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17/9/19

REPUBLIC OF KENYA





THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – THIRD SESSION

DEPARTMENTAL COMMITTEE ON EDUCATION AND RESEARCH

REPORT OF THE
DEPARTMENTAL COMMITTEE ON EDUCATION AND RESEARCH ON ITS
CONSIDERATION OF THE KENYA INSTITUTE OF CURRICULUM
DEVELOPMENT (AMENDMENT) BILL, 2019
(NATIONAL ASSEMBLY BILL NO. 33)

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 17 SEP 2019	DAY: TUESDAY
TABLED BY:	EDUCATION CHAIRPERSON HON. JULIUS MELIT
CLERK OF THE TABLE:	

Published by: -

The Directorate of Committee Services
Clerk's Chambers
National Assembly
Parliament Buildings
NAIROBI

SEPTEMBER 2019

1.0 PREFACE

The Departmental Committee on Education and Research was constituted pursuant to the provisions of Standing Order No. 216(1) of the National Assembly and has executed its mandate in accordance with the provisions of Standing Order 216 (5), which mandates the Committee to, inter alia;

- (c) study and review all legislation referred to it;*
- (h) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.*

1.1 Subjects

The Committee, according to the Second Schedule of the Standing Orders, examines the following subjects:

- i) Education;
- ii) Training; and
- iii) Research.

The Committee oversees the following Ministries and Departments:

- i) The Ministry of Education, Science and Technology
State Departments:
 - Early Learning and Basic Education
 - University Education
 - Vocational and Technical Training
 - Post Training and Skills Development
- ii) The Teachers Service Commission

1.2 Membership

The Education Committee was constituted by the House on Thursday 14th December, 2017 and comprises the following Members;

<u>Name</u>	<u>Party</u>	<u>Constituency/County</u>
1.Hon. Julius Melly, MP - Chairperson	JP	Tinderet
2.Hon. Amos Kimunya, EGH, MP- Vice-Chairperson	JP	Kipipiri
3.Hon. Moses Malulu Injendi, MP	JP	Malava
4.Hon. Geoffrey Makokha Odanga, MP	ODM	Matayos

5. Hon. (Dr.) Pamela Ochieng, MP	ODM	Migori
6. Hon. (Eng.) Nzambia Thuddeus Kithua, MP	WDM-K	Kilome
7. Hon. (Prof.) Zadoc Abel Ogutu, MP	IND	Bomachonge Borabu
8. Hon. Catherine Wambilyanga, MP	Ford-K	Bungoma
9. Hon. Eric Muchangi Njiru, MP	JP	Runyenjes
10. Hon. Eve Obara, MBS, MP	ODM	Kabondo Kasipul
11. Hon. Jackson Lekumontare, MP	KANU	Samburu East
12. Hon. Jerusha Mongina Momanyi, MP	JP	Nyamira
13. Hon. John Oroo Oyioka, MP	PDP	Bonchari
14. Hon. Joseph Kipkosgei Tonui, MP	JP	Kuresoi South
15. Hon. Lilian Cheptoo Tomitom, MP	JP	West Pokot
16. Hon. Omboko Milemba, MP	ANC	Emuhaya
17. Hon. Peter Lochakapong, MP	JP	West Pokot
18. Hon. Wilson Sossion, MP	ODM	Nominated
19. Hon. Wilson Kipng'etich Kogo, MP	JP	Chesumei

Abbreviations and Acronyms - Political Parties

ANC	-	Amani National Congress
Ford-K	-	Ford Kenya
IND	-	Independent
JP	-	Jubilee Party
KANU	-	Kenya National African Union
ODM	-	Orange Democratic Party
PDP	-	Peoples Democratic Party
WDMK	-	Wiper Democratic Party of Kenya

1.3 Committee Secretariat

The Committee Secretariat comprises the following officers: -

1. Mr. Daniel Mutunga - Principal Clerk Assistant I
2. Mr. Philip Lekarkar - Clerk Assistant II
3. Ms. Christine Odhiambo - Legal Counsel I
4. Mr. Eric Kanyi - Fiscal Analyst III
5. Ms. Annceta Gacheri - Research Officer III
6. Ms. Winnie Kiziah - Media Relations Officer III
7. Mr. Mutai Kibet - Audio Officer
8. Ms. Catherine Mukunyi - Serjeant-At-Arms

1.4 Committal of the Kenya Institute of Curriculum Development (Amendment) Bill of 2019 (National Assembly Bill No. 33)

The Kenya Institute of Curriculum Development (Amendment) Bill, 2019 (National Assembly Bill No. 33) was Read a First Time on 26th June, 2019 and was effectively committed to the Committee for consideration pursuant to Standing Order 127(1).

The Committee held five meetings in which the Kenya Institute of Curriculum Development (Amendment) Bill, 2019 was considered. During the meetings, the Members expressed their support for the proposed amendments brought forth by the sponsor of the draft legislation.

The KICD Bill seeks to amend the KICD Act, 2013 with a view to ensuring that disasters in learning institutions are reduced by:

- (a) incorporating personal safety skills, self-defence, demonstrations on security drills, first aid, detection and response to weapons and evacuation procedures in the curriculum; and,
- (b) incorporating psychosocial skills and services to students in the curriculum.

The incorporation of these skills in the curriculum will equip the students with the knowledge necessary to respond to disasters and thus reduce the impact.

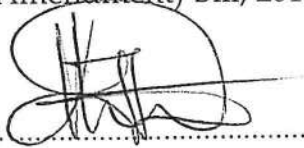
Having considered the KICD (Amendment) Bill 2019, the Committee recommends that the Bill be approved. The introduction of safety training courses in schools by amending the curriculum will introduce safer measures of handling disasters. The learning institutions will become better and safer abodes for learning.

1.5 Acknowledgement

The Committee is thankful to the Office of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during its sittings.

On behalf of the Committee, and pursuant to Standing Order 127(4), it is my pleasant duty to table the Report of the Departmental Committee on Education and Research on its consideration of the Kenya Institute of Curriculum Development (Amendment) Bill, 2019.

Signed



Date.....

17/9/2019

Hon. Julius Melly, MP

Chairman, Departmental Committee on Education and Research

2.0 COMMITTEE'S CONSIDERATION OF THE KENYA INSTITUTE OF CURRICULUM DEVELOPMENT (AMENDMENT) BILL, 2019 (NATIONAL ASSEMBLY BILL NO. 33)

During a sitting of the Committee held on 16th July, 2019, the Legal Counsel took the Committee through the legislative proposal, as follows:

PROVISION	PROPOSAL	ANALYSIS	AG COMMENTS	KLR REMARKS
<p>Functions of the Institute The functions of the Institute shall be to—</p> <p>(a) advise the Government on matters pertaining to curriculum development;</p> <p>(b) evaluate, vet and approve, for application in Kenya, any local and foreign curricula and curriculum support materials in relation to the levels of education and training referred to in paragraph (d);</p> <p>(c) implement the policies relating to curriculum development in basic and tertiary education and training;</p> <p>(d) develop, review and approve programmes, curricula and curriculum support materials that meet international standards for—</p> <p>(i) early childhood care, development and education;</p> <p>(ii) pre-primary education;</p> <p>(iii) primary education;</p> <p>(iv) secondary education;</p> <p>(v) adult, continuing and non-formal education;</p> <p>(vi) teacher education and training;</p> <p>(vii) special needs education; and</p> <p>(viii) technical and vocational education and training;</p> <p>(e) initiate and conduct research to inform curriculum policies, review and development;</p> <p>(f) collect, document and catalogue information on curricula, curriculum support materials and innovations to create a data bank and disseminate the information to educational institutions, learners and other relevant organisations;</p> <p>(g) print, publish and disseminate information relating to curricula for basic and tertiary education and training;</p> <p>(h) collaborate with other individuals and institutions in organizing and conducting professional development programmes for teachers, teacher trainers, quality assurance and</p>	<p>Section 4 of the Kenya Institute of Curriculum Development Act, 2013, is amended by inserting the following new paragraphs immediately after paragraph (m) –</p> <p>“(ma) incorporate personal safety skills, self-defence, demonstrations on security drills, first aid, detection and response to weapons and evacuation procedures in the curriculum; and</p> <p>(b) incorporating psychosocial skills and services to students in the curriculum.</p> <p>The incorporation of these skills in the curriculum will equip the students with the knowledge necessary to respond to disasters and thus reduce their impact.</p> <p>;(mb) incorporate psychosocial and services to students in curriculum development ;”</p>	<p>The aim of this proposal is to reduce disasters in learning institutions by:</p> <p>(a) incorporating personal safety skills, self-defence, demonstrations on security drills, first aid, detection and response to weapons and evacuation procedures in the curriculum; and</p> <p>(b) incorporating psychosocial skills and services to students in the curriculum.</p> <p>The incorporation of these skills in the curriculum will equip the students with the knowledge necessary to respond to disasters and thus reduce their impact.</p>	<p>No comments had been received by the time of consideration of the Bill despite communication to State Law Office</p>	<p>No comments had been received by the time of consideration of the Bill despite communication to KLR</p>

standards officers and other officers involved in education and training on curriculum programmes and materials; (i) develop, disseminate and transmit programmes and curriculum support materials through mass media, electronic learning, distance learning and any other mode of delivering education and training programmes and materials; (j) promote equity and access to quality curricula and curriculum support materials; (k) promote appropriate utilisation of technology to enhance innovations and achievement of a knowledge based economy; (l) offer consultancy services in basic and tertiary education and training; (m) incorporate national values, talent development and leadership values in curriculum development; (n) receive, consider, develop and review curriculum proposals; and (o) perform such other function as may be assigned to it under this Act or any other written law.				
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The Members were fully in support of the proposed KICD (Amendment) Bill, 2019. The proposed legislation would ensure safety in schools. It would streamline training of teachers by including safety and security in the curriculum for training teachers.

3.0 PUBLIC PARTICIPATION ON THE KICD (AMENDMENT) BILL, 2019

Pursuant to Article 118 of the Constitution and Standing Orders 127(3), the Committee placed adverts in the "Daily Nation" and the "Standard" Newspapers on 21st August, 2019. However, no representations were received at the lapse of the period for submission of memoranda (Annex I).

4.0 MEETING WITH THE SPONSOR OF THE KICD (AMENDMENT) BILL 2019

The Committee held a session with Hon. Joyce Emanikor, MP, on Wednesday 28th August, 2019. During the meeting, Hon. Emanikor informed the Members as follows: -

- i. Institutions of learning were ill equipped to deal with disasters;

- ii. Disaster management courses should thus be introduced in schools to mitigate catastrophes once they occur;
- iii. Courses and training on disaster management should be included in the school curriculum;
- iv. It was proposed that teachers be trained first so that they could disseminate safety information to the students.

The Committee Members made the following suggestions:

There was need for KICD to amend the training curriculum to ensure that teachers were adequately trained on disaster management and mitigation courses.

The Bill would ultimately reduce the impact of disasters when they occur. KICD should thus be used as a vessel to facilitate the process of implementing the proposals once passed.

It was evident that schools and many institutions of learning were not physically prepared to deal with disasters. When such disasters occur, the effects are far reaching.

The KICD curriculum was currently overloaded. There was need to ensure that introduction of more courses into the curriculum did not overstretch the curriculum further. It was necessary to balance the workload for pupils to avoid over-burdening them.

The subject on disaster management and life skills development could be made examinable so as to attract interest from teachers. Schools and other educational institutions should be given the opportunity to procure life skills training equipment with a view to making the process transparent and accountable.

5.0 SUBMISSION FROM THE MINISTRY OF EDUCATION

The Principal Secretary, Ministry of Education, appeared before the Committee on 29th August, 2019. The Principal Secretary submitted that the Ministry was in support of the proposed amendments to the KICD Act, 2013. The Ministry's concurrence is contained in a letter dated 29th August, 2019, annexed (Annex II).

6.0 CONSIDERATION OF THE KICD (AMENDMENT) BILL, 2019

In a meeting held on 31st August, 2019, the Committee considered all the Clauses of the Bill as follows: -

Clause 1 – Agreed to

Clause 2 – Agreed to

Short Title – Agreed to

Long Title – Agreed to

6.0 COMMITTEE OBSERVATIONS

The proposed amendments are timely given that previously, disasters have been witnessed in schools with untold destruction and casualties. The proposals will go a long way in ensuring safety in schools and enhancement of life skills in dealing with disasters.

7.0 RECOMMENDATION ON THE KICD (AMENDMENT) BILL, 2019

Having considered the proposed Kenya Institute of Curriculum Development (Amendment) Bill (National Assembly Bill No. 33) of 2019, the Committee recommends that the Bill be passed.



II

MINISTRY OF EDUCATION

Office of the Principal Secretary, State Department of Early Learning And
Basic Education

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When replying please quote

PRINCIPAL SECRETARY
JOGOO HOUSE "B"
HARAMBEE AVENUE
P. O. BOX 30040
NAIROBI

MOE/CONF/G11/3

29th August, 2019

Ref. No.....

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Mr. Michael R. Sialai, EBS
Clerk of the National Assembly
Clerk's Chambers
Parliament Buildings
NAIROBI

Dear

Sialai

**RE: MEETING WITH THE DEPARTMENTAL COMMITTEE ON EDUCATION AND
RESEARCH - KICD AMENDMENT BILL, 2019**

Reference is made to your letter REF.NA/DCS/EDUC/2019/(063) dated 23rd August, 2019 on the above subject matter.

We confirm that we are in agreement with the proposed KICD amendment Bill 2019.

Yours

Sincerely

Dr. Belio R. Kipsang, CBS
PRINCIPAL SECRETARY



