

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 29th October, 2014

*The House met at the Senate Chamber,
Parliament Buildings, at 2.30 p.m.*

[The Deputy Speaker (Sen. Kembi-Gitura) in the Chair]

PRAYERS

STATEMENTS

ONGOING SECURITY OPERATION IN SILALE WARD, BARINGO COUNTY

Sen. (Prof.) Lonyangapuo: Mr. Deputy Speaker, Sir, I rise to seek a Statement under Standing Order No.45 from the Chairperson of the Standing Committee on National Security and Foreign Relations with regard to the ongoing security operation in Silale Ward of Baringo County. It is alleged that all shops at the main centre, a church and a primary school were all burnt down on 28th October, 2014 and today, 29th October, 2014, by the Kenya Government security agents. In the Statement, the Chairperson should state:-

- (a) why the Government security agents have destroyed people's property;
- (b) when the said methods of operation will be put to a stop; and,
- (c) when the Government will rebuild the burnt shops, church and schools.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Dullo you can respond as the Vice Chair of the Committee.

Sen. Adan: Mr. Deputy Speaker, Sir, I would request Sen. (Prof.) Lonyangapuo to give us two weeks.

Sen. (Prof.) Lonyangapuo: Mr. Deputy Speaker, Sir, I do not know whether the Vice Chair heard the seriousness and the urgency of this Statement where a school has been burnt and the children are out of school. I would like the Vice Chair to treat this matter as urgent.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Dullo, I am going to give you one week because this is a matter of urgency. This is an issue that we need to deal with urgently. I am sure if you walk to the relevant offices, you should come out with, if not a very comprehensive answer, at least a preliminary or a holding answer because this is a very urgent issue by Wednesday next week.

Sen. Adan: Most obliged, Mr. Deputy Speaker, Sir, but I am sure when the answer will be brought to the Floor of the House, most Senators will ask for a comprehensive answer. We will try our best to have a quick response in a week's time but I would request Sen. (Prof.) Lonyangapuo to bear with us if the answer is not comprehensive.

The Deputy Speaker (Sen. Kembi-Gitura): We want to have a Statement that is reasonably comprehensive and with a way forward because this is affecting children. This is not acceptable. I am giving you one week, give us what you can and let us see what we can do thereafter. So, it will be Wednesday next week.

DESTRUCTION OF INSULIN FOR CHILDREN WITH DIABETES

Sen. Wangari: Mr. Deputy Speaker, Sir, on the 1st October, 2014, I requested for a Statement from the Standing Committee of Health on the destruction of Insulin that was meant for children with diabetes. I raised it last week and there was a commitment and the Speaker ordered that it be issued this week. I am yet to get any response.

The Deputy Speaker (Sen. Kembi-Gitura): Where is the Chairman of the Committee? This is about the destruction of insulin. This Statement was sought on 1st October, 2014 and it generated a lot of interest from the House. Could you tell us why the Statement is not here, one month later?

Sen. (Dr.) Kuti: Mr. Deputy Speaker, Sir, this morning, we had a Committee meeting and we reviewed the matter. The answer from the Cabinet Secretary is not with us up to now. We have sent reminders but we still do not have it.

The Deputy Speaker (Sen. Kembi-Gitura): Therefore, what are you proposing? That we just wait?

Sen. (Dr.) Kuti: I have sent a clerk with a letter today. We reviewed that matter in our Committee meeting and we sent another reminder. I am sure we will follow it up.

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Deputy Speaker, Sir. When the distinguished Senator, Sen. Wangari, raised this matter, there was outrage in this House. Insulin is used to treat diabetics. This disease is ravaging Kenyans. The Ministry either superintended or sat and watched as it was maliciously destroyed by the Customs Department. After all this time, if the Ministry is not giving you the answer, you have an avenue of not inviting but summoning those involved so that they can give you the answer. We cannot just sit here waiting helplessly for the day when the Ministry will smile and come to talk to the Committee.

Sen. Wangari: Mr. Deputy Speaker, Sir, the importance of this Statement has already been ably articulated in this House. Most importantly, last week when I raised this issue, one Member of the Committee said the answer is with the Chair, who was not in the House at that time. Now I am confused because the Chair says the answer has not come. I would like to get guidance on that.

The Deputy Speaker (Sen. Kembi-Gitura): Who was it?

Sen. Wangari: Sen. Nabwala.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Nabwala, did you say the Statement was with the Chairman of your Committee?

Sen. Nabwala: Mr. Deputy Speaker, Sir, I held brief in his absence and immediately the Statement was raised on the Floor, the Chair walked in and I brought that matter to his attention. So, it is up to the Chair---

The Deputy Speaker (Sen. Kembi-Gitura): The issue is; last week, did you tell the House that the Statement was ready and was with your Chairman?

Sen. Nabwala: Yes, I did because I was holding brief for him. I expect him to respond since it has taken a long time.

The Deputy Speaker (Sen. Kembi-Gitura): Okay, Senator, that is your Committee Member speaking.

Sen. (Dr.) Kuti: Mr. Deputy Speaker, Sir, I do not carry the office on my back. Whenever I am not there, the Committee is always functional. There is a deputy chair and other Members.

The Deputy Speaker (Sen. Kembi-Gitura): The issue is not difficult. I am not casting aspersions against you or anybody else. It is just that Sen. Wangari said that Sen. Nabwala informed the House that the Statement was ready and with you but you had said the Statement is nowhere to be seen.

Sen. Nabwala, did you have that information fully? My records show that the Statement has not come in yet. It is not in the Speaker's or Clerk's office.

Sen. Nabwala: Mr. Deputy Speaker, Sir, when the question first came to the Floor of this House, he was present and the Committee took charge of the Statement. That is why when he was not in, I stood in his place and said what I had to say.

The Deputy Speaker (Sen. Kembi-Gitura): What did you say?

Sen. Nabwala: I said that the answer is with the Chairman because he is the one who coordinates with the Ministry.

The Deputy Speaker (Sen. Kembi-Gitura): The answer being with the Chairman is a physical thing because he either has it or not. He says he does not have it. I think it is a question of misunderstanding that Sen. Nabwala said that you had the physical answer when you did not. That is what may have caused confusion with Sen. Wangari because you have now told us that you do not have a physical answer. I think we will leave it at that. Could you now tell us when we will have the answer because as Sen. Wetangula said, many Members, including myself as the Senator for Murang'a County also rose on a point of order on that issue of insulin? Therefore, it is a matter of interest and it is imperative to let us know when you expect to have an answer, noting what Sen. Wetangula has said that if the Ministry is not responding to the Committee, then it is time you should think about using other avenues of compelling them to bring the answer.

Sen. (Dr.) Kuti: Mr. Deputy Speaker, Sir, I take note of what Sen. Wetangula has said. I would like to reassure the House that this morning we had a meeting purposely because of that issue. We reviewed it and raised a lot of concern that this matter is not being responded to by the Ministry.

I now take the advice of the House that we should summon them.

The Deputy Speaker (Sen. Kembi-Gitura): When should we expect the answer?

Sen. (Dr.) Kuti: Latest next Wednesday.

The Deputy Speaker (Sen. Kembi-Gitura): Let it be on Tuesday so that you can deal with it tomorrow and Friday.

Sen. (Dr.) Kuti: Most obliged.

The Deputy Speaker (Sen. Kembi-Gitura): That should satisfy you for now.

EFFECTS OF INSECURITY ON TOURISM
IN THE COASTAL REGION

Sen. (Dr.) Zani: Mr. Deputy Speaker, Sir, I rise to request for a Statement under Standing Order No.45 from the Chairperson of the Standing Committee on Labour and Social Welfare regarding the adverse effects of insecurity on the tourism sector especially in the coast region. In the Statement, the Chairperson should address the following:-

(a) the number of foreign tourists to the coastal region since 2009 indicating bed occupancy in hotels in the region over the same period;

(b) the number of hotel staff in the region who have been laid off in the last five years;

(c) whether he could enumerate measures being taken to revamp tourism in the region and the successes achieved so far;

(d) to inform on the progress that has been achieved in terms of promoting domestic tourism; and,

(e) remittances that tourists have been bringing to the coastal region counties since 2009 to the present.

The Deputy Speaker (Sen. Kembi-Gitura): Is the Chairman of the Committee here?

Sen. Obure, do you want to intervene?

Sen. Obure: Mr. Deputy Speaker, Sir, in addition to what Sen. (Dr.) Zani has requested, could the Chair of the Committee also give us a predication or an indication of how the tourism sector is expected to perform going forward?

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Elachi, do you want to intervene on the same issue?

Proceed.

Sen. Elachi: Mr. Deputy Speaker, Sir, I just wanted a clarification because it seems the Statement overlaps two Committees: The Committee on Finance, Commerce and Budget manages tourism and commerce---

The Deputy Speaker (Sen. Kembi-Gitura): Come again please.

Sen. Elachi: Looking at the question, it seems it overlaps into the Committee for Finance, Commerce and Budget and the Committee on Labour and Social Welfare. I do not know how we will assist Sen. (Dr.) Zani to get the answers she wants.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. (Dr.) Zani, as a matter of interest coming from what Sen. Elachi has said, why have you directed this Statement to the Committee for Labour and Social Welfare?

Sen. (Dr.) Zani: I directed it to the Committee on Labour and Social Welfare because I was keen on the figures especially on the layoffs. That has a substantial aspect on labour turn over, the reasons for this labour turn over and the implications in terms of finances. The angle that was most targeted and seriously so is because of the high turnovers and that the hotels cannot function.

There is also the financial aspect because the Statement is requesting to know how the tourism sector has operated generally because that has really led to economic downturn in the coast region.

The Deputy Speaker (Sen. Kembi-Gitura): Indeed, the only issue you raised concerning labour is part (b) but everything else concerns finance and tourism. Are you sure you have directed your request to the correct department of the Government? Should we agree that it is cross-cutting?

Sen. (Dr.) Zani: I think it is cross-cutting. Putting in mind what Sen. Elachi has said, maybe we would have certain specific sections being dealt with the Committee on Labour and Social Welfare and others being dealt with by the Committee on Finance, Commerce and Budget. We could go question by question and decide which one should be dealt with by which Committee then appropriate that question to the specific Committee.

The Deputy Speaker (Sen. Kembi-Gitura): I would do it differently because these departments are in the same Government; so it does not really matter. In the specific matters of part (a), (c), (d) and (e), relate to finance and tourism. The only one that is dealing with layoffs is (b); am I correct? So, substantially, the larger part of your question or statement is from finance. So, although you have sought it to go to the Standing Committee on Labour and Social Welfare, do you have any issue if I direct it to the Committee on Finance, Commerce and Budget? The Committee can then decide how they are going to deal with the aspect of labour in it.

Sen. (Dr.) Zani: Mr. Deputy Speaker, Sir, I think that is fine with me and I am obliged.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Billow, that is your Committee.

Sen. Billow: Mr. Deputy Speaker, Sir, it is a very interesting question on tourism and I think we will need a couple of weeks because we need to get the Cabinet Secretary (CS) to come and give a very comprehensive status report on the industry. So, it will take a couple of weeks.

The Deputy Speaker (Sen. Kembi-Gitura): You should take responsibility for the question first because it falls in your department; it is your Committee.

Sen. Billow: Okay.

The Deputy Speaker (Sen. Kembi-Gitura): Then you will liaise with the Committee on Labour and Social Relations or whoever else it is so that you can see how to deal with the cross cutting issues. How much time do you need?

Sen. Billow: Mr. Deputy Speaker, Sir, every institution has got labour issues. So, I think when you ask the Minister to explain the performance of the industry in terms of its employees, occupancy and everything, that is a comprehensive statement.

The Deputy Speaker (Sen. Kembi-Gitura): I am leaving it to you.

Sen. Billow: We will leave it to them to explain.

The Deputy Speaker (Sen. Kembi-Gitura): How much time do you require?

Sen. Billow: Mr. Deputy Speaker, Sir, a couple of weeks.

The Deputy Speaker (Sen. Kembi-Gitura): What is a couple of weeks?

Sen. Billow: Two weeks to be precise.

(Laughter)

The Deputy Speaker (Sen. Kembi-Gitura): Sen. (Dr.) Zani.

Sen. (Dr.) Zani: That is okay, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kembi-Gitura): Okay; the statement will be given two weeks from now.

All right, that seems to be the end of statements.

Is Sen. Zipporah Kittony not here? There is a Statement she wanted to seek.

Let us proceed to the next Order then.

BILL

First Reading

THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE)
BILL, (SENATE BILL NO. 35 OF 2014)

*(Order for First Reading read –
Read the First Time and ordered to be
referred to the relevant Senate Committee)*

The Deputy Speaker (Sen. Kembi-Gitura): Next Order.

COMMITTEE OF THE WHOLE

THE PUBLIC FINANCE MANAGEMENT (AMENDMENT)
BILL, (SENATE BILL NO. 10 OF 2014)

The Deputy Speaker (Sen. Kembi-Gitura): Now, this is the Committee of the Whole; it is a deferment from yesterday; is it not?

Sen. Elachi, Sen. Murkomen, Sen. (Prof.) Kindiki and Sen. Sang, this is your Bill. Do we have the threshold to go to the Committee of the Whole? I just need your direction; if we have the threshold, we go to the Committee of the Whole. It is your Bill.

Sen. Elachi: Mr. Deputy Speaker, Sir, I would also wish to ask for guidance. Is it a county Bill or---

The Deputy Speaker (Sen. Kembi-Gitura): There is no county Bill; once it becomes a Bill in the Senate, it has to do with the delegations. That is what the law says, if you check your Constitution.

Sen. Elachi: Then, Mr. Deputy Speaker, Sir, we will have to move to the next agenda on the Order Paper because we do not have a minimum of 24 delegations.

The Deputy Speaker (Sen. Kembi-Gitura): You cannot say that. I mean, it is not in your responsibility to say that we have to move to the next agenda on the Order Paper. That is not right.

Sen. (Dr.) Khalwale: Mr. Deputy Speaker, Sir, we all expect – as, indeed, the whole country expects – that we take the business of this House seriously. Looking at this particular Bill, the sponsors are Sen. (Prof.) Kindiki, Sen. Murkomen and Sen. Sang, who are all not present. How can they bring a Bill before this House and expect it to be passed with a majority of delegations when they, themselves as the sponsors, are not even here? I have deliberately left out Sen. Elachi because she is helpless on this one. She does not have a delegates vote. Can you rule what you will do with these three Senators who have brought here a Bill and they are denying us the vote?

The Deputy Speaker (Sen. Kembi-Gitura): You see, it is a Bill; so, it has to go to division at one point or the other. It will be futile to go to the Committee of the Whole unless we have the threshold because, then, we will not for division. There are two options. Of course, we can go to division and it is going to fall; or we can defer it. The question being raised by Sen. (Dr.) Khalwale is not an idle question because if the sponsors of the Bill themselves are not in the House when we are going to the issue, then there is a problem.

Sen. (Dr.) Zani, are you seeking the Floor? Are you on a point of order?

Sen. (Dr.) Zani: Yes, Mr. Deputy Speaker, Sir. I just wanted to propose – if you may allow me – a way forward. I propose that we could start with the deliberations because we are short of maybe seven delegations, even as we continue with the Committee of the Whole.

The Deputy Speaker (Sen. Kembi-Gitura): You will be taking a risk.

Sen. Elachi, did you want to intervene? This issue was deferred yesterday because we did not have the threshold.

What is it, Sen. Haji?

Sen. Haji: Mr. Deputy Speaker, Sir, I am sorry I was not here yesterday for the full proceedings. But in view of the importance of this Bill, we seek your indulgence to allow for more Members to come.

The Deputy Speaker (Sen. Kembi-Gitura): You notice that there is a proposed amendment to the Bill which has to be voted for immediately by division.

Sen. Sang, this is your Bill; do you have something to say?

Sen. Sang: Mr. Deputy Speaker, Sir, I appreciate the challenge we are facing. I know that this is the second time we will be deferring this Bill, but this is a crucial Bill. We had a lot of discussions on this Bill---

The Deputy Speaker (Sen. Kembi-Gitura): All Bills that come to the House are crucial.

Sen. Sang: Just like all the other Bills, this is equally a very important Bill. As one of the sponsors of the Bill, I request one final deferment on this issue. We will mobilize all the numbers so that in the next sitting – and we request tomorrow – we should marshal the numbers. I am sure the Committee on Finance, Commerce and Budget also deliberated on this Bill and they have proposed some amendments. I am sure that we will also liaise with the Chairperson to marshal their numbers together with us. I appreciate that we now have 22 Members in the House; therefore, we needed only two more and we would meet the threshold. That means we are not badly off.

Mr. Deputy Speaker, Sir, we request that we defer it to tomorrow.

The Deputy Speaker (Sen. Kembi-Gitura): Yes, Sen. Billow?

Sen. Billow: Mr. Deputy Speaker, Sir, I stand on a point of order on the same grounds that the Senator for Kakamega had raised; that the Bill was deferred yesterday and it is about to be deferred again today. I want to seek the indulgence of the Chair on whether there is a way in which the House can alert Members on the days when we have a vote, because this absence of adequate number of Members in the House is really delaying Bills. When you look at the number of Bills that have been brought to this House and the number that we have actually effectively concluded, it says a lot about the performance of the House. So, I do not know whether there is a way in which we can have Members alerted because it is really a concern whenever we have a Bill and we are not able to vote.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Wetangula, is it a point of order?

The Senate Minority Leader (Sen. Wetangula): On a point of order, Mr. Deputy Speaker, Sir. This is squarely the work of the whips. You designated, as the Chair that we would be voting every Wednesdays. You said that we would be going to divisions every Wednesdays. It is the duty of every Senator heading a delegation to be here at the start of business on Wednesdays for voting. Equally important is for our whips to do the necessary. We have enough delegations here to vote. It is not right for us to come here and postpone matters on voting, leave alone debating. This does not appear to be right.

Sen. Elachi: On a point of order, Mr. Deputy Speaker, Sir. The institution of the Senate should decide on whether, indeed, they want to run business for this country. Yesterday, the whips whipped Members. This is very unfortunate. You cannot say that you will be receiving a salary on taxpayers' money and still expect business to continue running. We need to tell our fellow Senators who are very busy out there that it is time that we respected our own institutions so that people can respect us.

I know that we have Members who are very genuine and who sit in this House to the end. However, we have to come out and say that we have Members whom regardless of the institution, do not care about the business of the House.

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Elachi, you are the Chief Whip. I do not know what you expect me to say or do in the circumstances.

Sen. (Dr.) Machage: On a point of order, Mr. Deputy Speaker Sir. It is of much interest that the Chief Whip can openly accuse the Leader of the ruling party in this House for not being focused. I think she is right. This should be communicated to that leader so that he takes the matters of this House more seriously.

The Deputy Speaker (Sen. Kembi-Gitura): Order, hon. Members. I think we have made enough interventions on this issue. All I can say, Sen. Elachi and Sen. Sang, as the co-sponsors of the Bill is that today is a day for voting. Each Member gets the Order Paper either electronically or a physical hard copy. My request to Members is that we make sure that when we have divisions, the Heads of Delegations are here. They should marshal their delegations to vote so that we proceed with the business of the House.

We deferred this matter yesterday and it appears we have to defer it again today because we cannot go to Committee of the Whole or any division without a threshold. That would

appear futile. However, I take strength in the fact that one of the co-sponsors, Sen. Sang, has himself sought a chance to ensure that there is threshold to go to the Committee of the Whole.

We will grant you the last chance. We cannot keep on deferring this matter just because there is no threshold. You will get the last chance. The matter will come again when the Rules and Business Committee brings it back. If there will be no threshold, we will go to the Committee of the Whole at the risk of your Bill falling. So, that is up to you. In conjunction with the Whips of the House, ensure that when this matter comes up again in the Order Paper, there is a sufficient number of Senators to go to Committee and then to division. We will leave this at that for now so that we move to the other business of the House.

Sen. Billow: On a point of order, Mr. Deputy Speaker, Sir. I have heard your ruling but I also want your indulgence on the matter. Is it the role of the sponsor of the Bill to ensure that Members are, indeed, present in the House to vote? Once a Bill becomes the property of the House it falls under the responsibility of the leaders and the whips rather than the individual sponsors.

The Deputy Speaker (Sen. Kembi-Gitura): I have made my decision on that issue. If you heard Sen. Sang properly, that is on HANSARD, he said that he would marshal numbers. It may not be his duty but he committed himself because this is a Bill that he has co-sponsored.

Sen. Khalwale, you will give the last point of order.

Sen. (Dr.) Khalwale: On a point of order, Mr. Deputy Speaker, Sir. This is on a different matter. I rise on Standing Order No.39(2) to request that the Order Paper for today, pertaining to Order No.13---

The Deputy Speaker (Sen. Kembi-Gitura): Sen. Khalwale, let us be sequential. We have now finished with that issue. I need, at least, to make a ruling that the matter is deferred so that we proceed to the next order on the Order Paper.

Is that okay?

(Committee of the Whole deferred)

Sen. Khalwale, you may proceed now.

Sen. (Dr.) Khalwale: On a point of order, Mr. Deputy Speaker, Sir. I rise under Standing Order No.39(2) to move that the business appearing on the Order Paper, Motion No.13, be stepped down until such a time that I will signal the Office of the Clerk and subsequently the Rules and Business Committee that the Motion comes back on the Order Paper.

I am doing this because this particular Motion, from the time it appeared on the Order Paper last week, has generated a lot of interest and anxiety. This Motion has generated interest in the international community and we wait to see whether the Senate will make a decision on sanctions.

It has created anxiety amongst members of the families of the people of South Sudan who are living in this country. They are worried that if this Motion passes, then they might be thrown out of the country. They have said that they want to talk to me and to explain

themselves. The Government has also indicated that they have made progress in their consultations on how to resolve the issue of South Sudan. For that reason, I would like to have it stepped down. Once I have held the consultations, I will reapply for the Motion to find its way into the Order Paper.

The Deputy Speaker (Sen. Kembi-Gitura): We will deal with it when we come to it. We still have three Motions between what we are doing and that one. Therefore, I shall deal with that one when I come to it. We still have three Motions between this and that one, and so, if we do not reach it, then it will be a matter for the RBC to make a decision on whether it should be stepped down or proceed.

Next Order!

MOTION

ADOPTION OF REPORT OF STANDING COMMITTEE ON EDUCATION, INFORMATION AND TECHNOLOGY ON RETREATS WITH COUNTY EXECUTIVE MEMBERS IN CHARGE OF EDUCATION AND INFORMATION

THAT, the Senate adopts the Reports of the Standing Committee on Education, Information and Technology on retreats with County Executive Members in Charge of Education and Information Technology (ICT) held at the Great Rift Valley Lodge, Naivasha, on 11th - 14th September, 2013, Serena Hotel, Mombasa on 17th to 20th October, 2013 and at Continental Resort, Mombasa on 19th – 22nd December, 2013 laid on the Table of the Senate on Thursday, 3rd April, 2014.

(By Sen. Kagwe on 16.07.2014)

(Resumption of Debate interrupted on 16.07.2014)

The Temporary Speaker (Sen. Kembi-Gitura): Hon. Senators, this is resumption of a Motion that was interrupted on Wednesday 16th, July 2014 and when we adjourned on that day at 6.30 p.m., Sen. Wetangula was on the Floor and he had a balance of 57 minutes if he so wishes to proceed.

The Senate Minority Leader (Sen. Wetangula): Thank you, Mr. Deputy Speaker, Sir. I will be fairly brief because I had made all the points that I needed to make; that we need to congratulate the Committee for having held three consultative meetings. One was with the executive members in charge of education in the counties; with the chairpersons of county assemblies on education and with chairpersons of county assembly education and ICT committees.

What comes through is that education is not being given the weight it deserves. Education has not been previously adequately funded. You remember the disparities that we have in this country in terms of teacher allocations. If you look at one of the tables in one of the reports, you will find that there are only two counties in Kenya that have adequate teachers; Mombasa and Nairobi. For obvious reasons, these are metropolis

centres where many people live and work, and the work circumstances are easy for anybody to be employed and to prefer to work in Nairobi. Otherwise, if you look at the matrix, Baringo/Bomet has a shortage of 1,449 teachers, Bungoma 1,394, Busia 1,389 *et cetera*. But when you look at the teachers being allocated in the next recruitment, it is laughable.

A county like Bungoma with a shortage of 1,394 teachers has been given an opportunity to recruit 170 teachers, the same as Busia. A county like Kakamega with a shortage of 2,206 will recruit 270 teachers. Kilifi with a shortage of 1,843 will recruit 232 teachers and Kitui with a shortage of 2,263 will recruit 280 teachers. You can go on and on. Your county, Murang'a, has a shortage of 496 teachers, and you have been given an opportunity to recruit 60 teachers.

Mr. Deputy Speaker, Sir, these numbers do not even fill the attrition numbers; the teachers who are retiring, dying and being sacked. The cumulative total in some counties is much more. I am sure in Murang'a, more teachers than 60 have died, been dismissed or retired. So what you are going to recruit will not even fill the gap. What we are doing is running on the same spot and not giving education due consideration. I want to urge that we have just come from a revenue allocation committee meeting in Naivasha with CRA and it looks like the figures will go slightly up. The parameters have been defined a little better than previously. I want to see a situation where if it is necessary to have teachers recruited in large numbers--- You cannot talk of a country having a shortage of 80,000 teachers and you want to recruit 41,00 to fill the gap.

The foundation of our children in schools is what makes the future of this country. Right now, ECD classes and polytechnics have been transferred to counties. I hope that adequate teachers are being recruited.

*(Sen. Sang and Sen. G.G. Kariuki
consulted while on their feet)*

Mr. Deputy Speaker, Sir, are you satisfied that the distinguished Senators for Laikipia and Nandi counties are doing the right thing, standing before me? As I speak, they are chatting their afternoon away.

I want to urge the Committee that it requires legislation to follow this Report so that we can strengthen the legal capacity to engage the national Government to recruit teachers and send to schools. You saw the scandal that was in Turkana where Administration Policemen with AK 47 rifles are in class teaching children. This has happened in many other places. I know schools with an establishment of 24 teachers and they have one TSC teacher. You find a school with an establishment of 30 teachers and they have two TSC teachers.

Before you even talk about the physical facilities, we should consider just the basic instructor, because even under very hardship circumstances, a teacher can still teach a Standard One pupil under a tree. It is not desirable but it can be done. But a Standard One pupil cannot sit under a tree with no teacher.

Mr. Deputy Speaker, Sir, like we have said before, the first day of a child in school is very critical. When a child leaves home and the parents, some of them go to

school crying because they do not know what they are going to meet. If the child gets to school and the whole day, there is no teacher, no milk, no water and no nanny and ends up home in the evening with jiggers in the toes, such children will never know that school is a good place to go. That foundation is so critical to make the child know and believe that school is better than sitting at home. The child must get to school and find a different environment. There should be caring teachers and caring nannies. You cannot run an ECD without a nanny. These children are not like adults or grown up children who can go the whole day without eating anything. We have to prepare our generations for the future.

I want the Committee that is our agent in education, as we protect and defend counties, to find that the right of a child in Nairobi to go to an ECD, to go to Standard One in good classrooms with desks and everything, must be the right of a child in Loyangalani must enjoy. It must be the right the child in Kinango in Kwale and in Kilifi must enjoy. I am sure you have read and know about the abject poverty that permeates two counties in this country; Kilifi and Kwale. The levels of poverty in those counties are frightening. When you have those levels of poverty, you can liberate people by giving them at least a sound education, because an educated person is likely to be liberated from the cycle of poverty and violence or the temptation to do all the wrong things like we are seeing MRC doing and so on.

Mr. Deputy Speaker, Sir, then we have the issue of ICT. We are in the digital age and we have a government that is long on promises and extremely short on delivery. There is the question of laptops. They have given excuses and now they have run completely out of excuses on this matter. They do not even talk about it any more; they are running away from it even after we try to give them good ideas. There is no point being extravagant in saying you are going to buy each child a laptop, then eventually you get embarrassed and degenerate into buying each child a tablet. Eventually you run away and say: "We are thinking." Very soon they will tell us, the World Bank is coming to do a study which will take six years. When it is ready, they will go back where they started and start studying whether they started on the right footing or not.

We have said it here in a bipartisan manner, because I have heard Members from across the Floor, particularly the Chairperson of the Committee on Education whom we have tremendous respect for, as an educationist himself, that; one, we should train ICT teachers to be ready to teach. How do you take laptops to children when the teacher standing before them does not know what a laptop is? Then, it is more cost-effective, neater and better for the children if we were to build and equip one or two computer labs in every school, then make sure that each class has at least a minimum of two lessons per week.

This will help everybody. If you say each child is carrying a computer, it means that you have to carry out mass retraining so that every teacher is compliant. But the school can make progress with one or two compliant teachers who man the labs accessed by every class twice a week minimum and the children will learn and be computer compliant. But when you are talking to a Government that is sitting on its ears, it is very difficult for them to hear anything especially when they masquerade as know-it all and do the complete opposite on many things.

These are ideas we are giving you for free and you can use them for the better of the country. These computers and the ICT education is not for children in Jubilee or CORD areas, it is for the children of Kenya. We are preparing them for the future and the job market. We have reached a level where children even in the university do more work on their own than with the lecturers. You can go to the cyber and download complete works of Shakespeare, read and pass your exams. You can go and attend classes online and do many other things. So, it is no longer a luxury that a computer is an instrument which you carry around behaving and pretending like a child that is holding a toy for the first time in life. It is a complete necessity for education and many other things.

Mr. Deputy Speaker, Sir, even Form Ones and Twos, these days will pick up a computer and Google and find on the medical chart what medicine you require when you have an ugly headache and so on and so forth. If it is a drug that you can buy across the counter, you have saved the family money from going to see a doctor for prescription. All these things are being done.

What we are cautioning and I have had discussions with the distinguished Senator for Kirinyaga County who has a passion for education, that we do not want introduction of ICT to widen the disparities between the children of this country such that those in developed counties, urban areas and from rich families access technology and those from poor families and impoverished counties are left lagging behind. At the end of the day, when you sit for exams, it matters not where you came from. It is a national and standardized exam. That child who went through school as a ritual without a teacher will face the same exam with a child who had more than ten teachers knocking over each other to teach him. These guys at Jogoo House must wake up. There are things they do that sometimes make you think that these are the enemies of Kenya.

You find they have got this irrational policy on remedial classes. If the parents are willing to support the teachers to give remedial classes and sacrifice a bit of their time, including their weekends to give remedial classes, if the children are willing and they have been whipped by their parents to sit on a weekend for these classes, why would some guys sitting at Jogoo House say it is illegal? Under what law is this? At the end of the day, children from schools called academies, who are taught from 6.00 a.m. to 6.00 p.m., Saturday to Sunday, even at night, they have to go and face exactly the same exam with a child whose future has been truncated by a man at Jogoo House, who sits there, shuffling papers, completely oblivious of the interests of the country, the children and the teachers who are sacrificing.

Mr. Deputy Speaker, Sir, there are no people who sacrifice in this country more than teachers. They do so much for so little to the extent that we have now taught our teachers in the country, and they are doing the right thing, they know that successive governments in this country, whether it was President Moi, President Kibaki or President Uhuru, until the teachers threatened to go on strike, nobody talks about their remuneration. These teachers, when you look at their pay slips, sometimes you wonder whether what you are reading is right. A teacher is given a house allowance of Kshs190 and a commuter allowance of Kshs240. Even if this teacher is going to school on a *boda boda* daily, the *boda boda* will cost him Kshs100 daily. If he is teaching for 23 days a month, that is a minimum of Kshs2,300 yet you are giving him Kshs240 as commuter

allowance. These teachers are in school from morning to evening. Nobody cares about their lunch, cup tea or anything else.

Mr. Deputy Speaker, Sir, you will remember in the old days when many of us excluding the likes of Sen. Sang, Sen. Wangari and others, when we went to school, when you reached school, at entry at Standard One, you would be given a slate and a slate pencil. There was also a teacher there. From Standard One to Standard Four, we used to be taught in mother tongue so that you also become proficient in your mother tongue. When you got to Standard Four, if you recall, you would be given a class monitor with an ink pot and ink pen on your desk and exercise book. Every morning before classes start, the monitor would come and fill up your ink pot for free. Today, even an eraser, rubber and pencil has to be bought by the parents. How many of us, including yourself, who has been representing a constituency and now a county Senator, how many parents come to you to ask for money to buy an exercise book for their child? Education is not education if the state simply formulates a policy and sits back to wait, then the rich move on, let the poor struggle and those who cannot afford die. You cannot have a country like that.

We are now talking of Kenya rebasing our economy on falsehoods to call ourselves a medium income country. If you go to your village today, the poor of 1963 are poorer today. A man who had 20 acres of land in 1963 has now demarcated and subdivided that land to about ten sons each with an acre. There is no production, crops are dying and coffee and tea are no longer bringing money. The sugar industry is also dead. Those are things that have made the parents of this country sacrifice so much to build schools. The parents can no longer afford. In fact, those Senators who are gallivanting all over the country contributing money in Harambees when you go there, you are a public spectacle. People just come to watch and ask: "How much is he giving you today?" They have no money to give you.

I see the Chairperson of the Committee is agreeing with me. Those villagers come there and you will see a woman like the one Jesus talked about, forget about the Pharisees who bring money and say: "This is my Kshs10,000, give me change." That woman in the Bible brought five cents, the only thing she had. I have gone to Harambees and you see an old woman of 60 years coming and she says: "I have a son in this school; *Mheshimiwa* my contribution is this chicken." She has taken a family possession to come and participate in what she believes is public good; a live chicken. She will sit there helplessly watching up to the end of the Harambee to know how much it can be auctioned so that she can also feel that she contributed. You have seen people bringing, especially women, Kshs50 in a harambee and gives it all because that is all she has.

Mr. Deputy Speaker, Sir, it is an abdication on us as a State; 50 years after Independence, we should not be holding Harambees to build classrooms and laboratories. How do you subject a child in Alliance High School, Kamusinga or Shimo la Tewa to the same exam with a child in a school in a village in Murang'a, where a child goes from Form One to Form Four without seeing a test-tube, a Bunsen burner, sulphuric acid or anything that is going to be tested about yet they have to sit the same examination?

Those officers at Jogoo House think that standardization is achieved by channeling out warnings, papers and sending them without caring about who reads them.

They started something called Quality Assurance. One would think that Quality Assurance means going around the country to make sure that what is going on in Nandi is also going on in Turkana; what is going on in Kwale is also going on in Migori. What those officers of standardization do is to roam around schools and when the headteacher knows that they are coming, they put together some money. Therefore, when the officer comes, he is entertained and eats like a king: eggs, mandazi, soda and everything and leaves without checking anything. They write a report saying that, "I visited the school, inspected properly and I am satisfied." He is satisfied because he has eaten not because he has seen anything.

Mr. Deputy Speaker, Sir, we are not going to move this way. My distinguished colleague, the Senate Majority Leader (Sen. (Prof.) Kindiki, is a former don. He knows what standards are all about. At the University of Nairobi (UoN) and many universities, they maintain and sustain standards even by inviting external examiners to come and see. Can we have a look at the best performer and the worst performer? You remember the scandal at the University of Nairobi. You had just left when one of our lecturers took our examination papers and lost them. The external examiner came and asked, "Can I have a look at the best and the worst?" The lecturer had nothing to show. There were no papers because he had lost them. He had sat and given students imaginary grades. This one deserves 18 out of 20, 6 out of 20 and so on.

Sen. (Prof) Kindiki knows the lecturer I am talking about. I would not name him here because we have to protect people. The external examiner left with a very bad impression. The teacher, to save his face because he was very distinguished lawyer, was requested by the university to reconsider his position and leave. So, he left the faculty. This is one of those many things that are happening. Standards must be looked at.

Mr. Deputy Speaker, Sir, another thing that I always tell teachers when I meet them is that they should not wait for the officer from the District Education Office (DEO) or the county office to come to their school to inspect it. Number one inspector in every school must be the school headteacher. It is the school headteacher who must ensure that his teachers are in school on time, they are teaching relevant things and the male teachers are not turning against adolescent young girls in school. You saw the scandal of some school in my county where 35 girls in one primary school are sitting examinations while pregnant. It is difficult to say who did it, but somebody did it and it is not good for those girls. We need guidance and counseling in school to keep the children on track to know that they must focus on education.

Mr. Deputy Speaker, Sir, as we move to this computer age, I would want to see the national Government, because it is holding on to education, we have only Information Communication Technology (ICT) and polytechnics and not all of them but ECDE and village polytechnics because national polytechnics and technical institutes are not devolved. We have passed Motions here asking the national Government to have a polytechnic or a technical institute in each county. In fact, in the last Government, we passed this at the Cabinet level. We hope those officers at Jogoo House will wake up and do their job. Why? In any economy, the educational foundation will determine where we are going.

Mr. Deputy Speaker, Sir, those immaculate sleek Germany cars you drive are not engineered by engineers. They are engineered by technicians. For every engineer, you need about 300 technicians to turn the wheel of the economy. For every doctor, you need about 200 nurses to get things going. There are people in this country at 90 years who have never been touched on their body by any qualified medic like Sen. (Dr.) Khalwale or Sen. (Dr.) Machage. They have only been attended to by nurses, dressers and middle level medics. Even paramedics save lives.

Therefore, we must invest in knowledge at the primary, secondary and post-secondary level. Knowing very well that with the mass production we are doing, we must create room. You know in the colonial system when you went to school, those who went through that system, you go to Standard One; I am sure the distinguished Senator for Laikipia County would attest to this, when you got to Standard Four, there was an examination called Common Entrance Examination to knock off about 60 per cent of those who were in Standard One to Four and send them to go and become, those days they used to call them, tribal police and other things. They used to wear some long red things on their heads. Then you would go up to Standard Eight, then they would then pump over another half and send them to regular police and other places. After that if you passed marginally, you would be allowed to go to a teachers training college (TTC) to train as a P4. If you did well, they would then upgrade you and you leave as a P3. Then you proceeded to Form Two where there was another bottleneck called Kenya Junior Secondary Examination (KJSE). They would again pump you off and send some to go and train as P2 teachers. If you started in a class of 50, by the time you get to Form Six, probably only 10 would have gone through. Out of those 10, maybe five would go to university or even less. Now, we have liberalized that. We have many universities, parallel programmes, which I will talk about briefly, and other things.

Mr. Deputy Speaker, Sir, mass production must be matched with good quality. It is not enough to weed everybody through without caring about quality. It is not about the current Jubilee regime. I think the whole country must rethink the relevance of our training in preparation for turning our economy. Otherwise, why do we have a Chinese doing everything in contracts? I am sure if we had locals, they would earn less, they would work under more difficult circumstances and things will work better.

Mr. Deputy Speaker, Sir, we boast in this country, and rightly so and I have got the United Nations Development Programme (UNDP) figures, that we have the best human resource development in Sub-Saharan Africa. But that best human resource development must find relevance in changing the country the way we do things; to have a paradigm shift and train people who will go out there and do things differently.

Mr. Deputy Speaker, Sir, you will find out there, even as we say that teaching is the oldest profession which is respected – we say that even Jesus and Mohammed were teachers and so on, and so forth – but do we regard our teachers well? I am afraid we do not. Even in the National Assembly and in this Senate, how many times have we ever discussed the appalling remuneration and working conditions of teachers, yet these are the people who give us the foundation? When we go to the village, the opinion leaders are teachers. When you go to the village, nobody will ask what the distinguished Senator for Bomet has said; they will ask “*Mwalimu amesema nini*” because it is the teacher who

used to read newspapers in the olden days. But now, things are easy because you can even listen to the radio on your phone. Villages used to congregate in the home of the teacher in the evening to listen to news because that was the only village radio. People used to congregate in the home of the teacher for him to read to them the newspaper because he was the *gravitus* of knowledge.

Mr. Deputy Speaker, Sir, I hope you have read a book called *Mine Boy*, where there is Xuma and a teacher called Omfundis. When men in the mines write letters to their wives, in the evening they go and queue at the teacher's home for Omfundis to read to them what their husbands in the mines have said about what they are going through, when they are coming back home and what they expect to do. There were no secrets because the teacher was the *gravitus* of knowledge.

Mr. Deputy Speaker, Sir, I hope that we, as the custodians, protectors and defenders of counties, where the teachers live and work, we will fight for them. It is not just Sossion who has the monopoly of war for the teachers; we all have. We want to see a situation where there is a clear determination and defined direction where teachers know that when you are employed by the Teachers Service Commission (TSC) as a teacher, this is your progression in life in the first year, the second year--- We cannot have a situation where a teacher who buys just an ordinary Nissan Sunny is a celebrity, and yet he has been teaching for many years! When the same teacher breaks ranks in the village and comes to the National Assembly, he gets a free Kshs5 million to go and buy a car; then you get mileage and maintenance allowances; then you have everything. What transformation have you gone through from a teacher in Kirinyaga – like the distinguished Senator – to now being a Senator? In fact, he feels happier being called a teacher than a Senator!

So, Mr. Deputy Speaker, Sir, we need to look at these things in a rational manner and make sure that---

(Sen. G.G. Kariuki spoke off record)

I can tell you, distinguished Senator for Laikipia, that I was a teacher for a short time after high school and I feel immensely proud every time I meet people like the Member of Parliament for Kanduyi, hon. Wafula Wamunyinyi, the Governor for Bungoma County, Ken Lusaka and a few others, whom I taught. Whenever I enter the room, they stand up and say “*Mwalimu amefika.*”

(Applause)

You feel very proud that you made some formative contribution to people who have gone on to achieve. We always say---

(Sen. G.G. Kariuki spoke off record)

Pardon me?

Mr. Deputy Speaker, Sir, we always say that teachers are not doctors; they teach doctors; teachers are not lawyers, but they teach lawyers; teachers are not engineers, but they teach engineers. Just like lawyers, as you know what Lord Denning used to say: “We do not go to the moon, but when astronauts go to the moon, they come back on earth, they have quarreled there and they look for a lawyer to sort them out.” We have never operated on anybody on an operation table, but when a doctor messes up a patient, he runs to the lawyer to defend him. We have never been engineers, but when an engineer designs a faulty bridge and it collapses with people, someone runs to you as a lawyer to defend him and so on, and so forth. If anything, if the distinguished Senator for Laikipia tomorrow walks out of here and stumbles on somebody and he does not have an identity card, he will run to the lawyer to defend him.

(Laughter)

(Sen. G.G. Kariuki spoke off record)

The distinguished Senator says that he will look for a judge. Anybody who accesses a judge in the resolution of a dispute is a consumer of corruption. Otherwise, you cannot access a judge; a judge is supposed to sit there and adjudicate.

So, Mr. Deputy Speaker, Sir, let me finish so that others can contribute by saying the following. Although we are talking about ICT and ECD at the primary level, I want to take this opportunity to urge our universities which have started the parallel programme. This programme has become a club of the rich and the levels of teaching at this level, to me, are not satisfactory. Some people who are at the universities on the parallel programmes have come to me – and I am sure they have come to some of you too – and told me “I am doing a parallel degree, I have not been attending classes and the lecturers have agreed to sit the examination for me. I need Kshs60,000 to go and pay.” This is scandalous! You can award a degree in geography which a teacher sat for you. What if that was happening to people who will live as professionals to go and determine people’s lives – an engineer who will go to design a bridge on which we cross Tana River or a doctor whom you are going to entrust your life with? You end up with a case like that of the late Chesoni, who walked into Nairobi Hospital sick with pneumonia and the doctor put him on a treatment for malaria; and the man died.

I am sure the distinguished Senator for Nyeri must have read a book called *The Imaginary Invalid* by Molière, where he says: “Most people are taken to hospital and they do not die because of the diseases they suffer from; they die from complications arising out of the treatment of the diseases they suffer from.” If we have these parallel programmes being run like the few examples we have seen, then it is very risky. Those guys at Jogoo House must also empower the Commission for Higher Education (CHE) – I think now it is called the Commission for University Education (CUE) – to look very critically at how we are running parallel programmes.

What is happening is that the universities are competing and the parallel programmes are money earners. So, people go in, they pay Kshs600,000 or Kshs700,000 and at the end of the day, what is important is that you have a gown, you can stand there

and say “my dream has come true; I have graduated.” But what is the quality of that education? This is a very important question, especially – and I repeat – especially if you are pursuing a profession that is going to determine people’s lives. You can have a half-baked historian and we can correct him as we go along. You can have a half-baked lawyer who will lead a few of his clients to jail and they will reject him and go to better lawyers. But you cannot afford to have a half-baked doctor, architect, engineer and so on, and so forth.

Lastly, Mr. Deputy Speaker, Sir, I am worried at the direction that our agriculture is taking in this country. The Committee on Agriculture, Livestock and Fisheries, working together with the Committee on Education, need to carry out some inquiry on whether we are training adequate extension officers in agriculture and whether the liberalization of sectors of agriculture was the right thing to do. We swallowed the World Bank (WB) bait when they were knocking on every door and telling you that the Government has no business doing business. But in the process, they have ruined our country. I am sure that in the old days, we used to have people called *Bora Afya* in health; we used to have people in our place that we used to call colloquially *Karakacha*. *Karakacha* was an agriculturalist who walks to your home; I do not know what you used to call them in your places, but we used to call them *Karakacha*. A *karakacha* guy would come to your place and even show you how to plant your coffee and top dress your crops. They knew many things. The government would buy him a bicycle---

Sen. Kagwe: On a point of order, Mr. Deputy Speaker Sir. Am I in order to request whether the hon. Senator on the floor can explain what *karakacha* is. Is it a person who deals with agriculture? What could it possibly be? Indeed, is it parliamentary language or is it English for that matter?

The Senate Minority Leader (Sen. Wetangula): Mr. Deputy Speaker Sir, English is a growing language, that is why you find *safari*, *magendo* and many other things in English. Even *karafuu* is now in the English dictionary. *Karakacha*, for the satisfaction of my colleague here, was a colloquial or a Luhya ‘corruption’ of agriculture. It was the noun of agriculture, a person – *Karakacha*, *mtu wa ukulima*. He would come and teach you how to plant your coffee and top dress. I am sure that they had a name in each community. Just like we used to have *bora afya*, guys who come around and tell you how to trap mosquitoes, kill rats and so on. In the old days if it was a white man teaching you how to kill rats, he was called a rodent officer. If it was an African, he was called a rat killer.

(Laughter)

Those *Karakacha* guys were very good. I was reading a book and it was really amusing that they used to classify Africans who go cleaning lavatories. They were called toilet cleaners. If he was a white man, he was called a sanitary engineer – doing the same job. We need to realign our teaching in agriculture right from primary school.

Mr. Deputy Speaker Sir, I would like to encourage Sen. Karaba and his Committee to also engage schools because schools are in the counties. Kenya is suffering from severe deforestation and afforestation can either be wood loads, forests or

a cluster of trees. I want to see a situation where this Committee can engage in dissemination of information; that when a child gets into school, he or she is made to adopt a tree. He or she comes with one seedling and plants. If it is dry season, in the morning the child comes with a small bottle of water to water that tree. By the time the child leaves Standard Seven, it is big tree and is a contribution to our environment effortlessly and it would help the country.

Your Committee has a job well cut out and you can do it. We know your capacity and we will support you. I congratulate you for these fantastic reports. Let them not just remain reports; they must translate to legislation and action to change the face of our country.

Mr. Deputy Speaker Sir, I support.

(Applause)

Sen. Wangari: Thank you, Mr. Deputy Speaker, Sir. I rise to also join my colleagues in congratulating the then Committee on Education, Information and Technology. Last year, this Committee was one of the most envied committees in this House, at least for me. This is because I felt that they had so much energy; they visited more than twenty counties, they went round and held retreats which is part of what we are discussing here today. We are already seeing some of the fruits that are coming out of these visits. I want to join my colleagues and actually tell them that they did a good job. Earlier in the morning, I was chatting with Sen. Okong'o, the Senator for Nyamira County, and he told me that one of the results of the work of this Committee is on the improvement of connectivity in the counties. He told me that the laying of the foundation for fibre optic is already ongoing in Nyamira County. They deserve congratulations.

To pick up from where the Senate Minority Leader has stopped, issues that have been raised in these reports are very critical. One, the brain development and growth of any child is anchored between birth and five years. If you visit most of the Early Childhood Development (ECD) centres in the counties, including where I come from, in fact, you do not need to be told which class belongs to the ECD. One will find that if there is one permanent structure or two, it is definitely not the ECD class. You will find them put somewhere close to the gate. Those small children put somewhere close to the gate in some very temporary structures with no latrines, clear sanitation, play ground.

We must, as Sen. Wetangula said, entice these children to think that school is a good place to go. If you visit the villages today, every morning, you will find so many children crying their way to school because they are wondering if really they have to go. Some do not go because it is not as appealing as it is supposed to be. That is why even when you look at the World Health Organisation (WHO), they are very keen especially on the nutrition of children below five years because if that is not done, these children will owe their life on what they went through before they reached five years.

Mr. Deputy Speaker Sir, that said and done, it is very important especially on sanitation. There are very many schools and ECD centres in this country where there are no toilets, latrines and children are going to the bush. That is very clear from these reports. In my informal interactions even with the Members, they will tell you because it

was not possible to put everything on this report, the visits they did in Kwale, Lamu and some very remote places, they will tell you that these children are suffering. If we do not invest in the foundation of children, then even what we are talking about excellence in primary school and secondary school, we will be losing the point.

In terms of the statistics, we do not have clear data and records on ECD. Knowing that it is a devolved function under the Fourth Schedule of the Constitution, I am hoping that out of this report, the standardization or the uniformity of standards on ECD will be tackled. I know we have had challenges even with who is supposed to handle the hiring of teachers and who is supposed to do what at the counties. However, I think the Fourth Schedule of the Constitution is very clear; the same way health is a devolved function, the same way health and the recruitment of health workers has to be handled by the counties, is the same thing with the counties. They have the legal mandate to hire ECD teachers but the training of these teachers must be carefully looked at because what is transmitted to the children has to be the right standard.

The issue of Early Childhood Education (ECDE), since it is not handled by the Teachers Service Commission (TSC), will require consultations between the county Governments and that is provided for in the Constitution. It is on the consultations of functions that they can consult with the TSC in terms of policy. The policy level should be left to the national Government so that we can get the best for these children.

The issue of teachers has been elaborated in this House. Even the school that is in my home backyard, Bai Primary in Gilgil, has ten teachers who are hired by parents. There are five teachers employed by the TSC with a population of about 650 pupils. This is a shortage that we have spoken about over and over again.

As a country, generally, we have a shortage of over 80,000 teachers. However, we cannot give enough resources to hire more than 10,000 per year. I think our priorities are upside down. We need to consider development of human resource in schools. If we do not do that, the investments we are carrying out in terms of infrastructure will not make sense. It will not be important when we do not have enough teachers. That also takes me to the issue that Sen. Wetangula has talked about, the early days when we had entry examinations.

As a country, in terms of policy, we still need to review and to revisit the importance we have attached to examinations. When we say that we must have compulsory basic education, what do we mean? When a boy or a girl gets to Class Eight probably at 12 or 13 years and sits examinations, those to me is an exit examination. If that was an entry examination, then every child would proceed to high school or secondary schools. What do we tell these boys and girls who are in their hundreds and thousands that we get out to the market every year?

We attach a lot of value to the examinations that are sat for three days. Right now, the candidates are preparing to sit for their examinations. I wish them all the best. However, we need to review the value we attach to the Kenya Certificate of Primary Education (KCPE). Does this help us as a country? What do you tell a 12 year old to go and do? Should they go work as househelps, should they get married and become pregnant? If it is a boy, for instance, the ones from Murang'a go to Grogan to sell scrap metal. I do not think that we add any value. The examinations need to be reviewed. That

will go into the policy of education in this country. We need a system where every child can go up to Form Four, nonstop, compulsory and free.

We keep on saying that we have Free Secondary Education that was introduced last year. However, how effective is it? Do we still not have dropouts at Class Eight? If you go to the villages, you will hear a mother telling you that her child has completed schooling. This is at Class Eight and the mother will ask you to get the child something to do. What job can you get a 13 year old in Nairobi? I can only think about illegal employment and child labour. This is still a child. That really needs to be looked into.

This is a season for national examinations. A while ago, I saw, online, the appointment of Mr. Joseph Kivilu as the Director for the Kenya National Examinations Council (KNEC). He has been on an acting capacity and that is very important. There are many cases which were reported today in the local dailies; like someone was caught with a whole marking scheme or another one with the whole biology paper. There are many issues of cheating. The KNEC has a problem. These issues do not come from the air but from people. It is important that we monitor the examinations. These cases must be punished severely; not only those affecting students but those affecting the suppliers.

We have had cases where phones are stolen and we follow them until they are found. We have the capacity to do it. This is criminal and we have to work in conjunction with the CID so that we not only punish the teacher who was ferrying the question papers but the source. That way, we will have treated not only the symptoms but the causes of these problems.

The other thing I have noted with keen interest is the school feeding programme in primary schools. I know that some counties have made some effort. At least, I know that the Taita-Taveta County has set up a school feeding programme for children.

However, there is something I have not seen in this report. Every year, we have millions if not billions of shillings, I am not sure of the exact amount, that goes to sanitary towels of primary school children. This is catered for every year, repeatedly. Who does the audit? Why do we still have girls in Baringo not going to school? Why do we still have girls elsewhere not going to school because they cannot afford sanitary towels?

As a Government - this has been pushed for some time now- we have to see that this money is clearly accounted for. This is to the Chairperson of the Committee on Education. He needs to dig deep to find out what happens to this money that is supposed to buy sanitary towels for the girls. At the end of the day, if a girl is supposed to be on her menses and it is time for examinations, what is she expected to do if she is not comfortable in school? We must take this very seriously.

I hope that the Committee will give us a comprehensive statement regarding that issue in the next report so that we can monitor this cash and see the value as a Government. Those are the priority areas and where we need to put our money.

The other issue is with regard to children with disabilities. We have spoken here, once and again, about the integration of children living with disabilities. We have seen cases where children are tied with ropes inside their houses until their limbs are amputated. The Ministry of Education, Science and Technology, through our Chairperson of the Committee on Education, needs to give us a very comprehensive approach of how

to deal with these issues. We must make our children comfortable. We must have an alternative like Braille for those who do not see. We must have hearing aid. I do not know how we will do this but we need to do it. That mainstreaming and integration of children with disabilities must not be forgotten.

The other aspect is about recruitment of teachers and training. We respect the policies that have been laid out by the Ministry but there was a Sessional Paper No.12 by the Ministry that required that children under eight years be taught in vernacular language.

I was one person who thought that that was not necessary. However, we need to ask ourselves, if we want to go that way, should we set up necessary infrastructure from the beginning in terms of recruitment? If I am supposed to go and teach in Kikuyu, then you cannot send someone who speaks Kiluhya to teach in Kikuyu. It then becomes very difficult for me to marry the policy that the same Ministry is churning out and the issue that any teacher can teach anywhere. How does the TSC fit in as a recruitment agency? How does it fit in the Ministry policy that has already been issued? That would ensure that we do not have conflict within the Ministry.

My other issue is about village polytechnics. I tend to agree with the Committee. The Committee has recommended that village polytechnics need to be rebranded so that the names are not demeaning. You should remember that after training, these are the same people who get out to the field with people who went to colleges in some towns and the universities without losing the idea and the spirit of the village polytechnics. Until the point where we are able to take care of this haemorrhage of children from Class Eight, then we will still need the vocational training centres and the village polytechnics. I saw some allocation somewhere in a constituency---

The Deputy Speaker (Sen. Kembi-Gitura): Order, Sen. Wangari. Your time is up.

Sen. (Dr) Machage: Thank you, Mr. Deputy Speaker, Sir. As I congratulate the former Committee on Education, Information and Technology, I want to remind the two committees that were born out of this Committee to also adopt this report as their own. The Committee went into great depth of issues mainly affecting ECDE and technology training at that level in the school – the lower level of education in our country.

Mr. Deputy Speaker, Sir, such reports are many in this country and in Kenya we are known to make reports, just put them in the cabinet and forget. The thoughts in the report would be very important if they were to be implemented. However, there is need to also study, in detail, the treaty that establishes the East African Community (EAC) and focus our thoughts in harmonization of our education system to the other East African countries. What we have now with changes of the education system - we had the old education system as was very well enumerated by Sen. Wetangula - we came to the 7-4-2-3 system, then the 8-4-4 system which at one time nearly defined the zero attendance of any improvements on the education system - eight minus four minus four, which is zero. Then there are thoughts that we are hearing from the press by educationists from the Ministry, thinking of even changing the 8-4-4 system back to some other system that may be pegged on the American system and so on.

Mr. Deputy Speaker, Sir, it is high time that our children are removed from the group of guinea pigs for testing education systems from all over the world; just because the Cabinet Secretary (CS) or the Permanent Secretary (PS) was trained in a certain country, they saw things that they could import into the system into this country. We should instead think of how to harmonize our system so that our children can be relevant in the job market in the larger EAC with a total population of nearly 140 million; a bigger job market that we should prepare our youth to harvest. Our system keeps on changing and is completely out and different from what is now in Tanzania, Uganda, Rwanda and Burundi.

Mr. Deputy Speaker, Sir, having said that, there is no harmonization also of the education system in our own country, which I think was a political maneuver and design right from Independence that certain areas were to be marginalized on matters of education. We cannot be afraid and ashamed to talk about it. The unfairness with which this country has subjected certain areas to be known as foolish, stupid, uneducated and all the synonyms that you may want to put in that category of people – by denying them the right to equal education.

Mr. Deputy Speaker, Sir, in the Constituency that I used to represent before I came to the Senate, which was divided into two constituencies, you find the total number of children who pass to join university - in the two constituencies of Kuria - in a year are less than 100. When you come to Central Kenya, only one institution produces ten times that number. Go to Samburu, look at the learning environment for children who have to compete with their brothers and sisters in the other parts of the country. Then comes devolution that has now centralized the schools that hitherto, were used by the other areas now to concentrate on the education of mainly the children from those areas. Forget about this 15 per cent that is somehow used to get students from other areas.

Mr. Deputy Speaker, Sir, this is a cry in the wilderness by the people of this country who also deserve to be looked at equally and especially so, because the education of primary school and over is still under the national Government. There is need to go a bigger step towards this harmonization exercise on bettering the levels of education in other areas of this country. In some areas of this country you find that there are no institutions for ECDE. Okay, we hear that this is now under the county governments, with very little in the policy including the harmonization of the type of education that can be issued on this. The latest policy is the 2006 policy, which is quite inadequate in addressing matters education in the forgotten areas of this country.

Mr. Deputy Speaker, Sir, if you deny people education, then you have denied them other services. How many Kenyans would want to go and work in the former North Eastern Province as nurses, teachers or agricultural officers? They would rather go to their well endowed counties which are not classified as hardship areas, where they can get green food – morning and afternoon. The counties have a programme of employing a bigger percentage of the employees from the county itself. So, still we have a problem where some counties will still lack personnel to man certain areas, in administration. If you go to some areas and even getting a young man or woman with a C- (minus) to slightly qualify to be employed as a chief is not there. They talk of a mean grade of D as the minimum grade you can use to be employed as a soldier. They are not there and the

system is blind that this difference is not because these people never worked hard, but because the Government directed a blind eye to these areas.

Therefore, you find less circulation of revenue from the national Government to these areas by virtue of their sons who can be employed. You find in the advertisement of jobs, they will say we want so-and-so for this job, education system *bla bla bla*, PhD, 20 years experience and so on. It is unfair. This is the unfairness that I have always fought against and at that time I am referred to as a hate speech maker. It is painful when you are one of the marginalized people of this country. I would urge this Senate, as we deliberate on this Report, that it is well put to us to also consider a column that suggests the remedies on the so-called marginalized areas of this country. This Report gives us a model that fits areas that are well organized in the education system, which is not the case for all areas.

Mr. Deputy Speaker, Sir, it has been purposeful of late that most teacher training colleges have been converted to universities. Middle level colleges have been converted to universities, leaving that gap that could have been used to help these less endowed areas, where we have grades PI and SI. Grade P II is already out of the system. These are people who would be down there in their local areas and teach at their own levels and alleviate the standards of education in those areas. We are completely wiping that out. I can predict that this mistake of removing the low and middles level colleges will be felt sooner than later. If we have to establish a university, then let us build a university instead of changing institutions that serve a special purpose and whose programmes are tailored not to be of any benefit to our country. We should rethink our policy of education. The Committee on Education should look at all these policies and harmonize them and see how relevant they are to our children.

I support.

Sen. (Prof.) Lesan: Thank you, Mr. Deputy Speaker, Sir. I rise to support the adoption of this Report. I was fortunate enough to be in this Committee. I gained a lot of experience in terms of what was happening in the various counties. I must, therefore, first of all, thank the Members of this Committee for the great work that they did with regard to putting right the education matters that arose in the counties.

I want to make a small comment on education in general, particularly as has been raised by my colleagues who have spoken before me, especially with regard to universities. In the last one week, there have been some directions given by the Ministry of Education that affect university education in this country. One of those was the qualification of individuals to become lecturers in our universities. There has been a revision of their terms and I am happy that the revision has brought about conditions that will put in position people who merit to be lecturers in the university. Some of those training positions like the assistant lecturers have since been abolished and now we are going to have people entering as full lecturers. The qualifications that have been given are sufficient enough to enable them produce good results.

Mr. Deputy Speaker, Sir, the other direction that the Ministry of Education has given which I think is going to improve and add value to the universities is that lecturers have now been asked to teach in only one university. There has been a tendency in the last few years, with the emergence of several universities that university lecturers have

been dashing across streets and towns to go and give lectures in various universities. I am sure those of us who have been in the universities know that to lecture in the university, you must have a great sense of concentration in your area of specialization.

I am aware that teaching in the various institutions perhaps is not one of those things that would help lecturers to concentrate on their areas of specialization. I want to recommend and urge the Ministry of Education to insist on the removal of this behaviour of lecturers running from one university to another, perhaps looking for other things other than offering knowledge.

Mr. Deputy Speaker, Sir, I also know that the Ministry of Education has given direction that certificate courses which are taught in many of the universities should be stopped. Universities are centres of research and excellence. They are centres of new knowledge and new information but perhaps not giving this middle level education. We know the reasons universities went for these certificate courses is because they are very easy and you can easily get the teaching staff. The numbers are big and, therefore, you can make a lot of money out of this. Unfortunately, I do not think this is the purpose of universities and, therefore, the Ministry of Education's direction to entirely stop certificate courses from being taught in universities is the right decision that can be made.

[The Deputy Speaker (Sen. Kembi-Gitura) left the Chair]

[The Temporary Speaker (Sen. (Dr.) Machage took the Chair)]

Mr. Temporary Speaker, Sir, there is now a big clamour for universities in each of the counties. I think this clamour has come at a time when we are aware that the quality of education in this country is perhaps not in the state that we would like it to be, but that it is actually going down. This is the time that we want to be very careful on the advice that we give our counties as they set up new universities. We would like our counties to be very serious when they start a university. We want to start a university on the recommendation that they start a university from the scratch and we would not like any of the counties to lose their middle level colleges by simply assimilating them and making them universities. Polytechnics, for example, have lost significantly in the recent past because they have been converted into universities.

I think we should strongly advise our counties not to go this route because we are in dire need of middle level personnel in this country and we cannot afford to lose these middle colleges any more. We would also like to ask that when we start some of these universities, we would like to see them to grow in depth and vertically. We would like to see them engage in research. We would like to see universities that are good at something. They should be specialized and able to grow a career. We should, for example, have a university that has a strong background in medicine.

Mr. Temporary Speaker, Sir, Makerere University was once such a university. When you went to Makerere University, you automatically knew that you would come out with a good medical degree because they had done sufficient research and continue to do research. This is the reason why in universities that are focused on a particular thing, they would usually excel in the final product of their work both in research and attracting

funding. These are the kind of things that encourage universities to grow. We would like to grow universities that are specialized in something in the counties, zeroing on the natural resources that are available in that particular area. For example, where we have mineral deposits, then we would set up a university that is strong in mineralogy studies, both in the technical and research aspects. It would be pointless to set up a university in Turkana specializing in producing history teachers. We would like a university in an area like that one to specialize in hydrology and issues to do with oil.

I would like to turn to the Report that we have from the Committee on Education. As I said before, last time, I was fortunate to be a Member of this Committee, and there were some excellent experiences we had. We had the first meeting which consisted of CECs in charge of education in the counties; we had chairmen within the county assemblies within the group and Senators. This was perhaps one of the best things that I saw, where ideas were shared across the divide. I thought this was excellent. It is still our desire that we want to produce uniform education throughout this country. Perhaps this was one of the way in which these gaps could be closed.

Mr. Temporary Speaker, Sir, we also had a chance to visit the terminal area where the fiber optic lands when it comes to Kenya. Many of us had the first opportunity to actually see and touch a fiber optic. I thought this was a great idea. We were not only discussing issues, but were seeing things in reality. We had a chance to visit one of the counties that we know have issues.

We went to visit one of these counties that we know have issues with the poverty index. We went to Kwale County. It was an eye opener to see the level of need in those counties. We visited, for example, one Early Childhood Development Education Centre (ECD). We asked to see where the teachers and the children go for short call. We were just pointed to a little bush that was behind there as where the teachers and the children were using. This was very pathetic. It really showed us how far back we have to come from to be able to bring the kind of education that we desire.

Mr. Temporary Speaker, Sir, these experiences that we had here, are what we, probably, report that since that time, there has been some significant gains from these experiences. This Early Childhood Development Education Bill has emanated from these discussions and seminars that we had. I am sure that it has had a First Reading in the House. This is the Bill that came out of this meeting that we had.

I do know also that there is an Information Communication Technology (ICT) Bill, that has to deal with the compiling the infrastructure development of building of roads and, perhaps, provisions of tunnels so that we can lay the fibre optical cables in the country. This is a Bill that is emanating from the visits. I commend the Members of this committee for being productive in terms of their actions which were, not only meetings, but also bringing on board a Bill to this House as a result of those meetings.

Mr. Temporary Speaker, Sir, as we went around the country, we formulated the concept that we would want to have a uniform classroom throughout the country for ECDE classes. We coined the term *Best Classroom Project* which we sold in all the counties that we visited in order to have a classroom that is truly desirable to the ECDE children. I want to congratulate some of those counties that have been able to build even one of those classrooms, as the best classroom that you can see in any of the schools.

Unfortunately, my County of Bomet despite the fact that we allocated a significant amount of money for these classrooms did not build even one classroom.

Therefore, we want to encourage other counties, including mine, to concentrate on the development of the ECDE classrooms. We are aware that monies are being spent on non- devolved educational infrastructure. We are aware that a lot of governors are spending money on the development of the primary and secondary schools. I am aware that there is a need, but I want to be convinced that before they do so, they should, first of all, deal with devolved activity. The ECDE classrooms must be built and completed before any monies are expended on the other infrastructure of the school.

Mr. Temporary Speaker, Sir, lastly, I would like to make a comment on the very pending issue that has stuck in court like most of the issues of the Senate. This is the Teachers Service Commission (TSC) versus the counties as regards to the employment of teachers. I can only request that the court process that is holding this issue down be resolved forthwith to allow whichever of the bodies that is given the honours to recruit teachers of ECDE to go ahead and do so. This is an issue that cannot wait any longer. We need to set up our education from the base because we do know that any revision of education curriculum in this country will start of from the ECDE. It is very important that it is resolved.

If there is any legislation that needs to be done in regards to this aspect, it should be possible to do that very easily. I do not see any need for registration because the counties are given the legal right to manage ECDE classes. The counties and the TSC role is to manage the teachers, discipline them and put them in order. I am sure that through negotiation that this can be done without going to court or any amendment of any law. We want to ask that this issue be resolved as quickly as possible so that the ECDE teachers can be recruited forthright. The programmes of ECDE can continue and assist to form a solid base for education in this country.

With those few remarks, I want to support the adoption of this report and ask my colleagues to also support it.

Sen. Kanainza: Mr. Temporary Speaker, Sir, thank you for giving me this opportunity to also support this report from the Committee on Education. I want to congratulate and thank the then Chairperson of this committee Sen. Mutahi Kagwe and the current Chairperson, Sen. Karaba for their dedication to make sure that the committee is able to do a number of things. I am also a proud Member of this committee. Through this consultative meeting, we were able to appreciate matters affecting education and ICT, assess progress made in the infrastructure development of the ICT connectivity in all the 47 counties, and later on, come up with ways of mitigating them. This was successful through the County oversight and Networking Engagements (CONE), the visits that we have made, so far. We have been able to go to more than 30 counties of our country through the CONE.

We have been able to go on the ground to visit these specific schools and institutions to see what they are doing and their progress. As other Members have put it, we have been able to achieve a number of things. First is the best classroom model which Sen. (Prof.) Lesan has talked about. We have encouraged our counterparts; that is, the County Executive Committee Members (CEC) in charge of education to put more

emphasis on the ECDE classrooms, whereby we came up with a recommendation that it should be a classroom with a standard measure of eight by six metres, so that it can accommodate a number of 25 children.

We also came up with a recommendation that they must have their own play ground so that they can have enough space to play without interacting with other children. They can even have their own pit latrines that suit their age. This best classroom model has been adopted. We, as Members of the Committee, agreed that we should pioneer it. Now that we are nine Members we should make sure that first the nine Members of this committee that means the nine counties have been able to implement this model so that other counties can learn from what we are doing. I want to appreciate because we went to the West Pokot County. We were able to see what they were doing. We also went to the Tran Nzoia County. We saw them trying to make sure that they are able to implement this.

The second achievement is that of re-branding the so called village polytechnics. This is going on. The attitude towards the village polytechnic is changing. The young people or the youth in this country are also taking advantage of these polytechnics. When you walk around you can see that these polytechnics are no longer called village polytechnics. They are known as county polytechnics.

As other Members have put it, we have developed a policy that will govern the ECDE. It has attracted a lot of interest from the major stakeholders, the Kenya Institute of Curriculum Development (KICD), Kenya National Union of Teachers (KNUT), Parents and Teachers Association (PTA), Teacher Service Commission (TSC) and even the Ministry of Education itself. They have come on board so that we can bring up ideas that we will include in this Bill so that it can be suitable for our children. We realize that children between the age zero-three and four-six have different needs. We do not want to subject our children to what is happening today. We understood that children in class three do exams and they are examined every month. However, we say that these children are supposed to have enough time to play, sing and interact as they are able to learn a lot of motor skills.

I really want to appreciate the committee because we are all aware that the Early Childhood Development Education Bill which, probably, we could change it to Pre Primary Education Bill is coming to the House for the Second Reading. We even have a programme that has been adopted by the Ministry of Education called *Tusome Programme*. Are they able to work with the CECs of county governments to ensure that children from the urban and rural areas are able to get the same level of education?

Mr. Temporary Speaker, Sir, another achievement is that we are aware that we have a Universities (Amendment) Bill in this House. This resulted from a Motion moved by a Member of this House that all the counties of this country should have at least one public university. I believe through the amendment of the Universities Act, we shall put this into consideration.

There are challenges that we faced as we were going round. We were able to share with the stakeholders. It is true that in this country we have so many trained teachers yet every other day we complain that we do not have enough teachers in school. This is a problem that the national Government is not taking keen interest in. This is

because the Teachers Service Commission (TSC) has not been well facilitated in terms of budgetary allocation. They are not able to get enough funds so that they can employ these teachers. That is why you get that institution of more than 600 children will only have two or three teachers who are employed by the TSC. The rest are employed by the parents. As a Committee, I know that we are also going to engage the Ministry further so that they can facilitate the TSC in order for us to have enough teachers in our schools so that they can continue doing the good job that they are doing.

This is a good report. The Committee has done its best to ensure that there is a good working relationship with the stakeholders in the education sector. If other committees do the same, we shall be able to achieve the goal.

I also support this report.

Sen. Hassan: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity. I also want to add my voice to all those who have spoken before in commending this Committee for this extra ordinary work and in particular putting in perspective the ECDEs and the polytechnic levels of education.

Mr. Temporary Speaker, Sir, as you were contributing as the Senator for Migori County, I saw the passion in you in terms of the issue of marginalization in terms of education. In fact, if you want to annul a community, keep it ignorant. If you also want to dominate or oppress a community, keep it ignorant. Over the years, stereotypes have been developed over certain communities and regions. I come from a region that people have said over the years that we have been lazy and incapable of excellence. There are many other stereotypes that have affected the confidence of the generations that have followed. When I look at some of the people from these regions, there are some of the most esteemed Senators of this House, for example, Sen. (Dr.) Zani, an educationist. We have many other Senators from our region and other areas that have been stereotyped over the years. I, therefore, believe that we need to debunk this myth that education is the preserve of a few and that a few other people have been given greater brains than others.

I have gone through a schooling system where I come from; a region that is otherwise marginalized but has remained competitive even in the arena of competitive education systems. Over the years, education has evolved to be a right. Even if you look at some of our religious doctrines, Muslims, for those who have studied Islamic theology will tell you we were told: "Read". That was the first ordination to Prophet Mohamed ﷺ "الله عليه وآله" peace and blessings be upon him. We were told to read because even with ignorance you do not know who you pray to. With ignorance, you are left disadvantaged. If you look at societies that have dominated the world of politics and economics, it is because these societies have done well in the arena of education. Look at the United States of America (USA), it is not just about sending man to the moon and back. Just yesterday, they had an explosion of one of their vessels which was supposed to go to the space station. That is the advancement in the arena of education. The USA invests a sizeable amount of its GDP to ensure that it continues in the field of research so that they maintain the competitive edge.

If our counties are to become strong, there must be a sufficient and sizeable investment in education. Counties must prioritize the education of their young ones. With their education is where their governors, senators, members of parliament and every other

person who will be competing, not only in the arena of county politics, but also in the arena of the various formations and sectors of our society at the national level.

In dealing with the issues of ECDEs, we must also deal with the critical issue of poverty. Poverty continues to be a bug in our society. It has disenfranchised so many. There are many who are unable to access education on account of poverty. I recall an example from the County Government of Mombasa who introduced the school milk programme with the school feeding programme. This school feeding programme has been able to act as a catalyst and incentive for young people to join schools. They say that most do not go to school because they are hungry at the ECDE level while those who are in school are unable to concentrate because they are malnourished. Therefore, we must invest in comprehensive programmes that will make ECDE attractive. You deny that little boy or girl an education, you have denied him or her a reasonable chance to succeed in life. We must, therefore, take all reasonable measures to ensure that we are able to critically invest in the arena of education and ECDE. We want to ensure we give our young students the capacity in life which will enable them face challenges.

Mr. Temporary Speaker, Sir, I can tell you for a fact that where the world is going, the spaces are shrinking for those who did not go to school. Just this week, I saw the IEBC make a recommendation that you need a bachelor's degree for you to be a Senator or a Member of Parliament. That is the realm of society right now. Very soon, if you do not have a Masters degree, you will, probably, not find a job. I know of societies where getting a PhD is the norm. If you go to the Iranian society, literally everybody has a doctorate because they know the critical element of education as a foundation for their societies. If we need to make our society strong, we need to mobilize our communities towards education.

Those communities that have been fundamentally left behind in the realm of education – if you look at Mombasa County, for example, it performs dismally yet it has all the facilities. The only logic to that dismal performance in the arena of education is based on the fact that there have been systemic issues that need to be addressed. Leaders from the counties must mobilize their communities and their societies towards ensuring that we take our children to school and keep them there.

I was in a school, but I can tell you for a fact that it gave me pride to be in that school. I was at Mombasa Primary School which was a European School during the colonial days. If you look at the layout of that school, there were all kinds of things, a car park shelter, swimming pool, a rugby court and the 4K Club. There was everything because it gave the student a broader environment where he or she could develop. I then proceeded to a formerly European school, the Duke of York which is now called Lenana School. I went to a school where there was a shooting range. We used to be taught the art of armory. There was a golf course in that school. It is no longer a golf course now; it is a place where cows feed. There were all sorts of things in that school because it looked at developing you all round. There were also rugby and soccer pitches. If you look at the European model, they knew that education must be a complete element of one's life. Therefore, you give everybody an opportunity to be able to have that environment.

Mr. Temporary Speaker, Sir, today I see Members of National Assembly building schools and other institutions using Constituencies Development Funds (CDF), but they

cannot take their own children to those types of schools. Shame on them! You build a little class and yet you take your own children to an academy. If you are sincere that you needed to provide your child with the right environment or you are sincere that you are building for the sake of politics, then make sure that you meet the threshold in terms of imparting education; you should start by taking your son or daughter to that school.

I agree with these basic minimum standards. We must set basic minimum standards that must act as prototypes so that they serve as the basis upon which when a child walks into school, he or she marvels at not only the architecture, but the infrastructure for learning and the facilities that are in that school. We do not want to have schools which have no roofs, which are dilapidated in terms of infrastructure and have no toilet. That is where we fail and that environment itself is a discouraging element in terms of cultivating the young in terms of provision of education.

Mr. Temporary Speaker, Sir, my last point is that we must have what I call an asymmetrical investment in education. Asymmetry is a word from mathematics where one area must benefit over other areas. Those areas that have had an inferior development in terms of infrastructure for education from marginalization must now begin to be equipped with sufficient resources to ensure that the infrastructure is improved. I do recall that Lamu County hardly had two secondary schools; 50 years after Independence an entire county has one or two secondary schools which reciprocates either to a small little ward or to a village in some areas of this country. Then you brand those people as lazy and as incapable of success yet you do not provide them with the infrastructure or the opportunity to excel.

Look at other communities; the Ismaili Community which is the Aga Khan Community, has done so much more than even what the governments have done in the arena of education. They have built one of the best schools I have ever set foot on. The Aga Khan Academy in Mombasa; its layout, architecture and quality of education surpass any government institution that I know of. Their hospitals are first class. Their medical school is first class and top of the range.

It is important for us, therefore, to also mobilise the private sector and other formations of the society, including communities that are able to invest in education and give them the incentive to invest in education including in the ECDE.

Mr. Temporary Speaker, Sir, I have seen part of their recommendation was for counties to integrate the private sector because it is an element that is also protected under the County Governments Act. It is, therefore, important for counties to consider working in partnerships with societies and communities that have continued to invest in the arena of education; the Aga Khan Community or the Ismaili Community, being one of the principle examples.

Let me conclude by what Sen. Wangari said. Let us also lay emphasize to ensure that persons with disabilities are in school. Let us fight the stereotypes in some of the areas that we come from that education is not for girls and ensure that they go to school because in the current arrangement in life, I have seen girls – even as we look at the national exams – appear to excel more than boys. It is because they are fighting the stereotypes. The notions in society that the patriarchal narratives of our society had made people feel that they were incapable or unequal.

Mr. Temporary Speaker, Sir, the inequalities are being redressed by the emergence of devolution and county governments must be in the front line to ensure that they invest sufficiently in education, so that we can have a society that is competitive and educated. Ultimate liberation will only come when we are all educated. One of the greatest tools of resistance is education. That is why you see people in the political opposition, for instance, if I was to talk about ourselves in the political opposition, the only way we can resist is to have a narrative that is so compelling and one we believe in. Without an education you do not generate ideas, when you do not generate ideas, what you are told appears to be the only idea available to you. Unless we have an intake of education, there can be no output of ideas for this country. That is why when you talk about systems of governments and governance; and we stick by some of these systems and fault some of our colleagues, it is because we have acquired a certain education and knowledge. We are able to competently and confidently stand on any altar in this nation and tell them this is what the vision of the country must be.

Mr. Temporary Speaker, Sir, if this country was to have full liberation then we are supposed to demolish our cocoons of ethnicity. Most of us vote as ethnic blocs because we do not consider it any rationale to entrust of others. Education, including ECDE, would be the best formula. At that level, we are able to create a young son or daughter of Kenya who is told that his or her first loyalty is to his nation called Kenya. They should not be taught that their loyalty is to their little tribe or clan so that they can then build this theory of a nation state. This is the only way we can competitively and effectively engage in a national discourse that it would not matter which region you come from. However, for as long as you have the idea that is the compelling vision of this country, then you are in a position to win an election.

I would have wished that we reorganize the philosophy of education so that we use it as the engine for our social, political and economic transformation. It should not be looked at as just to acquire a certificate because that is what everybody is doing lately with this parallel programmes so that you can get a better job or because there are requirements for a Masters degree. You must acquire that education so that it inspired you to do what is right for this country.

I want to support the adoption of this report. I want also commend the committee for this extraordinary input in ensuring that this report is in this form.

Sen. Karaba: Mr. Temporary Speaker, Sir, thank you very much for giving me this chance to also say something about the report on Education, Science, Technology and ICT. From the onset, I stand to support this report and congratulate the team for finding time to work very hard in very difficult times to come up with this report. This report was drawn from various counties. This is as a result of the Committee visits in quite a number of counties. We visited more than 30 counties in the country. The remaining 17 we intend to visit them by the end of this year, so that we can make a total of 47 counties. We need to make sure that the schools that are oversights by the Senate, particularly the ECDE and the polytechnics are within the Fourth Schedule. That is our mandate.

Mr. Temporary Speaker, Sir, I would like to say that it is a hard job to go around all counties. That is the reason why I am thanking the Committee Members for

persevering the weather, the long distances and very harsh environments at times. We came up with the report which is already compiled and Members can read it if they are interested. They can peruse the report and find out what we come up with. It is also important to note that our report covers a number of issues and mainly concentrating more on the ECDE and, more so, on polytechnics which we have rebranded to county polytechnics and not village polytechnics.

Mr. Temporary Speaker, Sir, it is also important to note that more than one-third of the budgetary allocation goes to education. That is a clear and strong indicator that education is key to the development of this country. It is not only in this country that education is important. I have noted in the many travels that I have made outside Kenya that education is taken to be a very serious. Those people who have gone to the south east or the eastern countries where they refer to them as the “Asian tigers,” it is education which really developed these countries. The development of education in south east Asia, particularly in Korea, Japan and Malaysia is the one which has made those countries be where they are today. I am sure even Kenya would have been at the same level were it not for the many disturbances we have had in education.

The Ministry of Education is very important and should not be seen like other Ministries because it is a service ministry. Therefore, people might not see or feel the impact of this Ministry maybe until a time like now when examinations are being done. After they have been done and the results are released in January or February; that is the time we realize the importance of this Ministry. Only then will people start to compare their results with the results of the various schools. That will attest to the kind of effort that the teachers would have put in; the efforts that the parents and even the community at large, put to ensure that their students and schools excel. All these are cumulatively and collectively responsibility for the good performance in that area.

For example, if the classrooms are not good, you do not expect the children to be taught in such places. They will run away because of many factors like the cold. They will not even feel like they are in a classroom. That is why we are interested in making sure, particularly in the ECDE classes, that we are coming up with our own formula of making sure every public primary school has one good nursery classroom which is left to the ECDE, so that those young boys and girls; when they get to the public schools, they will find a friendly classroom and stay there until the time they have to come out of it.

Mr. Temporary Speaker, Sir, you also realize that these young boys and girls, as they trek many kilometers to the public schools, they have to be accompanied by the older boys and girls in upper classes. What happens is that they are dumped in very cold rooms, some of which do not have doors, windows or even floors, we cannot expect our children to be comfortable in that environment. This is very serious in some cases we noted.

So, the model class is not the government’s efforts. I would attribute this to the community’s efforts and that is why we are coming up with the model class. The best classroom should be done by the counties since this is a devolved function. We have impressed on the CECs, the County Chairpersons of Education and even the Council of Governors (CoGs) to come up with a formula of making sure that the ECDE classrooms are better than the other classes. In a way, that will encourage the young boys and girls to

like education. From there, the foundation will be sound. As they transit to Standard One, I am sure they would have learned something.

Mr. Temporary Speaker, Sir, we are also encouraging the tutors who teach these young children to have special education. We noticed that some of them are not well trained. Some of them are even volunteers from Churches or from various communities or schools. These volunteers do not deliver because they are never inspected. They have no scheme of service. They have no hope. The only way we thought they would be brought back to the book and be treated like teachers is by coming up with a Bill. This Bill was ready for the First Reading here. I hope by the time we are done with it here, it will encompass what we would call the best tutors to teach and handle these young boys and girls.

Mr. Temporary Speaker, Sir, this is the beginning of education. If we are not careful, we are going to have boys and girls who hate learning very early in life. If that happens, it means that they will not proceed with education from Class One onwards. This is the level where we are told that the laptops for schools will be distributed. If these ones are not prepared enough, it means that the take off of computer education in Class One, Two and Three will be a flop. So, the committee has been to the countryside. It has visited most of the counties to compare and see whether these classrooms are available. In most of the counties, we have recommended that there is need to put up more classrooms. That is what they are doing now.

Mr. Temporary Speaker, Sir, the information we are getting is that most of the counties that we visited earlier have already decided to come up with classrooms for the ECDE. They have set aside about Kshs600,000 per classroom for ECDE. That was noted in Trans Nzoia, Uasin Ngishu and West Pokot counties. So, the Committee is confirming that the report that is already here with us is working. We are going to follow it up to see to it that there is a good foundation of education for our children. We regret to note that if this does not happen, we will breed children who will not appreciate education. In future, we will have children who will not even like to be in schools. We might even have children who will form very high dropout rates in the upper classes, particularly in Class Eight. These children might not even see the need of proceeding to Form One. This, of course, is always seen when the examinations are done.

Mr. Temporary Speaker, Sir, we also intend to come up with that system. If we are not careful, the “corruption” which is there in education may lead to the gap between the haves and the have-nots becoming even wider. This is because the children who will not go to these ECDE classes will not get access to good primary schools. The same would not access good secondary schools and universities. So, you will find that those communities whose education will be faulted at the ECDE level and the children transited to primary and secondary schools will never even get their share of the national cake when the cake is divided. So, we are at it and the committee is happy to report that we are doing well.

Mr. Temporary Speaker, Sir, we have had a lot of misgivings about the polytechnics until we had to rebrand them from “village polytechnics” to “county polytechnics.” What we have found is that even if it is our mandate, the county should step in and come up with courses which are relevant to the areas where these

polytechnics are located. When oil and other minerals are discovered in our areas, we might be forced to import workers and engineers from outside the country. As we have already said in the report, those areas where oil is being discovered should come up with polytechnics which will train engineers who will be hired to work in drilling the oil in the oil industries. In many of our trips where we go outside, that is what we see and that is what we should practice here because that is the only way we can be seen to be utilizing information and knowledge that we get from outside.

Mr. Temporary Speaker, Sir, I would like to say more about the universities even though they are not covered in the report. This is because the recommendations in this report will be implemented by the universities in this country. We have very many mushrooming universities. However, most of them are teaching certificate courses which ordinarily would have been offered by the polytechnics. This is why we are asking the Commission for University Education (CUE) to tell us why universities should continue offering craft certificates to students instead of leaving them to be awarded by the polytechnics. We are challenging them. This must change. I am sure very soon we will be meeting with them to iron out some of these things.

The other problem we noted was that accreditation of courses to various universities is wanting. You will find that the colleges are not serious about accreditation. Some courses are taught without proper accreditation from the CUE. As a result, students from those universities go on with courses and degrees which are not recognised by professional bodies like the ones for medicine or engineering. This is a waste of time.

A lot of money is going to waste and our students should be guided properly. The CUE should tell us the truth as to why they should not accredit the courses being done by students and why in some cases universities have to teach students up to five years without telling them the truth. It is only after studying for five years, that they are told their courses are not recognised by the professional bodies. This is something that the Ministry of Education should address. If we exert more pressure on them, I am sure they will own up and tell us why these issues should not be standardized.

Mr. Temporary Speaker, Sir, I thank the Committee for the work it has done. I urge other committees which are supposed to work closely with the counties to come up with their reports for us to debate them. This is the only way that the Senate can be seen to be close to the counties and hence, to promote devolution. Without this closeness, it will be difficult to understand what Senate stands for. This is one of the Committee that has become very close to counties.

With those few remarks, I beg to support.

Sen. Abdirahman: Thank you, Mr. Temporary Speaker, Sir for allowing me to contribute to this Motion.

The Temporary Speaker (Sen. (Dr.) Machage): Order! For the sake of Members, the next one will be Sen. Nabwala followed by Dr. Zani and then Sen. Mositet. We will move in that order. I will ask you to be patient. We also have Sen. Kajwang on the list.

Sen. Abdirahman: Thank you, Mr. Temporary Speaker for allowing me to contribute to this very important Motion regarding the report of the Standing Committee on Education. I note, with a lot of appreciation, that this Committee has visited at least,

30 counties out of the 47 which is way above the 70 per cent mark. This is very good effort and must be appreciated.

I also noted from the report, as I went through it, that besides the county visits, they had retreats which gave them a lot of insight into matters that relating to education. Not only have they visited foreign countries, but have also relied on presentations from a number of scholars.

The two areas I felt were very important were; one, a comparative analysis on cost financing on education which gave us a feel of what happens in other countries. They also sought to establish a framework between the Senate, county assemblies and the members of the county executives in charge of education. Without institutions, we cannot make a difference. We can only make a difference if we establish working institutions, both at the local and at the national level. However, nothing much has been done besides trying to seek to establish linkages right from the grassroots level to the national level. The Senate, for instance, decides the field visits through its relevant Committees so as to monitor what happens in various devolved functions at the local level.

Education is a huge docket which consumes a big part of the country's budget. However, I dare say that we must fund education more than security. We keep on complaining about insecurity and poverty. If we heavily invested in education, we would get rid of insecurity and poverty in the long run. We would also have a country that develops enormously and in many ways.

This afternoon, many Senators spoke about the ECDE with regard to teacher training, employment and deployment. The ECDE is a docket under the county governments. The bit that the Teachers Service Commission (TSC) keeps on talking about is deployment and unemployment. Of course, employment is already happening at the lower level. Supervision must also be fully handed over to the county governments. In the last Session, this same Senate passed a Motion seeking the transfer of secondary education to county governments through an intergovernmental working arrangement. This is something that we need to pursue. I feel so because nothing much is happening through the national Government in terms of provision of physical facilities and even teachers. There is a serious shortage. Most teachers in secondary schools are currently supported by the Parents and Teachers Associations and through the initiatives of the Boards of Governors.

This is something that we need to pursue. Funding is a problem at the local level. County governments keep on chipping in to sustain secondary school education. Therefore, the Committee on Education must look at this.

The cost of education in Kenya is very prohibitive. It is prohibitive whether at the secondary school level or at the tertiary institutions. I say so because I am comparing it with our sister states, Uganda and Tanzania, within the East Africa Community (EAC). You will find huge numbers of students travelling to Kampala.

Yesterday, a student who is pursuing Bachelor of Medicine and Surgery came to my office. Kampala University is offering this student 50 per cent of the school fees. The university had suggested that the student gets the other 30 per cent from the county government and, probably, 20 per cent from friends and relatives, and then they would help him. The cost of education is very prohibitive at all levels.

I welcome the taskforce report. I am not sure whether they landed in this morning. However, I read in the newspapers about the reduction of school fees in secondary education by Dr. Kilemi Mwiria's headed taskforce. That must move further down to gain support. Our population is very poor right at the bottom. There are only a few rich ones up here. The poor ones, right at the bottom cannot even afford to meet the last recommendations of Dr. Kilemi Mwiria which I hope will be adopted. This will still be better than what initially existed.

A number of Senators have this afternoon spoken about the inadequate infrastructure like classrooms, teaching equipment among other issues. In this country and particularly in the north where I come from, including other areas, you may not find a single science lab. How do you expect to produce serious engineers or the skilled people we were talking about this afternoon? That is not possible. Therefore, we need to look for funding for education. The Government must apportion sufficient amounts of money.

Going hand in hand with what I have mentioned about infrastructure, is the fact that there are no sufficient teachers in these schools. Supervision is also poor because our people do not have vehicles to go for inspection. They do not also have fuel and other allowances to supervise the schools. It is important that we get sufficient allocation.

Mr. Temporary Deputy Speaker, Sir, I also want to talk about the huge disparities that exist in this country in terms of securing education at all levels; primary, secondary and university. There is no single public university in the entire northern Kenya. I stand here to say that and I doubt whether anybody will contradict me on this. A Motion was passed in this House that the Ministry of Education must make sure that we establish a public university in each of the 47 counties in this Republic. In some areas we have three, while in others we even have five public universities which are funded from public coffers. We deserve equal treatment. This must be done.

I did not want to contradict Sen. Wangari when she spoke about the use of mother tongue. Mother tongue is taught in the lower primary classes. She happened to mention that if you are not a local from central, western Kenya or north eastern, then you do not have to go and teach in those places. We have actually over-localized education. Posting of teachers to central Kenya when that is their birth place is not healthy. This is just like it used to happen long ago when students from "upper" Kenya used to go to "lower" Kenya and *vice versa*. This brought about healthy interaction. We must not allow teachers to teach where they come from. In fact, we talk about shortage of teachers in this country because people are running to their home areas just to go and teach there. They find it much more comfortable. If we rationalize the posting of teachers and deploy more to areas that have shortages, then this staffing shortage will drastically reduce. There are a lot of things we can do without money if we get facts and figures right. This will help us fight negative ethnicity. If we cannot do it through intermarriages, then education will integrate our people.

Mr. Temporary Speaker, Sir, I am impressed by the quality of the Report and the efforts the Committee on Education, Information and Technology, previously held by Sen. Kagwe. I also anticipate that Sen. Kagwe will be a very efficient Chairperson of the current Committee on Education and we look forward to other committees emulating the same example to ensure that our committees work effectively. It has been claimed that

the Senate is not active, but we can show that we are active through the committees. However, we should reduce them as we had suggested during the Mombasa retreat.

Thank you.

Sen. Nabwala: Thank you, Mr. Temporary Speaker, Sir. I would also like to commend the former Committee on Education, Information and Technology for the work that they have put in. They traversed about 30 counties to visit schools, evaluate them, make a report and submit it to this House. This report is very important.

Mr. Temporary Speaker, Sir, education is one of the goals in Millennium Development Goals (MDGs). Our Vision 2030 is anchored on that. Therefore, this House is headed in the right direction because we, as a country, want to eradicate poverty and elevate the standard of education so that we can move on with the rest of the world. Many schools in the counties suffer from inadequate budgetary allocation. Historically, these counties have been disadvantaged and so devolution is supposed to give support to the counties that do not have the same amenities like the County of Nairobi.

From the report, I see that there was no visit to Nairobi County. This is because Nairobi County is well funded, has good schools and is always at the top. What about our schools in the counties? As a country our education is very important because without education our children are not going to move forward. Our mandate as the Senate is to protect counties and education is one of the areas that we should zero in.

Mr. Temporary Speaker, Sir, this Committee did a wonderful job because from their visits in those counties, they have brought out a lot of issues. For instance, ECDE is a devolved function which belongs to the county governments and so the county governments should improve their infrastructure so that we do not have our children learning under trees the way it used to be in the past. If we do not train ECDE teachers, it means that our children are not going to have basic education.

(Loud consultations)

Sen. Nabwala: Mr. Temporary Speaker, Sir, I am being interrupted. Could you protect me?

The Temporary Speaker (Sen. (Dr.) Machage): Order Senators! Let us have some decorum. I do not have to mention names, but they are from the Jubilee Coalition side.

Sen. Nabwala: Mr. Temporary Speaker, Sir, ECDE is very important as it is the foundation for our children between zero to five years. If we give our children a good foundation, then we shall be sure that our children will be able to learn and achieve their goals in life, even up to university level and be able to get good jobs.

We also should have trained teachers for the ECDEs. Although they teach small children, there is a technique they use to teach these children. What the county governments need to do is to make sure that the teachers that are posted to ECDE schools have good training backgrounds.

Mr. Temporary Speaker, Sir, a child cannot go the whole day without feeding. I want to encourage the county governments to continue with school feeding programmes so that at break time and lunch time they can eat something so that they are able to

concentrate on education. In primary, secondary schools and universities, it has also been pointed out in the report that we have a shortage of teachers. This is true because we have even seen it in Turkana where chiefs were teaching children. I would like to urge the Ministry of Education to study the report critically so that we can correct where we have gone wrong.

The committee has also pointed out the challenges in the education sector, one of which is the curriculum. We cannot have teachers teaching when they do not have the curriculum. It is very important and I think this is a very big challenge. The Ministry of Education should be able to correct this shortfall. If it is not done, then it means that our children will study different syllabi.

Teachers should also be oriented. If teachers are de-motivated, you will find that they lose the morale. We should motivate the teachers through orientation. I have been to some of the schools in my county. In one school, students do not know what a set book is. I would like to urge the Ministry of Education to ensure that set books in literature are taken to our schools in our rural areas so that these students are able to read them and be at par with schools in the urban areas.

On the issue of ICT, this has not been rolled out in most of the counties. I would request that this is done because if this is not done it means that some schools will be left behind yet all children sit for national examinations. If this is not rolled out it means some children are disadvantaged. I ask that this particular issue of ICT is looked at seriously. Our children were promised laptops. The programme was rolled out in a few schools and other schools have been left out. This is a big disadvantage to the schools in the rural areas.

There is also a need for review of connectivity in the 28 counties. We were told that 28 counties are connected to the fibre optic cable. We do not know which other counties have not been connected. However, I believe that we need to be given this data. I do not know whether it is in this report because this report was just dished to us when we are here. If those schools are in our counties we can follow it up.

I would like to support the report. It is very comprehensive and covers a lot of issues and the challenges that are faced by some schools. We need to look at the report and follow it up so that we see that there is implementation because most Motions come on the Floor of this House. But after that, we do not know what happens to them. At one time, we passed a Motion on the building of universities in every county. However, I do not think anything has happened.

I would like to commend Sen. Kagwe for being proactive. Sen. Kagwe, you are good, I wish I was in that Committee. You have done a good job, you are a good leader. Through committees, this House can show what we do because we can be very useful in committees. In committees is where we can work and show the public what the Senate is doing.

I support, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. (Dr.) Machage): Very well. Next time talk through the Speaker; do not address a Member directly.

Sen. (Dr.) Zani.

Sen. (Dr.) Zani: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity to support the adoption of this report. Let me start by congratulating the then Chairperson of the former Committee on Education, Information and Technology, Sen. Kagwe, for a very good job done. This is one of the most comprehensive reports we have seen in a long time with innovative presentations and case studies. Looking at cases for devolution, for example, in Brazil and America and trying to make a comparison with what is happening. This report is so ideal at such a moment when we have moved into devolution and trying to entrench devolution within the counties.

I want to thank the current Chairperson of the Committee on Education, Sen. Karaba. I believe this is continuity. In the Committee on Education now, we are tackling most of these issues and proceeding with the same sort of view point in terms of improving education which is critical for us a country. Most of the topics, key areas and problem spots in education were tackled. The way that this Committee was able to do this was by getting all the stakeholders together; all the CECs Members for Education across the 47 counties, the Cabinet Secretary, Prof. Kaimenyi and various other officials. I can imagine the level of interaction. Therefore, for any sort of issue that was raised, there were counter issues raised and a way of trying to get to a solution put forward by the Members of that particular committee.

The attendance, as well was very good. It was great. Therefore, it gave this committee a chance to delve into the issues and be able to achieve their commitment and mandate. The idea of the County Oversight and Networking Engagement (CONE) was very critical. Going across the various counties, seeing what is happening on the ground in matters education, sometimes you here that there is a particular school and there is particular infrastructure. We, in the Committee of Education, have been going round different counties. We have been looking at some of the ECDE centres and classrooms. Sometimes you see such variation. So, especially the visiting and talking to people and being able to discuss is very critical in trying to get a good feel of what is exactly happening on the ground.

I was looking through the papers because this was a presentation that was made for various sectors and problem spots in terms of education. I think we had up to ten very comprehensive presentations cutting across the issues of ICT, infrastructure, teacher training, teacher effectiveness, devolution and the role of devolved governments in terms of the input that they will put in, for example, in terms of either cash transfers. This is very critical.

We know that in the Forth Schedule what has been devolved is ECDE and polytechnics. But we have been visiting counties as well and many of them are finding themselves in quite a bit of a problem because the moment they make an initiative at ECDE level, then primary schools, especially in centres where the ECDE classroom is within the primary school. There is a need for them to also think about other issues, for example, of infrastructure and feeding programmes in those schools. They feel that there has been pressure in that direction. It will be interesting, going forward, to see how that sort of differentiation will be made between what degree of devolved functions they can have.

They might not be able to go for the national functions that have been put in place in terms of policies, curriculum and mandate for education, but they might be able to deal with issues like infrastructure. That will, to a large extent, go a long way to help them come up with decision making processes and getting a little bit more involved in this very vibrant sector that will create some sort of continuity in what they are doing and are expected to do in the future. I would like to commend this committee for having addressed these varieties of issues given the presentations that are very critical.

I would like to touch on a couple of issues before I move on to the key issues that they identified very comprehensively. They also went ahead to give recommendations for those specific areas. In moving forward, we need to think of a system of engaging with the various stakeholders so that those very sound recommendations that have been given can be implemented so that we can find a change. It is so sad to see that we have such a high teacher shortage of 82 per cent, half of it nearly 42 per cent in primary and 40 per cent in post primary yet we have teacher training institutions.

We must begin to ask ourselves: What is happening? Are there some people who are getting trained as teachers and not necessarily following on that profession and getting employed and deployed by the TSC? Could that be where the problem is? Could it be also a problem of greener pastures that they are moving to? We might be losing a big resource in training teachers who finally will never do the work that they have actually been trained for. This becomes a serious problem for this country. We need to be able to tell exactly what is happening. What are the problems with that particular training?

Sometimes, when we talk about teacher shortage we are talking about it numerically, but we have to talk about it in terms of teacher effectiveness and the value that the teachers are adding into the teaching profession. Sometime back in the Committee on Education we had a group from the Ministry of Education coming to present on Tusome Project. They were saying that the levels of illiteracy among the early primary children are very high. The bench mark they have put is reading fluently through 60 words per minute. This has been very difficult to meet. What is going wrong? It could be that even at the teacher training level, the capacity that the teachers are coming up with is not up to standard or up to the bar that is expected. Indeed, in some of the projects, we have started doing things differently. The directorate has started going to teachers on site and retraining them in order to help them have this ability to give this information to their students and that raises quite a number of questions.

Mr. Temporary Speaker, Sir, I was looking through some of the shortages in some of the counties, for example, Kakamega and Migori – your own county – with over 2,000 shortages, which is very high. It is also interesting not just to look at the figures, but also to begin to quiz the variation in these figures. For example, why would we have such high figures in certain counties and not so high figures in other counties? Indeed, I see Mombasa and Nairobi counties with zero shortages. My thinking is that these are urban areas and, probably, the interest in retaining and remaining teachers there might be higher.

Mr. Temporary Speaker, Sir, we need to think about a redistributive policy which will enhance teacher redistribution into the various counties in a way that is going to be

important. Maybe we need to look at other specific coast counties like Kwale and Kilifi, which have posted not very good results in education and ask what could be happening. Is it because of teacher shortages? Is it because of the lack of effectiveness of teachers as they do their work? What could really be happening there? Those figures need to be quizzed a little bit more. We need to ensure that we do not have haphazard, in and out, variations in terms of what the various teachers are going to do in the different places.

Mr. Temporary Speaker, Sir, this report also looks at very many pieces of legislation that have been put into place to ensure that we have a seamless education application from the Basic Education Act right through to the various legislation like the Kenya Institute of Curriculum Development Act, the Technical and Vocational Education Act and, lastly, the Universities Act 2012.

I know that the Universities Act 2012 has brought quite a bit of order into the education sector, including insisting on the accreditation of specific universities and the problem that came about, as a result of some of them, insisting on continuing to offer courses that they were not yet given permission to roll out. There is also the problem that came as a result of that, especially for students who graduated in engineering and they were not able to get into the sector. But basically, these acts have made a difference and I think they address most of the problem areas that have been identified by this particular committee. For example, the Kenya Institute of Curriculum Development Act, one of the things that are very critical is to have a patent curriculum that cuts across all the various facets in terms of education that is put across, which is critical. Some sort of evaluation of these Acts looking at registration, governance and management of institutions becomes very critical.

One of the issues that was worrying was that there was no co-ordination between people who were opening new schools and the allocation of teachers for them. So, there is a disjuncture in terms of the demand that is being created by new schools because the Teachers Service Commission (TSC), as per this report, are just asked to give teachers, but they did not even know in advance that teachers will be requested for in those specific places.

Mr. Temporary Speaker, Sir, this report also goes to give the basic gaps in the various Acts, which is critical because it gives us a certain point to look at what issues are there and what needs to be improved. The key challenges have already been canvassed in this House. The quality of education is always important and there are three things that are always very necessary for education. These are access to education, the quality of education and the actual performance in education. These things determine how a child will transit from ECDE, right through to primary up to secondary and university levels. These things also determine whether the children will be successful or not. This is what creates differentiation, as it has been mentioned by the other Senators.

You will find that in regions where they have the right tools and equipment, they can proceed to higher levels of education more than others. The other issues of management of teachers and poverty, which is very rife; we know that even with free education, the other management course that is put into place might make it very difficult for some of these children to access school and continue learning. The high student-teacher ratios also have to be streamlined. The whole idea is about transition. This is very

unfortunate because for those who are able to transit from primary to secondary and those who lose out, what ends up happening to them? For this group, just a little bit of education has been inputted into them. The expectations have gone higher, but they are not really able to adhere to those expectations and, indeed, the aspirations that they have. Then when we move to the secondary and even to the university levels, you find the same problems. These students sometimes cannot be prepared to go for technical courses *per se* because of the mindset and the attitude, yet their capability actually enhances that.

[The Temporary Speaker (Sen. (Dr.) Machage) left the Chair]

[The Temporary Speaker (Sen. Murkomen) took the Chair]

Mr. Temporary Speaker, Sir, where we are now in Kenya, we are where we need to have diversified skills rather than educational skills *per se*. Therefore, the whole idea of turning middle colleges into universities, as has been mentioned, is something that we need to put a stop to.

I just want to encourage that since it is very clear what the challenges are and what the recommendations are; the issue of gender and regional balance and disparities, of course, becomes very critical. Management limitations become critical in coordinating devolved funds because the stakeholder buy-in is already in place.

Mr. Chairperson, Sir, maybe we need to have a follow through---

An hon. Senator: It is Mr. Temporary Speaker, Sir.

Sen. (Dr.) Zani: No, I was addressing Sen. Mutahi Kagwe and Sen. Karaba as a follow through because we have had such good recommendations. Maybe we need to have another stakeholder meeting just to evaluate what the implementation of this has been; where do we stand and where do we move on to so that we can actually begin to find and see the fruit of their labour. That after so many years, you can come back and say that as a result of that particular stakeholder meeting, we have moved to where we want to be.

Mr. Temporary Speaker, Sir, I do not want to go into the way forward and the resolutions because they are very clear. I just want to stop there and say---

Sen. Kagwe: On a point of information, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Murkomen): Do you want to be informed by Sen. Mutahi Kagwe?

Sen. (Dr.) Zani: Yes, Mr. Temporary Speaker, Sir. I will be happy to be informed by him.

Sen. Kagwe: Thank you very much, Mr. Temporary Speaker, Sir. I just wanted to take the opportunity to inform the Senator that, indeed, there are follow up meetings that we planned last week when we were in Mombasa. We are talking about two things; first and foremost, we launched what we called “the best classroom in the school” project. Senators in this House have reported that, indeed, that project has started. I think you will hear about it from others who are going to speak.

Secondly, we do want to follow up and in addition to “the best classroom in the school” project, we also want to launch “fibre in every county” project.

Thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Murkomen): Okay.

Sen. (Dr.) Zani: Thank you, Mr. Temporary Speaker, Sir. I think that is key. I would just like to wrap up then with that information, that the “best classroom in the school” project is really under way. As we move forward, the rebranding of village polytechnics is put into place. That has already started so that people are proud and they can wear the badge that says “I was in a polytechnic and I am proud of myself. I can do my technical work and I am recognised within this institution.” The ECDE Bill is coming to this House for the Second Reading very soon. It will give framework on how to hire ECDE teachers. This includes classifications about the size of the classroom which should be 80 by 68 metres – the sort of desks, the sort of process, the sort of curriculum and the fact that children must play and enjoy their early years. I think with all these initiatives, we, as a Senate, have a lot of hope in what we can do to change the educational fortunes of this country.

Mr. Temporary Speaker, Sir, let me stop here by congratulating this Committee and by thanking you.

Mr. Temporary Speaker, Sir, I beg to support.

(Applause)

Sen. Kajwang: Thank you, Mr. Temporary Speaker, Sir. In the development of the human race, we have gone through many revolutions. One is the revolution of peasant agriculture. There was a time when peasant agriculture was the in-thing after we moved from hunting and gathering. We then went into industrial revolution which changed our lives drastically. However, in the future, this world will be driven by knowledge economy. Knowledge economy is knowing too much about very little. That is what the knowledge economy is all about. Those who know a lot about very little are the people who drive medicine, technology and all sorts of things that will take us to the future. The people who take us to the future are not the ones who did not go through the ECDE. In fact, the people who have not gone through the ECDE will not take us there. They will remain spanner boys, tanners and plumbers.

The basis of education, where we must lay emphasis, is in the ECDE and what the Constitution calls the preprimary education. I noticed that we are giving prescriptions about the classrooms size. This should not be one but two. There should be an office in between and a store for milk. Children should drink milk and eat something. They should also move from grade “a” to “b” before they graduate to class one.

There are a few things I must talk about today. I have looked for an opportunity to talk about them, but I have not found. One, under the Kibaki administration, there was a huge expansion in education which I supported. This is something called the day schools which gives almost each child who finishes class eight an opportunity to go to secondary school. Of course, you could say that those secondary schools were not properly built or furnished. There were no equipment, laboratories and stores. However, I can tell you that the expansion of secondary education in the so-called day schools have expanded

education in areas and homes. I am a witness. This would not have witnessed education sector.

In my own village, I developed one. When I became a Member of Parliament, I had only four boarding schools in the area. When I left, my constituents we had 34 secondary schools. That shows you that very many people have benefited. I can even count them by names and tell you which homes or villages have benefited. Were it not for the expansion in education and the support that the Government gave in terms of infrastructure and supporting each student with Kshs10,500 bursary amount, many children would not have made it out of ignorance.

These are children who would be loitering here, but now have an opportunity to join the National Youth Service (NYS) and train in some discipline. They also have an opportunity to join the police force and the army and to do something positive for this country. Let us not talk about schools not being furnished. We should furnish them, but not to say that they should not be built.

I heard the Minister for Education saying that they have banned the expansion of schools and that they would not register new schools. I think the policy is now to strengthen the ones which are already there. He may be talking for some areas. However, I can tell you that in the area that the Temporary Speaker comes from and the one who was before him, we need more schools. This also affects Suba.

There has been some injustice that I want to talk about. When I went to school, there was a system called 7-4-2-3. At Form Four, I would choose what I wanted to specialise in. I chose to pursue Law degree in the university. That is why I had to read History, English and Literature. Some of my friends chose Medicine and did Mathematics, Chemistry and Biology, among other things. We did well in High School and that is, probably, why we went to the university in Medicine and Law. Today, a child must get a grade "A" and not an "A-" to do Law or Medicine, Architecture and Engineering. To get a grade "A" is a miracle. In fact, when a student gets a grade "A" in an expanded day school this becomes a miracle. If a student does not achieve a grade "A," they then have to move and choose other courses which are not professional.

For almost 20 years, the injustice of having the 8-4-4 System of Education has continued to rein in Kenya. There is nothing wrong with it. However, the selection at the universities, since people are very competitive, after Form Four, one must be good in Kiswahili Language and whether they will do Medicine or Engineering. They must also get grade "A" in Kiswahili. I was not very good in Mathematics. However, if I were to do law today, I must be having a grade "A" in Mathematics.

I want to tell Sen. (Dr.) Machage, before he left, that there was a scientific finding which has proved that people from his area, Migori, especially Kuria, are very good in languages. That is why Sen. (Dr.) Machage speaks fluent English and Kiswahili languages. In my area, we are not very good in languages. However, we are good in Science and Mathematics. That is what I was told. I do not know whether this has to do with what we eat. However, that is what the research revealed.

Although Dr. Machage's people are not very good in Mathematics and Sciences, they must attain grade "As" in these subjects before they do a course in Law which does

not require those things. Essentially, we are hurting this country. I told the professors when I met them as we were doing the Education Act. I told them that we must find a way in which selection is done per cluster, the old way that we used to do it. If you are good in humanities, you only need to get a cluster that suits you. If you are good in science subjects, you should get a grade “A” in that cluster. If you are good in sciences, you should get a grade “A” in that particular cluster. I can see unless one gets a grade “A,” they cannot be enrolled in any professional course. These have made areas which would have produced very good lawyers, doctors and engineers not to produce any unless they join the parallel system.

If you want to do Medicine under parallel, although one got an “A-”, the fees are Kshs500,000 per year. I do not know how many people can afford that. I do not even think that we, Senators, can afford that for our children. I think something must change in that respect. I hope that a recommendation will be made so that we have some fairness in the way we develop this country. Otherwise, some parts of the country will continue to have the best schools. These are areas where the missionaries arrived many years ago. The schools were developed better. These schools end up enrolling students in the professional courses. The same areas are the ones which are more agriculturally endowed and they are the ones which can sell tea, coffee and milk. Therefore, the parents in those areas can afford to take their children there. We will have a very imbalanced country if we already do not have.

Mr. Temporary Speaker, Sir, now, I would like to talk about something else with regard to infrastructure in secondary schools. It has never been the responsibility of the national Government to develop infrastructure in secondary schools. In fact, I know as a fact that we used to do *harambees* and build *harambee* Secondary Schools. These schools were later taken over by the Government. Even after the Government took them over, they only provided the teachers while the community provided the infrastructure.

Mr. Temporary Speaker, Sir, I know that at Bomas we intended to devolve secondary schools and primary schools as we should have. But because the teachers made noise that they do not want to be paid by the devolved units because they thought that they were county councils and they would collapse, we changed our mind. If you took some time and looked at the schedule, you might find that it was an afterthought; we came back to primary and secondary schools later. We did not intend it to be there. Now we say that it is the responsibility of the national Government. The county government cannot budget for improvement of infrastructure, equipment and anything in the secondary schools because that is not their province. Who is going to develop them because we know that the national Government does not even have that capacity? If they cannot employ enough teachers, where will they get the money to build laboratories?

I think this is something we must do and share this responsibility so that the county governments can also intervene in certain schools. They do not have to do all because I think the CDF is also doing quite a lot. However, at least, there is something we started in the last Government called, “Schools of Excellence”. We had one for girls and one for boys in every constituency. Those schools were started, but if we leave them where they are without grants or support, they are just going to be worse than the day schools that we have developed before. So, we must allow a sharing of responsibility,

especially in the development of infrastructure, equipment and all those things that you can provide in secondary school to make them good in the counties.

Before my time runs out, let me say something which is a huge conflict in this country right now between the TSC and the Ministry of Education. I want to sort it out. The TSC employs teachers, promotes them, dismisses them and does all sorts of things it wants to do with the teachers. The Ministry of Education owns and develops the infrastructure and the policy; examination and all those things that go with teaching. Now there is a conflict as to who should be in charge of the teachers. Of course, the TSC has the right of claim because it is the one paying them and the Ministry of Education is saying that this people are under the Ministry; teaching for the Ministry of Education and developing education. So, they have both posted officers in the county who are in conflict. Let us solve it this way: The national Government should remain with policy and all that that they already have, but also management of schools, so that they employ the principal. If the principal wants to remain with the TSC, then he or she should just be a teacher. However, if he or she wants to be a manager of a school, then he or she must be employed by the national Government. This is so that there is a manager of the school and the teacher.

There should be somebody who is in charge of the curriculum and somebody else who is in charge of delivering it. There is somebody in charge of standards and there is somebody who can check whether you are delivering on those standards, so that we separate these things. If you like, they can be the landlords of the schools and also the managers of those schools so that the teachers do their job of teaching under the TSC and the schools are managed as they have always been managed by the Board of Governors (BOGs) on behalf of the Minister for Education. The Parents and Teachers Associations (PTAs) have been working with the Ministry of Education in helping manage the schools and developing infrastructure. So, I think there should not be a problem between the two.

Mr. Temporary Speaker, Sir, now the way I am seeing the TSC supported by KNUT, they do not want the Ministry of Education to touch anything education. I do not know how this will work because actually somebody is supposed to be the baby of the Ministry of Education because it has the overall responsibility on education.

I lastly want to talk on youth polytechnics which have now been branded county polytechnics. I think this country still needs plumbers, electricians, brick layers, mechanics and good drivers, but we are not training them. We are all taking people to the university.

I support.

Sen. Mositet: Thank you, Mr. Temporary Speaker, Sir. I know that you are a good friend of mine, but I could see you had a problem of speaking out my names as you were struggling to read them.

The Temporary Speaker (Sen. Murkomen): Order, Sen. Mositet! The Chair does not struggle and there is no Senator in this House that the Chair does not know. So, do not question the Speaker.

Sen. Mositet: Mr. Temporary Speaker, Sir, let me support the Report of the Committee on Education that did a good job. I start by saluting the former Chairman, Sen. Kagwe and also the current Chairperson who is an educationist.

When you look at the mandate of the county on education matters, in Schedule 4, ECDE is the mandate of the county. I can see in the report that the Committee did a very good job. They made sure that they visited many counties and gave a lot of emphasis on ECDE. As I speak, personally I have visited some of the projects in my county where some of the ECDE classrooms have been done. There is one in Sholinge Primary School. If we were to vote for the best structure in that school, everybody would vote for the ECDE class. Therefore, I congratulate the Committee.

Mr. Temporary Speaker, Sir, the involvement of CECs in charge of education and all those who are involved in education matters at the county in their forums, I think it was really a good thing. In all the discussions that they had, they involved all the CECs in the counties. I salute them for having made the committee to be felt on the ground. I call upon all the other Standing Committees to also make county visits. We have very powerful committees that deal with finance and devolution. If we visit our counties, the common *mwananchi* will feel the work of the Senate.

The committee also did very well in overlooking the primary, secondary, university and even the tertiary colleges. They even looked at the management of the entire Ministry. In the report, it is quite clear that they looked at each and every department.

Mr. Temporary Speaker, Sir, just as my colleagues have said, access to education is really important. In this country, I believe we are proud of ourselves and we would like the country to develop in the education sector. I support the sentiments of other Senators that this department needs not to be starved off money, both at the county and national levels.

When we look at the way we grade our students after primary level, I am sorry to say that we normally set a stage, even though Sen. Kajwang said that there are quite a number of secondary schools which came up during the former President's time. I agree with this, but I also wish to state that there are also quite a number of pupils who, after finishing class eight, are unable to find a position in any secondary school. Out of that, we start seeing very good and able young Kenyans not advancing their education.

I heard the Senator say that there are directives from the Ministry that we should not have day secondary schools. If this is true, I think that is totally wrong. If possible, we need to encourage each and every primary school, if it is capable, they can absorb the same number of students. We could also develop a catchment of maybe two or three primary schools to have a secondary school. This will be good. If we do not do so, maybe we need to look for a way to make sure that our students are not just left out after primary school, that they cannot access secondary schools.

Mr. Temporary Speaker, Sir, we are rebranding village polytechnics because those institutions were like a condemning area for those who had not met the requirements to join secondary schools. Maybe these students had a lot of problems and that is why they never made it because of maybe the conditions they faced and other factors. That is why they were just condemned to village polytechnics. These polytechnics were offering curriculum in carpentry, masonry, knitting and even cooking. It was like a condemning area for very young children. That is why right now we have struggled and we are rebranding them to technical institutions.

Mr. Temporary Speaker, Sir, we should not allow counties to use their funds in developing structures for primary and secondary schools. If you visit the counties, you will be shocked that we have very few ECDE centres. In some schools, you find that the number of children in the ECDEs could be about 200 or 300, yet they do not even have a classroom. This House must stress that monies used to put up structures for educational institutions should purely be directed to ECDE classrooms. I thank the Committee because they said that they have come up with the best classroom model in each every county. That was a very good focus point. We need to emphasis that any money that is supposed to develop structures in schools should be directed to ECDEs and not primary or secondary schools.

Mr. Temporary Speaker, Sir, water and some issues of agriculture are all involved. I do not think it is good if we allow our Members of Parliament through the CDF to drill boreholes and put up water lines while those are devolved functions. Let the CDF concentrate in putting up classrooms for primary and secondary schools, chief's camps, chief's offices and so on. That way, we will make progress.

When we talk about tertiary colleges, we need to give a lot of emphasis on this. Tertiary colleges need to be categorized properly and be distinct so that after our students complete and do their secondary school exams they know that they can either go to the universities or to these tertiary colleges. You will be shocked that of late if you are to buy a newspaper and look at the job advertisements, you will hardly see some advertisement encouraging positions for those holding diplomas. Of late, you find that the requirement is a degree and five years experience, particularly for those in engineering. By the time you are told that the candidates must be recognized by the boards, you find that you will hardly get them. That is when you find one candidate with about 10 or 15 years experience, which is really a task. Let us try to look back and say: How can we make sure that each and every county can have a good tertiary college?

I remember the old days when we had the Kimathi Institute of Technology, Sigalagala Technical College, Kisumu Technical College, which I think is a university, the Kenya Polytechnic and the Mombasa Polytechnic. We went on to elevate those polytechnics. However, we did not look at a way to ensure that those courses should go on. Even though some are still going on in the same institutions, but in the minds of Kenyans they just think that students go there for degrees. It is quite good if we make sure that some tertiary colleges are purely just for diploma and they should just be known for that.

I also look at the institutions of higher learning like the Masinde Muliro University of Science and Technology (MMUST), Kenyatta University and Mombasa Polytechnic which went on to encourage some courses like engineering to be conducted in the name of expansion of the university, only to find that the students who enrolled there were taught by technicians. This is quite painful. You subject very brilliant students to an institution for about five years. They come out knowing that they have qualified only to be told: "No, you are not yet ripe." Out of that, the same students go on trying to practice out there. Sometimes we have heard of quite a number of bad scenarios where some buildings have collapsed or some roads have been compromised or some other technical works have been compromised. As a result of that, it is high time that if any

institution decides to offer very professional courses, they must be subjected to professional bodies which will approve their curriculum.

With those few remarks, I beg to support.

Sen. Ong'era: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity so that I can also support this Motion. I would like to congratulate and applaud the committee led by the former Chairperson, Sen. Kagwe and the current Chairperson for the excellent work they have done in presenting this report. There are quite a number of issues they have raised; they have also given a way forward, which is very important for this Senate. Amongst them is the issue of legislative framework being set up so that we can have uniform standards of education across the counties, especially in the ECDE and the training and recruitment of teachers. This need not be re-emphasized because, as you are aware, we recently had serious problems in the recruitment of ECDE teachers. Up to now, there is an issue that has not been resolved very well in the counties.

Mr. Temporary Speaker, Sir, another way forward that I find really excellent for this House to adopt is the need for counties to develop frameworks in which they can have partnerships with the private sector. As you know, counties do not have enough money to develop ECDE facilities. This will be really a very good approach in considering private sector partnerships. I am particularly very impressed to see that they have made a suggestion for the need for affirmative action. I do hope that in the hiring of ECDE teachers who are going to teach and other personnel working with children, they will ensure that one third of them is of either gender. A lot of times, women teachers are discriminated against and they are not given adequate opportunities to contribute to the teaching of our young children.

Mr. Temporary Speaker, Sir, I am particularly excited in seeing that there is a project they are recommending, called the "best classroom in school" project. I am pleased to say that in Kisii County, I have seen that the county government has embarked on an extensive programme on the development and building of these best ECDE classroom models. This is something that should be emulated across all counties.

Mr. Temporary Speaker, Sir, I want to join my sister, Sen. Wangari, in what she suggested on the question of persons with disability, especially in ensuring that these children are taken care of well. I am particularly passionate about children with Down's syndrome. We have a lot of these children who are hidden in their homes, nobody is taking care of them. They do not even go to school. I hope that the Chairperson of this Committee will consider coming up with legislation in which we can have children affected by Down's Syndrome being given special education facilities in ECDEs, where they can learn.

Mr. Temporary Speaker, Sir, the time has come when education should be devolved completely in a holistic manner to the counties. This is why some of us are very passionate that the Constitution of this country should be amended so that we can have education taken to the counties in a holistic manner. I have in mind the fact that secondary schools, middle level colleges and special education institutions should actually be devolved to the counties so that the counties can handle these institutions first hand. I feel that the national Government has no place in running institutions; however,

they would have a place in ensuring that they set standards for education policies, curriculum, examinations and maybe granting of university charters.

Mr. Temporary Speaker, Sir, it is only through devolution of the entire education systems that we can have equitable allocation of resources, infrastructure and capacity. You are aware that many classrooms in this country are made of mud walls and some children are learning under trees. You are also aware that in Pokot and Marakwet counties, these are situations that are real, yet we know that in some places in this country, some counties have schools that have high quality infrastructure; they have libraries and all the necessary facilities yet other have severe inequalities. I do believe that if education is devolved, we will have equitable allocation of resources. If we were to devolve education, we would not need to conduct *harambees*. We would not go to schools either by road or air to schools to conduct *harambees*. These things would be things of the past.

I want to conclude by supporting what Dr. Zani has said that access, quality, performance and capacity are the way in which we can build education.

I support the Report.

Sen. Ndiema: Thank you, Mr. Temporary Speaker, Sir. First, I want to congratulate the Committees for the good report that they have produced. I had the opportunity to receive the Education Committee in Trans Nzoia and I found the team to be very serious and active. I want to thank them on behalf of the people of Trans Nzoia.

Education is, perhaps, the only important way of socio-economic transformation for our country. We cannot talk about development of the MDGs and so forth if we do not do anything about education. Education is the only other way of ensuring social equity and bridging the gaps between the rich and the poor.

The education sector has faced many challenges which the Committee has brought out in an open manner. Shortage of teachers is a problem. We are having few numbers and the quality of teaching and morale is down. After every term, there is an issue of remuneration; salaries to teachers. It seems as if this is a professional where day in, day out, they only talk about salaries. This is an area that the Government has to look into to ensure that it does not become the core function of education.

Education is supposed to improve the knowledge of students who are there. Looking at the figures produced here, it would appear that those who are managing the education sector are, perhaps, not reading the Constitution and implementing it. The Constitution talks about equity, equality, non-discrimination and so forth. However, when you look at the variation in terms of shortages of teachers, you will see that something is wrong and needs to be addressed immediately. This does not involve additional money. This only involves posting of teachers and trying to balance them in a way that the whole country will feel that it is catered for by the national Government.

Sen. Kajwang has talked about admissions to higher institutions of learning. He said that a student is expected to score a grade "A", virtually, in every subject to qualify to go to a university to do a course.

ADJOURNMENT

The Temporary Speaker (Sen. Murkomen): Order, Sen. Ndiema. You will have 12 minutes when the Motion resumes.

It is now 6.30 p.m. It is time for the interruption of the business of the House. The Senate, therefore, stands adjourned until tomorrow, Thursday, 30th October, 2014.

The Senate rose at 6.30 p.m.