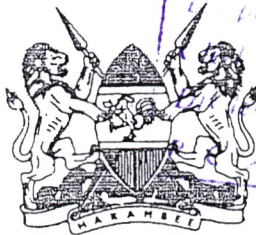


Paper laid
by Hon. Otieno on
Tuesday 22/05/2012

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22/05/2012

REPUBLIC OF KENYA

KENYA NATIONAL ASSEMBLY

TENTH PARLIAMENT – FOURTH SESSION

THE DEPARTMENTAL COMMITTEE
ON
EDUCATION, RESEARCH AND TECHNOLOGY

REPORT ON
THE EXAMINATION OF 2012/2013 FINANCIAL ESTIMATES
FOR

VOTE 131 - MINISTRY OF EDUCATION

VOTE 143 - MINISTRY OF HIGHER EDUCATION,
SCIENCE AND TECHNOLOGY

VOTE 209- TEACHERS SERVICE COMMISSION

PARLIAMENT BUILDINGS
NAIROBI

MAY, 2012

PREFACE

Mr. Speaker, Sir,

The Departmental Committee on Education, Research and Technology is established under Standing Order No. 198. Its mandate pursuant to Standing Order 198(3) is:-

- a) to investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;*
- b) to study the programme and policy objectives of the Ministries and departments and the effectiveness of the implementation;*
- c) to study and review all legislation referred to it;*
- d) to study, assess and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with its stated objectives;*
- e) to investigate and inquire into all matters relating to the assigned Ministries and Departments as they may deem necessary, and as may be referred to them by the House or a Minister; and*
- f) to make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.*

The provisions of the Standing Order 198 state the Terms of Reference (TOR) for the Departmental Committee of Education, Research and Technology as-

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

The committee comprises of the following members:-

The Hon. David K. Koech, MP	-	Chairperson
The Hon. Francis Thombe Nyammo, MP	-	Vice-Chairperson
The Hon. B. C. Muturi Mwangi, MP	-	Member
The Hon. David Njuguna, MP	-	Member
The Hon. Dr. Joyce Laboso, MP	-	Member

The Hon. Mohammed Sirat, MP	-	Member
The Hon. Dr. Wilber Ottichilo Khasilwa, MP	-	Member
The Hon. Alfred Odhiambo, MP	-	Member
The Hon. Dache John Pesa, MP	-	Member
The Hon. Shakila Abdalla, MP	-	Member

Mr. Speaker, Sir,

The Committee exercises its oversight role on the work and administration of the Ministry of Higher Education, Science and Technology, the Ministry of Education; and Teachers Service Commission.

On Thursday, 26th April, 2012, the Minister for Finance laid before the House the Budget Estimates for the 2012/2013 financial year. The estimates were subsequently committed to the Committees of the House to scrutinize and make a report to the House pursuant to provisions of section 221(4) of the Constitution and the Standing Order 152.

Section 221(5) of the Constitution provides that the Committees shall also seek representations from the public and the recommendations shall be taken into account when the Committees make recommendations to the National Assembly. The public hearings were conducted on Friday, 11th May, 2012, and concluded on Monday, 14th May, 2012.

This Report contains the deliberations of the Departmental Committee on Education, Research and Technology on the Printed Estimates which included the submissions presented by the Ministries under its purview.

These Ministries are as follows:

- (i) The Ministry of Higher Education, Science and Technology (Vote 143)
- (ii) The Ministry of Education (Vote 131); and
- (iii) The Teachers Service Commission (Vote 209)

During consideration of the 2012/2013 Printed Estimates, Ministers of the two Ministries and the Secretary of the Teachers Service Commission appeared before the Committee, made submissions and responded to issues raised by the Committee making it possible for the production of this

report. A summary of the submissions is reflected in the report as well as Minutes of the respective sittings of the Committee.

During scrutiny of the Estimates the following policy documents among others were considered: Printed Estimates for 2012/2013, Strategic Plans for the Ministries/Departments, Budget Policy statement (BPS-2012), the Millennium Development Goals (MDGs), the Vision 2030 Blue Print and Medium Term Plans for the Ministries/departments and Treasury Circular No.2/2012 of 15th March, 2012.

The Committee, after examination of the 2012/2013 Financial Estimates, recommends that the various amount requested under Vote 131, Votes 143 and 209 be approved. The committee further recommends that;

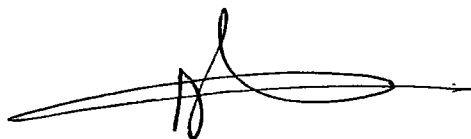
- (i) The Ministry of Finance should allocate funds to recruit an additional 40,000 primary and Secondary Schools teachers and the 25,000 ECDE facilitators. The funds for recruitment of teachers should include the funds for recruitment of ICT teachers in Secondary schools.
- (ii) Treasury should consider allocating funds for accelerated admissions and loans to students through HELB.
- (iii) The government should allocate funds for the establishment of the nine (9) new University Colleges
- (iv) The government should allocate funds for promotion of teachers and automation of TSC records.

Mr. Speaker, Sir,

The Committee would like to thank the Ministers for Education; Higher Education, Science and Technology and Secretary, Teachers Service Commission for responding promptly to the issues raised by the Committee during the examination of the 2012/2013 Financial Estimates and their technical staff for their submissions during the consultative meetings. Special thanks also go to the members of the public who made the public hearings a success.

The Committee also wishes to sincerely thank the Offices of the Speaker and the Clerk of the National Assembly for the support and services extended to the Members to enable the Committee complete the exercise smoothly. Lastly, I am grateful to the Members of the Committee whose support enabled the Committee to accomplish this task.

On behalf of the Committee, I now have the honour and pleasure to present this Report on the Examination of the 2012/13 Financial Estimates of the Ministry of Education, Ministry of Higher Education, Science and Technology and Teachers Service Commission to the House for adoption.



SIGNED

(CHAIRMAN, DEPARTMENTAL COMMITTEE ON EDUCATION,
RESEARCH & TECHNOLOGY).

DATE

18/05/2012

1.0 INTRODUCTION

Mr. Speaker, Sir,

On Thursday, 26th April, 2012, the Minister for Finance laid before the House the Budget Estimates for the 2012/2013 financial year. The estimates were subsequently committed to the Committees of the House to scrutinize and make a report to the House pursuant to provisions of section 221(4) of the Constitution and the Standing Order 152.

Section 221 (4) stipulates that 'a Committee of the Assembly shall discuss and review estimates and make recommendations to the Assembly'. The Standing Order 152 provides that 'the Annual Estimates are committed to the respective departmental Committees according to their mandates'.

Section 221(5) of the Constitution further provides that the Committees shall seek representations from the public and the recommendations shall be taken into account when the Committees make recommendations to the National Assembly.

Therefore, the Budget Committee together with the subject Departmental Committees conducted the public hearings on the 2012/2013 budget estimates on Friday, 11th May, 2012, and concluded in Nairobi on Monday, 14th May, 2012.

The summary of the submissions from the public hearings and the Ministries under the purview of the Departmental Committee of Education, Research and Technology are presented here below.

2.0 MINISTRY OF EDUCATION –VOTE 131

1. The sub-sector derives its mandate from the Education Act, which mandates the Ministry to promote, provide and coordinate quality education and training.
2. The functions of the Ministry include: development of education policy both at primary and secondary levels; quality assurance and supervision of pre-primary, primary and secondary educational institutions; teacher education management; Management of teachers

colleges; registration of basic education and training institutions; curriculum development; examinations and certification; school equipment; early childhood education care and development; special needs education; adult education; Centre for Mathematics, school administration and programmes; Science and Technology in Africa and Kenya National Commission for UNESCO.

3. The sub-sector's strategic objectives include: to ensure that all children, including girls, disadvantaged children and those from marginalized groups, have access to free and compulsory education; to enhance access, equity and quality at all levels of education and training; to achieve universal adult literacy; to promote and popularize Open and Distant Learning (ODL) at all levels of education and training by 2012 and to ensure quality management capacities amongst education managers and other personnel involved in education at all levels by 2015.

Below is the record of the Committee's deliberations on each of the specific vote based on the presentations by the respective Ministers, printed estimates and other documents.

2.1 Submissions by the Minister

The Minister gave a brief overview of the Ministry and informed the Committee that the Ministry of Education has been allocated gross estimates of Kshs. 52,042,598,353 in the FY 2012/13 which represents 77% of its resource requirement. The estimates are shared as follows:

- i. Kshs. 41,407,800,000 is recurrent (80%) and
- ii. Kshs.10,634,798,353 is development (20%). This allocation represents 9.5% growth from last year's allocation.

In its examination of the Printed Estimates, the Committee noted that;

1. Despite Government's recognition of Early Childhood Development Education (ECDE) as an integral part of basic education in the country under article 53 of the Constitution, ECDE programmes had perennially been underfunded. During 2012/2013 the Ministry had requested Kshs. 4, 240,000,000 billion but it was allocated only Kshs. 1,600,000,000. Therefore, the ministry has a shortfall of Kshs. 2,640,000,000 to cater for the 1.9 million ECDE children and a further 6,900,000,000 billion for the recruitment of ECDE teachers. The Minister undertook to write a Cabinet Memo to Treasury for enhancement of the funds to this item in the next Supplementary Estimates.
2. During the Financial Year under review Free Primary Education (FPE) has been underfunded to the tune of Kshs. 4, 037,188,453. It was allocated Kshs. 7, 889, 811, 547 which included the cumulative shortfalls of the past three years of Kshs. 2.26 billion on FPE. The Free Day Secondary Education (FDSE) has been underfunded by Kshs. 11,490,947,000. It was allocated Kshs. 17,799,053,000 against a request of Kshs. 29,290,000,000. The allocation will be disbursed to students in secondary schools with each student being allocated Kshs. 10,265. The Ministry since 2003 has been supporting low cost boarding schools in ASAL areas with each pupil receiving Kshs. 4,000 but the amount has drastically been reduced to Kshs. 2,900 due to the increased pupil enrollment. The Ministry was allocated Kshs. 380, 000,000 with a shortfall of Kshs. 290,000,000.
3. In the 2012/2013 Financial Estimates, Kenya Secondary Schools Support Programme (KESSSP) has been allocated Kshs. 92,374,200 as compared to the previous year's allocation of Kshs. 102,655,000. The Minister reported that the reduction would affect implementation of

important programmes like Peace Education, Communication strategy, implementation of service delivery charter and strengthening of HIV/AIDS infections.

4. The new Mitihani House, for the Kenya National Examination Council, has been under construction since 1986 and had been hampered by continuous shortage of funds and requested the committee if the Ministry of finance could be asked to give one off money to complete the construction of the building. In this FY the Ministry has allocated Kshs. 300 million for the project with a shortfall of Kshs. 1,252,897,427.
5. The Ministry was allocated Kshs. 750 million for improvement of infrastructure in thirty (30) new national schools, with each school getting Kshs. 25 million. This is against the amount requested of Kshs 2,250,000,000.
6. ICT is another critical area that was underfunded. The ministry was allocated only **Kshs. 480 Million** against a requisition of **Kshs. 1.3 billion**. The ministry therefore requires an additional **Kshs. 820 million** towards the financing of ICT services.

The other areas that required priority consideration in the allocation of funds were as follows:

- a. Upgrading of Thirty (30) National Schools - Kshs. 750 Million (Kshs. 25 million per school).
- b. Infrastructure funds for the rehabilitation of both primary and secondary schools (Kshs. 260 Million for Secondary schools and Kshs. 262 Million for Primary schools).
- c. Special needs Education and adult Education- There was need for an additional Kshs. 130 million for Special Needs Education and Kshs. 5, 202,500,000 billion for the recruitment of adult and continuing

education facilitators, provision of teaching learning materials, establishing ACE Centres and establishing training institute for ACE facilitators.

2.2 Committee's observations and recommendations

In considering the estimates of the Ministry, the Committee observed and recommended the following:

1. Early Childhood Development Education (ECDE)- Sub Head 816

The Committee observed that despite the government's recognition of the unit as an integral part of basic education, there is lack of broad government ECDE policy that clearly defines the role of government and local communities. As a result ECDE has remained a community affair whose challenges include: lack of adequate classrooms/centres, lack of qualified trainers and lack teaching/learning resources. The Committee recognizes that mainstreaming of ECDE, as contained in Article 53 of the Constitution and the Sessional Paper No. 1 of 2005, is a critical component in the provision of basic education in the country.

The Committee noted that the Ministry had requested for Kshs. 4,240,000,000 billion but it was allocated a Kshs. 1,600,000,000. The ministry therefore has a shortfall of Kshs. 2,640,000,000 to cater for the 1.9 million ECDE children and a further Kshs. 6,900,000,000 billion for the recruitment of ECDE teachers. However, the Committee welcomed the Ministry's plan to mainstream Early Childhood into basic Education.

The Committee lauds the Treasury for increasing the capitation grants from Kshs. 320 million in the last Financial Year to Kshs. 1.6 billion in the 2012/13 FY.

The Committee therefore recommends that the Ministry identifies and supports at least 50 ECDE centers per district with the enhanced allocation. The Committee further recommends that the Ministry ensures that ECDE is mainstreamed in the education policy.

2. **Free Primary and Secondary Education:** The Committee was gravely concerned with the underfunding of FPE to the tune of Kshs. 4,037,188,453 and Free Day Secondary Education (FDSE) which has been underfunded by Kshs. 11,490,947,000.

The Committee recommends that actual enrollment statistics must be provided by the Ministry of Education and Treasury to ring-fence the amount required because it was mandatory.

The Committee also observed that secondary education has faced myriad challenges ranging from the shortage of secondary schools to match the growth in the primary sector leading to a lot of wastage of primary school graduates. This has been compounded by a large number of secondary school dropouts and shortage of teaching materials in the said schools. The Committee appreciates the expansion of primary and secondary schools infrastructure by the Members of Parliament through the Constituency Development Fund.

The Committee therefore recommends that the government provides incentives and build partnerships with the private sector to build more schools in order to reduce congestion and low transition to secondary schools. However, the Government has the obligation of ensuring that there are enough public secondary

schools for those who cannot afford private education. This will go towards ensuring 100% transition to secondary schools.

3. **National schools infrastructure:** The Committee supports the establishment of thirty (30) more national schools and allocation of at least Kshs. 25 million per school. The Committee noted that the funds allocated for the National school infrastructure in the 2012/2013 FY is not sufficient.
4. **The new Mitihani House:** The Committee is seriously concerned that the project has taken over 26 years and the cost has escalated by more than Kshs. 1.5 billion. The Committee strongly recommends that Kshs. 1.3 billion be allocated to complete the project.

The Committee therefore is agreeable that a sum not exceeding Kshs. 41, 407,800,000 be withdrawn from the Consolidated Fund to finance Recurrent Expenditure and a sum not exceeding Kshs. 10,634,798,353 be withdrawn from the consolidated Fund to finance Development Expenditure in the Ministry subject to inclusion of an additional Kshs. 1.3 billion for the completion of Mitihani House.

3.0 MINISTRY OF HIGHER EDUCATION, SCIENCE AND TECHNOLOGY

1. The functions of the Ministry as outlined in the 2008 Presidential Circular are: - higher education policy, science, technology and innovation policy, technical education, technical training institutes, institutes of technology, national polytechnics, promotion of research, science and technology, the National Council for Science

and Technology, research authorization, inventory and dissemination, the Commission for Higher Education, the Higher education Loans Board, university education, continuing education and public universities.

2. Globally, it is recognized that political, social and economic growth of any country is largely a result of the transformation of knowledge, science and technology into goods and services. Developments of the necessary higher education, scientific and technological infrastructure as well as the technological and entrepreneurial skills are essential prerequisite to the transformation of Kenya into a knowledge based society.
3. The global economy is undergoing rapid development where technology driven by skills and innovation will be among the key determinants to enhancement of efficiency, productivity and competitiveness. Kenya requires a highly effective National Innovation System to ensure sustainable harnessing of the potential offered by modern science and technology.

3.1 Submission by the Minister

The Minister gave a brief overview of the Ministry and informed the Committee that the Ministry of Higher Education, Science and Technology has been allocated a total of Kshs. 60,482 million in the FY2012/13 representing 82% of its request of Kshs. 73,315 million. The allocation represents 14.8% increment in comparison to an allocation of Kshs. 53,684 million in the FY 2011/12. Recurrent budget in 2012/13 estimates amount to Kshs. 45,587 million (75%) while development budget is Kshs. 14,895 (25%). The Minister informed the Committee that the following programmes were not funded;

(i) The accelerated Admissions

The introduction of double intake in the universities is underway and Kshs. 2.4 billion is needed to accelerate the intake. This will also reduce the backlog of students waiting to join university. This will ensure accessibility of university education to all Kenyans. That the

Ministry had entered into an agreement with all public Universities and University Colleges to accelerate admissions from July 2012.

(ii) Establishment of Nine new university Colleges

These colleges included: Kibabii University College, Kirinyaga, Murang'a, Taita Taveta Co-operative University College of Kenya, Garissa, Rongo Embu and Machakos University College. It was estimated that each college would require Kshs. 1.397 billion to set up the infrastructure.

(iii) Loans to Students

The amount allocated to Higher Education Loans Board (HELB) had remained constant except between 2010/2011 and 2011/2012 financial year when an increase of Kshs. 400 million was provided. The Ministry requires an additional allocation of Kshs. 1.5b to finance loans to students.

In a nutshell the Ministry of Higher Education, Science and Technology requests that the government through Treasury should provide for an additional Kshs 23.8b to finance the following projects listed in their order of priority:

- | | |
|--|---------------------|
| i. The Accelerated Admissions | - Kshs. 2.4 billion |
| ii. The establishment of nine (9) new Universities | - Kshs. 5.8 billion |
| iii. The Loans to Students through HELB | - Kshs. 1.5 billion |
| iv. The Outstanding Subscriptions | - Kshs. 600 Million |
| v. The Research Fund | - Kshs. 1.5 billion |
| vi. The funding of Pan African University | - Kshs. 750 Million |
| vii. Training of teaching personnel | - Kshs. 3.5 billion |
| viii. Equipment | - Kshs. 6.5 billion |
| ix. Technology and Innovation | - Kshs. 1.5 billion |
| x. Open University | - Kshs. 750 Million |

3.2 Committee observations and recommendations

1. **University education:** The Committee observed that University education in Kenya is faced with a lot of challenges. These include, among others, high cost of self-sponsored programmes, quality and relevance of higher education, disconnect between education outcomes and market demands.
2. **Research sector:** The Committee was concerned with the perennial underfunding of research sector in the country and continuous segregation of all research funds in the various Ministries and Departments.

The Committee further reiterates that the Minister fast-tracks the introduction of the Kenya Research Foundation Bill (KENREF) in Parliament and the establishment of Research Foundations Fund. The Ministry should enhance the allocation to the National Council for Science and Technology from Kshs.400million to Kshs.800 million during Financial Year under review.

3. **Appropriation-In-Aid (AIA) in the Universities:** The Committee was concerned that the AIA collected by the universities has remained the same over the years.

The Committee recommends that the AIA collected by universities should be reflected accordingly and the universities should enhance the collection of the same to support their sustainability.

4. **Bursaries and Scholarships:** The Committee noted with appreciation the transfer of bursary funds from the Ministry of Higher Education, Science and Technology to the Higher

Education Loans Board (HELB). In spite of that many Kenyans still do not access the funds and hence cannot afford higher education. The Committee recommends that the bursary allocations to students be increased from Kshs. 100 million to Kshs. 200 million to enable all qualified needy students to access education. The Committee further recommends that the Government should allocate an additional Kshs. 1.5 billion to HELB to finance the accelerated admissions and an additional Kshs. 280 million to finance increased annual admissions; Kshs.100 million for bursaries and Kshs. 400 million for research funds under the NCST,

5. Nine (9) new university colleges: The Committee is concerned that the Kshs. 30 million allocated to the 9 new university colleges is inadequate; the Committee therefore recommends that an additional Kshs. 630 million be allocated to the item.
6. The Committee therefore is agreeable that a sum not exceeding Kshs. 45,587,000,000 be withdrawn from the Consolidated Fund to finance Recurrent Expenditure and a sum not exceeding Kshs. 14,895,000,000 be withdrawn from the consolidated fund to finance Development Expenditure in the Ministry subject to allocation of Kshs. 2.4 billion to finance accelerated admissions; Kshs. 100 million for bursaries; Kshs. 400 million for research funds under the NCST; Kshs. 630 million for the establishment of nine (9) new university colleges and Kshs. 1.5 billion for HELB.

4.0 TEACHERS SERVICE COMMISSION – VOTE 209

1. The Teachers Service Commission is established under Article 237 the Constitution of Kenya 2010. Its budget stood at Kshs. 116.4 billion in line with the treasury ceilings provided in the Budget Review and Outlook Paper (BROP) and adjusted for recruitment of teachers. Personnel emoluments accounted for Kshs. 119.2 billion while operation and Maintenance expenditure stood at Kshs. 584 million.
2. The mandate of TSC is registration, deployment, promotion, remuneration and discipline of teachers and maintenance of teaching standards.
3. The Teachers Service Commission's Strategic Plan envisages to providing a framework for planning, implementation, evaluation of its programmes as well as providing a basis for resource mobilization, allocation and targeting.

4.1 Submissions by the Secretary, Teachers Service Commission

1. The Secretary of the Teachers Service Commission gave a brief overview of the Commission and informed the Committee that in 2012/2013 FY the Commission has been allocated Kshs. 119.2 billion for personnel emoluments while operation and Maintenance expenditure was allocated Kshs. 584 million.
2. The Teachers Service Commission budget has increased from Kshs. 111.9 billion in the FY 2011/2012 to Kshs. 119.7 billion in FY 2012/2013. This represents an increase of Kshs. 7.8 billion. However, the Commission is still underfunded.
3. The Commission was not allocated funds in the Financial Estimates for the following items:

- a. Recruitment of thirty thousand (30,000) teachers to ease the acute shortage of teachers in the country. The commission needs **Kshs. 10.2 billion** to recruit the required teachers.
- b. **Promotion of teachers-** There will be no promotions of teachers by the Commission during the FY under review. The Commission promotes 2.5% of all P1 teachers TPC course and 4500 upon attainment of diploma and degree certificates. Additionally the Commission promotes 12,000 graduate teachers through various schemes of service. This may affect delivery of service if welfare of the teachers is not catered for. The Commission therefore requires **Kshs. 2.1 billion** for the promotion of teachers.
- c. Under the Workman's Injuries compensation scheme, according to Workman's Injury and Benefits Act of 2008 the Commission is required by law as an employer to provide work injuries cover for its employees who may get injuries in the course of duty. The TSC secretariat has a group accident policy but teachers are not covered under the same. In FY 2009/2010 the Commission had requested for Kshs. 600 million for the item but no funds have been allocated to date. Though there are few cases of claims by teachers on injuries inflicted on them in the course of duty there is need for Treasury to provide the funds to ensure that teachers enjoy the group accident policy. It will be too costly, than having a group accident policy, if the affected teachers were to seek redress in the courts of law. This stands at **Kshs. 200 Million**
- d. Automation of Records(digitalization of 750,000 files and automation of all operations)- **Kshs. 200 Million**
- e. Decentralization to the Counties. This includes one-off expenditures in creating of county offices, interconnectivity, purchase of motor vehicles and motorbikes among other expenses - **Kshs.950 million.**

- f. Travelling and Accommodation Kshs. 250 Million (Kshs.200 million to pay accumulated claims and Kshs. 50 Million to finance this line item in the current financial year).

4.2 Committees' observation and recommendations

1. **Recruitment of teachers:** The Committee was concerned that the Treasury did not allocate funds for recruitment of 30,000 teachers and promotion of continuing teachers. This can compromise provision of quality education.

The Committee therefore recommends that the Treasury urgently provides Kshs. 8 billion during 2012/13 FY to employ 30, 000 new teachers to minimize the acute shortage of teachers in the country and Kshs. 500 million to cater for promotion of teachers.

2. **Retired teachers:** The Committee was gravely concerned that the Kshs.3.4 billion for payment to the retired teachers during the 2011/12 FY was still being held by Treasury. The Committee recommends that the process of disbursing Kshs. 3.4 billion be expedited. The Committee further recommends that the Treasury allocates the balance of Kshs. 14.2 billion as per the Court ruling.
3. The Committee therefore is agreeable that a sum not exceeding Kshs. 119, 837,000,000 be withdrawn from the Consolidated Fund to finance Recurrent Expenditure for the Commission subject to allocation of an additional Kshs. 8 billion for recruitment of new teachers and Kshs. 500 million for promotions of teachers.

MINUTES

MINUTES OF THE TWENTY THIRD SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY, 9TH MAY, 2012 AT COMMITTEE ROOM 9, MAIN PARLIAMENT BUILDING AT 9:30 A.M.

PRESENT

The Hon. David Koech, MP	- Chairperson
The Hon. F.T. Nyammo, MP	- Vice Chairperson
The Hon. (Dr.) Wilbur Ottichilo, MP	
The Hon. John Dache Pesa, MP	
The Hon. (Dr.) Joyce Laboso, MP	
The Hon. Shakila Abdalla, MP	
The Hon. Alfred B. Odhiambo, MP	

ABSENT WITH APOLOGY

The Hon. B.C. Muturi Mwangi, MP
The Hon. David Njuguna, MP
The Hon. Muhamed Sirat, MP

IN ATTENDANCE:

Hon. Prof. Margaret Kamar, EGH, MP
Prof. Everest Standa
Prof. Harry Kaane
Benjamin Cheboi
Dr. George Ombekho
Julius Itunga
Kimathi Mugambi
Anne Mworira
Emily Maina
Michael Kahiti
Alphonse Mwaa Mutinda
Grace N. Muriuki
Mary Wachira
Salome Gichuru

**MINISTRY OF HIGHER EDUCATION
SCIENCE AND TECHNOLOGY**

- Minister
- Chief Executive Officer, CHE
- Secretary, HES & T
- CEO HELB
- Director DRMD
- Director Finance & Admin
- CFO MoHEST
- DS MoHEST
- SADTE MoHEST
- Chief Economist
- DDTAQA MoHEST
- Assistant Accountant General
- Finance Manager HELB
- Director HEST

IN ATTENDANCE:

KENYA NATIONAL ASSEMBLY

Ms. Mary Chesire
Ms. Rebecca Tonkei
Ms. Lynette Otieno

- First Clerk Assistant
- Research Officer 1
- Parliamentary Intern

MIN.NO. 98/2012

- **PRELIMINARIES**

The Chairman called the meeting to order at 10.50 am and started with a word of prayer. Thereafter, the Chairman requested the Minister to introduce her team and brief the Committee on the subject of the day.

MIN.NO. 99/2012

- **MEETING WITH THE MINISTRY OF
HIGHER EDUCATION, SCIENCE AND
TECHNOLOGY**

The Minister informed the Committee that:

- i. The following Bills were ready for review by the relevant stakeholders and the Ministry was planning a workshop where the said stakeholders will interrogate the Bills. The Bills include: the University Bill, the National Council for Science and Technology Bill and the Commission for Higher Education Bill.
- ii. The Ministry was in the process of expanding access to higher education through the creation of nine new universities. The Minister reported that the only challenge was lack of adequate funding to the Ministry to support infrastructure development.
- iii. There was need for a meeting with the Ministry of Finance together with all Vice Chancellors so that issues of underfunding of key activities of the Ministry and modalities of implementing the accelerated admissions could be discussed.
- iv. There was need to increase the funding to HELB by Kshs.280 Million in order to cater for the increase in the number of students seeking loans.
- v. The proposed reduction of the travelling vote had impacted negatively on the Ministry's participation in the international conferences and workshops as well as performance of quality assurance roles.

- vi. The establishment of the National Space Agency was almost complete but its placement under the Ministry of Defense had hindered absorption of funds and fast tracking its operationalization.
- vii. The key areas of concern in the 2012/2013 Budget Estimates included:
 - (a) Accelerated admission: There was urgent need to allocate Kshs.2.5 Billion to HELB to finance this item.
 - (b) The creation of nine (9) new Universities: The Ministry required Kshs.5.85 Billion to fund the infrastructure development and recruitment of lecturers in these universities.
 - (c) Allocation of Kshs.750 Million to fund the infrastructural development of Pan African University.
 - (d) Allocation of Kshs.230 Million to support the establishment and infrastructural development of Bio-safety institute.

The Committee observed that:

- i. The Ministry lacked adequate funding in key areas that were important in the realization of the Vision 2030.
- ii. The Ministry of Finance should allocate additional funds to finance the key activities of the Ministry of Higher Education, Science and Technology including: the accelerated admissions, the creation of nine new universities and the establishment of Pan African University among others.
- iii. A joint meeting with the Ministry of Finance, Ministry of Higher Education, all Vice Chancellors and the Committee was required to chart a way forward on various issues including accelerated admissions.
- iv. There was need for the Ministry of Finance to allocate funds for the establishment of a Kenya Research Foundation Fund since research was a key area for a developing country like Kenya.

MIN.NO. 100/2011

- ANY OTHER BUSINESS

The Chairman thanked the Minister and her team for the comprehensive briefing and wished them well.

MIN.NO.101/2011

- DATE OF THE NEXT MEETING

The next meeting was to be called by notice.

MIN.NO. 102/2011

- ADJOURNMENT

There being no other business, the Committee adjourned the sitting at twenty minutes past twelve o'clock.

SIGNED: HON. DAVID KOECH, MP
(CHAIRPERSON)

DATE: 18TH MAY, 2012

MINUTES OF THE TWENTY FOURTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY, 9TH MAY, 2012 AT COMMITTEE ROOM 9, MAIN BUILDING, PARLIAMENT BUILDINGS AT 9:30 A.M.

PRESENT

The Hon. David Koech, MP	- Chairperson
The Hon. F.T. Nyammo, MP	- Vice Chairperson
The Hon. (Dr.) Wilbur Ottichilo, MP	
The Hon. John Dache Pesa, MP	
The Hon. (Dr.) Joyce Laboso, MP	
The Hon. Shakila Abdalla, MP	
The Hon. Alfred B. Odhiambo, MP	

ABSENT WITH APOLOGY

The Hon. B.C. Muturi Mwangi, MP
The Hon. David Njuguna, MP
The Hon. Muhamed Sirat, MP

IN ATTENDANCE:

Hon. Mutula Kilonzo	-	<u>MINISTRY OF EDUCATION</u>
Prof. George I. Godia	-	Minister
Peter Odundo	-	Acting Permanent Secretary
Elymaryta A. M. Khaoya	-	Chief Finance Officer
David Otiato	-	Senior Deputy Secretary
	-	Finance Officer

IN ATTENDANCE

Ms. Mary Chesire	-	<u>KENYA NATIONAL ASSEMBLY</u>
Ms. Rebecca Tonkei	-	First Clerk Assistant
Ms. Lynette Otieno	-	Research Officer 1
	-	Parliamentary Intern

MIN.NO. 103/2012

- **PRELIMINARIES**

The Chairman called the meeting to order at 12.30 pm and started with a word of prayer. Thereafter, the Chairman requested the Minister to introduce his team and brief the Committee on the subject of the day.

The Minister informed the Committee that:

- i. During the financial year 2012/2013 the Ministry had introduced projects that required funding including: the establishment of three National ICT Innovation and Integration centres which were allocated Kshs.54 Million; the creation of District School audit Units which was allocated Kshs.149 Million; the establishment of the Schools Equipment Production Unit (SEPU) which was allocated Kshs.10 Million and the establishment of Machakos Technical Institute for the Blind which was allocated Kshs.7.5 Million.
- ii. The TSC Bill was unanimously accepted by Cabinet and was to be published within a week.
- iii. The draft Sessional Paper on the Education Policy and the Draft Kenya Institute of Education Paper were complete while the Task force Report on Education was expected to be completed by Monday, 14th May 2012.
- iv. The following priority activities of the Ministry were underfunded or not funded at all in the 2012/2013 Budget Estimates:
 - a. Early Childhood Development Education with a shortfall of Ksh. 2.6 Billion.
 - b. Free Primary Education (FPE). This item was underfunded by Kshs.4 Billion.
 - c. Free Day Secondary Education (FDSE).This item was Underfunded by Kshs.11 Billion
 - d. The Ministry had planned to upgrade 57 Secondary Schools to National School status but the funds available could only support the upgrading of only 30 schools.
 - e. Secondary School Infrastructure with a shortfall of Ksh.260 Million.

- f. ICT with a shortfall of 820 Million. The initial plan was to support 5 schools per constituency giving each Ksh.1 Million. However, due to the shortfall the ministry will only be able to support two schools per constituency. There are 7000 secondary schools and so far only 2000 have benefited from ICT grants thus there's need to get more allocation on this vote.
- g. Sanitary pads project. This project requires 2.6 Billion but was allocated only Kshs.300 Million.
- h. The New Mitihani house project with a shortfall of Ksh.1.2 Billion. However, there was controversy over the project as the Ministry was still in talks with the Ministry of Public Works to transfer the project to it.

MIN.NO. 105/2011 - ANY OTHER BUSINESS

The Chairman thanked the Minister and his team for the comprehensive briefing and wished them well.

MIN.NO.106/2011 - DATE OF THE NEXT MEETING

The next meeting was to be called by notice.

MIN.NO. 107/2011 - ADJOURNMENT

There being no other business, the Committee adjourned the sitting at two o'clock.

**SIGNED: HON. DAVID KOECH, MP
(CHAIRPERSON)**

DATE: 18TH MAY, 2012

MINUTES OF THE TWENTY FIFTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON THURSDAY, 10TH MAY, 2012 AT MEDIA CENTER, MAIN BUILDING, PARLIAMENT BUILDINGS AT 9:30 A.M.

PRESENT

The Hon. David Koech, MP	- Chairperson
The Hon. F.T. Nyammo, MP	- Vice Chairperson
The Hon. John Dache Pesa, MP	
The Hon. Shakila Abdalla, MP	
The Hon. David Njuguna, MP	

ABSENT WITH APOLOGY

The Hon. B.C. Muturi Mwangi, MP
The Hon. Muhamed Sirat, MP
The Hon. Alfred B. Odhiambo, MP
The Hon. (Dr.) Joyce Laboso, MP
The Hon. (Dr.) Wilbur Ottichilo, MP

IN ATTENDANCE

- TEACHERS SERVICE COMMISSION

Gabriel K Lengoiboni	- Secretary
Nancy N. Macharia	- D (TM)
Franklin Choge	- SDD (F)
Grace Ngure	- D (Accounts)
Wilson Kigen	- S P.F. O

IN ATTENDANCE

- KENYA NATIONAL ASSEMBLY

Ms. Mary Chesire	- First Clerk Assistant
Ms. Rebecca Tonkei	- Research Officer 1
Ms. Lynette Otieno	- Parliamentary Intern

MIN.NO. 108/2012

- PRELIMINARIES

The Chairman called the meeting to order at 9.30 am and started with a word of prayer. Thereafter, the Chairman requested the CEO Teachers Service

Commission to introduce his team and brief the Committee on the subject of the day.

MIN.NO. 109/2012

- MEETING WITH TEACHERS SERVICE COMMISSION (TSC)

The Committee was informed that:

- i. TSC received Kshs.7.8 Billion more in the budget estimates of 2012/2013 compared to previous financial year. The increase in the allocation was to finance the following:
 - a. Kshs.2.23 Billion to fund automatic yearly increments at 2% of gross personnel Emoluments.
 - b. Kshs.3.4 Billion for Employment of 10,000 new teachers from July 2012.
 - c. Kshs.900 million to pay full year salary for 5000 teachers recruited in January 2012.
 - d. Kshs.1.2 Billion to pay full year salary of 18,000 teachers, who had previously been recruited on contract but were converted to Permanent and pensionable from October, 2011.
 - e. Kshs.114 million to fund the operationalization of TSC systems in all the 47 counties.
- ii. The following key areas were not funded in the budget estimates of the 2012/13 financial year.
 - (a) Recruitment of 30,000 teachers which requires Kshs.10.2 Billion.
 - (b) Promotion of teachers which requires Kshs.2.1 Billion.
 - (c) Automation of 750,000 files and other TSC records which requires Kshs.200 Million.
 - (d) Workman's Injuries compensation which requires KShs.200 Million.

(e) Travel and accommodation which requires Kshs.200 Million.

(f) Medical ex-gratia which requires Kshs.105 Million

- iii. The Source of Appropriation in aid for TSC was through Hire Purchase commission, registration of teachers, Sale of items, vehicles and tender documents and leasing of part of the TSC Building space.
- iv. Performance contracting was the way to go and the new TSC Act will incorporate this. This will also ensure promotions are based on merit.
- v. The TSC Bill was unanimously accepted by Cabinet and should be published within a week. However, as much as TSC will be independent the National government must have links at the county level for purposes of monitoring the implementation of education policies.
- vi. The AG and the State's Counsel Offices had never won a case for the Commission and TSC no longer relied on their services.
- vii. TSC will recruit teachers as soon as funds are available
- viii. The order of priority of needs and urgency for funding was as follows:
 1. Recruitment of teachers
 2. Promotion of teachers
 3. Medical ex-gratia
 4. Automation of documents and TSC
 5. Workmen's compensation
 6. Decentralization.

MIN.NO. 110/2011

- ANY OTHER BUSINESS

The Chairman thanked the CEO and his team for the comprehensive briefing and wished them well.

MIN.NO.111/2011

- DATE OF THE NEXT MEETING

The next meeting was to be called by notice.

MIN.NO. 112/2011

- ADJOURNMENT

There being no other business, the Committee adjourned the sitting at twenty five minutes past twelve o'clock.

SIGNED: HON. DAVID KOECH, MP
(CHAIRPERSON)

DATE: 18TH MAY 2012

MINUTES OF THE TWENTY SIXTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY, 16TH MAY, 2012 AT COMMITTEE ROOM 7, MAIN PARLIAMENT BUILDING AT 4.00PM.

PRESENT

The Hon. David Koech, MP - Chairperson
The Hon. Shakila Abdalla, MP
The Hon. David Njuguna, MP
The Hon. B.C. Muturi Mwangi, MP
The Hon. Alfred B. Odhiambo, MP
The Hon. (Dr.) Joyce Laboso, MP
The Hon. (Dr.) Wilbur Ottichilo, MP

ABSENT WITH APOLOGY

The Hon. F.T. Nyammo, MP - Vice Chairperson
The Hon. John Dache Pesa, MP
The Hon. Muhamed Sirat, MP

IN ATTENDANCE - **KENYA NATIONAL ASSEMBLY**

Ms. Mary Chesire - First Clerk Assistant

MIN.NO. 113/112 - **PRELIMINARIES**

The Chairman called the meeting to order at 4.10 pm and opened with a word of prayer. He informed the Members that he would be out of the country in Germany from 20th May 2012 and stated that Committee meetings should continue while he is away.

MIN.NO. 114/112 - **ADOPTION OF THE COMMITTEE REPORT ON THE 2012/13 FINANCIAL ESTIMATES**

The Committee considered and adopted its report on the 2012/13 Financial Estimates. It was proposed by Hon. David Njuguna, MP and seconded by Hon. Alfred Odhiambo, MP. The Committee agreed to meet on Thursday, 17th May 2012 to approve the Minutes relating to the Financial Estimates.

MIN.NO.115/2011 - **DATE OF NEXT MEETING**

The next meeting will be held on Thursday, 17th May 2012 at 4.00pm

MIN.NO.116/2011

- ADJOURNMENT

There being no other business, the meeting was adjourned at 5.25pm.

SIGNED: HON. DAVID KOECH, MP
(CHAIRPERSON)

DATE: 18TH MAY 2012

MINUTES OF THE TWENTY SEVENTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON THURSDAY, 17TH MAY, 2012 AT COMMITTEE ROOM 07, MAIN BUILDING, PARLIAMENT BUILDINGS AT 4:00 P.M.

PRESENT

The Hon. David Koech, MP - Chairperson
The Hon. B. C. Muturi Mwangi, MP
The Hon. (Dr.) Wilbur Ottichilo, MP
The Hon. Shakila Abdalla, MP

ABSENT WITH APOLOGY

The Hon. F.T. Nyammo, MP - Vice Chairperson
The Hon. John Dache Pesa, MP
The Hon. David Njuguna, MP
The Hon. Muhamed Sirat, MP
The Hon. Alfred B. Odhiambo, MP
The Hon. (Dr.) Joyce Laboso, MP

IN ATTENDANCE - **KENYA NATIONAL ASSEMBLY**

Mr. Derick Koli - Third Clerk Assistant

MIN.NO. 117/2012 - **PRELIMINARIES**

The Chairman called the meeting to order at ten minutes past four o'clock and started with a word of prayer. Thereafter, the Chairman welcomed the Members present to the meeting.

MIN.NO. 118/2012 - **CONFIRMATION OF PREVIOUS MINUTES**

The Minutes of the following meetings were confirmed by the members present and signed by the Chairperson:

- i. Minutes of the Twenty Third Sitting held on Wednesday, 9th May 2012 after being proposed and seconded by Hon. (Dr.) Wilbur Ottichillo, MP and Hon. Shakilla Abdalla, MP, respectively.
- ii. Minutes of the Twenty Fourth Sitting held on Wednesday, 9th May 2012 after being proposed and seconded by Hon. Shakilla Abdalla, MP and Hon. (Dr.) Wilbur Ottichillo, MP, respectively.

- iii. Minutes of the Twenty Fifth Sitting held on Thursday, 9th May 2012 after being proposed and seconded by Hon. Shakilla Abdalla, MP and Hon. B.C. Muturi, MP, respectively.
- iv. Minutes of the 26th Sitting held on Wednesday, 16th May 2012 after being proposed and seconded by Hon. B.C. Muturi, MP and Hon. (Dr.) Wilbur Ottichillo, MP, respectively.

MIN.NO. 119/2011

- ANY OTHER BUSINESS

- i. The Committee agreed to meet the Korean team on Monday 21st May 2012 at 10:00am.
- ii. The Committee also scheduled a meeting on Tuesday, 22nd May to adopt various reports including the report on Chepkoilel University College (a constituent college of Moi University).
- iii. The Committee directed the Secretariat to prepare a draft programme on KNEC visits and report writing as well as the schedule for joint meetings with Energy Committee on San Marco issue.

MIN.NO.120/2011: DATE OF THE NEXT MEETING

The next meeting was to be held on Monday, 21st May 2012 at 10:00am.

MIN.NO. 121/2011: ADJOURNMENT

There being no other business, the Committee adjourned the sitting at ten minutes to six o'clock.

**SIGNED: HON. DAVID KOECH, MP
(CHAIRPERSON)**

DATE: 18TH MAY 2012