower primary education, including details on the measures in place to ensure that the learners receive adequate support and consideration in the mainstream education setting?
- (c) What is the Ministry's position on the placement of these learners in preprimary and lower-primary boarding schools? Could the Cabinet Secretary outline any specific guidelines or recommendations from the Ministry addressing the matter?
- (d) What provisions and resources does the Government provide to support the education of these learners in pre-primary and lower primary, without necessitating their placement in boarding schools? Could the Cabinet Secretary also state the actions being taken to assure parents that boarding schools are not the only viable option for these learners?

Thank you.

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

The Cabinet Secretary for Education (Hon. Julius Miogs Ogamba): Mr. Speaker, Sir, in response to part (a) of that question, the enrolment of learners with hearing impairment in grades one, two and three of lower primary across special schools, integrated special units, and regular mainstream schools from 2022 to date is as follows:

- (a) Financial Year 2022/2023 13,099 students
- (b) Financial Year 2023/2024 –19,119 students
- (c) Financial Year 2024/2025 –11,399 students

This is the data that is available on the National Education Management Information System (NEMA). On data on learners in pre-primary institutions, we are now working with the Council of Governors (CoG) to collate data on learners in pre-primary institutions which are under the county governments. This data will then be populated on the NEMA.

To answer question (b), the main policy on special needs education in Kenya is in the Sector Policy for Learners and Trainees with Disability, 2018. This policy document provides a key provision of the Constitution under Article 53 (1)(b). It provides that every child has a right to free and compulsory basic education.

Article 54 (1)(b) of the Constitution states that a person with any disability is entitled to access educational institutions and facilities for Persons with Disabilities (PwDs) that are integrated into society to the extent compatible with the interests of that person.

The essence of the policy is that learners with disabilities, including those with hearing impairment, are only integrated in regular schools if there is adequate support and an accessible environment that will enable their learning.

The Ministry provides top-up capitation to learners in special needs education institutions. At the primary school level, the approval rates of capitation is Kshs1,420 per learner per year. Learners with special needs, however, receive a top-up of Kshs2,300 per learner per year. Those in boarding schools are allocated Kshs11,000 per learner per year to subsidise for boarding costs.

At the secondary school level, the approval rates of capitation is Kshs22,244 per learner per year, with a top-up of Kshs35,730 per learner per year for schools with special needs. The top-up grants are meant to support the provision of specialised learning materials, assistive devices and technologies, including personnel emulments for non-teaching staff and food subsidy for learners mainly in Special Needs Education (SNE) boarding schools.

The Ministry also implements both age-based and stage-based curriculum to support learners with special needs. Age-based curriculum applies to learners who proceed to the next level depending on their age. Those with severe disabilities proceed to the stage-based curriculum. They only proceed to the next stage after mastering certain skills and capacities. These stages are foundational, intermediate and pre-vocational and vocational.

Moving to the third part of the question; (c), I would like to state that the Sector Policy for Learners and Trainees with Disabilities 2018 provides for disability inclusive

education. That means that a learner can be placed in any school of their choice as long as the school has the requisite support system that will enable the learner to access education.

Placement options available for learners include special schools, integrated schools and regular schools with special units. For lower primary boarding schools, assessment of learners is done by education assessment and resource centres to determine the type of disability after which placement is done accordingly. The assessment report informs the kind of intervention and support required by the learner.

After assessment and placement of learners, the Government provides the following to learners in primary schools. At the primary school level, as I indicated, the approval rate of capitation is Kshs1,420, with a top-up of Kshs2,300. For boarding schools, it is Kshs11,000. After assessment and determination of the type of needs of the SNE learner, the Ministry, through the Kenya Institute of Special Education (KISE), provides assistive devices like hearing aids, among others.

Mr. Speaker, Sir, I submit.

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

Sen. Mbugua: Mr. Speaker, Sir, I have a supplementary question. Hon. Cabinet Secretary, I would like you to tell this House measures that have been put in place to ensure inclusive infrastructure in schools. Secondly, I would like you to explain to us why there is a substantial decline in enrolment from 2023/2024 and 2024/2025.

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

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Mr. Speaker, Sir, the Ministry is working to ensure that under the CBE, enough infrastructure is provided for in schools, so that we have students with special needs integrated. Up to this time, students go to schools with the facilities to support them depending on the severity of the disability. Where the disability is such that they cannot be supported in a particular institution, they go to special schools that are provided.

Regarding the second question, I have not done an audit to find out why there has been a decline in enrolment. In 2022/2023, there were 13,099. In 2023/2024, we had 19,000 then in 2024/2025 the number went down to 11,000. We need to check that and revert to the hon. Member.

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

Sen. Mumma: Thank you, Mr. Speaker, Sir, for the opportunity to ask a question. Hon. Cabinet Secretary, in your answer to Question (c), you have indicated that a learner with disability may be placed in any school so long as the school has facilities to support them. In my view, that is a wrong notion.

Under the Convention on the Rights of Persons with Disabilities (CRPD) and the laws of Kenya, every school is supposed to be facilitated by the Government to integrate learners with disabilities. That means that a student in a particular locality should not be going far away to look for a school because schools next to them do not have facilities that integrate disability.

My question is; what are we doing to ensure that we implement our obligations to learners with disabilities without making it optional? What you are suggesting is that it is optional such that a school with facilities should be the one where such a student should

go to. Every school should have infrastructure that is integrated to ensure that learners with disabilities in that locality access education.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you can now respond.

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Mr. Speaker, Sir, I am in agreement that we need to have our facilities with sufficient infrastructure to integrate all our students.

In view of the Persons with Disabilities Act that will be assented to tomorrow, these are some of the issues that have been tackled in that Act. Therefore, it will be mandatory for each institution, depending on the budgetary allocation, to have those facilities integrated.

As I had indicated, depending on the severity of the disability, we will ensure that all our students with special needs are taken care of, just like we take care of each learners in Kenya.

I thank you.

The Speaker (Hon. Kingi): We will now move to Question No.061 by Sen. Joyce Korir.

Question No.061

DATA ON UNEMPLOYED TEACHERS

Sen. Montet Betty: Mr. Speaker, Sir, on behalf of Sen. Joyce Korir, I beg to ask Minister for Education the following Question.

- (1) Could the Cabinet Secretary provide data on the number of unemployed teachers who are yet to be absorbed by the Teachers Service Commission (TSC) across all counties, categorised by their year of graduation and indicate the current employment cap in each county?
- (2) What measures has the Ministry put in place to address TSC's low absorption rate of teachers, particularly those who have remained jobless since 2010?
- (3) Could the Cabinet Secretary outline any collaborative efforts between the Ministry of Education and TSC to ensure teacher employment across all regions, particularly addressing disparities where some counties have higher numbers of unemployed teachers, and to promote fairness and equity in recruitment?

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

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Mr. Speaker, Sir, I beg to reply.

(a) Article 237(2)(a) of the Constitution of Kenya grants the TSC the mandate to register teachers who meet the qualifications for registration under the TSC Act.

To execute the mandate, the TSC has established an online teacher registration portal to facilitate efficient and effective teacher registration. However, since the process of registration is voluntary, some of our graduates from Teachers' Training Colleges (TTCs) and universities are yet to register.

An analysis of the teachers' register indicates that there is a total of 343,485 registered teachers who are not employed by the TSC as summarised in Table 4 that we

provided. In summary, for post-primary education, there are 4,510. For primary education, we have 124,061. The Early Childhood Development and Education (ECDE) has the largest number of 134,914, making a total of 343,485.

The TSC has not obtained data of how many Early Childhood Development Education (ECDE) teachers have been employed by the county governments and is in the process of ascertaining the data per county.

The TSC has also indicated that it has not yet compiled data of unemployed registered teachers per county. This information can be supplied once the data is compiled.

(b) Recruitment of teachers across the country is premised among other factors, on the availability of funds and existence of vacancies in authorized establishments. In a bid to address the low employment of qualified teachers in the public sector, the TSC has done the following-

The Ministry and the TSC annually submit budgetary proposals and policy recommendations to the National Assembly's Departmental Committee on Education, advocating for adequate funding and legislative support to facilitate recruitment of teachers.

The TSC identifies the shortage of teachers in each school and replaces the teachers who have exited service and ensure that these are replaced immediately to improve curriculum implementation.

The TSC also engages unemployed teachers on an internship programme targeting unemployed qualified teachers. This programme is governed by the Teacher's Internship Policy and Guidelines 2019 and is in line with the Government policy to equip graduates with practical skills and competencies for the job.

Under the internship programme, it is aimed, among others, to promote development and job competencies with clear linkages between education, training and practical work.

Since the inception of the programme in 2019, the TSC has engaged 94,300 teachers. Interns are shown in the table provided-

Year	Number of Interns
2020	10,300,
2021	12,000,
2022	6,000,
2023	26,000
2024	20,000
2025	20,000
Total	94,300

During teacher-recruitment exercise, the TSC gives priority to teachers who graduated earlier, especially those who have remained unemployed for extended periods of time.

This is done to promote fairness and to reduce long-term unemployment among teachers who have waited many years for absorption into service.

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

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

Mr. Deputy Speaker, Sir, the TSC continually monitors staffing levels across all public learning institutions in response to the evolving curricular demands, school enrollments and regional disparities. From time to time, the TSC pursuant to Article 237 formally advises the Ministry of Education on the prevailing shortage of teachers in specific subjects and learning areas with a view to increasing the national supply of teachers and ensuring adequate, equitable staffing.

In addition, Mr. Deputy Speaker, Sir, recruitment of teachers is based on the number of classes in the country which are set by the Ministry of Education. Particular attention for the last two years has been given to junior school deployment under the new Competency-Based Education (CBE) framework spearheaded by the Ministry of Education. It is based on this that the Commission recruits to ensure balanced staffing across the country.

I submit.

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

Sen. Betty Montet: Yes, Mr. Deputy Speaker, Sir. I thank you.

I would like to ask the Cabinet Secretary whether he is making any efforts to sensitize and address these graduates to register since we continue to witness a lot of complaints after every recruitment as I cite the just finalized recruitment, a few months ago.

The Deputy Speaker (Sen. Kathuri): Hon. Cabinet Secretart, please proceed to answer.

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Thank you Mr. Deputy Speaker, Sir. The graduates are encouraged to register. As we have indicated, there are already over 343,000 registered, qualified teachers on the register, who are not yet employed.

As I have indicated, the TSC recruitment policy is to ensure that those who are employed are those who graduated earlier. So, that is the rationalization. That we deal with the TSC to ensure that they comply with that so that we do not have teachers who graduated in 2010 or before who are not yet in employment.

Thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Fatuma Dullo, do you have a supplementary Question?

Sen. Dullo: Mr. Deputy Speaker, Sir, I had a problem with my gadget when the Question on vocation was asked. Can you allow me to ask the Question?

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

Sen. Dullo: Thank you, Mr. Deputy Speaker, Sir.

Sen. Dullo: First, *karibu Waziri*. Sorry also for bashing your colleagues in front of you.

I have two technical colleges in Isiolo County; one in Merti and another one in Garbatula. The one in Garbatula is not operational up to now, almost 10 years down the line. The one in Merti is actually operational, but it lacks equipment. So my question is, what are you planning to do about it?

Mr. Deputy Speaker, Sir, I would like to ask if you also supervise vocational training colleges because I see like counties do not have capacity. I have one in Isiolo town where the standard is very low. Do you do capacity building on the same?

Thank you.

The Deputy Speaker (Sen. Kathuri): Let us hear Sen. Karungo Paul.

Sen. Thang'wa: Thank you, Mr. Deputy Speaker, Sir, for the opportunity. If you wish to move mountains tomorrow, you must start by lifting stones today. My question is, can the Cabinet Secretary provide a projection of teachers' demand over the next five years? That projection is needed for Parliament and the Ministry to plan in regards to the population of the students, infrastructure and all that pertains to giving quality education to the students. So, can be give the projection for the next five years?

Thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Margaret Jepkoech Kamar, please proceed.

Sen. (**Prof.**) **Kamar:** Thank you, Mr. Deputy Speaker, Sir. Hon. Cabinet Secretary, you have mentioned that the TSC prioritizes the old graduates.

I am just wondering whether there is a way of mopping all the old ones. I say this because, although you are saying they prioritize, it is the fact that they are given ten points, five points or two points, depending on the year of graduation. It is the highest. However, there are so many other parameters that are used, such that even if you are a graduate of 2010 and somebody gets more parameters on 2015, the one of 2015 simply passes and you are left. This is the cry on the ground.

The cry on the ground is that it is not a first-come, first-served employment system. So, is there a way in which you can say anybody who has been there for ten years is mopped since they are all graduates, whether they are Primary 1 (P1) or graduate teachers?

Right now, there is a complete mix. We do appreciate that there is a complex way of hiring teachers. However, until we mop those who graduated earlier, they will continue to cry. This question is coming out of a cry from the ground, that there are people who graduated in 2010 and are still out there. Out of the formulas that we have used, we have money to get people of 2015 or 2020.

There has to be a way of mopping all this so that we do not have a graduate who has been on the ground for more than ten years. One cried to me and said, I am now 34 years old. Very soon, I will not be employable, yet I have been on the ground since I graduated. He graduated when he was 23. So, this is now 11 years and they are out there. Is there a way in which you can mop all of them?

I thank you.

The Deputy Speaker (Sen. Kathuri): CS, answer those three questions.

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

On the question of the technical college in Isiolo and Garbatula, as I indicated, we have students who need to join these colleges. So, it is the Ministry's priority to ensure that these colleges that are already done are completed and students admitted to them. We needed them because we have more students in that subsector.

To that extent, we have made a requisition for resources to complete the incomplete institutions, so that they can admit students and ensure that all the ones that are coming up, the 52 others that are remaining, are also done and completed to ensure that we can absorb these students.

We estimate that if we have all these institutions operating, the TVET sector can absorb up to two million students, and that is our target in the next two or three years. That is what we are working towards. So, we will take that into account and ensure that those colleges that are incomplete, including the one in Isiolo, are completed, equipped and operationalized. For example, in terms of equipment, if you go to any Government Ministry, you will find a lot of obsolete vehicles and equipment that are thrown all over, that are normally sold for nothing.

We have done a paper to allow us, as the TVET sector, to take all those vehicles and other obsolete equipment from hospitals and spread them across our institutions so that they can be used for learning. That way, we will have equipment at an affordable cost in a number of our institutions. So, we are trying to come up with programmes to ensure that even as we are hiring or we are getting other equipment, what we have is also utilized.

On the question of whether we supervise TVCs, yes, we do, in terms of policy and standardization of programmes. That is done under the TVET department because they are supposed to be aligned. I think I answered that in the very first question relating to what the TVCs and TVET do.

The programmes and policies are done by us. So, if it is not being done, we will ask our original director for TVET to ensure that he is hands-on in that area so that we keep to the standards.

To Sen. Karungo's question, we have not done a projection for five years and that is a very welcome recommendation. I have asked the TSC team that is here to undertake that exercise. It is better for planning. It helps us to predict. It also helps us to find out which subject areas we need more teachers for, so that we can plan our lives and our programmes better. So, it is a welcome suggestion and we have taken it into account. I thank you, Sen. Karungo Thang'wa.

To Sen. (Prof.) Kamar's question, they are indeed supposed to prioritize those who graduated earlier. However, up to date, that has not worked because wherever you go, you would find somebody who tells you, I graduated 25 years ago and I have not been employed.

What we are grappling with currently is to see whether we can come up with a policy where we will have affirmative action. Where we are, as you correctly suggest, we mop up the older ones who graduated and give them jobs, even without taking them through those many particular criteria. We can spread whatever spaces that is available once or twice in the next one or two years, so that we can mop all of them out and we stop this cry we have.

Mr. Deputy Speaker, Sir, we are looking into working towards ensuring that we come up with an affirmative action to just support them, because we are having people retiring before they get employed, which is very frustrating. So, thank you for the suggestion, Sen. (Prof.) Kamar.

Mr. Speaker, Sir, I submit.

The Deputy Speaker (Sen. Kathuri): So, Hon. Cabinet Secretary, is it that you are giving a commitment that in the next one or two years, you will mop up that list of the older graduates? It is a very sensitive matter that the former Cabinet Secretary for Education would like to know; whether it is in your plan that you are committing to do that.

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Yes, it is, Mr. Deputy Speaker, Sir. If you note from the question, the question was clear that we needed to have provided the number of teachers who are not employed from each county and their year of graduation. We did not get it. We have asked the TSC to undertake that exercise and give us that information because we were only given a general provision.

Once we have that number and we know that this is the number that graduated 10 or 15 years ago, it would be easy to make a decision on how to deal with that issue. I am committing to that affirmative action because there is no point in rolling out graduates and not having a plan on how to support them.

I thank you.

The Deputy Speaker (Sen. Kathuri): Very well. Can we go to the next question? The Senate Majority Leader, Sen. Cheruiyot, do you have a supplementary question?

(Sen. Cheruiyot spoke off the record.)

(Sen. Mumma spoke off record.)

But I cannot see Sen. Mumma on the screen. Can we ask those questions in the next Question No. 064?

Okay, proceed, Sen. Cheruiyot.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Deputy Speaker, for accommodating me because I realize that Question No.064 may not be that related to what I wanted to ask.

Since the Cabinet Secretary was still speaking on this issue of TSC, I felt this would be the appropriate time. So, I want to appreciate this opportunity. So, I welcome the Cabinet Secretary for the chance to interact with the representatives of the people.

I have a specific question with regards to TSC. It is something that you could probably answer now, or grant an opportunity to send in the feedback later, given that it will require some data.

I know that the TSC has an absorption programme spanning different years in different regions and part of the hallmarks of the Broad-Based Government is to equalize a country and make every Kenyan feel part and parcel.

I know that there are parts of this country by advantage of proximity to power or one way or the other, they have teachers that have been absorbed, graduates up to us late as I think 2017 or 2018. However, the other parts of the country where you find graduates even as late as 2010, or 2011 still unemployed.

Can the Cabinet Secretary provide this data from TSC with a breakdown of all the 47 counties on what is the year of graduation that TSC is now implementing across those counties giving the reason for the disparity where you find in certain regions very recent graduates are being granted the opportunity while in other parts of the country, there are graduates who are almost nearing retirement age yet to get an opportunity to serve?

Sen. Mariam Omar: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity. My question to the Cabinet Secretary is this: Does the Ministry of Education have a plan to integrate the Madrassa system into the current system? Are there any institutions that can train the Madrassa system? If yes, how many teachers have been trained for the Madrassa system?

Sen. Betty Montet: Thank you, Mr. Deputy Speaker, Sir, for giving me this chance.

Hon. Cabinet Secretary, you have told us that you have enrolled about 700 students in TVETS and TVIC centres across the country. I would wish that you could give us or even provide the data on the numbers, county by county. We are doing an inquiry currently and we are finding it so difficult to get to know the numbers from each county. So, if you could provide that data, we will appreciate it.

Sen. Mumma: Thank you, Mr. Deputy Speaker, Sir, for the opportunity.

My question to the Cabinet Secretary follows the conversation you had this morning. You had a conversation about the Cabinet Secretary for the National Treasury and Economic Planning, a complaint about the distribution of resources to counties.

Would you kindly submit to the Senate a list of the distribution of the recent employment by county? I think this is something we need to ask everyone, so we stop pointing fingers tribally in one county or the other. We need to start holding ministries accountable on how they are equitably distributing opportunities in this country.

So, if we can have a list of the employment of teachers in the last two years and how they have been distributed by county.

I thank you.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, I hope you are not expecting those statistics right away, but maybe the CS can give a commitment on when to provide them.

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Mr. Deputy Speaker, Sir, I might not be able to provide the statistics. The question by the honourable Leader of Majority, Sen. Cheruiyot, is actually the same question that was in the Order Paper where we were required to submit the teachers who are registered, who are not employed, when they graduated, which county they come from.

That information was not provided, but we have asked TSC to prepare that response, then we will submit it to the House. It will inform us on what we need to do to correct the disparities and ensure that there is fairness and equity in this employment process.

On the question of *Madrasa*, Section 95 of the Basic Education Act provides for integration of *Madrasa* into the main school system. Let me confirm that NACONEC is finalizing a study on how to undertake this exercise, and once it is completed, we will be able to submit.

The data relating to issues of employment per county, per area, that information we do not have, but we are getting it. We are working towards getting a new education management information system called KEMIS, which will be having all this information at the touch of a button, so that we know where we are at any one time.

That will also deal with the issue of distribution of resources relating to how many teachers we have employed in the last two years. Let me submit and state that that information will be provided. We will send it through the Committee on Education for purposes of information to the Senate.

The Deputy Speaker (Sen. Kathuri): Can you give maybe the timeframe that we might be able to get that information?

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Mr. Deputy Speaker, Sir, in about two weeks. As you are aware, there is a transition taking place at TSC, so we will try and see that that is done within the next two weeks.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, let us now go to the next Question. Question 064, to be asked by Sen. Boni. You do one thing at a time. If you are in the Senate, you just be cautious and listen to the Chair. You cannot serve your constituents from the Chamber. So, go directly and ask your question.

Question No.064

REVIEW OF REMUNERATION FOR PRIMARY SCHOOL HEAD TEACHERS UNDER THE COMPETENCY BASED CURRICULUM

Sen. (**Dr.**) **Khalwale:** Thank you, Mr. Deputy Speaker, Sir. They are very watchful these days. You know I represent a county where over 60 per cent are the youth and literacy levels are 91 per cent. Therefore, they follow us real-time, but thanks for accommodating me.

Mr. Deputy Speaker, Sir, can you allow me to just throw in a little question on a very important issue that you had raised before I asked this question?

Hon. Cabinet Secretary, please help us. We are under a lot of pressure as political leaders from our youth, for good reason. Just a few days ago, a Cabinet Secretary is reported to have conned the youth for employment abroad.

Now, the trouble we are under at the moment is that we hear leaders are selling forms for employment to these young people to be employed as teachers. If you have that kind of information, please, make a public statement, so that you protect all these Senators who I know none of them has sold any letter because they do not even have them.

My substantive question is as follows - when will the Government review the remuneration of primary school teachers to reflect their now-expanded responsibilities

under the Competency-Based Curriculum (CBC) and or Competency-Based Education, which now include overseeing pre-primary, primary, and junior secondary schools?

Secondly, could the Cabinet Secretary also state whether workload assessment and job evaluation have been done to inform such a review? If so, could you please provide details of the same?

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Mr. Deputy Speaker, Sir, we will, as a Ministry, endeavour to work with you to ensure that such issues as selling employment forms, which is a criminal activity, is dealt with and sorted out. We need to be doing things right and we need to just take the responsibility for doing right things.

That is why we are saying if we get the right data from TSC, when the employment is being done, everybody would know that this is the number that is available and the information is there on a portal at the touch of a button. There will be no dark spaces in various places where then you do not get the information that is required. Even the public would know exactly what is going on.

The TSC signed the 2021-2025 Collective Bargaining Agreement (CBA) with the teachers' unions in the public sector. The CBA stipulates the terms of service of the teachers in the public sector, including the remuneration of their teachers in our primary schools.

The 2021-2025 CBA will terminate on 30th of June, 2025. To this end, the TSC has commenced negotiations for the 2025-2029 CBA in line with the Salaries and Remuneration Commission (SRC) guidelines.

Accordingly, in line with Article 230(4) (b) of the Kenya Constitution, the TSC has submitted proposals to SRC, together with the request to conduct job evaluation in the public teaching sector, noting the new learning areas under CBC in order for it to inform the kind of remuneration that the teachers should get with this added responsibility.

Mr. Deputy Speaker, Sir, to the second part of the question, the Commission and SRC are planning to conduct a comprehensive job evaluation in the Financial Year 2025/2026 for the entire teaching service to ascertain the work of every job in the teaching service.

The need for job evaluation has been informed by the change in the job content, the input and output factors, as well as the new jobs introduced by the competency-based education. The same will be done in a collaborative manner and all the stakeholders will be involved as required by law.

I submit, Mr. Speaker.

Sen. (Dr.) Khalwale: Mr. Deputy Speaker, Sir, that is a straightforward answer and I thank the Cabinet Secretary. Please, in your review, do consider bringing into consideration the new things introduced, including deductions for housing, increased deductions for Social Health Authority (SHA).

It is not nice in communities like mine, where we have got a huge population of teachers, to see young people earning a salary of Kshs3,000 shillings after all deductions are done. We are treating our workers very badly, yet they take care of our children.

The Deputy Speaker (Sen. Kathuri): Let us get supplementary questions from Sen. Joe Nyutu and then Sen. Gloria Orwoba.

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker, Sir. My question is related to the one by the Senator for Kakamega.

Since now, under junior secondary or junior school, as it is referred the syllabus is basically high school. I am aware the teachers in junior secondary are as qualified as their colleagues in secondary school. Have we done enough assessment? Have we sent enough teachers to handle different subjects because of subject specialization?

Exactly what is the position in our junior secondary schools as far as handling subjects is concerned?

Sen. Orwoba: Thank you, Mr. Deputy Speaker, Sir. I have a supplementary question. Congratulations, Waziri, for the work that you are doing in that Ministry. I am privileged to know that you are working silently but serving Kenyans.

You have mentioned that you have started conversations in terms of the 2025-2029 CBA. My question is; is there consideration for learning and development for these teachers? I know you are negotiating the payments, the salaries and things like that, but there have been concerns where some teachers would like to be facilitated to improve on their skills and their education. Is that going to be considered when you are having those conversations?

The other issue is job evaluations. We recently had an issue where we noted that outsiders are brought in school to prepare students for drama festival. There has been the same conversation on sports. Some of the feedback that we got, as leaders, when you were doing job evaluation is that the teachers who are talented or who are skilled in sports or creative arts do not get remunerated. They, therefore, decide not to do an additional task which they feel will be outsourced anyway.

Can there be considerations, in the job evaluations, such that teachers who are within the creative arts can be considered and treated in a manner where their skill, arts or sports can be appreciated and incentivized? That way, we can then say that we have qualified teachers who can train drama. As it stands now, we are getting drama teachers from the creative arts outside because most of the teachers do not have that skill and the ones who have the skill are not compensated for it. That is my additional question.

Thank you.

Sen. Thang'wa: Mr. Deputy Speaker, Sir, we are in the month of May, which is the Mental Health Awareness Month. The CBC brought a lot of administrative responsibilities to the head teachers who are from a different curriculum to this new curriculum. Has the Ministry considered the impact of CBC on the mental health and well-being of primary school head teachers? What is it doing to cater for their mental health?

Thank you.

The Deputy Speaker (Sen. Kathuri): Cabinet Secretary, respond to those three questions then we move to the next question.

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

I will start with Sen. Joe Nyutu's question. Yes, an assessment was done to the content for the teachers who are handling junior school. To that extent, a number of teachers have so far been retooled. A total of 220,000 teachers have been retooled in all of the CBC programme to ensure that they are brought up to the standard to handle the content that is provided for in JSS and the other areas. They are subject-specific.

However, we still have shortfalls and gaps. That is why we did an internship of 20,000 this year. We also provided resources for another 20,000 next year in the budget. So, there is something that is being done to ensure that there is retooling, so that the teachers have the content and capacity to take our students through the CBC programme.

Next was Sen. Orwoba's question. We now have three pathways and arts and sports are going to be mainstreamed. They are no longer going to be a co-curricular activity that is dealt with on the sidelines. Now that it is mainstreamed, the resources will then follow that mainstreaming, including the training and capacity-building of those teachers to ensure that they are up to standard and up to date with the curriculum and training for creative arts.

The reason for this is for us to avoid a situation where outsiders go into the schools to train our students. When that happens, you do not have control over them because they do not subscribe to the code of conduct of teachers. So, if something happens, then you have no control over that. We are also creating facilities in schools that will be undertaking that particular pathway. We will have theatres and studios. For schools that will be providing sports, we are working with the Ministry of Youth Affairs, Creative Economy and Sports to ensure that those schools have enough sports facilities to provide that particular subject. It will not be something that people will not benefit from. We are working on it, and it will be part and parcel of the job evaluations.

The other question was on mental health and CBC training. Teachers Service Commission (TSC) provides information on employed wellness such as counselling services. This has been enhanced with the enhanced responsibilities. As I previously said, once the job assessment is done, this will become part and parcel of career training or career teaching of the students. It will also become part and parcel of the various checks and balances on a regular basis in the institutions they are in. In fact, to date, the TSC has a unit that addresses medical issues of teachers, including other areas where teachers might be having challenges such as mental health and other areas that teachers suffer from.

I submit.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM KAMWIMBI SECONDARY SCHOOL IN THARAKA-NITHI COUNTY

The Deputy Speaker (Sen. Kathuri): I have this Communication to make. Hon. Senators, I would like to acknowledge the presence in the public gallery, this afternoon, of visiting teachers and students from Kamwimbi Secondary School in Tharaka-Nithi

County. The delegation comprises four teachers and 99 students who are in the Senate for a one-day academic exposition.

Hon. Senators, in our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them. On behalf of the Senate and my own behalf, I wish them a fruitful visit.

Thank you.

Sen. Gataya Mo Fire, welcome the school within one minute.

Sen. Gataya Mo Fire: Thank you, Mr. Deputy Speaker, Sir. This is Kamwimbi Secondary School which is in Tharaka-Nithi County. I welcome you to the Senate. This is one of the best upcoming schools in Tharaka-Nithi County.

You are lucky you have come to the Senate when we are engaging our CS on the matters of accountability. You have captured quite a number of engagements from the Senators. This is where we legislate. You have been able to interact with the likes of Sen. (Dr.) Khalwale who has been around for quite some time. He is one of the senior legislators in this country. You have also interacted with Sen. Thang'wa who has been a broadcaster, but is now a legislator. You have interacted with many other Senators together with the former Governor of Uasin Gishu County, Sen. Mandago.

You have also seen the new Chairperson of the Committee on Education, Sen. Betty Montet. I request you, Mr. Deputy Speaker, Sir, to allow Sen. Betty Montet to stand up for the students from Kamwimbi Secondary School to recognise her.

Sen. Betty Montet, please be upstanding.

(Sen. Betty Montet stood in her place)

Kamwimbi Secondary School, you are most welcome. Once you are done with this session, your Senator will interact with you and have a photo session.

Thank you.

(Sen. (Dr.) Khalwale spoke off record)

The Deputy Speaker (Sen. Kathuri): What is it, Sen. (Dr.) Khalwale?

Sen. (**Dr.**) **Khalwale**: Mr. Deputy Speaker, Sir, it is not all the time and every time that children come here and find when the Cabinet Secretary is here. With due respect, under Standing Order, No.1, can you request the Cabinet Secretary to go and speak to the children behind the tent? I am especially making this request because this "Kamwemb" School does not have a school bus.

Mr. Deputy Speaker, Sir, he can probably say something about that school bus. They came here in a *matatu*.

The Deputy Speaker (Sen. Kathuri): Did you say Kamwembe or Kamwimbi? Sen. (Dr.) Khalwale, the Senator for Tharaka-Nithi County is Sen. Gataya Mo Fire. You are, therefore, out of order to make those allegations.

Sen. Gataya Mo Fire: Sometimes, there is no need to blow your own trumpet. Now that Sen. (Dr.) Khalwale has come to my aid, I request the Cabinet Secretary to engage with the school, as I am certain they are facing numerous challenges. This is a

rare opportunity, given that the school is visiting the Senate while the Cabinet Secretary is present.

With the utmost respect to our Cabinet Secretary, I urge you, once this session concludes, to engage with the school. I am confident they will present several pressing concerns affecting them, including issues such as the school bus and other critical matters.

I also agree Sen. (Dr.) Khalwale that the school is fortunate to have the Cabinet Secretary here. Please, take the time to interact with the students.

The Deputy Speaker (Sen. Kathuri): Sen. Mo Fire, Sen. (Dr.) Khalwale is not the Chair to give instructions to the Cabinet Secretary. Therefore, that matter stands as it is.

(Resumption of Questions)

The next Question is by the Senator for Makueni County, Sen. Daniel Maanzo, MBS, MP. I do not know whether there is any other Senator who has been given written instructions.

Sen. Mumma: Hon. Deputy Speaker, I have been instructed to ask this Question on behalf of Sen. Maanzo, who had to leave. He was present earlier, but had to attend to an emergency court matter.

Question No.071

MEASURES TO ENSURE EQUITABLE ACCESS TO FREE AND QUALITY EDUCATION FOR CHILDREN IN MARGINALIZED AND UNDERSERVED AREAS

Sen. Mumma: Thank you, Hon. Cabinet Secretary. The questions for the Senator for Makueni County are as follows:

- (a) What measures are in place to ensure equitable access to free and quality education for children in marginalized and other underserved areas?
- (b) How is the Government addressing the shortage of qualified teachers and supporting infrastructure development in schools in Makueni County and in other underserved areas generally?
- (c) Could the Ministry consider implementing the school feeding programme across Makueni County, which is drought-affected and food insecure, to improve school attendance and address undernutrition among children in the county?

The Deputy Speaker (Sen. Kathuri): Hon. Cabinet Secretary, proceed.

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Mr. Deputy Speaker, in response to the part (a) of the question, the Ministry implements various measures to foster equitable access to free and quality education for children in marginalized and underserved areas. These measures are underpinned under Article 53 of the Constitution, which entitles every child to free and compulsory basic education. The measures that are in place include the following:

(a) The school Meals Programme: This is a key Government initiative designed to enhance access to and the retention of students in basic education, particularly among children in marginalised, arid and semi-arid and food insecure areas. Some areas within Makueni County benefit from this programme.

The Ministry has adopted a progressive retargeting strategy to facilitate the expansion of the initiative to other undeserved areas. We are now working to integrate clean cooking solutions into the school-based interventions as part of the broader efforts to promote environmentally sustainable and climate-friendly practises within learning institutions.

(b) The Low-Cost Boarding Schools and Mobile Schools Programme: The low-cost boarding schools are a strategic intervention that targets a particular catchment of learners in environments that may inhibit school attendance, retention, completion, and transition.

The intervention assists the hard-to-reach and marginalised learners in arid and semi-arid and vulnerable areas in the country. These are learners who, due to various circumstances, including retrogressive cultural practises like female genital mutilation, forced early marriages and nomadic lifestyle, are unable to attend to classes regularly and consistently.

In order to ensure attendance and retention in school in view of these challenges, the Government supports their stay in low-cost boarding schools. It pays subsidies to support the non-teaching staff in the boarding wing and learners' upkeep in the schools.

The schools are not expected to charge learners boarding fees. The Government grants support learners' upkeep and subsidises salaries of workers attached to boarding sections in the schools. The programme started in 2016, and for the last five years, it has been receiving an annual allocation of Kshs400 million despite the growth in enrolment. Currently, there are 486 public low-cost primary schools serving a total population of 144.845 learners.

Learners who have been enroled in school are saved from retrogressive practises like child labour, cattle rustling, and early marriages. This ultimately translates into improved transition and retention rates across the levels of basic education. The schools also serve as rescue centres for some of the learners, who are kept in school and protected from the surrounding risks such as insecurity and retrogressive cultural practises.

The primary challenge is the limited funding. As indicated above, the budgetary allocation has remained only Kshs400 million over the last five years, even as enrolment continues to grow. In the same vein, there is demand for expansion of the programme to other regions such as urban informal settlements, where children are vulnerable to child labour, early marriages, and insecurity. This will require an increase in the budgetary allocation.

(c) Out-of-School Children Advocacy Campaigns Programme: The "Operation Come to School" is a programme that targets out-of-school children, including orphans, children with disabilities, married girls, street-involved children, and those in (Arid and Seni-Arid Lands (ASAL) and underserved areas.

Key barriers to their education include, inadequate teaching staff and facilities, limited support for learners with disabilities, poor sanitation, unrecognised alternative

learning systems, child labour, food insecurity, gender insecurity and limited use of ICT in education.

In response to question(b), the Government, through a multi-agency approach is addressing the shortage of qualified teachers and supporting infrastructure development in Makueni County and other undeserved areas across the country.

As at the time of this response, the overall national teacher shortage stands at 98,461 teachers. To address this, the Commission has been undertaking the following interventions:

- (1) Recruitment of additional teachers. The Teacher Service Commission (TSC) annually seeks budgetary allocations to recruit teachers in response to the national staffing gaps. In the current financial year, a total of 1,429 teachers have been recruited on permanent and pensionable terms and deployed to schools across Makueni County.
- (2) Engagement of interns. To further mitigate the teacher shortage, the Commission has continued to engage teacher interns. In 2024/2025 financial year, 691 teacher interns have been posted to schools in Makueni.
- (3) Replacement to maintain teacher staffing levels. Teachers who exit the service through retirement, resignation or other reasons are replaced to maintain teachers' establishments. In Makueni County, 348 such replacements have been undertaken this year. We provided a table of additional teachers, teacher interns, and the replacements of exited teachers, who are now 2,468 in total.

The strategies outlined above are consistently being applied in our undeserved regions across the country, including ASAL and remote areas. These include targeted recruitment based on staffing gaps, replacement of exited teachers, and annual deployment of the teacher interns.

In response to part (c) of that question, the School Meals Programme plays a critical role in enhancing enrolment, attendance, retention, and learning outcomes, particularly in drought-affected and food-insecure counties such as Makueni. The request to expand the programme across the entire Makueni County is both valid and aligned with our national priorities in child welfare, education, access, and food security.

Parts of Makueni County are among the areas benefiting from the programme, with selected schools already covered. It is imperative to note that the expansion of the programme requires additional resources.

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

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

Currently, we face fiscal constraints that have limited our ability to expand the programme. However, we are actively engaging the National Treasury and development partners to mobilise additional funding that will help us expand into other areas that require intervention.

Madam Temporary Speaker, I submit.

The Temporary Speaker (Sen. Veronica Maina): Thank you, hon. Cabinet Secretary. We will now move to the next questions.

Sen. Mumma: Madam Temporary Speaker, I would like to ask a supplementary question before we proceed.

The Temporary Speaker (Sen. Veronica Maina): You had not asked your supplementary questions?

Sen. Mumma: Not yet.

The Temporary Speaker (Sen. Veronica Maina): Do you want to ask them right now?

Sen. Mumma: Yes.

The Temporary Speaker (Sen. Veronica Maina): Okay. You can proceed.

Sen. Mumma: Thank you, Madam Temporary Speaker.

Hon. Cabinet Secretary, I have two supplementary questions. The first one is this; why have you reclassified Makueni County as a non-hardship area for teachers? Secondly, in Nairobi City County, the most vulnerable are situated in the informal settlements. How many public schools has the Ministry of Education built in the informal settlements in areas such as Mathare, Mukuru, Kibera and the others to support high populations of vulnerable people within Nairobi City County?

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Cathy. I think you were holding the fort for Sen. Maanzo who is now in the House but the questions have been asked.

Let us proceed to have the Cabinet Secretary to respond. Before the Cabinet Secretary responds, maybe Sen. Joe Nyutu should ask his question then you tackle both.

Sen. Joe Nyutu: Madam Temporary Speaker, my question to the Cabinet Secretary is related to Question (b) by Sen. Maanzo.

In senior secondary schools, that is where students choose subjects based on their competencies. We have Science, Technology, Engineering, and Mathematics (STEM), Arts and Sports Science, and Social Sciences. For students to identify their competencies, especially those who may want to pursue STEM courses at senior secondary schools, they need laboratories.

We have very few public junior secondary schools that have laboratories. What is the plan of the Ministry to see to it that at least every junior secondary school has a functional laboratory for those who may want to pursue STEM courses to be exposed to the same? It is about laboratories.

The Temporary Speaker (Sen. Veronica Maina): Cabinet Secretary, you can proceed to respond to those questions. Sorry, before you do that, let us listen to Sen. Maanzo.

Sen. Maanzo: Madam Temporary Speaker, I am grateful for what Sen. Mumma did. I was here but when I was told that a Member's son had been arrested, I went there and I have managed to get him out on bond.

The most important part of my question is that Makueni has now been reclassified as a non-hardship area, yet we know it is a hardship area and now there is an outcry by teachers there. What is the Ministry doing about that and could the Cabinet Secretary give the justification for such a decision, yet we know very well that Makueni County is a hardship area?

The Temporary Speaker (Sen. Veronica Maina): Finally, the Senate Majority Leader also has a question.

The Senate Majority Leader (Sen. Cheruiyot): Madam Temporary Speaker, mine is totally unrelated, but you know citizens are following what we are doing here. One of the people who employed me, that is my constituent, has just sent me a text message. This is what they are saying.

The person works as a police officer. While they paid teachers who were involved in marking KCSE, police officers who provided security for the containers carrying examinations have not been paid up to date. Those are five months after the examination was released, but they are still waiting for their pay. They asked me to bring it to the attention of the Cabinet Secretary, so that those officers can also be paid.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Senate Majority Leader. Cabinet Secretary, you can now tackle those questions.

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Thank you, Madam Temporary Speaker.

On the question of reclassification of Makueni County as a non-hardship area, I think this is a general problem in the whole of the Government. You will find one Government institution classifying a certain area as a hardship zone, but another one does not recognise that. You can get two officers, for example, a teacher and another civil servant in the same area being classified differently. Therefore, we have made a recommendation that an audit be done then we have an actual gazettement of all the hardship areas so that it is harmonised.

With respect to reclassification, I do not have clear information as to how this has happened because I am hearing it here for the first time. I undertake to find out the basis of that reclassification.

As far as our programmes in the Ministry are concerned---

The Temporary Speaker (Sen. Veronica Maina): Cabinet Secretary, you need to confirm. Within which period will you bring back that response?

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Two weeks, Madam Temporary Speaker.

The Temporary Speaker (Sen. Veronica Maina): That is okay.

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): With respect to the school feeding programme, we have a programme where we are supposed to work towards reaching 10 million children. Currently, we are supporting 2.6 million children, which is far below the number of children who actually require that support.

We will work continuously to ensure that we reach that number, which is the target for 2030. We are looking forward to getting resources from both the Government and our partners to ensure that children in the ASALs and those in urban informal areas who require the support benefit, so that we retain them in school as required under the Constitution. We will look for resources to ensure that we reach that number.

Moving to Sen. Nyutu's question regarding the number of laboratories, this year we provided for a budget to construct a further 1,600 laboratories. We are working with the School Equipment Production Unit (SEPU) to provide mobile laboratories. We are also working with other institutions because we have realised that some junior schools

are adjacent to secondary schools. So, they can jointly use those facilities so that they are not completely left out.

As a Government, we are working progressively to ensure that each and every school has a laboratory. We are also working with the NG-CDF to convert some classrooms that have been done into laboratories for the students and provide the much required laboratory equipment, so that they are not completely left out. We are aware and we are doing something about it.

I have answered the concern about the hardship area. We will respond to that in two weeks giving the reason.

On the issue of non-payment of police officers who assisted us during last year's examinations, I am aware that there is a challenge with the budget. We have requested for some resources under Supplementary Budget III. We will sort out the police officers once that Exchequer is released.

Thank you, Madam Temporary Speaker.

The Temporary Speaker (Sen. Veronica Maina): Sen. Cathy's supplementary question has not been responded to. That was about schools in slums.

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Sorry. Concerning the question on how many public schools have been built in informal settlements in Nairobi, I have asked the Director General to give us that report within two weeks. I do not have the actual data. We will also provide information on the actual number through the Committee on Education.

The Temporary Speaker (Sen. Veronica Maina): What timelines do you need for that response, or Senator, do you want to bring a substantive Statement?

Sen. Mumma: Madam Temporary Speaker, I believe that is information they should provide in a week.

Madam Temporary Speaker, for your information, this is a question that I asked earlier, but the Ministry never responded to it. I asked the Ministry and the Nairobi City County. The Nairobi City County responded on what they are doing, but the Ministry never responded. That was in the last Session. So, I believe this is information which is about the fact of what you have done. It does not need two weeks. It can actually be done in one week.

The Temporary Speaker (Sen. Veronica Maina): Hon. Cabinet Secretary (CS), in view of the fact that the Question has been asked again, we will allow you between seven days to 14 days.

However, if you can endeavor to provide that information within seven days, that will be good. That said, you will have up to 14 days to bring the response to the facts. I believe those are existing facts. You might not need to do much to get those facts. They should be existing in the Ministry.

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): I am well guided, Madam Temporary Speaker.

The Temporary Speaker (Sen. Veronica Maina): Hon. CS, is there anything else you would wish to clarify? You can give your closing remarks as we wind up that session.

The Cabinet Secretary for Education (Hon. Julius Migos Ogamba): Madam Temporary Speaker, I would like to thank you and the Hon. Members for the opportunity to respond to the issues that are facing the Ministry. I would like to thank the Members of this Senate and National Assembly for the support that they are giving the Ministry in handling and sorting out the number of issues and challenges in the education sector.

I believe that working together, we will be able to resolve a number of issues that we are facing. Taking into account also the recommendations and suggestions that you have given to us, we will endeavour to ensure that we put them into practice in order to resolve the issues because generally, all of us are working for Kenya.

I thank you for the opportunity to be here. To the students from this school in Tharaka-Nithi, I welcome you to Nairobi. I will be passing by to see you. I am sure that having followed these particular proceedings, some of them might be ending up unsitting some of the Senators.

Thank you, and God bless all of you.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Hon. CS for the responses you have given to the House.

It is quite clear that education is a critical pillar, which Hon. Senators are very interested in, and I believe even the Kenyans. So, thank you for the insights you have offered as you answered those questions.

You are now free and discharged.

Next Order.

(The Cabinet Secretary for Education (Hon. Julius Migos Ogamba) was ushered out of the Chamber)

MOTION

The Temporary Speaker (Sen. Veronica Maina): Sen. Karungo Thang'wa, I believe you are the one moving this Motion. It is your Motion.

As you do so, under Order No.8, you will have 20 minutes to move that Motion. You may proceed.

CONSOLIDATION OF BURSARY FUNDS FOR EQUITABLE ACCESS TO EDUCATION IN KENYA

Sen. Thang'wa: Thank you, Madam Temporary Speaker, for the opportunity to move this Motion.

Madam Temporary Speaker, I beg to move the following Motion on consolidation of bursary funds for equitable access to education in Kenya-

THAT AWARE THAT, Pursuant to Article 53 of the Constitution, every child in Kenya is entitled to free and compulsory basic education, and the Basic Education Act provides that, basic education should be guided by principles such as equitable access to all youth and equal access to education or institutions;

FURTHER AWARE THAT, many students in secondary schools and higher education institutions come from financially disadvantaged backgrounds, making it difficult for them to afford school fees and access education opportunities;

NOTING THAT, over the years, various interventions have been made, including the issuance of bursaries through the National Government Constituency Development Fund (NCDF), National Government Affirmative Action Fund (NGAAF), the Ministry of Education and county governments through various county bursary funds;

CONCERNED THAT, despite these efforts, school fees remain unaffordable for many parents and the allocation of bursaries has been plagued by nepotism, favoritism, and political manipulation, lack of transparency and accountability;

FURTHER CONCERNED THAT public learning institutions are primarily funded by the Government through the Ministry of Education, and in the Financial Year 2024/2025, approximately Kshs656 billion was allocated to the education sector, making it difficult to ascertain the specific funds granted to each student and that the lack of transparency in the disbursement of bursaries from various agencies makes it difficult to determine the total amount allocated in a financial year, thus hindering efforts to ensure equitable access to education for financially disadvantaged students;

NOW THEREFORE, the Senate urges the Ministry of Education, to:

- 1) audit the funds allocated to bursaries by both the National Government and county governments;
- 2) consolidate the funds distributed by various government entities and agencies, with the aim of directing these funds directly to schools as supplementary capitation to facilitate the achievement of free secondary education; and
- 3) calculate the cost of education per learner and make this information public for primary, secondary, and tertiary institutions, including a detailed breakdown of the annual financial requirements for each student across the country.

Madam Temporary Speaker, we just concluded a Session with the Cabinet Secretary (CS) for Education. How I wish he could have sat in to listen to this deliberation because once the Senate concludes on this matter, it will be taken to the Ministry of Education to at least implement on the proposals and recommendation of the Senate.

Madam Temporary Speaker, I would like to be on record that this Motion, is not fighting bursary because, bursaries are lifeline. Without bursaries, so many students could not have attained education, gone to school and the rate of dropout and illiteracy rate could have been higher than it is today.

This Motion is trying to achieve only one thing - to fight discrimination when it comes to issuing of bursaries. Who gets the bursary? The person who gets the bursary is that person who probably knows the Member of Parliament (MP) or fills those forms or is in the campaign team of those who are issuing bursaries.

So, when we look at it that way, we see that not every child gets bursary. This begs the question, what do we do to make sure that the needy gets the bursary, goes to school to learn, especially in secondary education, without paying any school fees?

Madam Temporary Speaker, the Constitution of Kenya 2010, under Article 53(1)(b) says,

"(1) Every child has a right

(b) to free and compulsory basic education;"

Secondary school education is part of it, and so, if we continue disbursing bursaries the way we do it today, we will find out that sometimes the needy among the needy do not get these bursaries.

I want you to remember that the bursaries are also part of the national goal of achieving universal basic education and fulfilling Kenya Vision 2030. So, everybody agrees that we require bursaries. Everyone agrees that we need to send our children to school and pay for their education. So, this begs the question, are we providing that within the current setup or within the way the bursaries are issued? That is the question that I will be answering as I move this Motion.

Before I get there, let us ask ourselves, who currently issues bursaries? Who gives bursaries and how much is involved? We have the National Government Constituencies Development Fund (NG-CDF); that is, the Members of Parliament. They give bursaries for secondary school and tertiary education in the amount from Kshs20 million to Kshs70 million per constituency.

We have National Government Affirmative Action Fund (NGAAF) by Women Representatives. They give bursaries of between Ksh10 million to Kshs20 million per year per county. We have the county governments, that is, the governors and the Members of the County Assemblies (MCAs), who give bursaries. The Ministry of Education also gives bursaries. The president himself gives bursaries and his bursaries are in the Ministry of Labour and Social Welfare.

So, the only person who does not give bursaries from the six people who are voted for by Kenyans, all the way from MCAs to the President, are the Senators. That is probably a good thing because now we can discuss this issue from both perspectives; those who give and those who do not give.

If you do the maths, if every constituency gives an average of Kshs50 million and we have 290 constituencies, that will be about Kshs14.5 billion. I want you to keep in mind that the constituencies give about 14.5 billion for bursaries every year.

For the Women Representatives, Kshs15 million, multiply by 47. That is about Kshs700 million. The county governments give bursaries from Kshs200 to Kshs500 million per year per county. We go with the highest, Kshsh500 million per year, that will be about Kshs23.5 billion.

Who knows what the Ministry of Education gives? We do not know how much they give as bursaries. We do not know how much the President gives as bursaries. That

is why I am calling for that consolidation and making sure that we get to know how much and if we can approximate that will be about Kshs50 billion going to bursaries.

Now that we know how much goes to bursaries, let me now tackle the question of how it is disbursed and why this Motion is very important. There is a lot of fragmentation.

Fragmentation means five people are giving bursaries, but nobody knows who is giving whom because there is no coordination. The president will give somebody in a certain constituency in a certain ward. The MCA, does not even know who that person is.

The Woman Representative will give a bursary to a certain county in a certain ward, the MCA will not know who got a bursary from the Woman Representative. The MP will give a bursary to a certain constituency in a certain ward, the MCA will not know who was given a bursary by the MP because there is no data. We cannot be able to know who was given a bursary and by whom.

Even when the governor is giving or issuing the bursaries, sometimes you do not know who received the bursary. Even when the MCA now is also giving a bursary, the MP does not know who was given by the MCA, the Woman Representative, the President, and even the Governor, probably do not know the person who was given a bursary by the MCA, and this brings about multiple allocations.

So, if somebody is in the village and as we say, his or her aerial is way higher, they will know when the bursary is given by the governor, when it is given by the MCA, when it is given by the Woman Representative and when it is given by the MP or even by the President. So, you will find that such a person will benefit from every politician. Some of them even get more than they require for their children in school.

That is why we are saying we need to align this; that an MCA should know who was given a bursary by the MP. The MP should also know the person who was given a bursary by the MCA or Woman Representative or the President, so that we deal with inefficiency and duplication. If we cannot cure this duplication, we are losing money.

That is why this Motion is suggested that instead of sending an MP, an MCA, the President or anyone, the question I ask here before on this Floor, why can we not take all these bursaries and put them in school, especially secondary schools, so that we can make secondary education free of charge? What stops us from doing that?

We can add it to the capitation so that one does not have to go kneel to a politician to get bursary. That way we will know how much is needed for education.

When the Cabinet Secretary for Education was here, I asked him if he had costed the education of every child. The Cabinet Secretary said that they do not know. So, we even budget for things that we do not know.

So, this Motion is telling the Cabinet Secretary and the Ministry of Education to calculate the cost of education per learner and make this information public for primary, secondary and tertiary institutions. This includes a detailed breakdown of the annual financial requirements for each student across the country. We need to know if I get to form one, how much does that child need to have for his or her education until the end of the year?

We are still dealing with problems of the current system of bursary issuance; the favouritism, the nepotism and the politicisation. Sometimes, I feel like crying when I see

our mothers sitting on the ground, sitting on the soil, on the grass, waiting for a politician to finish their speech, so that they can be given Kshs2,000 to go pay school fees.

We need to restore the dignity of our parents; our mothers and fathers, so that we do not have to make them sit on the ground for them to get these Kshs2,000 that they need to take their kids to school. That money should be sent to school so that education in secondary schools is free.

We need to restore the dignity. The way we do not give politicians money for the National Hospital Insurance Fund (NHIF) or for the Social Health Authority (SHA), such that anybody who is having a cold here, anybody who has a broken leg, does not say, "I have money from the national Government to get treated." They just go to the hospital, get treated, and the Government pays for that.

That is what we are supposed to do with education; go to school and study, and the Government will pay. I do not understand why the Government gives you money to go pay the Government. This is the reason why I brought this Motion. Why does the Government give you money to go pay the Government?

It is like I own a *posho* mill, I have *unga* everyday in my *posho* mill and instead of giving you *unga*, I give you money to come and buy from my *posho* mill. I give you Kshs50 and I tell you; "come and buy from my *posho* mill, rather than just giving you *unga* if I have to give *unga*. So, we need to restore the dignity and bring about transparency because there is no database. This is what we are asking the Ministry of Education, that we need a database.

We need to know, if I think about my Ward where I come from, where I was born, called Ngewa, in Kiambu County. If I go to the systems, I need to know who was given how much by the MCA, MP, governor, women rep, the President or the Ministry. That way, we are able to be transparent and know who gets what.

The Motion is proposing that the Ministry of Education audits all bursary funds issued by national Government and county governments. We need to understand how much goes in as bursary.

We also need to consolidate all bursary allocation into a single pool. I want to be understood clearly because this might be misconstrued as if we are taking the bursary back to the national Government. No, that is not what we are doing.

Consolidation means, if you know you have this amount of money from all the bursaries, then after we calculate the cost of education per child, this money is disbursed directly to schools as supplementary capitation. That is what this Motion is looking for; that we should give these monies to schools so that education, especially secondary, can be free.

This will reduce administrative waste. Remember, every bursary fund has five to 10 per cent administrative cost. We need to enhance transparency, eliminate double funding, and ensure that most vulnerable students are prioritized.

Madam Temporary Speaker, I am not the only one speaking about this. So many other leaders, recognized leaders, are speaking about it. The Chief Justice is on record, saying that this issue of bursary need to be discussed so that we reduce wastage. Even Sen. Osotsi, Sen. Chimera and the Speaker of the National Assembly are on record.

Even the President himself mentioned that we need to look into this issue of bursary. More recently, there is an honorable Member in the National Assembly, hon. Passaris, who has brought a motion, which is more like what we are discussing here today. We also have the Leader of Minority Leader of the National Assembly, hon. Junet Mohammed, who has also brought a motion.

For them, they are trying to look at a centralizing bursary fund, which is not what we are looking for here. What we are saying is it goes to schools directly. We do not want to create one kitty where a child in Taveta, Kiambu or Kisumu will be coming to Nairobi to apply. No, no.

We should not go back to that one single kitty. What we are looking for is send the money to schools where the children are. One should not even apply for bursary. What for? We know you are needy. Education should be free in secondary school just the way it is free in primary.

Is feasible? What is the legal and policy basis? I highlighted Article 53 of the Constitution that it is a right for a child to get education. It is in the Basic Education Act, Madam Speaker, that equity and access are guiding principles.

Even the Public Finance Management Act---

(Sen. Thang'wa's microphone went off)

The Temporary Speaker (Sen. Veronica Maina): Allow him two minutes, please.

Sen. Thang'wa: Thank you Madam Temporary Speaker. Even the Public Finance Management Act supports fund consolidation and accountability and, of course, Vision 2030.

What does success look like? One transparent bursary system that is supplementary capitation given directly to the schools. It is even better for children to apply for bursary in their schools rather than in their villages at the mercy of any politician. We need to have a digitized beneficiary tracking system and audit trail, so that we are able to know who gets what when it comes to bursary allocation.

I call upon all the Senators to support this Motion. We owe it to the children of Kenya to remove financial barriers to education.

This is not a partisan Motion. It is a one for equity, accountability and national cohesion. A consolidated bursary system is the only way to ensure no deserving student is left behind.

Madam Temporary Speaker, I move and call upon the Seconder of the Motion, Senator for Vihiga, Sen. Osotsi.

Sen. Osotsi: Madam Temporary Speaker, from the onset, I fully support and second this Motion because it is extremely progressive as explained by the Mover of this Motion, the Senator for Kiambu.

As you know, I am the Chair of the County Public Investment and Special Funds Committee. For the last two years, we have been dealing with audit reports for bursary funds in our counties and tabled numerous reports on this Floor.

The picture coming from those reports is not good. This money that we give as bursary funds is being misapplied and misappropriated in our counties. One of the recommendations we have given is the need to align those bursary funds to the law and consolidate them.

Madam Temporary Speaker, some of us went to school through bursary funds when bursary was working. I remember at the university, I was one of the beneficiaries of the Rattansi Education Bursary Fund. They were really looking for the truly needy students.

Now, progressively, Madam Speaker, we are seeing a situation where people are being given bursary even if they are not needy. Everyone is being given bursary for political purposes to the extent that one student is given Kshs2,000.

What does one do with Kshs2,000? It is because the Members of Parliament who run the CDF bursaries are using it for political manipulation. If you do not support them, they deny you bursary. The scheme that hon. Thang'wa is proposing will eradicate political manipulation, where bursaries will be given to the needlest students.

Even as we think about consolidation, I think it is important for us to rethink the policy on fees, so that we have a free education policy from Early Childhood Education (ECD) to university. If a poor country such as Burkina Faso can wake up one day and declare that there is no fees payment in school, and it is working, how can a country such as Kenya not do that?

I think it is important that even as we talk about consolidation of bursary programmes, we should also talk about how we can have a free education policy in this country.

Madam Speaker, even as we are talking about bursaries and National Government Constituencies Development Fund (NG-CDF), currently there is a public participation exercise that is being conducted by members of the National Assembly.

That exercise is unconstitutional because the MPs are mobilizing their supporters to meet in CDF offices and guiding the process. This should have been an open exercise with the Senators participating. One of the issues they are raising is the Senate Oversight Fund. How can they conduct a public participation talking about Senate Oversight Fund without the input of Senators? That is a debate we are going to engage in because this is unconstitutional and the Senate is not fully involved.

I second.

ADJOURNMENT

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, it is now 1.00 p.m., time to adjourn the House. The Senate, therefore, stands adjourned until later today, Wednesday, 7th May, 2025, at 2.30 p.m.

The Senate rose at 1.00 p.m.