REPUBLIC OF KENYA

PARLIAMENT

NATIONAL ASSEMBLY BILLS

(Bill No. 3 of 2025)

THE BASIC EDUCATION (AMENDMENT) BILL, 2025

(A Bill published in the Kenya Gazette Supplement No. 20 of 2025 and passed by the National Assembly, with amendments, on August 26th, 2026)

N.A. /B/No. 3/2025

THE SENATE
FIRST READING
22 SEP 2026
PARLIAMENT OF KENYA

THE BASIC EDUCATION (AMENDMENT) BILL 2025

A Bill for

AN ACT of Parliament to amend the Basic Education Act, 2013 and for connected purposes

ENACTED by the Parliament of Kenya as follows—

Short title.

1. This Act may be cited as the Basic Education (Amendment) Act, 2025.

Amendment of section 2 of Cap. 211..

2. Section 2 of the Basic Education Act, 2013, in this Act referred to as "the principal Act" is amended—

(a) in the definition of "basic education" by inserting the words "and Alternative Provision for Basic Education and Training schools" immediately after the word "centres".

(b) by inserting the following new definition in proper alphabetic sequence—

"middle level institution" means an institution offering pre-service and in-service teacher training courses that support provision of basic education."

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

Amendment of section 7 of Cap. 211.

3. Section 7 of the principal Act is amended by inserting the following new subsection immediately after subsection (1)——

(1A) One of the members of the Board appointed under subsection (1) shall be one of the executive board members of the national office, nominated and agreed upon by the executive board of the Alternative Provision of Basic Education and Training Schools in Kenya."

Amendment of section 18 of Cap. 211.

4. Section 18(1) of the principal Act is amended in paragraph (a) by inserting the words "and Alternative Provision of Basic Education and Training schools" immediately after the word "programmes".

Amendment of section 20 of Cap. 211.

5. Section 20 of the principal Act is amended

(a) in subsection (1) by deleting the word "twelve" appearing immediately after the words "Chairperson and" and substituting therefor the word "fourteen".

(b) by inserting the following new paragraph immediately after paragraph (k)—

"(l) two representatives of Alternative Provision of Basic Education and Training Schools."

Amendment of section 26 of Cap. 211.

6. Section 26 of the principal Act is amended in subsection (1) by inserting the words "Alternative Provision of Basic Education and Training schools" immediately after the word "polytechnics".

Amendment of section 41 of Cap. 211.

7. Section 41 of the principal Act is amended by inserting the following new paragraph immediately after paragraph (d)——

(e) Alternative Provision of Basic Education and Training Schools.

Insertion of a new section 43A in Cap. 211.

8. The principal Act is amended by inserting the following new sections immediately after section 43—

Recognition of APBET Schools.

43A. (1) The Cabinet Secretary shall—

(a) recognize an Alternative Provision for Basic Education and Training School as a basic education institution for purposes of regulation under this Act and support as may be prescribed in regulations.

(b) cause an approved Alternative Provision for Basic Education and Training School to be registered on

the National Education Management Information System in accordance with this Act.

(2) An Alternative Provision for Basic Education and Training School shall provide basic education services in underserved, indigent, informal, marginalised or vulnerable communities.

Insertion of new Part VIIA in Cap. 211.

9. The principal Act is amended by inserting the following new Part immediately after Part VII —

PART VIIA—ALTERNATIVE PROVISION OF BASIC EDUCATION, TRAINING AND CONTINUING ADULT EDUCATION

Use of existing facilities.

52A. Institutions of Alternative Basic Education, Training and Continuing Adult Education may utilize facilities of existing institutions of basic education or other public and private institutions or premises upon request and concurrence of the institutions of basic education.

Access to public grants.

52B. Learners under the age of eighteen years in institutions to which this Part applies may be eligible for capitation grants under the free and compulsory education programme.

Applicable curriculum.

52C. Institutions of Alternative Basic, Adult and Continuing Education shall offer programmes in accordance with the curriculum approved by the Kenya Institute of Curriculum Development.

Age of learners.

52D. A learner above the age of eighteen years shall only be admitted into the institutions of alternative basic, adult and continuing education.

Placement of learners.

52E. While admitting learners to institutions of alternative basic, adult and continuing education, the institution shall use the learner's prior ability, knowledge and competencies in determining his or her placement at an appropriate level of education.

Conduct of programmes.

52F. Institutions of alternative basic, adult and continuing education shall conduct their programs through accelerated and self-directed learning to cover the prescribed curriculum.

Infrastructure grants.

52H. The national government may provide institutions of alternative basic adult and continuing education grants for infrastructure improvement.

Conditions for APBET registration.

52HA. An Alternative Provision for Basic Education and Training School shall not be registered under this Act, unless it—

(a) has a governing body responsible for oversight, accountability and financial management;

(b) has in place adequate systems for the management and maintenance of records relating to learners, staff, finances and assets;

(c) has adequate and safe physical infrastructure suitable for educational purposes, as may be prescribed by the Cabinet Secretary;

(d) demonstrates fixed and lawful occupation of the premises proposed for the school for such period as may be prescribed by the Cabinet Secretary;

(e) demonstrates compliance with the Public Health Act, the Occupational Safety and Health Act, the Environmental Management and Co-ordination Act and other relevant laws; and

(f) complies with the standards prescribed by the Cabinet Secretary under this Act for the security of learners and staff.

Suitability to run APBET school.

52HB. (1) The Cabinet Secretary, in consultation with the relevant authorities, shall determine the suitability of any person to

I certify that this printed impression is a true copy of the Bill passed by the National Assembly on the 26th August, 2026.

Clerk of the National Assembly

Endorsed for presentation to the Senate in accordance with the provisions of Standing Order 142 of the National Assembly Standing Orders.

Speaker of the National Assembly