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REPUBLIC OF KENYA

KENYA NATIONAL ASSEMBLY

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TENTH PARLIAMENT – THIRD SESSION, 2009

REPORT OF  
THE PARLIAMENTARY COMMITTEE  
ON  
EDUCATION, RESEARCH AND TECHNOLOGY

ON  
THE INQUIRY INTO THE STUDENTS' DISTURBANCES AT THE  
KENYATTA UNIVERSITY IN MARCH 2009

OCTOBER 2009

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## PREFACE

Mr. Speaker, Sir,

Following the recent wave of unrests at the Kenyatta University where a lot of property amounting to Ksh.112 million was destroyed, leading to the loss of life of one student and several others injured and subsequent to a Ministerial Statement by the Minister for Higher Education, Science and Technology on 05 July 2009 and the debate on the matter by the House, the Temporary Deputy Speaker made the following communication from the Chair;

*"I would therefore want to rule that any document that is around here should be given the Committee and we get the committee's report. We do not want the house to be subjected to discussing documents of a university-that are not been signed to begin with. Can we ask the Committee to prepare a report and include in it what has come from the University Senate and what has transpired on the Floor of the House and table report here. ....We will then be able to conclusively discuss the matter. We are expecting it back within three weeks".*

Subsequent to this ruling, the Departmental Committee on Education, Research and Technology, during its sitting on Tuesday, 11 August 2009 resolved to meet with all the stakeholders from the Kenyatta University, Ministry of Higher Education, Science and Technology, Ministry of State for Provincial Administration and Internal Security and Members of Parliament with a view to establishing the underlying causes of the unrests at the University and to propose the necessary remedial measures to address the issues and to avert future occurrences.

The Committee comprises the following Members:

The Hon. David K. Koech, MP	-	<b>Chairperson</b>
The Hon. Francis Thombe Nyammo, MP	-	<b>Vice-Chairperson</b>
The Hon. B.C. Muturi Mwangi, MP	-	Member
The Hon. Mwaura Kiburi David, MP	-	Member
The Hon. Dr. Joyce Laboso, MP	-	Member
The Hon. Abdirahman Hassan Ali, MP	-	Member
The Hon. Dr. Wilber Ottichilo Khasilwa, MP	-	Member
The Hon. D.M. Mwakulegwa, MP	-	Member
The Hon. Alfred Odhiambo, MP	-	Member
The Hon. Dache John Pesa, MP	-	Member
The Hon. Shakilla Abdalla, MP	-	Member

The Committee commenced its work on Tuesday, 18th August 2009 after rolling out its programme and held a total of thirteen (13) Sittings. The Committee received oral and written memoranda from the stakeholders who included:- **the Senate, Kenyatta University Council, lecturers, members of staff, students and religious organizations from the University; Minister for Higher Education, Science and Technology; and Ministry of State for Provincial Administration and Internal Security.**

The Committee would particularly like to thank all the stakeholders who made contributions during the hearings. Special thanks goes to the KU lecturers and students for their candid submissions. The Committee would also like to acknowledge the cooperation and assistance it received from all persons it encountered during this inquiry.

The Committee further wishes to sincerely thank the Offices of the Speaker and the Clerk of the National Assembly for the necessary support and services extended to the

As Chairperson, I must thank Members of the Committee for their patience, sacrifice, endurance and hard work despite their other commitments and tight schedules in their endeavor to unearth the critical issues behind the unrests at the University.

I must further thank the staff of the National Assembly for their steadfast expertise, and without whose dedication, the work of the Committee would have been impossible.

Mr. Speaker, Sir,

On behalf of the Departmental Committee, I now have the honour and pleasure to present its Report and Recommendations to the House for debate and look forward to its adoption.

Thank You,



Signed .....

CHAIRPERSON

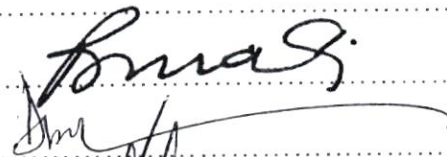
(HON. DAVID KOECH, MP)

Date: ..... 28/11/2009 .....


We, Members of the Parliamentary Committee on Education, Research and Technology do hereby affix our signatures to confirm the correctness of this report.

The Hon. David K. Koech, MP.....

The Hon. Francis Thombe Nyammo, MP.....

The Hon. B.C. Muturi Mwangi, MP.....

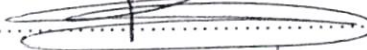
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The Hon. D.M. Mwakulegwa, MP.....

The Hon. Alfred Odhiambo, MP.....

The Hon. Dache John Pesa, MP.....

The Hon. Shakilla Abdalla, MP.....

### LIST OF ACRONYMS

CATs	-	Continuous Assessment Tests
HELB	-	Higher Education Loans Board
JAB	-	Joint Admission Board
KM	-	Kamae Market
KU	-	Kenyatta University
KUDHEHIA	-	Kenya Union of Domestic, Hotel, Educational Institutions, Hospitals, and Allied Workers
KUSA	-	Kenyatta University Students' Association
ODM	-	Orange Democratic Movement
PNU	-	Party of National Unity
SSP	-	Self Sponsored Programme
UASU	-	University Academic Staff Union
UNTESU	-	University Non Teaching Staff Union

## EXECUTIVE SUMMARY

1. The Departmental Committee on Education, Research and Technology is one of the twelve (12) Departmental Committees; which is established and operates in accordance with the Standing Order No. 198 (3) which states *inter alia*:-
  - (i) *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;*
  - (ii) *to study the programme and policy objectives of the Ministries and departments and the effectiveness for the implementation;*
  - (iii) *to study and review all legislation referred to it;*
  - (iv) *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;*
  - (v) *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*
  - (vi) *to make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.*
3. On Wednesday, 05 August 2009, the Temporary Deputy Speaker directed the Committee to inquire into students' unrests at the Kenyatta University following a Ministerial Statement on the matter by an Assistant Minister for Education, Science and Technology. Subsequently, the Committee commenced its work on Tuesday, 11th August 2009, to gather views from stakeholders and make recommendations on issues relating to the students' unrests at the University.
4. The Committee held a total of thirteen (13) interactive discussions with representatives and stakeholders from the University, the Ministries of Higher Education, Science and Technology and Provincial Administration and Internal Security.

5. To ensure that all sections of the stakeholders were provided with ample opportunities to make their submissions, the Committee heard evidence from representatives of Students, KUSA, Lecturers, UASU, UNTESU, KUDHEHIA, University Senate, University Council, Religious Organizations, Minister for Higher Education Science and Technology and the Ministry of State for Provincial Administration and Internal Security. No Members of Parliament appeared before the Committee though they were invited.
6. From the evidence presented, the Committee was of the opinion that varied reasons were responsible for students' unrests at the KU.
7. The major highlights of the conclusions made by the Committee on the unrests include registration deadline, poor relationship between the students and the University administration, rumour mongering, suspension of KUSA officials, penalty fine of Kshs. 1000, shortened semesters, weak and highly centralized management systems, negative ethnicity, new KUSA leadership, role of the neighbouring community, poor coordination of the security system, University staff and non-reconciliation of students fees balances.
9. The summary of major recommendations based on the findings include streamlining of registration, teamwork and team building and open communication, enhancing of reconciliation, adherence to semester timetable, putting in place of security policy, overhauling and automating of the financial services, resolution of the land issues and decentralization and management where necessary. The recommendations are as presented in Chapter Four.
10. The details of the findings of the Committee and recommendations are contained in Chapter Three of this Report. It is important to note that the issues and recommendations presented in the report are not exhaustive and the Committee urges the House to further deliberate on all the evidence where necessary and recommend appropriate action.

11. The Committee calls upon the House to move expeditiously to adopt the recommendations in order to enhance discipline and deter future unrests and strikes in the institutions of higher learning.

## CHAPTER ONE

### 1.0 INTRODUCTION

01. Kenyatta University is one of the seven (7) public universities in Kenya. It is located at about 16 km north-east of Nairobi City along the Nairobi-Thika highway. It stands on a land area of over 1,000 acres ideal for development and expansion of its infrastructure for education and training facilities. Currently, the university hosts a total student population estimated at 23,000 composed of an estimated 17,000 students on regular programmes and the rest are on institution-based programmes.

02. Kenyatta University is established pursuant to the provisions of the Kenyatta University Act, Chapter 210C of the Laws of Kenya (No. 10 of 1985). Section 3 of the Act provides, as follows-

*1) There is hereby established a university to be known as the Kenyatta University which shall be the successor institution to the institution hitherto known as the Kenyatta University College.*

*2) The University shall be a body corporate with perpetual succession and a common seal and shall in its corporate name capable of-*

*(a) suing and being sued;*

*(b) taking, purchasing or otherwise acquiring, holding, charging and disposing of movable or immovable property;*

*(c) borrowing or lending money;*

*(d) entering into contracts; and*

*(e) doing or performing all such other things or acts for the proper performance of its functions under, and for the furtherance of the provisions of, this Act which may lawfully be done or performed by a body corporate*

03. Since its inception in 1970s as a constituent college of University of Nairobi, specializing in teacher training for secondary schools, Kenyatta University has recorded rapid expansion and especially in the last decade. University statistics indicate there are now a total of 14 Schools and 58 Departments offering courses in various fields, including education, sciences, agriculture, technology, economics, engineering, law and medicine. The university has also established several constituent university colleges and open learning centres across the country.

04. The mandate and functions of the Kenyatta University are stipulated in section 4 of the University Act, as follows-

i) Section 4(1) states the functions of the University, shall be-

- (a) to provide directly or in collaboration with other institutions of higher learning facilities for university education including technological and professional education and research;
- (b) to provide and advance university education and training to appropriately qualified candidates leading to the award of degrees, diplomas and certificates and such other qualifications as the Council and the Senate shall from time to time determine and in so doing contribute to manpower needs of Kenya;
- (c) to conduct examinations for and to grant such academic awards as may be provided for in the Statutes;
- (d) to participate in the discovery, transmission, and preservation of knowledge, and to stimulate cultural and intellectual life of the society;
- (e) to determine who may teach and what may be taught and how it may be taught in the University;
- (f) to play an effective role in the development and expansion of opportunities for Kenyans wishing to continue with their education.

ii) Section 4(2), states-

*'Admission to the University as candidates for degrees, diplomas, certificates or other awards of the University be open to all persons accepted as being qualified by the Senate, without distinction of ethnic origin, sect or creed, and no barrier based on any such distinction shall be imposed upon any person as a condition of his becoming, or continuing to be, a professor, lecturer, graduate, or student of the University, or of his holding any office therein, nor shall any preference be given to, or advantage be withheld from any person on the grounds of ethnic, sect or creed.'*

05. On 18 March 2009 and 29 March 2009, the Kenyatta University experienced students' strikes which forced the University Management to close the institution during the two occasions. The strikes were destructive in nature. In the first strike, the cost of the destruction was estimated at 15 million. The second strike was the

most violent and destructive ever witnessed in any university; it resulted in wanton destruction of the university property which included burning of the Harambee Lecture Hall, Student Centre, parts of the Computer Centre and Nyayo 3 Hostels at the Kenyatta Main Campus; and a hostel and housekeeper's house at Ruiru Campus. An estimated 200 computers were looted in both campuses. The cost of the damage was estimated at Kshs.112 million shillings including the cost of repair works of destroyed buildings and purchase of the stolen computers. The second strike also led to the death of one (1) student and several injuries. The total cost of the two strikes is estimated at Kshs.127 million shillings.

06. The wanton destruction of learning facilities at the university pose a serious threat to the institution's efforts to improve teaching and learning facilities and to make progress in achieving its vision of becoming a leading university. In this regard, there is urgent need for concerted efforts to address the underlying issues that led to the strikes at the University.
07. Kenya currently spends about 20% of its national budget on education and this investment needs to be reflected in its output in building the capacity of the youth, and in its contribution to the realization of educational goals, and achievements of the millennium development goals (MDGs) and the Vision 2030. All stakeholders including the students must significantly play their role in ensuring that the education institutions are saved from the threats posed by the strikes and riots in those institutions. Our youth in educational institutions are a hope of future leadership and a vision for the country.
08. Strikes are symptoms of what must concern all stakeholders in the country. Indeed more so, when the strikes are becoming violent and destructive in nature in our educational institutions. In 2008, an estimated 290 schools in the secondary education sector went on strike, many of which were violent and led to loss of life and destruction of property worth millions of Kenya shillings (see the report of the Departmental Committee on Education, Research and Technology on Students' Unrests and Strikes in Secondary Schools in Kenya, 2008). Such strikes should not be allowed to be replicated in our learning institutions.
09. The characteristics and intensity of strikes in institutions must become a wake up call in the urgent need to understand that things are no more business as usual. The management of institutions must come to the reality that the students of today are ahead in their thinking. Subsequently, we must remain dynamic and relevant in our way of providing leadership in those institutions. All stakeholders including the government must ensure that appropriate policies are systematically formulated and

effectively implemented to make educational institutions a 'home' of the youth if they are to become an asset in the society and community.

10. Following a Ministerial Statement and the subsequent tabling of a report by a University Senate on the events leading to the unrests and closure of Kenyatta University in Parliament by an Assistant Minister for Higher Education, Science and Technology, on Wednesday, 05 August 2009, the Temporary Deputy Speaker of the National Assembly moved to direct the Parliamentary Committee on Education, Research and Technology to make a thorough investigation on the matter due to sensitivity and interest that the report of the Senate generated in the House. Subsequently, the Committee undertook an inquiry to gather views from Kenyatta University stakeholders with a view to-

- i) investigating the underlying causes of the strikes at Kenyatta University; and
- ii) making recommendations to Parliament for the consideration and action.

11. In undertaking its work, the Committee sought to establish the underlying reasons behind the two strikes at Kenyatta University in the month of March 2009, and to further establish what made the students to cause massive destruction, such as burning of buildings and looting of computers in the second strike.

#### 1.1 TERMS OF REFERENCE (TOR)

12. On Wednesday, 05 August 2009, the Temporary Deputy Speaker directed from the Chair the Departmental Committee on Education, Research and Technology to prepare a report relating to the unrests and closure of Kenyatta University following a Ministerial Statement on matter in the House by the Assistant Minister for Higher Education, Science and Technology.

13. Subsequently, on Tuesday, 11 August 2009, the Departmental Committee deliberated on its Terms of Reference pursuant to its Mandate as stipulated in the **Standing Order No. 198 (3)**, as follows-

**'The functions of the Departmental Committee shall be-**

- 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 legislations referred to it;

- d) To study, assess and analyse the relative success of the Ministries and Departments as measured by the results obtained as compared with their 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'.

14. 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
- (iv) Technological Advancement.

The Standing Order also empowers the Committee to make its own selection of the subjects regarding the policy, management, administration, etc of the Ministries and Departments falling under its jurisdiction.

15. Thereafter, the Committee resolved and adopted the following mode of operation in conducting its investigation-

- i) to invite representatives of all Kenyatta University stakeholders to appear before the Committee at Parliament Buildings;
- ii) listen to the views from each group of stakeholder on the underlying causes of the unrests and proposals on the way forward; and
- iii) make recommendations to Parliament for consideration and action by the Ministry in charge of Higher Education and the University Management.

## 1.2 **MODUS OPERANDI OF THE COMMITTEE**

16. In the execution of its Mandate, the Committee exercised the rights, powers and privileges pursuant to the provisions of the Constitution of Kenya, the National Assembly (Powers and Privileges) Act, Cap 6, Laws of Kenya, the Standing Orders and other procedures of the National Assembly, to enable it gather views from the stakeholders.

17. The method and procedure of execution of the inquiry included-

- i) written communication to the various stakeholders to present evidence before the committee;
- ii) mounting of Sittings of the Committee to receive oral and written evidence from the stakeholders at Parliament Buildings;
- iii) making telephone calls and SMS to some stakeholders, especially the expelled students, who could not be reached through the university;
- iv) perusing of the reports of the two committees set up by Kenyatta University Management to inquire into the strikes at the institution, namely the Adhoc Committee of the University Council (presented to the committee during hearing) and the Special Senate (tabled in the House);
- v) visit to Kenyatta University by the Committee on 09 April 2009.

18. The Committee received views from the stakeholders who included the following categories-

- i) Students and KUSA officials;
- ii) Lecturers;
- iii) Religious leaders (chaplains) at the University;
- iv) University Academic Staff Union (UASU) officials;
- v) Non-teaching and the union officials (UNTESU);
- vi) Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers (KUDHEIHA);
- vii) University Administration (SENATE) led by the Vice-Chancellor;
- viii) Parents and Sponsors
- ix) The University Council;
- x) Other categories including expelled students and implicated persons within and outside the University.
- xi) Ministry of Higher Education, Science and Technology
- xii) Ministry of State for Provincial Administration and Internal Security

14. Evidence was received from the various groups and where any person(s) had confidential or crucial information; arrangements were made to receive the evidence after administering an oath. The Committee utilized written and oral submissions, and the two reports from the University relating to the content in the matter under investigation in compiling its report. The Committee held a total of thirteen (13) Sittings to receive evidence from the stakeholders.

## CHAPTER TWO

### THE PROCEEDINGS WITH THE STAKEHOLDERS

#### 2.0 INTRODUCTION

01. The Committee met with various stakeholders from Kenyatta University, the Ministry of Higher Education, Science and Technology, and the Provincial Administration. A synopsis of the deliberations that ensued at the Sittings are presented here below.

#### 2.1 MEETING WITH THE VICE-CHANCELLOR AND SENATE

02. While narrating the events leading to the two students' unrests at the University, the Vice-Chancellor cited the following reasons-

##### a) Registration deadline

The Vice Chancellor explained that the registration deadline was not a new policy. The University Policy requires all students to register within the first three weeks of the semester, and involves paying fees and registering for course units online. The Policy also allows only registered students to attend lectures, sit for semester examinations, and access other services including health facilities, accommodation, library, and computer centre.

The Vice Chancellor also explained that the University opened for the second semester of the 2008/2009 Academic Year on 7 January 2009 and that the registration deadline had been set for 2 February 2009. An extension was given to students who had paid fees by 7 February 2009 to register until 13 February 2009. However, some students who were unable to meet the deadline even after the extension were advised to call off the semester and register for the Trimester, May – August 2009.

According to the Vice Chancellor, at the expiry of the extended registration period on 13 February 2009, a total 15,448 students out of the expected 17,000 had fully registered. Most students who were unable to register heeded the advice to call off the Semester; save for few who defied the deadline and continued attending lectures. The Vice Chancellor explained that *'it would have been unfair to allow extension of registration deadline in favour of those who had disregarded the University policy and stayed on illegally in expense of those who had already called off the semester'* if the demand for extension of registration by the students were heeded.

b) **The new KUSA officials**

The Vice Chancellor stated that agitation of the KUSA officials aggravated the registration issue for demanding for further registration deadlines. The Committee learnt that newly elected KUSA leaders were sworn in on 9 March 2009 and were in office for only for 8 days before the first strike, and that during the swearing-in, many of their speeches dwelt on further extension of the registration and also during their meeting with the Vice-Chancellor on 16 March 2009. The Committee noted with concern the timing of the KUSA elections *vis-à-vis* the end of semester examination and observed that the students may not have had time to prepare for semester exams.

The Vice Chancellor narrated that during the meeting with the KUSA officials, the following options were discussed after imploring them that 52% of the University budget came from fees collection and that the university relied on the fees to support its operations-

- i) The affected students could use the fees paid after the registration deadline in the Tri-semester.
- ii) The students were going to take 6 units as per the practice for this semester for the same fees. However, the Vice-Chancellor informed the Students Governing Council (SGC) that the University was to look at the possibility of allowing them to take seven (7) units at no extra cost. The students had expressed fears earlier that tri-semester was more expensive than other semesters.
- iii) The Vice Chancellor undertook to impress upon Deans of Schools to avail the units that were offered in second semester 2008/2009 as the students had expressed earlier that some of the units may not be offered in tri-semester.

c) **Rumours at the University**

The Vice Chancellor cited the following rumours-

- i) Some of the staff members were involved in the planning of disturbances in the University to achieve their own goals. This needs further investigations to unravel this and the staff involved be made accountable.

- ii) Introduction of dress code; this was clarified by the Vice Chancellor as still a proposal meant to ensure common decency in the university with a view to promoting a conducive learning environment.
- iii) Withdrawal of ambulance services for students; which the Vice Chancellor clarified had not been done for referral cases to hospitals outside the university.
- iv) Withdrawal of transport buses between the main and Ruiru campuses; that the University runs a shuttle bus between the two campuses which were free of charge for students and this service was still operational the including the day the University was closed.
- v) Plan to increase of fees; that, the University had adjusted fees at the beginning of the academic Year (September 2009) for a few selected programmes that had become unsustainable to run, and the university also had introduced some modest computer fees to support the ICT infrastructure; were explained that all procedures were followed including approval by Senate and Council, and that the University had no intentions of increasing fees.

## 2.2 MEETING WITH THE SPECIAL SENATE COMMITTEE INQUIRING INTO THE STUDENTS' STRIKES

03. On 20 August 2009, the Committee met with the Special Senate Committee which had been established to investigate into the Students' Disturbances that led to the closures of the University on 18 March 2009 and 30 March 2009. The Chairman of the Special Senate Committee, Prof. Paul Wainaina, briefed the Parliamentary Committee on their findings on the possible causes of the students' unrests (**details of the findings are contained in the report of the Special Committee**). He said that the Senate Committee interviewed 50 students suspected to be master minds of the disturbances and recommended suspension and expulsion of 14 and 11 students, respectively, while the rest were exonerated. The Chairman added that the students have however been given opportunity to appeal against disciplinary action against them, and that their appeals were under consideration by the Appeals Committee.
04. The Committee learnt that before KUSA elections were held, the University administration appointed an Independent Electoral Commission whose mandate was to vet interested candidates to vie for KUSA elective positions. During the 2009

KUSA elections, the Committee was informed that the Commission did not perform its role of vetting candidates effectively, and subsequently some unqualified candidates were cleared to run for the KUSA offices and which they won. The Committee therefore recommended that the University administration should be held responsible for failing in its duty to ensure only qualified candidates were allowed to run for the elections.

05. In the same breadth, the Senate Committee pointed out that some of the factors which contributed to the unrests included the delay and manner in which the external security forces (regular police, Administration Police and General Service Unit) handled the situation from the time the matter was reported; the dissatisfaction with staff welfare matters which caused the staff to offer moral and financial support to the students; negative ethnicity and political partnership by staff and animosity between the former and current KUSA officials.

06. The Committee noted with concern that most of the cases implicated students arose from unconfirmed allegations and therefore recommended the fast-tracking of the appeals by the affected students' with a view to ensuring that the University returns back to normalcy and provide a conducive learning and working environment to all the Kenyatta University stakeholders.

07. The Committee noted with concern the various issues raised by the Special Senate Committee and recommended as follows-

- i) The Senate should outline clearly the registration policy as well as coordination with the concerned financial institutions banks about the closure of registration deadlines.
- ii) The KUSA should not assume office before induction which should include the role of KUSA in relation to University management.
- iii) The KU Independent Electoral Commission which supervises KUSA elections should properly vet the candidates who vie for KUSA leadership.
- iv) A perimeter wall should be constructed around the University to ensure its safety.
- v) The University security personnel should be recruited from the disciplined forces.

### 2.3 MEETING WITH THE AD HOC COMMITTEE OF THE KENYATTA UNIVERSITY COUNCIL

08. On 20 August 2009, the Parliamentary Committee held discussion with the Ad-hoc Committee of the University council which had been established to inquire into disturbances at the University. The Council Committee presented its report of the findings to the Committee during the meeting. In brief, the highlights of the report included the following-

- i) That, though it was evident from KUSA campaigns that the students had access to a lot of resources, it was also evident that there was pressure from outsiders who were advancing their own agendas.
- ii) Some of the external factors which facilitated the strike include some political leadership (which facilitated the students); some senior management staff of the University of Nairobi; some media houses whose dissemination of information escalated the antagonisms of the students' leaders; and some civil society groups which attempted to sensitize students' leaders on their roles and responsibilities.
- iii) That, during the second unrest on 30 March 2009, the security personnel at the Kenyatta University was not well coordinated. The security at the university was being provided by the Administration police (APs) on secondment, private company (Lavington Security Ltd), as well as security officers who are permanent employees of the University. **The Committee observed that this poor coordination of the security personnel at the University may have contributed immensely to the lack of evident non-recovery process of the stolen computers.**
- iv) That, the report admitted failure on the part of the Kenyatta University Management and staff that withheld crucial information on security but lauded the APs for their action which thwarted more arson attacks on strategic buildings at the University during the second strike.
- v) That, during the KUSA elections, some members of staff took positions and supported the students either in kind or cash.
- vi) That, the term of office of the members of the University Council, except two, had expired and that there was need to reconstitute a new one to ensure that operations at the University were not hampered by this vacuum.

2.4 MEETING WITH OFFICIALS OF THE KENYA UNION OF DOMESTIC, HOTEL, EDUCATIONAL INSTITUTIONS, HOSPITALS AND ALLIED WORKERS UNION (KUDHEIHA)

09. On 18 August 2009, the Committee met representatives of the KUDHEIHA from the Kenyatta University. They raised concern that politics are infiltrating into learning institutions; as a result the University is now polarized between Orange Democratic Movement (ODM) and Party of National Unity (PNU) as was witnessed during the KUSA elections. One witness was candid that in one occasion **'was informed by a lecturer at the University that there would be disturbances at the University and that a Member of Parliament was planning to table a document in Parliament incriminating the Kenyatta University management for financial mismanagement'**. The Witness could not however confirm if the said document was ever tabled in Parliament or not. The group also alleged that some of the workers at the University who were agitating for salary increment may have supported the students' protests.

2.5 MEETING WITH KENYATTA UNIVERSITY STUDENTS' ASSOCIATION (KUSA)

10. During the Committee visit to Kenyatta University on 9 April 2009, the Committee met with KUSA leadership who were on suspension at that time following the first unrest on 18 March 2009, but later recommended for expulsions or suspensions after the findings of the Students Disciplinary Committee following the investigation by the Special Senate. The KUSA leaders again appeared before the Committee on 26 August 2009 at Parliament Buildings.

11. The KUSA leaders stated, as follows-

- i) Whatever action they took during the unrests; they were acting on behalf of the students who elected them to those positions.
- ii) There was urgent need for the University to return to normalcy and the truth should be the guiding principle in determining the appeal cases by the students.
- iii) The administration and the students to embrace honest, dialogue and reconciliation to avert such occurrences in future.
- iv) They were not supported by any politician and that the Kenyatta University's problems were purely administrative.
- v) The election of KUSA Secretary General was suspect; he was not elected during the elections but through manipulation of results by the Independent Electoral Commission and that explains why he was exonerated by the University when all

the other KUSA senior leaders were expelled for their role during the unrests at the University.

- vi) The affected student leaders should be readmitted to the University.
- vii) The KUSA body should be made independent to avoid manipulation by the administration.

12. The KUSA leaders cited the reasons for the student unrests as mainly due to-

- i) **Non-extension of registration deadline:** This was singled out as mostly affecting self-sponsored students (SSP) who pay huge amount of fees and that most of them had been awarded loans by the Higher Education Loans Board (HELB) but the technicalities in tracing the money between HELB offices and the University Finance Department delayed the affected students from meeting the registration deadline set by the University. They also indicated that the students were facing myriad of challenges which had remained unaddressed, and the registration provided them with an opportunity to express their frustrations. They pointed out that bitterness surrounding the failure to extend registration was intensified by the action of the university to still receive fees even after the deadline but could not register the same students, even when the students had attended lectures and done the Continuous Assessment Tests (CATs).
- ii) **Fee increment;** they said it became a blow to many students at the beginning of the academic year 08/09 resulting in the calling off of the semester.
- iii) **Continued legitimization of the former KUSA leaders;** they claimed the University administration seemed not keen to recognize the new KUSA leaders as it continued to give legitimacy to the former leaders, and which they explained could have informed the reason behind the burning down of the student centre during the protest in order to prevent the former officials from using the offices.
- iv) **Introduction of dress code;** they stated that though they supported decent dressing at the University they were against the introduction of the uniforms at the University.
- v) **Hostility by the Finance Department;** the students claim the staff are hostile and arrogant when students approach them while seeking clarification of fee statements that reflect huge fee balances when there were none at all. They further claimed the department display ethnic favouritism when dealing with late registration issues affecting students.

13. The Committee observed with concern the double standards applied by the University in collecting fees after the deadline but not registering the students. The Committee therefore recommended that there was urgent need for the University to reconcile registration deadline with payment of fees to ensure that the students who meet the deadline were registered and those who do not should not continue paying fees to the University.
14. The KUSA leaders again appeared before the Committee on 18 August 2009 at Parliament Buildings. These were officials who remained in office after the others were either suspended or expelled after the two strikes.
15. They expressed the following concerns as relating to the students' unrests at Kenyatta University-
- i) That, they were worried if normalcy did not resume at the University as the general public was becoming suspicious of KU students arising from the violence that characterized the strikes; even worse still is the concern by many students of their reception by the society after completing their programmes at the University. This conclusion was conveyed by the students who proceeded on teaching practice after the strikes.
  - ii) That, the registration deadline and breakdown of communication between the administration and the students' as well as rumours of University's plans to ban cooking in the hostels and introduce dress code.
  - iii) That, the University was concentrating a lot of resources on infrastructure and beautification at the expense of providing quality teaching and learning facilities.
  - iv) That, the perennial shortening of semesters at the University before completion of the recommended syllabus, as well as the fine of Kshs.1000 they were forced to pay after the first strike and the suspension of KUSA officials ranked high in the second strike agenda.
16. They explained that less than 5% of the students participated in the first strike hence the victimization of the KUSA leaders and other students was unfair. They claimed that since students from Ruiru and Parklands campuses did not participate in the first strike as well as those who were away on official trips, they should have been exempted from paying the fine.

17. They welcomed the setting up of an Appeals Committee by the University to determine the appeals by the suspended and expelled students, and were optimistic that their affected colleagues would be reinstated after fair hearing.
18. While lamenting of an alleged manipulation of the KUSA Constitution by the administration, they called for an urgent need for an amendment of the KUSA Constitution to provide for emerging challenges in today's modern democratic practices and dynamic nature of the needs of the students.

## 2.6 MEETING WITH UNIVERSITY LECTURERS

19. The Committee met with the lecturers during its visit to the University on 9 April 2009 and also on 18 August 2009 at Parliament Buildings. The issue of registration deadlines again dominated the proceedings. They supported the University in its resolve to enforce the registration deadlines. They claimed the University administration may have been insensitive on the timing of the registration deadline, but that the timing of the KUSA elections provided an opportunity for confrontation, coupled with the lack of induction course for the new KUSA leaders.
20. The lecturers blame the rush to complete course programmes, lack of mentoring programmes, lack of role modelship in the society, 'iron-hand' tactics and highly centralized style of administration, and existence of ineffective communication between all the stakeholders as having provided fertile grounds for the strikes at the institution. They pointed out that the University management continues to remain highly centralized despite the increasing number of schools and faculties having been established. They proposed that some schools and faculties should now become colleges.
21. The Committee therefore recommended that in order to enhance communication avenues, there was need for the Vice Chancellor to delegate responsibilities to reduce traffic and backlog of issues being directed at the VC's office.

## 2.7 MEETING WITH REPRESENTATIVES OF THE NON-TEACHING STAFF UNION (UNTESU)

22. The staff disassociated themselves from involvement in the disturbances at the University and insisted that the students should explore other avenues for airing their grievances. They reported that they witnessed students moving out of the University with their luggage on 29 March 2009, but when asked by the Committee whether

they alerted the University authorities they had no convincing reason why they did not do it.

23. Subsequently, the Committee opined that some of the staff may have supported the students' unrest at the University. The UNTESU representative on the other hand suggested for the establishment of a Risk Fund to cater for such occurrences in future as well as creating a disaster management unit to deal with emergencies.

## 2.8 MEETING WITH UNIVESRITY ACADEMIC STAFF UNION (UASU)

24. The UASU fraternity, while condemning and abhorring all forms of violence and destruction of property at the University, said that the registration deadline was the main cause of the strike, and that the University erred in receiving the fees after the deadline yet they could not allow the students to register.

25. They observed that the suspension of KUSA leaders worsened the situation especially that they were disciplined as individuals and not collectively as they were carrying collective responsibility. They further observed that the grievances by the students and their recall after the first strike to sit examinations immediately without proper modalities being put in place especially with regard to timetable for examinations.

26. Due to their concern, UASU raised issues which they addressed to the Vice-Chancellor, vide letter dated 26 March 2009-

- i) A directive by the University administration to the teaching staff to change examinations already set aside which were in the process of being moderated by external examiners. They felt that could lower the academic standards of the University.
- ii) Students were being asked to sit for examinations before completion of the syllabus and the semester, hence stifling the lecturers' goals of delivering content.
- iii) The unfair methods used to recall students without consideration of the hardship areas which have no access to newspapers.
- iv) Exorbitant fine of Kshs.1000 on students after the first strike.

27. In view of the above, the Committee recommended the need for proper coordination and dialogue between the UASU and the University administration to ensure smooth running of the University.

## 2.9 MEETING WITH REPRESENTATIVES OF STUDENTS

28. The students, while blaming the registration deadline as the main cause of the strike, explained that the University had always allowed late registration just before examinations to facilitate those confronted with fees challenges. With the introduction of the deadline most of the students were unprepared. The KUSA elections also aggravated the problem as the campaign promises dwelt on registration extension. Other factors included the pressure of exams, the Kshs.1000 fine as well as suspension of students.

29. While noting the relationship between the JAB and SSP students at the University the Committee observed that the students were given different registration numbers yet they attend the same lectures as well as doing the same examinations.

30. They asserted that since the police arrested non-students within the University, outsiders may have participated in the strike and this may explain the non-recovery of stolen computers which they said happened before the burning of the buildings.

31. The students also complained of the registration procedure between 27 and 29 March 2009 where they were issued with a Yellow Form as evidence of fee payment that it was dehumanizing as it curtailed their movement within the University. That it reminded them of the colonial rule in the country.

## 2.10 MEETING WITH REPRESENTATIVES OF THE RELIGIOUS ORGANIZATIONS AND SPONSORS

32. The stakeholders explained violence was a chronic problem in the society and the effects of the post election violence may have contributed to the violence at the University.

33. They further explained that apart from registration deadline, the second unrest arose from rumours amongst students that the University would be attacked in the night of 29 March 2009, and that the strike may not have been caused by students but outsiders who may have accessed the University through gates not manned by security personnel.

34. They also pointed out that there were leadership problems at the University as people were appointed without considerations of qualifications thus impacting negatively on the operations at the University. They cited the KUSA leaders who took office before induction when they should have been prepared for leadership responsibilities.

#### 2.11 MEETING WITH MINISTER FOR HIGHER EDUCATION, SCIENCE AND TECHNOLOGY

35. The highlights of the presentations by the Minister, were as follows-

- i) During the fracas, the Vice Chancellor was in contact with the Ministry on the way forward. Subsequently, the Ministry informed the Permanent Secretaries of the Ministry of Provincial Administration and Internal Security on the looming crisis at the University. However they could not explain why their response was delayed.
- ii) In order to ensure learning resumes at the University, the Treasury had allocated Ksh.55 million for reconstruction and building of the destroyed properties.
- iii) The Minister stressed the need for Universities to consider allowing students to sit for exams and withhold their results in cases where the student had not cleared fee balances.

36. The Committee observed that, while good governance practices in the universities as well as cordial and cooperative relationship exist between the University management, staff and students, there should be dialogue between all the stakeholders. They further observed that training of student leaders on their role in managing the student affairs should be inculcated by institutions.

#### 2.12 MEETING WITH SUSPENDED AND EXPELLED STUDENTS

37. On 26 August 2009 Committee met with some of the suspended and expelled KUSA leaders from the University who stated that registration issues were perennial problems at the institution. They questioned the selective victimization of KUSA leaders citing the exoneration of the Secretary General who is the key principal person in KUSA, while all other key officials were either suspended or expelled yet they acted collectively on behalf of the students. When asked what they thought

could have informed the decision to exonerate the Secretary General from the involvement in the strikes, they responded that they had earlier questioned the election of the Secretary General whom in their perception did not win the elections but through manipulation by the Independent Electoral Commission appointed by the university administration.

38. They reiterated earlier assertions by other stakeholders that registration related issues, shortening of semesters, negative ethnicity, among others, were responsible for the strikes. They stated that the University administration must embrace dialogue and recognize the students' voice, which is the KUSA body. They warned that efforts to manipulate the body to the whims of administration through all manner of tricks is a recipe for instability and chaos in the institution since students have become united due to the common problems they face during their stay at the university.
39. They also claimed that the quality of education at the University is nearly compromised. They cited the lack of learning facilities such as the fact that there was no laboratory for practical lessons for Bio-Chemistry Course and that the students were being taken to a private institution for practicals. They also claimed that the Pharmacists graduating from the University face being rejected by the Poisons and Dentists Board, while the Engineers stand becoming half-baked as they were mainly being taught theory.
40. They alleged negative ethnicity is ripe in the university leading to the hostility by the University administration towards the newly elected KUSA leaders since most of the senior posts were held by students from one region where most of the senior administrators come from. This they claimed had become evident when the University had to hurriedly organize an induction programme for the remaining KUSA leaders at a hotel at the Coastal town of Mombasa even when all students were still at home following the indefinite closure of the university and inquiries on the disturbances were in process.

### **2.13 MEETING WITH THE ADVERSELY MENTIONED TEACHING STAFF**

41. The reports by the Special Senate and the Ad hoc Council Committees made reference to the involvement of some university staff in the disturbances at the university through direct and indirect support of the students' unrests. To gain an insight into this observation, the Committee gave an opportunity of those mentioned to present their views. Subsequently, the Committee held meeting with the adversely mentioned lecturers on 26th August 2009.

42. From the presentations made, they expressed that they did not support the students' strike at the University but that the University was pursuing the agenda of intimidation due to perceived ethnocentrism at the institution, complicated by nepotism and favouritism at the institution. It was cited that the rampant shortening of semesters has led to duplication of examinations forcing the lecturers to set two sets of examinations as a stop gap measure in case the syllabuses were not completed. Accordingly this impacts negatively on the quality of education since a standard semester should be about sixteen (16) weeks.

43. They explained that, although they were adversely mentioned by the Senate and Ad hoc Council Committees, they were not accorded an opportunity to appear and present their version of the events relating to the disturbances at the institution. They drew the Committee on Education to the observation that all those being implicated in the strikes without doubt are from western part of the country.

44. They called for a review of the out-dated Kenyatta University Act to allow for a decentralized administration and management, accommodate the UASU, KUDHEHIA, UNTESU and KUSA bodies, and the University to embrace change management in the affairs of the institution. They pointed out that the overstay of some members of the University Council has bred complacency and things done 'as business as usual'.

#### 2.14 MEETING WITH THE ADVERSELY MENTIONED NON-TEACHING STAFF

45. On 18 August 2009, the Committee held discussions with non-teaching members of staff mentioned in the reports of the two Committees established by the university to inquire into the disturbances. Some of them had already been served with suspension letters and waiting to appear before the Staff Disciplinary Committee which was yet to be constituted since the Council was also yet to be reconstituted after the expiry of the term of most of the Council's members.

46. The staff denied any wrong doing and called for the need to promote dialogue between all the KU stakeholders. They further called for the need to enhance the relationship between the various security organs at the institution stressing that during the strike the students overpowered the local Administration Police based at the University.

47. From the detailed submissions received, the Committee observed that the shooting to death of the university student occurred before the arrival of the external police reinforcements who had to wait longer at the University main gate before they were allowed into the campus by the University authorities.

## 2.15 MEETING WITH THE CHIEF SECURITY OFFICER, KENYATTA UNIVERSITY

48. The Chief Security Officer said that he had streamlined the security units since joining the University in 2006 and ensured that the units were well-coordinated. Prior to the strike he stated that intelligence report indicated that there were plans to disrupt examinations on 30 March 2009 and that arrangements had been made to counter the planned riots. However, the planners brought forward their plans to 29 March 2009 and security arrangements made between the university and the provincial administration could not be expeditiously executed before the arson attack at the institution took place at around 7.00 pm.
49. He explained that his jurisdiction was within the University and could not order a raid at the adjacent estates in search of the lost computers which to date have not been recovered. He stated that the police was still investigating the killers of the student who died during the unrests and that all guns belonging to the Administration Police attached to the university were confiscated for forensic investigation.

## 2.16 MEETING WITH THE PERMANENT SECRETARY, PROVINCIAL ADMINISTRATION AND INTERNAL SECURITY

50. The Permanent Secretary, Mr. Francis Kimemia, informed the Committee that prior to the unrests on 29 March 2009, the Vice-Chancellor of Kenyatta University had met with the District Security Committee. He further informed the Committee that, though the University was attacked at 7.00 pm, the external police reinforcements were allowed into the campus at 9.00 pm, and the day being a weekend the mobilization of the officers posed a big challenge.
51. The PS also informed the Committee that although they confiscated all the guns from the university APs they were yet to ascertain who killed the student. The PS said that university administration knew of the looming crisis as early as 24 March 2009 but they did not divulge the information with the security arm of the Government until 29 March 2009.
52. He cited the possible causes of the strike as including, among others, the registration deadline, the Ksh.1000 levied on the students after the first strike, alleged favouritism of some students in award of marks, perceived non-recognition of KUSA leaders and hostility from the surrounding community. He stressed the need to encourage dialogue between the lecturers, students, the non-teaching and other stakeholders if tranquility is to be enjoyed at the institution.

53. He asserted that intelligence information pointed out that some political leadership supported the strike and that some senior University officials allowed their offices to be used in planning and executing the strike. He also asserted that the land dispute between the University and the residents of Kamae Market (KM) provide a potential source of conflict between the University and the residents.

54. The PS therefore proposed that the university should fence off its compound to secure it from internal and external intruders, and that; the title deeds should be issued to the genuine settlers of the Kamae Market. He further proposed that the University should engage in corporate social responsibility by initiating projects to benefit its neighbourhood.

University and the residents of Kamae Market

## CHAPTER THREE

### SUMMARY OF THE EVIDENCE AND RECOMMENDATIONS

#### 3.0 INTRODUCTION

01. The Committee received submissions, analyzed them, and makes the following observations relating to the possible root causes of the two strikes which led to the closure of Kenyatta University in March 2009-

#### 3.1 REGISTRATION DEADLINES

02. According to the University, the students are required to complete the registration exercise within three weeks of commencement of each semester. Subsequently, the deadline for the semester, January-April 2009, had been set at 2 February 2009 when the University opened on 7 January 2009 and later extended to 13 February 2009. However, the Committee was informed that-

- i. an estimated 2000 students had not registered by the close of the registration deadline on 13 February 2009;
- ii. some of the affected students continued to pay their fees online after the expiry of the deadline and continued to remain in campus, attended lectures and sat the Continuous Assessment Tests (CATs);
- iii. the Higher Education Loans Board (HELB) had remitted loans for some Self-Sponsored Students (SSP) to the University but which had not been reflected in the students' fee balances, forcing those affected to pursue the same passed the deadline of registration; and
- iv. the extension of the registration deadline was not unique but formerly the practice in past semesters, and only that the University was for this time strictly enforcing the deadline for the registration.

03. The Committee, while noting the efforts being undertaken by the university to streamline registration exercise, observed that the institution management failed to inform the students of the resolve to strictly adhere to future deadlines even after Senate agreed on the matter in December 2008. The Committee further observed that the University erred in receiving fees after the deadline and yet continued to deny registration of the students, but only advising them to call off the semester. The Committee noted with concern the expected extension of the registration deadlines

was used during campaigns by the KUSA candidates but the University did not correct the situation in time.

Subsequently, the Committee recommends that-

- i. in view of the poverty that afflicts majority of households, the students be allowed to register within six weeks of the commencement of the semester since the three weeks given seem to be short. This would allow an estimated 17,000 students on regular programmes to complete registration;
- ii. the registration deadline should be widely communicated to all the stakeholders ( students, parents, lecturers, sponsors, etc.) and included in the advertisements recalling students from vacation;
- iii. the finance section should promptly reconcile students' fee balances without delay and ensure that the fee statements for the incoming semester are communicated to the students on time;
- iv. the HELB should inform the University of the beneficiaries of loans on time and the University proceed to register students accordingly;
- v. the policy on registration deadlines should systematically be adhered to and affected students be advised accordingly.

### 3.2 POOR STUDENT – ADMINISTRATION RELATIONSHIP

04. The hard stance that characterized meetings between the KUSA leaders and the University Management between 16 March and 18 March 2009 meant that not all was well. The Committee was informed that-

- i. the student leaders insisted on extension of registration deadline despite the Vice-chancellor's advice that the affected students undertake their studies during the tri-semester in June-August 2009;
- ii. the student perception that the swearing-in-ceremony of new KUSA officials were low-key and performed at the graduation square instead of the usual culture village;

- iii. the KUSA officials complained the administration continued to involve old KUSA officials in decision making matters concerning students at the University;
- iv. the administration assumed that KUSA officials had only been in office for eight (8) days and had not been inducted well to represent the student body;
- v. the issue of registration deadline which had been concluded with the old KUSA did not go down well with the new KUSA;
- vi. the registration issues ranked high in the KUSA campaigns and officials were elected on this platform; and
- vii. there was a perception that the 'ODM' side of student politics won the elections because they were 'well-funded' and enjoyed external support.

05. The Committee observed the negative relationship existed between the University administration and the students; and the cross-sectional community within the University hence creating communication gaps and recommends that there is need for the University to be more proactive in carrying out their social corporate responsibilities within and without the University to ensure a conducive learning and working environment. Further, the Committee recommends that the University should formulate a clear communication strategy.

### 3.3 RUMOURS AT THE UNIVERSITY

- 06. There are a widely-held and circulating rumours at the university that some section of the community (lecturers, students and non-teaching) are orchestrating for the removal of the Vice Chancellor with the help of outside forces and that the student strike formed part of the sequence of events to provide an opportunity to discredit the Vice Chancellor. The Committee noted this helped to heighten the suspicion at Kenyatta University and contributed to the widening rift and non-communication between the staff, KUSA leadership and the university administration.
- 07. Further, the Committee was informed of an interesting alleged plot hatched back in January 2009 relating to how some staff and outsiders had schemed to remove the Vice Chancellor through instigation of a student riot.

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08. Other rumours included introduction of dress code; withdrawal of ambulance services for students, withdrawal of transport buses between the main campus and Ruiru campus, and plans by the university to increase fees.
09. After listening to all these submissions presented before relating to paragraphs 06-08, the Committee concluded those were mere rumours and perceptions meant to divert attention from real issues that exist between the university management and the staff and which also helped to trigger the strike. It was further noted that the rumours appeared to inform the decision to implicate some staff as a result of the strike.
10. The Committee therefore recommends regular open meetings between all the stakeholders at the university to allow for free flow of information and exchange of ideas relating to matters of decision making at the institution. The Committee further recommends that the annual cultural week at the institution should be crystallized to be an avenue for team building among all stakeholders.

#### 3.4 SUSPENSION OF KUSA LEADERSHIP

11. As a result of the first riot on 18 March 2009, the Committee was informed that the University management moved to suspend the KUSA leadership composed of thirty five students on the premise that they played a role as individuals in the students' riot.
12. While noting of the powers conferred upon the University by the Kenyatta University statutes to deal with issues of students' indiscipline, the Committee observed that KUSA officials were acting on behalf of the customers (students) who elected them and that championing the cause of the students' demands was within their mandate. Consequently, meting out disciplinary measures to the union representatives was an 'inciting action' by the university administration hence leading to the severity of the students' disturbances during the second strike.
13. The Committee therefore recommends that the university fast track the conclusion of the appeals of the affected students for them to continue with their studies without further delay. Meanwhile, the Committee recommends for unconditional readmissions of all suspended and expelled students to continue with their education, save for those who have sued the University on the same and the cases are still pending cases in Court.

### 3.5 PENALTY FINE OF KSHS 1000

14. The Committee was informed that a fine amounting to Kshs. 1,000 levied on all the students of the KU main campus, Parklands and Ruiru as penalty for the destruction of property during the first strike was deemed 'too high' relative to the actual cost of damages, and punitive to the students. The Committee was further informed that University Academic Staff Union, UASU Kenyatta University Chapter, had in its special meeting on 26 March 2009 raised the concern over the fine and called for its rationalization in the letter to the Vice Chancellor.
15. However, the University administration while making presentation to the Committee, explained that the cost of the damage was estimated at Kshs. 15 million and therefore the fine was justifiable for the estimated student population of 17,000 students.
16. The Committee therefore recommends that the fines charged on students should reflect the actual costs of destruction, and that the valuation be undertaken by the Ministry of Public Works to avoid exploitative costs being imposed on students. The University should ensure as much as possible that innocent students were not forced to pay.

### 3.6 SHORTENED SEMESTERS

17. The Committee was informed that the University opened its doors to students for the second semester on the 7 January 2009 and that the students were scheduled to sit for end of semester examinations on 30 March 2009 upon reporting on 29 March 2009, indicating a semester's period of 11 weeks against a normal period of 14-16 weeks.
18. The Committee was also informed the reasons behind crashing the programmes were to create space for holiday residential sessions for open learning and school based students.
19. The Committee noted that the hurrying and shortening of the semesters may pose serious threats to the quality and standards in the training programmes and ultimately leading to half-baked graduates leaving institutions of learning while also exerting stress and exam fever among the students.

20 The Committee therefore strongly recommends that the standard semester durations must be strictly adhered to in our learning institutions and that alternative arrangements for conducting school based programmes be undertaken in order not to interfere with the programmes of regular students at the university.

### 3.7 WEAK MANAGEMENT SYSTEMS

21 A well managed education institution remains central to providing an enabling environment for quality training and education. But despite the University having recorded achievements in its expansion programmes and performance contracting which have resulted in the university being the first university to be awarded ISO certification, the Committee was concerned at the style of management prevailing at the university which could threaten to reverse the progress towards achieving its vision of becoming a World Class University in the 21<sup>st</sup> century.

22. The Committee was informed that-

- i) the offices of both the Deputy Vice-Chancellor, DVC (Academic) and Registrar (Academic) have remained vacant for the last three (3) years and only being filled on acting capacities, and that the DVC (Academic) had registered high turnover of four (4) Acting Personnel during the period;
- ii) out of a total of fifteen (15) Schools, only five (5) are substantively filled by elected Deans while ten (10) are on acting positions;
- iii) the Dean of students is on Acting Position;
- iv) the tenure of most members of the University Council expired in March 2009 and to date have not been replaced.
- v) the management style is highly centralized.

23. The Committee therefore recommends that substantive appointments for all acting positions in the university be filled in order to strengthen the management of the institution, and that the university council be re-constituted immediately to facilitate for reconciliation and healing process. The committee further recommends for the rationalization of the numbers of students being enrolled by the university and that the university fast-tracks upgrading some schools into colleges to be headed by Principals in order to decentralize decision making at university since Deans are elective positions for relatively short period of time.

### 3.8 NEGATIVE ETHNICITY

24. There exists negative ethnicity that threatens to tear Kenyatta University apart. The committee was informed that-

- i) the senior administration of Kenyatta University is mainly composed of people perceived to be from the 'PNU' side of the national political divide;
- ii) the new KUSA leadership was perceived to be 'ODM' aligned;
- iii) majority of the staff and students recommended for disciplinary measures by the two investigating committees of the University were perceived to be from ODM political divide;
- iii) the teaching staff at the School of Business Studies are all from one ethnic group;
- iv) the staff of the Finance Department are all from one ethnic group and claimed is the cause of ethnic favouritism in dealing with late registration of students.
- v) all of the of the Administration Police seconded to the University prior to the strikes are from one community.

25. While noting the serious nature of the allegations, the Committee therefore urges the University to investigate the allegations in the Finance Department, and strongly recommends that the current establishment in the Finance Department and the School of Business be restructured to reflect the face of Kenya.

### 3.9 NEW KUSA LEADERSHIP

26. The KUSA leadership was elected to office on 3 March 2009, inaugurated on 9 March 2009 and the first strike occurred on 18 March 2009. Prior to the onset of the strikes no induction programme had been organized for the new KUSA leaders to be trained on their roles and responsibilities in order to gain an insight into how to exercise powers and mandate bestowed upon them.

27. Subsequently, they impressed upon the student fraternity that the extension of registration datelines was an agenda they would not purge even when university had explained all the options of addressing the issue including attendance of a tri-

semester session for those who had paid fees online but not registered. It therefore appears the leaders and the students had to go against university policies, statutes, rules and regulations relating to the matter including the option of a strike to force the administration to yield to their grievances.

28. The Committee therefore recommends that the students' elections be undertaken early in the semester to avoid examination fever during campaigns, and that the University inducts them immediately after the elections.

### 3.10 ROLE OF THE NEIGHBOURING COMMUNITY

29. The Committee was informed that there exist bad blood between the 'Kiwanja' and 'Kamae' residents popularly known as 'KM' (or Kilometre) and the University due to long standing legal land issues. According to the University, the local residents have encroached into its land property. The Committee was further informed that the hostility between the two parties provides a fertile ground for conflict and which may have motivated the students to strike due to this ready external support.

30. The Committee was also informed that the theft and non-recovery of an estimated 200 computers from the Computer Centre near the KM may have been made possible by the residents who could have provided safe refuge for the thieves.

31. The Committee therefore recommends that in order to forestall the hostility, the University moves to initiate dialogue with the neighbouring community as well as engage in corporate social responsibility programmes to enhance relationship.

### 3.11 POOR COORDINATION OF THE SECURITY SYSTEM

32. The provision of the security services at the University consisted of the internal University Security Officers, the outsourced security guards (from Lavington Security Firm) and those on secondment from the Administration Police (AP).

33. The Committee was informed that all the three units work under the Command of a Chief Security Officer who is an Administration Police Officer on secondment at a rank of Superintendent of Police. The Committee was further informed that the security system lacked proper coordination and that there was poor flow of intelligence information between the three security groups due internal rivalry.

34. The Committee therefore strongly recommends that the chief security officer should be an employee of the University and not from the security officers on temporary secondment. The Committee further recommends that the University security should be well-trained and that the hired security personnel should be sourced from credible and reputable firms. The University should endeavour to develop a workable security strategy ensure proper coordination.

### 3.12 UNIVERSITY STAFF

35. The Committee was informed that the students strike received moral support from the University staff due to outstanding staff issues which have remained unresolved such as medical cover, pension scheme, teaching workload, promotions, staff development, payment of 35 percent of the self-sponsored programmes (SSP) awarded by the Industrial Court, and non-recognition of UASU in the Kenyatta University Act.

36. The Committee, while noting that staff plays an essential role in the operations and stability of institutions, recommends that the University Management fast track the resolution of the pending staff issues.

### 3.13 NON-RECONCILIATION OF STUDENTS FEES BALANCES

37. The Committee was informed that Finance Department is characterized by inefficiency and poor record keeping which has contributed to non-reconciliation of fees balances and causing discontent among the students. The Committee observed this could be due to high students' enrolment which has overwhelmed the Department and leading to chronic problem of irregularities in the registration of students.

38. The Committee therefore recommends for the overhauling of the finance department and to be made customer-sensitive in response to the challenges posed by the increased student population and number of new Schools. The Committee further recommends that the department recruits its staff to reflect the face of Kenya as per paragraph above.

## CHAPTER FOUR

### MAJOR RECOMMENDATIONS AND CONCLUSION

01. In making its recommendations, the Committee took cognizant of the recommendations that have also been made by the Special Senate and an Adhoc Committee of the Council established at Kenyatta University to investigate into the disturbances. Subsequently, the Committee now makes the following recommendations-

- 1) The University administration must seek to streamline registration exercise in consultation with the major stakeholders (students and lecturers). The deadlines should be widely communicated to all the stakeholders (students, parents, lecturers, sponsors, etc.) and included in the advertisements recalling students from vacation. The deadlines should also be strictly adhered to in future registration programmes.
- 2) The payment of fees should be synchronized with registration programmes to avoid future conflict arising from students paying fees passed the deadlines and without being registered.
- 3) The students' fees balances must be promptly reconciled preferably before the beginning of each semester to give time to students to confirm and act accordingly before registration deadlines. The finance department should give students' fees balance before they proceed on holiday/vacation.
- 4) The HELB move expeditiously to process students' loan applications and inform the beneficiaries and the University on time to avoid inconveniences caused to students.
- 5) To improve on the existing negative relationship between the University, and the students and the cross-sectional community within the University, there is need for the University Administration to be more proactive in carrying out their social corporate responsibilities to improve its image and enhance conditions that help to promote unity and conducive learning and working environment.
- 6) Regular open forums between all the stakeholders of the university are necessary to allow for free flow of information and exchange of ideas relating

- to matters of decision making at the institution, and to counter circulation of unfounded rumours that breeds hostility at the institution.
- 7) There should be non-interference in the elections of KUSA body and all its activities, and that those elected irrespective of national political divide should be accorded support as representatives of the students.
  - 8) All suspended or expelled KUSA leaders and other students and employees be re-admitted to complete their university education since no evidence was presented to show that they participated in the strike as individuals, but acted on behalf of the student body. It was interesting to note that the university, on its own volition, withdrew a case in a Thika Court against those suspected to have caused the strike or participated in the destruction of the university property and yet would want to proceed with disciplinary action on the students again.
  - 9) In order to ensure normal operations at the University the Committee therefore recommends that the university fast-tracks the conclusion of the appeals by the affected students and employees for them to continue with their studies and work without further delay. To ensure cordial relations, the University should consider recalling the suspended and expelled students, save for those whose petitions are in Court.
  - 10) In future, the University should consider the University should not impose fines on students arbitrarily and that fines should reflect the actual costs of destruction after valuation by the personnel from the Ministry of Public Works in order to avoid exploitative costs being imposed on students.
  - 11) The standard semester periods must be strictly adhered to at the institution in order to provide quality education and training, and stress associated with crashing the programmes. Alternative arrangements need to be found to address residential teaching of the school based programmes in order not to interfere with the regular programmes of the university.
  - 12) All the offices of the Deputy Vice-Chancellor, DVC (Academic); the Registrar (Academic), and the Deans of faculties and students should be substantively filled to strengthen the management and administration of the university. It is also proposed that the vacancies in the membership of the Council should be processed three months before the expiry of the tenure of the Council.

- 13) The enrollment of the students by the University should be rationalized to avoid overstressing the teaching and learning facilities and that University should upgrade some schools into colleges to be headed by Principal in order to decentralize decision making at University.
- 14) The University should take into consideration the regional representation in the recruitment and promotion of its employees so as to counter the negative ethnicity that is currently perceived. The allegations of the use of vernacular in meetings in some departments said to be dominated by one ethnic group is serious and the University must stem this behaviour.
- 15) The students' elections should be undertaken early in the semesters to avoid campaigns coinciding with examination periods and to allow the University to induct the KUSA leadership well and avoid misuse of certain powers bestowed upon them.
- 16) In order to forestall the hostility with the neighbouring community, the University move to initiate dialogue through engaging in corporate social responsibility programmes and projects and that the current land disputes in court be expeditiously concluded by the relevant authorities to allow neighbouring residents and the University reconcile and lead normal lives.
- 17) The Committee therefore strongly recommends that the Chief Security Officer should be an employee of the University and not from the security officers on temporary secondment. The Committee further recommends that the University security should be well-trained and that the hired security personnel should be sourced from credible and reputable firm.
- 18) To promote the tranquility, stability and peace in the institution, the University should strive to address all the pending staff welfare issues including the 35 percent award payments for lecturers on SSP tuition programmes.
- 19) The finance section need to be overhauled and automated to allow for efficient delivery of services and that each school or college establishes its own finance office depending on its size in order to reduce all the over 17,000 students overcrowding for inquiries or otherwise on services being offered by this department.
- 20) All staff suspected of involvement in the strikes should be reinstated accordingly as the University Administration could not prove beyond

reasonable doubt their involvement in the strike when they appeared before the Committee.

21) The Committee condemns the circumstance surrounding the killing of the student and concerned that so far no conclusions on the investigations have been made and therefore recommends that the police fast tracks its investigations so that those who are culpable apprehended and prosecuted.

22) Despite not having tangible evidence to implicate specific individuals, the Committee recommends for further investigations on the following: The Vice-Chancellor, Deputy Vice-Chancellors, Chief Security Officer, Dr. Tom Namwamba and KUSA Chairman and Secretary General.

02.

**In conclusion**, the Committee considers that the major possible root causes of the two strikes at Kenyatta University based on its findings are as presented in Chapter Three of this Report. The Committee further considers that the cited possible root causes are shared between the students and the University administration based on the evidence received, analyzed and presented in details in Chapters Two and Three of this Report. The Committee also considers that the University has recorded tremendous expansion at the Main Campus and in fact rapidly at the expense of conscious efforts to address the administrative aspects of the institution through dispersal of powers to semi-autonomous institutions such as establishment of colleges with substantive appointment of Principals instead of elective positions of Deans of Schools. The Committee is also of the view that the widely held suspicions by the administration of internal and external forces working to destabilize the institution or remove the Vice Chancellor overshadowed any meaningful effort to dialogue and resolve the students' grievances objectively. In addition to the major recommendations contained in paragraph 01 above, the Committee recommends that all the stakeholders of the University work as a team to undertake reconciliation efforts and revert the institution back on its track and that the achievements of the institution must not only be seen in terms of its physical expansion and numbers of students but also in the way the management of its internal conflicts are resolved. Finally the Committee recommends that though the report emanated from the unrests at Kenyatta University, all institutions of higher learning should be sensitive to the recommendations contained in this report.

# MINUTES

MINUTES OF THE SEVENTH SITTING OF THE DEPARTMENTAL  
COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON  
TUESDAY, AUGUST 11, 2009 IN THE SMALL DINING PARLIAMNET  
BUILDINGS AT 10.00 A.M.

PRESENT: The following Members of the Committee were present:-

The Hon. David Koech, M.P - Chairman  
The Hon. F.T. Nyammo, M.P- Vice-Chairman  
The Hon. (Dr.) Wilbur Ottichilo, M.P.  
The Hon. (DR.) Joyce Laboso, M.P.  
The Hon. Alfred B. Odhiambo, M.P.  
The Hon. B.C. Muturi Mwangi, M.P.  
The Hon. John Pesa Dache, M.P.  
The Hon. David Njuguna, M.P.  
The Hon. Shakila Abdalla, M.P.

ABSENT WITH APOLOGY

The Hon. Abdirahman H. Ali, M.P.  
The Hon. Danson Mwazo Mwakulegwa, M.P.

IN ATTENDANCE - NATIONAL ASSEMBLY

M. J. Chesire - Clerk Assistant

MIN. NO.25/2009 - PRELIMINARY

The Chairman called the meeting to order at 10:20 a.m. He thanked the Members for contribution during debate on the Votes of the Ministries of Higher Education, Science and Technology; and Education. While appreciating the importance of scrutiny of the printed estimates and the time allocated to Committees during debate of the respective Votes in the House, notwithstanding the number of Ministries under one Committee, he stated that it was a time consuming activity which should be reviewed. The Chairman undertook to raise the issue in the Liaison Committee meeting with a view to ensuring that the Votes of Ministries under one Committee were not considered by the House in one Sitting.

MIN. NO.26/2009 - CONFIRMATION OF PREVIOUS MINUTES

Minutes of the sitting held 23rd July 2009 were confirmed by the Members present and signed by the Chairman after being proposed by the Hon. Nyammo, MP and seconded by the Hon. Dr. Ottichilo, MP.

MIN. NO. 27/2009

MATTERS ARISING

Under Min. No. 19/2009 the Committee resolved to

- (i) Scrutinize the list of scholarships and bursaries awarded by the Ministry of Higher Education, Science and Technology. The secretariat was asked to call the Ministry and request them to submit the list of beneficiaries of the said scholarships and bursaries and the criteria they use in awarding them.
- (ii) Study in depth the Strategic Plan of the Ministry of Higher Education, Science and Technology on the Ministry's plan to address the generation gap in the Ministry.

MIN. NO. 28/2009

INQUIRY INTO THE KENYATTA UNIVERSITY UNRESTS

The Committee discussed the recent unrests at the Kenyatta University (KU) and the ruling by the Speaker on 5th August 2009, following a Ministerial Statement by the Assistant Minister for Higher Education, Science and Technology, that the Committee should conclude its findings and present its report to the House in three weeks time. For information to the new Members, the Chairman gave an overview of the Committee's visit to the University in April this year, immediately after the disturbances at the institution to assess the situation on the ground. During their visit the Committee met with the Chancellor, the Chairman of the University Council, the Vice-Chancellor, KUSA officials, and some non-teaching staff, among others. The report of the Vice-Chancellor on the unrests was circulated to all the Members. He stated that the Committee did not conclude its findings on the issue due to the delay in the formation of new Committees in the Third Session. Due to the urgency of the matter and the importance to involve all interest groups of the KU, the Committee resolved to invite all stakeholders to give their views to the Committee between August 18th and 21st 2009 as follows:

<u>TUESDAY, 18TH AUGUST 2009</u>		
<u>TIME</u>	<u>VENUE</u>	<u>UNRESTS Stakeholders/Agenda</u>
9.00 a.m.	Main Committee Hall, 1st Floor, County Hall	Twelve (12) students: They should be randomly sampled from across the faculties in the university, (three per year of study) and at least a third should be from either gender.
10.30 a.m.	Main Committee Hall, 1st Floor County Hall	Kenyatta University Students Association (KUSA) officials

12.00 O'clock	Main Committee Hall, 1st Floor County Hall	Non-teaching staff: (i) Five (5) KUDHEHIA officials; and ii) Ten (10) ordinary workers who should be randomly sampled from across the departments and at least a third should be from either gender
2.30 p.m.	Main Committee Hall, 1st Floor County Hall	Officials of the University Academic Staff Union (UASU- KU Chapter) and not more than ten (10) other teaching staff not UASU Officials, and at least a third should be from either gender

**WEDNESDAY, 19TH AUGUST 2009**

9.00 a.m.	Main Committee Hall, 1st Floor County Hall	Other stakeholders e.g. Parents, sponsors and religious Organizations
12.00 O'clock	Main Committee Hall, 1st Floor County Hall	Permanent Secretary for Provincial Administration and Internal Security

**THURSDAY, 20TH AUGUST 2009**

9.00 a.m.	Main Committee Hall, 1st Floor County Hall	Ten (10) Members of the Senate
11.30 p.m.	Main Committee Hall, 1st Floor County Hall	Chairman of the Council to present report of the Council Committee established to investigate the disturbances
12.30 p.m.	Main Committee Hall, 1st Floor County Hall	Members of Parliament

**FRIDAY, 21ST AUGUST 2009**

9.00 a.m.	Main Committee Hall, 1st Floor County Hall	Minister for Higher Education, Science and Technology
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MIN. NO.29/2009

ANY OTHER BUSINESS

The following issues were discussed:

1. Committee Budget for the 2009/2010 Financial Year

The Vice-Chairman informed the Committee that he presented the Committee's estimated budget for the 2009/2010 Financial Year to the Liaison Committee and

that Committees were advised to present their budgets to the Deputy Director  
Committees for allocation of funds.

**2. Kenyatta University students' unrest**

The Chairman informed the Committee that Kenyatta University will soon be re-opened and therefore the Committee should hasten to finalize investigations on the institution.

**MIN. NO.30/2009**

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**ADJOURNMENT**

There being no other business the Chairman adjourned the meeting at 12.00 p.m. until Tuesday, the 18<sup>th</sup> August, 2009 at 9.00 a.m.

**SIGNED: THE HON. DAVID K. KOECH**  
**(CHAIRPERSON)**

**DATE: 26<sup>TH</sup> NOVEMBER 2009**

MINUTES OF THE EIGHTH SITTING OF THE DEPARTMENTAL COMMITTEE  
ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON TUESDAY,  
AUGUST 18, 2009 IN THE MAIN COMMITTEE ROOM FIRST FLOOR,  
COUNTY HALL, PARLIAMENT BUILDING AT 9.00 A.M.

PRESENT: The following Members of the Committee were present:-

The Hon. David Koech, M.P - Chairperson  
The Hon. (Dr.) Wilbur Ottichilo, M.P.  
The Hon. (DR.) Joyce Laboso, M.P.  
The Hon. David Njuguna, M.P.  
The Hon. Danson Mwazo Mwakulegwa, M.P

ABSENT WITH APOLOGY

The Hon. F.T. Nyammo, M.P- Vice-Chairperson  
The Hon. John Pesa Dache, M.P.  
The Hon. Shakila Abdalla, M.P.  
The Hon. Abdirahman H. Ali, M.P.  
The Hon. B.C. Muturi Mwangi, M.P.  
The Hon. Alfred B. Odhiambo, M.P.

IN ATTENDANCE

M. J. Chēsire  
Mr. Paul Ngetich  
Mr. Ernest Kimaita

NATIONAL ASSEMBLY

Clerk Assistant  
Senior Research Officer  
Parliamentary Intern

MIN. NO. 31/2009

EVIDENCE FROM SOME STUDENTS FROM KENYATTA  
UNIVERSITY

The Committee heard evidence from the following students:

Mr. Matere Wanjala (3rd Year)  
Mr. John Mukuli (1st Year)  
Mr. Michael Muchiri (4th Year)  
Ms. Phlomena Wavinya (1st Year)  
Ms. Josephine Khasabuli (4th Year)  
Mr. James Masika (3rd Year)

The students informed the Committee as follows:-

- i) That registration was the major cause of the two strikes at the KU. Most of the students who had outstanding fees balances agitated for extension of registration deadline through the KUSA. The University had always allowed late registration just before end of semester exams to facilitate those confronted

with fees challenges. With the introduction of the registration deadline most of the students were unprepared. The situation was worsened by KUSA elections as candidates made many promises including the extension of the registration time which was beyond their mandate.

- ii) That pressure of exams caused anxiety amongst the students. The students reported back to college between 27th and 29th March 2009 and were expected to sit for exams on 30th March 2009 yet they had not adequately revised for same.
- iii) That the Kshs.1000 fine charged on them after the first caused discomfort among the students. They felt that the fine was exorbitant as nothing substantial had been destroyed.
- iv) That they were against the suspension of KUSA officials after the first strike since they were fighting for students' rights.

Asked on the requirements for registration at the University, the Committee heard that payment of fees was mandatory for registration but when the registration deadline policy was introduced; those who did not meet the deadline were advised to register for the next semester or the trimester. The students felt that a trimester was more expensive than a normal one. The affected students argued that since most of them had attended lectures and did Continuous Assessment Tests, the University should have been considerate and allowed them to sit for the semester exams. The students also complained of perpetual shortening of semester at the KU which compels them to sit for exams before the completion of the recommended syllabus.

On the relationship between the students on Joint Admission Board (JAB) and Self-Sponsored Programme (SSP)-the Committee was informed that initially the two groups attended separate lectures but it became expensive to the University. However, their registration numbers were different indicating who is a JAB or SSP student.

On the KUSA leadership, the Committee heard that initially the SSP students were not eligible for senior KUSA positions but upon amendment of the KUSA Constitution, all students were allowed to vie for any post.

Asked about the relationship between the students and the University administration, the Committee was informed that in many occasions there existed communication breakdown. Rumours prevailed among the students before the strike that the university had plans to introduce dress code and ban cooking in the hostels. Had the administration dispelled such rumours, may be the situation could not have escalated.

Asked if the strike was influenced by outsiders, the students informed the Committee that during the riots, the police arrested outsiders within the University hence confirmation of their participation during the strikes. Besides, the computers were stolen before the burning of the buildings.

The Committee heard evidence from the following officials of the KUSA:-

Tom Mbwana	-	Secretary General;
Clare Ceptumo	-	Deputy Speaker;
Otieno J. P. Oriedi	-	Representative, School based
Nixon Matasia	-	Congressman, Nyayo 3
Mary Macharia	-	Representative, Catholic Community
Dennis Nyariaro	-	Secretary, Special Needs
Steve Ogony Martin	-	Secretary, SDA Church
Agnes May Mukera	-	Representative, Non-Residents
Loycephyllis Onchari	-	Congresslady, Main Campus
Caroline Mutheu	-	Congresslady, Parklands
Robert Nyasima	-	Representative, Christian Union
Maxwell Isaack	-	Congressman, School of Health Science
Naftaly Kathurima	-	Congressman

The Committee was informed that:-

- i) They were the KUSA officials who remained in office after their colleagues were either expelled or suspended after the unrests at the KU.
- ii) That after the strikes, the mood at the University was volatile. The general public was suspicious of the KU students and that this was confirmed by students who had gone for teaching practice, raising a concern by students concerning their future upon completion of their degree programmes at the University.
- iii) They enumerated the causes of the strike to include registration deadline, communication breakdown between the administration and the students, rumours by students on the alleged ban of cooking in the hostels and introduction of dress code, and the shortening of semesters at the University before completion of the recommended syllabus. Other reasons included the Ksh.1000 fine after the first strike, the suspension of KUSA officials and exam schedule after the first strike. They felt that the fine of Ksh.1000 was unjustifiable as even students at Parklands Campus, who did not participate, paid the fine.
- iv) That they welcomed the setting up of a Appeals Committee by the University to determine the appeals cases by the affected students and were optimistic about the reinstatement of their colleagues.
- v) That while appreciating the infrastructure and beautification in the University the students were concerned that they were being done at the expense of providing quality education.
- vi) That their relationship with the administration had improved after they were taken for an induction workshop in Kilifi in August this year.

vii) That since less than 5% of the students participated in the first strike hence the victimization of the officials and KUSA officials' students was unfair.

Asked if outsiders sponsored students during the last KUSA elections, the Committee was informed that since vying for top KUSA post was equivalent to running for a political office in the country, they could not rule out the influence from outside.

On the security personnel at the University, the Committee learnt that the University hires security from various private companies e.g. G4S, Bob Morgan and KK security as well as permanent guards' employed by the University and the Administration Police seconded to the University.

On negative ethnicity in the University, the officials stated that the vice was prevalent before the post election violence but it worsened during the KUSA elections when the student candidates were communicating in their mother tongue for support.

On the KUSA Constitution, they stated that KU administration had always manipulated the Constitution and was impossible to ascertain the correct version of the same. They undertook to submit all the available versions of the Constitution to the Committee.

They recommended as follows:

- That KUSA officials should be elected from students taking courses at the Main Campus;
- That exam cards be issued to students after completion of payment of fees;
- That KUSA Constitution needs to be amended to provide for a transitional provision.

MIN. NO.33/2009 -

EVIDENCE FROM UNTESU OFFICIALS AND MEMBERS

The following officials and members of the KU non-teaching staff appeared before the Committee:-

David Maina	-	Chairman
Frederick Mudimba	-	Organizing Secretary
Ann K. Muli	-	Acting Secretary-General
Bilha Kiama-Murage	-	Member
Elizabeth Mwangi	-	Member
John K. Langat	-	Member
Gregory K. Kamba	-	Member

While disassociating themselves from the disturbances at the KU they stated as follows:

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i) That the students should have explored other avenues than resorting to destruction of property.  
 ii) That the University should design a uniform structure to bar students from paying fees after the deadline as this will ensure that they do not attend lectures.  
 iii) That they could not rule out involvement of external forces during the riots at the KU considering the porous boundary. The railway line passing through the KU could have been used by outsiders to enter the campus. During the riots the security at the University was overwhelmed because of the many outsiders who had entered the compound and that is why they could not ascertain the number of the lost computers. On who should pay for the damages caused by the disturbances they stated as follows:-

- Since some of the property was insured, the insurance company should pay for the damages as per the policy cover.
- The University should set up a Risk Fund to cater for any such threats in future.
- The University should create a Disaster Management Unit to deal with such emergencies.
- That though there should be punishment of the perpetrators of the disturbances, the process should be fair to ensure that justice is done and innocent persons are not victimized.

MIN. NO.34/2009

KENYA UNION OF DOMESTIC, HOTEL, EDUCATIONAL, INSTITUTIONS, HOSPITALS, AND ALLIED WORKERS EVIDENCE FROM OFFICIALS AND MEMBERS OF THE (KUDHEIHA)

The Committee received evidence from the following officials:

Stephen Mboroki	-	Chairman, KUDHEIHA, (KU Chapter)
Joseph Mbataru	-	Shop Steward, KUDHEIHA
Benard Nyagah	-	Security Supervisor
Duncan Kitema	-	Caretaker
Dolly Mbagugu	-	Maintenance
Benard Kavitu	-	Personnel
Milicent Muriuki	-	Personnel
Fildah Kageni Njeru	-	Library
Zachary Mose	-	Member
Kamulusi Opuch	-	Member
Julia Gakii Muthuuri	-	Member

The Committee was informed as follows:

i) That politicians were interfering with learning operations at the University and that lecturers were misleading students. The University was polarized between Orange Democratic Movement and Party of National Unity as it was witnessed during the KUSA elections.

ii) The shop steward (Mr. Mbataro) on Oath informed the Committee that in one occasion he was called by Dr. Tom Namwamba to a meeting together with some students at the KU Members Club and in the meeting they were informed that there would be disturbances at the University.

iii) That at the meeting they heard that an Hon. Member of Parliament was to table a document on mismanagement of funds by the University administration but he could not confirm if the said document was tabled in Parliament or not.

On if workers participated in the strike they stated that some of the workers who were agitating for salary increment may have supported the students' protests.

MIN. NO.35/2009

EVIDENCE FROM LECTURERS OF KENYATTA UNIVERSITY

The Committee heard evidence from the following lecturers:

Dr. Hellen Oduk	-	Philosophy of Religious Studies
Dr. George Kusimba	-	Economic Theory
Mr. Daniel Okun	-	Bio-chemistry and Biotechnology
Dr. Ruth Wanjau	-	Senior Lecturer, Chemistry
Dr. Benard Kivunge	-	Lecturer, Mathematics
Dr. Stephen Nyagah	-	Senior Lecturer, Environmental Studies
Dr. Ruth Ndung'u	-	Lecturer, Department of English
Prof. Caloline Lang'at Thoruwa	-	Associate Professor Chemistry
Dr. Karanja Thiong'o	-	Senior Lecturer, Chemistry

The Committee was informed as follows:

i) That registration deadline was the main cause of the strike and that the University administration may have been insensitive on the timing of the deadline. The management should have allowed the students to sit for exams and withhold their results. Further the timing of the KUSA elections provided an avenue for confrontation, coupled with the lack of induction of the KUSA officials. The Ksh.1000 fine imposed on the students after the first strike also contributed in the flaming of the strike.

ii) That the shortening of semesters in the University was another issue and it may have contributed to the tension considering that students had paid fees for the entire semester.

Senior Lecturer, Chemistry

iii) That the KU management is highly centralized and considering the number of schools already established hence the urgent need to appoint Principals to manage the schools already established so that bureaucracy is reduced.

They recommended that the adherence of the registration deadlines by students was important. The students need to be sensitized on the same as well as encourage dialogue between the students and the management.

MIN. NO.36/2009

EVIDENCE FROM UNIVERSITY ACADEMIC STAFF UNION (UASU)

The following UASU officials appeared before the Committee:

Mr. J. M. Kinyanjui - Chairman, UASU (KU) Chapter  
Dr. Richard Wafula - Secretary General, UASU (KU) Chapter  
Dr. George L. Makhokha - Deputy Secretary-General

The Committee was informed as follows:-

The UASU officials were unanimous that the registration deadline was the major cause of the strikes. Considering that most students had paid fees on-line, albeit after the stipulated deadline, they may have assumed that payment of fees assured them of automatic registration. Besides, the University erred by receiving the fees after the deadline. In such a situation the KU administration should have allowed the students to sit for exams and withhold their results.

They further stated that while implementing the registration deadline policy, in future, the University should consider students coming from disadvantaged background who depend solely on the Higher Education Loans Board (HELB) for loans and sometimes the recipients of the HELB loans do not access the funds on time hence delaying their registration.

That the selection by the Vice Chancellor of the teaching staff who had already appeared before the Committee was not representative as they were trained on what to tell the Committee hence the need for the Committee to be cautious on the evidence adduced.

Asked what UASU had done to deal with its members implicated in the reports of the Special Senate and Council Ad hoc Committees on their role in the strikes, they stated that they hadn't received the reports formally to institute any investigations.

On suspension of KUSA officials they stated that the KUSA officials should not be victimized individually but collectively as they were acting as one unit.

MIN. NO. 37/2009

ANY OTHER BUSINESS

The Committee was concerned with the stand taken by the Vice-Chairperson on the inquiry on the KU. The V-C was against the Committee investigation on the KU. The Committee mandated the Chairman to consult the Speaker on the way forward.

MIN. NO. 38/2009

- ADJOURNMENT

There being no other business the Chairman adjourned the sitting at 7.30 p.m. until 19th August, 2009 to 9.00 a.m.

**SIGNED: THE HON. DAVID K. KOECH**  
**(CHAIRPERSON)**

**DATE: 26<sup>TH</sup> NOVEMBER 2009**

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MINUTES OF THE NINTH SITTING OF THE DEPARTMENTAL COMMITTEE  
ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY,  
AUGUST 19, 2009 IN THE MAIN COMMITTEE ROOM, FIRST FLOOR,  
COUNTY HALL, PARLIAMENT BUILDINGS AT 9.00 A.M.

PRESENT: The following Members of the Committee were present:-

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The Hon. David Koech, M.P - Chairperson  
The Hon. F.T. Nyammo, M.P- Vice-Chairperson  
The Hon. Shakila Abdalla, M.P.  
The Hon. (DR.) Joyce Laboso, M.P.  
The Hon. Danson Mwazo Mwakulegwa, M.P  
The Hon. Alfred B. Odhiambo, M.P.  
The Hon. B.C. Muturi Mwangi, M.P.  
The Hon. Abdirahman H. Ali, M.P.

ABSENT WITH APOLOGY

The Hon. John Pesa Dache, M.P.  
The Hon. (Dr.) Wilbur Ottichilo, M.P.  
The Hon. David Njuguna, M.P.

IN ATTENDANCE - NATIONAL ASSEMBLY

M. J. Chesire - Clerk Assistant  
Mr. Ernest Kimaita - Parliamentary Intern

MIN. NO. 39 /2009 - EVIDENCE FROM THE RELIGIOUS ORGANIZATIONS  
AND SPONSORS AT THE KENYATTA UNIVERSITY  
(KU)

The Committee heard evidence from religious organizations and sponsors from Kenyatta University:

Sheikh Abdallah Kheir - Kenyatta University Imam  
Rev. Dr. Godfrey P. Ngumi - Protestant Chaplaincy for staff community  
Fr. Lance P. Nadeau - Catholic Chaplain  
Pastor James Ouma - Seventh Day Adventist (SDA) Chaplain  
Ms. Mary Gichuru - Price Water House Coopers- USAID OVC Scholarship,  
Project Director

The Committee heard as follows:

- i) That, as in other institutions of higher learning, violence was a chronic problem at Kenyatta University and the effects of the post election violence may have contributed to the violence at the University.
- ii) That the violence at KU was a manipulation to remove the Vice Chancellor.

- iii) That apart from registration deadline the second unrest also arose from rumours amongst students that the University would be attacked in night of the 29th March 2009. The strike may not have been caused by students by outsiders who may have accessed the University through gates not manned by security personnel.
- iv) That after the second strike they advised the University to delay reopening of the University to allow reconstruction of the destroyed properties as well as letting students tempers to cool down. After the strike the religious leaders met with the University Administration to advice on the need to ensure that leadership was bestowed to people with leadership qualities. Leaders at the University are appointed without training which impacts negatively on the operations at the University.
- v) That negative ethnicity at the University is rife as people tend to converge into tribal groupings for economic and social benefits.
- vi) That after the KUSA elections there was no induction of the officials to prepare them for leadership responsibilities.

Ms. Mary Gichuru informed the Committee that the USAID scholarships were given mainly to the students on Self Sponsored Programme with a paltry 3% support to the Joint Admission Board students. Other sponsors include the German Academic Exchange Programme (DAAD) of Germany.

On if leadership was a problem at the KU the Committee was informed that leadership at KU was highly centralized and hence in delays decision making process and thus affects other operations.

On the way forward the Committee was informed as follows:

- a) That the flow of information should be enhanced at the University and there was need for the introduction of hotlines so that vital information is shared among all the stakeholders at all times.
- b) That counseling services be strengthened to help students and staff explore their thoughts, feelings and behaviour to reach a self-understanding. USAID sponsors students who are orphans and due to their backgrounds, tend to aggressively demand a lot hence the urgent need for the counseling services.
- c) Leadership "traits" should be imparted on the student leaders to instill interpersonal norms.
- d) The University should establish a Unit on behaviour change and conflict management.
- e) That conflict and disaster management should be taught in all schools and institutions of higher learning.
- f) That the University should ensure that all the cases against students and workers are determined fairly and ensure that the appeals process is above board.
- g) That, if forgiveness would be considered by the University during the reconciliation period, those found culpable should first confess and may be placed under the community service within the University. This could be a preventive measure against recurrence of the same ills in future.

- h) That KUSA leaders should be taken for training before they assume leadership positions to enable them behave responsibly.

MIN. NO. 40/2009

- ANY OTHER BUSINESS

The following issues were raised and resolved as follows:-

- i) The Committee resolved to retreat to Mombasa to write the report on the KU.
- ii) The Committee resolved to invite students and staff who had been adversely mentioned to appear before it.
- iii) The Chairman informed the Committee he would be away on Thursday, 20th and Friday, 21st 2009 attending a relative's burial. Consequently, the Committee appointed Hon. Danson Mwakulegwa, MP to chair the Committee during his absence.
- iv) The Committee deliberated on the Vice-Chairman's position against the Committee's inquiry on KU by stating that the University's internal organs should investigate the matter as per its statutes. The Chairman undertook to consult the Speaker on the issue.

MIN. NO. 41/2009

- ADJOURNMENT

There being no other business the Chairman adjourned the meeting until 20th August 2009.

**SIGNED: THE HON. DAVID K. KOECH  
(CHAIRPERSON)**

**DATE: 26<sup>TH</sup> NOVEMBER 2009**

**MINUTES OF THE TENTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON THURSDAY, AUGUST 20, 2009 IN THE MAIN COMMITTEE ROOM, FIRST FLOOR, COUNTY HALL, PARLIAMENT BUILDING AT 9.00 A.M.**

**PRESENT:** The following Members of the Committee were present:-

The Hon. Danson Mwazo Mwakulegwa, M.P. - Acting Chairperson  
The Hon. (Dr.) Wilbur Ottichilo, M.P.  
The Hon. David Njuguna, M.P.  
The Hon. Shakila Abdalla, M.P.  
The Hon. (Dr.) Joyce Laboso, M.P.  
The Hon. Alfred B. Odhiambo, M.P.  
The Hon. B.C. Muturi Mwangi, M.P.  
The Hon. Abdirahman H. Ali, M.P.

**ABSENT WITH APOLOGY**

The Hon. David Koech, M.P. - Chairperson  
The Hon. F. T. Nyammo, M.P. - Vice-Chairperson  
The Hon. John Pesa Dache, M.P.

**IN ATTENDANCE**

**NATIONAL ASSEMBLY**

M. J. Chesire - Clerk Assistant  
Mr. Paul Ngetich - Senior Research Officer  
Mr. Ernest Kimaita - Parliamentary Intern

**MIN. NO. 42/2009**

**PRELIMINARY**

The Acting Chairman called the meeting to order at 9.30 a.m. He welcomed the Vice-Chancellor and her team and thanked them for honouring the Committee summons to meet the Committee.

**MIN. NO. 43/2009**

**EVIDENCE BY THE VICE-CHANCELLOR KENYATTA UNIVERSITY**

The Vice-Chancellor (V-C) Prof. Olive Mugenda, accompanied by the following appeared before the Committee:

Prof. Geoffrey Muluvi - Deputy Chancellor (Administration)  
Prof. Edwin Wamukoya - Director Mombasa Campus  
Prof. Oluoch Obura - Dean, School of Humanities and Social Science  
Prof. Wilson Njue - Director, Kitui Campus  
Prof. Karen Mburugu - Dean Applied Science  
Dr. Edwin Gimode - Dean of Students

Prof. K. Wainaina	-	Chairman Senate Select Committee
Dr. Jackton Ogeno	-	Dean of School of Education
Dr. E. N. Kimani	-	Director Mentoring Programme
Dr. Michael Wainaina	-	Dean Graduate School
Dr. Tom Kimani	-	Dean Economics
Prof. G. K. King'ei	-	Director, Centre for Institutional Based Programmes (CIBP)
Mr. Paul Sang	-	Chairman of Department of Management Science

The V-C while recounting the events leading to the disturbances at KU, she informed the Committee as follows:

- i) That the disturbances, which resulted in the destruction of the private and public property, were instigated by the KUSA officials.
- ii) That an Ad hoc Committee was established by the University Council to investigate the extent of the property destroyed. A total of 50 students appeared before the Students Disciplinary Council (SDC). Out of these, 2 were exonerated, 23 were given warning letters and 14 were suspended while 11 KUSA officials were expelled.
- iii) That the Special Senate Committee recommended disciplinary action against the students as proposed by the SDC. The students had been given an opportunity to appeal and their appeals were under consideration by the Appeals Committee.
- iv) That in order to ensure continuity, the University administration took the remaining KUSA officials for an induction seminar in August. This was geared towards fostering peace and tranquility at the University. During the induction the students resolved to form congressional committees to deal with various student issues as they await the outcome of the appeals by the suspended/expelled KUSA officials.
- v) That the reconstruction of the damaged University property facilities was ongoing.
- vi) That plans were underway to reinforce security at the University through construction of a perimeter wall around the University compound as well as hiring of more competent personnel from reputable security firms. The University was also holding talks with the residents of Kamae Market (KM) to resolve the land dispute between them.
- vii) That prior to the second unrest she stated that she had held a meeting with District Commissioner, Nairobi North, the District Criminal Investigation Officer (DCIO) and Officer Commanding Station (OCS) Ruiru Police Station and discussed the impending situation at KU and the urgent need for security reinforcement. In the meeting the security personnel undertook to arrive at 6.00 p.m. on 29th March 2009 but arrived after 9.00 p.m. after most of the damage had been done.

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x) Kenyatta University is the only University which has signed Collective Bargaining Agreement (CBA) with its staff and also has received the ISO certification.

Asked if the KUSA officials were cleared by the KU Independent Electoral Commission before the elections the Committee learnt that though the Commission is appointed by the administration it did not clear the students to run for KUSA positions. The Committee felt that the University administration should be held responsible for failing in its duties for allowing students to run for elections before clearance.

On why she could not close the University before the destruction on 29th March 2009, she informed the Committee that after being assured of security by the Permanent Secretary, Internal Security and Provincial Administration as well as the Provincial Commissioner, Nairobi Province, whom she had earlier called to seek for reinforcement and considering that it was late in the evening, she could not close the institution as it could have been a security risk especially for the University and the students.

Asked why she found it prudent to reopen the University between 27th and 29th March 2009 and expect the students to sit for exams on 30th March 2009, she admitted University's insensitivity to the students' plight as they had not adequately revised for the examinations.

MIN. NO. 44/2009

EVIDENCE BY THE KENYATTA UNIVERSITY COUNCIL

The Chairman of the Ad hoc Council Committee of the Kenyatta University Council, Prof. Peter Kinyanjui accompanied by the following appeared before the Committee to give their views about the disturbances at the University:

Prof. P. K. Wainaina	-	Council member
Dr. Christine Wasanga	-	Council member
Mr. Eugene Mutembei	-	Council member
Ms. Jennifer Muna	-	Council member, Member Ad hoc Committee
Prof. Geoffrey Muluvi	-	Deputy Vice-Chancellor (Administration) and Council member

He presented the Committee with the report of the Council Ad hoc Committee whose mandate was to inquire into the causes of the disturbances, examine internal and external forces and make recommendations on the way forward.

He informed the Committee as follows:

- i) That during the KUSA elections it was evident that the students vying for various positions had access to a lot of resources.
- ii) That prior to the elections it was evident that there was pressure from outside the University by people who were advancing either diverse personal, political or other agendas.
- iii) That during the KUSA elections some members of staff took positions and supported the students either in kind or cash.

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- iv) That during the strike, security personnel at the KU were uncoordinated. The security at the University was being provided by the Administration Police, private companies as well as local guards, who are permanent employees of the University. He admitted failure on the part of the KU management and staff who withheld crucial information on security but commended the APs; without whose action more destruction could have been done.
  - v) That there was urgent need to reconstitute the University Governing Council as the terms of service of all the Council Members, but two, had expired. This negatively impacts on the operations of the University. The Committee resolved to raise the issue with the Minister for Higher Education, Science and Technology.
  - vi) That though KU was the first public university to sign performance contracting the University Council should be involved in the whole process as it was not the case currently.

On whether the University has been able to recover some of the stolen computers, the Committee was informed that the police was handling the issue though they hadn't reported recovery.

MIN. NO. 45/2009

ADJOURNMENT

There being no other business the Acting-Chairman adjourned at 2.10 p.m. until Friday, 21st August 2009 at 9.00 a.m.

**SIGNED: THE HON. DAVID K. KOECH**  
**(CHAIRPERSON)**

**DATE: 26<sup>TH</sup> NOVEMBER 2009**

**MINUTES OF THE ELEVENTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON FRIDAY, AUGUST 21, 2009 IN THE MAIN COMMITTEE ROOM FIRST FLOOR, COUNTY HALL, PARLIAMENT BUILDINGG AT 9.30 A.M.**

**PRESENT:** The following Members of the Committee were present:-

The Hon. Danson Mwazo Mwakulegwa, M.P - Acting Chairperson  
The Hon. Alfred B. Odhiambo, M.P.  
The Hon. David Njuguna, M.P.  
The Hon. Abdirahman H. Ali, M.P.  
The Hon. (Dr.) Wilbur Ottichilo, M.P.

**ABSENT WITH APLOGY**

The Hon. David Koech, M.P - Chairperson  
The Hon. F.T. Nyammo, M.P- Vice-Chairperson  
The Hon. John Pesa Dache, M.P.  
The Hon. Shakila Abdalla, M.P.  
The Hon. (Dr.) Joyce Laboso, M.P.  
The Hon. B.C. Muturi Mwangi, M.P.

**IN ATTENDANCE**

**NATIONAL ASSEMBLY**

M. J. Chesire - Clerk Assistant  
Mr. Paul Ngetich - Senior Research Officer

**MIN. NO. 46/2009**

**PRELIMINARIES**

The Acting Chairperson welcomed the Minister to the meeting and thanked her for honouring the Committee's invitation and apologized for starting the sitting late.

**MIN. NO. 47/2009**

**EVIDENCE BY THE MINISTER FOR EDUCATION, SCIENCE AND TECHNOLOGY**

The Minister for Higher Education, Science and Technology Hon. Dr. Sally J. Kosgei, EGH, MP, appeared before the Committee accompanied by the following:

Prof. Crispus Kiamba - Permanent Secretary, Ministry of Higher Education, Science and Technology  
Mrs. Agnes Silah - Director, Higher Education  
Ms. Fenny Mwangisha - Ministry of Higher Education

She informed the Committee as follows:

- i) That KU, like other universities, is an autonomous institution and the Government has established public universities with appropriate governance and management structures that are meant to ensure that they practice good, inclusive and devolved governance.
- ii) That during the crisis at KU the Chancellor consulted with the Ministry on the way forward. She stated that she resolved not to use her powers of inspection or visitation because the Council, Senate and the KU management had successfully managed the situation.
- iii) That the Treasury had already allocated Ksh.55 million for reconstruction and building of the destroyed properties at the University which was estimated at Kshs.112 million and she expected the University to raise the remaining balance.
- iv) That the Ministry's policy on indiscipline and misconduct by students stipulates punishment in accordance with the laid down regulations which must be adhered to.
- v) That in future the University should consider allowing students to sit for examinations and withhold their results for those with fees balances.

On why the Minister had not reconstituted the KU Council to ensure that it is fully operational, the Minister informed the Committee that consultations were going on and that in a short while she would present the names of the selected candidates to the Office of the President for consideration.

On why the Ministry could not act to avert the riots at KU the Minister informed the Committee that upon receiving information on the situation at KU she informed the security organs. The PS corroborated the Minister's statement that he called the Permanent Secretary, Provincial Administration and Internal Security on the looming crisis at KU but they delayed in their response.

MIN. NO. 48/2009

ADJOURNMENT

There being no other business the Acting Chairperson adjourned the meeting until Wednesday, 26th August 2009.

**SIGNED: THE HON. DAVID K. KOECH**  
**(CHAIRPERSON)**

**DATE: 26<sup>TH</sup> NOVEMBER 2009**

MINUTES OF THE TWELTH SITTING OF THE DEPARTMENTAL COMMITTEE  
ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY,  
AUGUST 26 2009 IN THE MAIN COMMITTEE ROOM FIRST FLOOR,  
COUNTY HALL, PARLIAMENT BUILDINGD AT 11.00 A.M.

PRESENT: The following Members of the Committee were present:-

The Hon. David Koech, M.P - Chairperson  
The Hon. F.T. Nyammo, M.P- Vice-Chairperson  
The Hon. Danson Mwazo Mwakulegwa, M.P  
The Hon. Alfred B. Odhiambo, M.P.  
The Hon. Shakila Abdalla, M.P.  
The Hon. (Dr.) Wilbur Ottichilo, M.P.  
The Hon. B.C. Muturi Mwangi, M.P.

ABSENT WITH APOLOGY

The Hon. Abdirahman H. Ali, M.P.  
The Hon. David Njuguna, M.P.  
The Hon. John Pesa Dache, M.P.  
The Hon. (DR.) Joyce Laboso, M.P.

IN ATTENDANCE

NATIONAL ASSEMBLY

M. J. Chesire - Clerk Assistant  
Mr. Paul Ngetich - Senior Research Officer

MIN. NO. 49/2009

EVIDENCE BY SUSPENDED STUDENTS OF THE  
KENYATTA UNIVERSITY

The following suspended students of the Kenyatta University appeared before the Committee and gave evidence on the unrests at the Kenyatta University:

Ignatius Otieno Onyango  
Dennis Etukey Ong'iro  
Evans Odhiambo Odhiambo  
Aurelia Murangiri Kiramara  
Vanice Kwamboa Morwabe  
Job Larry Opiyo  
MaryGoret Munyala Buleemi  
Joyce Laboso, M.P.

They informed the Committee as follows:-

- i) That registration has been a perennial problem at the KU for a long time and that they were being victimized because of the positions they hold in KUSA and their regions of origin. While stating that the selective victimization of the

KUSA officials should be investigated, they informed the Committee of the Secretary General who was exonerated while the other senior officials were punished yet he is spokesperson of the Association. They supported what other witnesses had earlier said that the University should streamline payment of fees so that those who have paid, though after the deadline, should be allowed to sit for examinations.

- ii) That there have never been clear rules on deadline of registration at KU. Since time immemorial the KU management had been extending registration period hence it became a problem for the management to enforce the registration policy. Other causes of the strike included introduction of dress code, banning of cooking in the hostels as well as communication breakdown between the students and the administration. Exam pressure worsened the situation considering that the students reported back to University on 27th and 29th March 2009 and they were expected to sit for examinations on 30th March 2009 yet the students had not adequately prepared for the examinations.
- iii) That quality of education at the KU is compromised because of the persistent shortening of semesters which was geared towards accommodating the students on the school based programme. The University was focused on commercial projects at the expense of provision of learning at the University. They complained of lack of teaching facilities at the University alleging that there was no laboratory for practical classes for Bio-Chemistry Course hence students go for lessons at some private colleges.
- iv) That the University was applying divisive politics on the KUSA office by taking the remaining KUSA officials for an induction course in August yet the KUSA officials were not inducted immediately after being elected.

Asked on the qualifications before any student contests for KUSA office, the Committee was informed that students who still had six units to complete were eligible to stand for election.

On the way forward the students stated as follows:

1. That the University administration should embrace dialogue in solving disputes.
2. That the University should recognize and respect the students' voice i.e. the KUSA body.
3. That quality of courses offered at KU should be streamlined to ensure that they conform to the laid down standards by the Commission for Higher Education.
4. That management and leadership qualities be considered in any appointment at the University.
5. That acting positions at the University administration should be confirmed to ensure that the lecturers work independently and competently.

MIN. NO. 50/2009

EVIDENCE BY EXPELLED STUDENTS OF THE  
KENYATTA UNIVERSITY

The Committee heard evidence from the following expelled students:

Frederick Kimaru KUSA	-	Chairman
Shalmat N. Kassim	-	Vice Chairperson
Isaak Namango Odiedo	-	Speaker of the Congress
Luvale Wafula	-	Organizing Secretary
Duke Nyakundi	-	Deputy Secretary-General
Moses Wanjala Nandalwe	-	Academic Secretary
Kibui Moses Gitonga	-	Congressperson
David Matunga Odhiambo	-	School Congressman
Erick Ochieng Ojwang	-	Student
Tim Chawiyah Ayere	-	Student

They informed the Committee as follows:-

- i) That there was urgent need for normalcy to resume at the University and the truth should be the guiding principle while dealing with student issues. The KU administration and the students should embrace honest and reconciliation in order to ensure that such occurrences do not recur in the future.
- ii) That during the strike they were not supported by any politician and that KU problems were purely administrative.
- iii) That the election of KUSA Secretary General was questionable as he did not win the elections but the KU Independent Electoral Commission manipulated the results. That was why he has been exonerated while other officials were punished following the unrests at the KU.

On the way forward the students stated as follows:-

1. That all affected students should be re-admitted back to the University.
2. That the KUSA body should be made independent to avoid manipulation by the administration.

MIN. NO. 51/2009

EVIDENCE BY LECTURERS (ADVERSED MENTIONED)  
FROM THE KENYATTA UNIVERSITY

The following lecturers appeared before the Committee:-

Prof. James E. Otiende	-	Department of Educational Foundations
Dr. Tom Namwamba	-	Psychology and Religious Studies
Dr. Richard Wafula	-	Kiswahili and African Languages
Dr. Wanjala Iyaya	-	Mathematics
Mr. Kennedy Otieno Awuor	-	Mathematics

The lecturers stated as follows:-

- i) That the teaching staff who had been selected by the Vice-Chancellor to appear before the Committee previously was unrepresentative as UASU was not consulted.
- ii) That they did not participate nor did they sponsor any student to go on strike.
- iii) That the KU is polarized into two camps of those perceived to be pro and anti the establishment and that has greatly compromised on the provision of services. They claimed that there was a systematic training of students to implicate lectures.
- iv) That the KU management should be able to answer the following questions:
  - Why did the students riot instead of doing examinations?
  - Who incited the students after paying school fees?
  - Why the perpetual hostility between the staff, administration, and students?
- v) That the rampant shortening of semesters at KU had led to duplication of exams forcing lecturers to set two sets of examinations as a stop-gap measure whenever the syllabus was not covered. The University was concentrating on income generating programmes at the expense of quality. The shortening of semesters impact negatively on the quality of education. Like in other Universities a semester lasts for 16 weeks yet they were shorter at KU.
- vi) That had the University embraced dialogue the two students' unrests could have been averted.
- vii) That since the V-C had exonerated the students from causing destruction at the University and instead blamed hooligans hence the students should be re-admitted back to the University.
- viii) That they were not given opportunity to defend themselves before the two University committees.
- ix) That there was perceived ethnocentrism at the institution.

On whether some lecturers had met students to organize the riots at the KU the Committee was informed that lecturers and students meet in and outside the lectures halls and the alleged meeting with the students at the University Staff Club had not been pre planned and even the venue was not even secure for planning anything.

On security at the University the Committee learnt that the private companies outsourced to provide security at the University were from on region hence security is skewed.

They recommended as follows:

1. Transitional management team, which is committed to democratic governance of education, be put in place at the KU.

2. The KU Act be urgently reviewed to decentralize management at the University so that principals are appointed to manage the various schools already established by the University.
3. KU administration should be streamlined to accommodate the UASU, KUDHEHIA, UNTESU and KUSA bodies.
4. The KUSA officials should be reinstated.
5. KU should review semesters upwards for quality to be maintained. The Commission for Higher Education should be consulted for review.
6. Record keeping at the KU should be reviewed so that students', who have cleared fees, though late, were allowed to sit for exams. Most of the students attend lectures as well sit the CATS but are denied sitting for examinations because of non completion of fees.
7. Nepotism and favouratism at the KU should be stopped.
8. The University should embrace change in the management of its affairs. They stated that some Members of the University Council had overstayed at the helm for many years and that breeds complacency. The appointing authority should address the issue and ensure that the law is followed as stipulated.
9. The University should consider introducing payment and registering per Unit by the students so that students are examined for the specific Units they had already paid for. This enables the students to prioritize the Units which they would wish to pay and register for.

MIN. NO. 52/2009

EVIDENCE BY ADVERSELY MENTIONED STAFF OF  
THE KENYATTA UNIVERSITY

The following non-teaching staff who had been adversely mentioned in the Senate and Ad hoc Council Committees appeared before the Committee to give their evidence:-

Ms. Martha Miyandizi	-	Halls officer
Mr. Samuel Wafula Daniel	-	Senior Security Officer
Mr. Samuel K. Ruto	-	Security Supervisor
Mr. Justus Mavia	-	Acting Security Officer
Mr. Festus Indeje	-	Security Officer

They stated as follows:

- i) That the problem at the KU was a management issue and that they never participated in the students strike at the KU.

- ii) That after the first strike 18th March 2009 the students reported back on between 27th and 29th March 2009 and paid a fine Kshs.1000 and were issued with a yellow form for identification and confirmation of registration.
- iii) That security at the KU is provided by the Administration Police, private security firm and permanent employed guards by the University. Security at the University is wanting as there is a serious disconnect between the security providers. There were 16 armed APs at the University but were reinforced to 28 after the second strike.

The security officers stated that after the first and second strike they were dispatched to deliver letters to suspended students in the University and their rural homes. They could not understand why they were adversely mentioned in the Council Ad hoc Committee. They submitted to the Committee copies of the delivery books they used to dispatch the letters to the students. They were not given an opportunity to defend themselves on the allegations against them.

They recommended as follows:-

1. Students could be allowed to sit for exams but withhold their exam results upon payment of fees. This could avoid unnecessary conflicts between the students and the administration.
2. That the shooting of the students happened before the arrival of the police hence the killing of the student who died was not by the regular police. They recommended that there was need to put an interim management team to manage the affairs of University until the University returns to normalcy.

**MIN. NO. 53/2009 - ANY OTHER BUSINESS**

The Committee agreed to invite the following to give their evidence:

1. The Permanent Secretary Provincial Administration on Wednesday, 2nd September 2009.
2. The Chief Security Officer at the Kenyatta University and other officers on Thursday, 3rd September 2009.

**MIN. NO. 54/2009 - ADJOURNMENT**

There being no other business the Chairperson adjourned the meeting at 8.15 p.m. Wednesday, 2nd September 2009 at 2.30p.m.

**SIGNED: THE HON. DAVID K. KOECH  
(CHAIRPERSON)**

**DATE: 26<sup>TH</sup> NOVEMBER 2009**

MINUTES OF THE THIRTEENTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY, 2ND SEPTEMBER, 2009 IN THE MAIN COMMITTEE ROOM FIRST FLOOR, COUNTY HALL, PARLIAMENT BUILDINGS AT 2.30 P.M.

PRESENT: The following Members of the Committee were present:-

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

ABSENT WITH APOLOGY

The Hon. Danson Mwazo Mwakulegwa, M.P.  
The Hon. Abdirahman H. Ali, M.P.  
The Hon. (DR.) Joyce Laboso, M.P.  
The Hon. B. C. Muturi Mwangi, M.P.

IN ATTENDANCE

M. J. Chesire  
Paul Ngetich

NATIONAL ASSEMBLY

Clerk Assistant  
Senior Research Officer

MIN. NO.55/2009

PRELIMINARY

The Chairperson called the meeting to order at 2.50p.m. He welcomed the Permanent Secretary, Provincial Administration and Internal Security and thanked him for coming to the meeting notwithstanding his busy schedule. While informing the PS the issues regarding the riots at Kenyatta University he highlighted some of the pertinent ones which need to be addressed by the PS which include, among others:-

- What happened before, during and after the strike?
- Who killed the student?
- Has the security personnel been able to recover the stolen computers?
- What measures are in place to ensure that security is assured at KU?
- What is the relationship between the security providers at KU?
- Was the strike politically motivated?

MIN. NO. 56/2009

MEETING WITH THE PERMANENT SECRETARY,  
MINISTRY OF STATE FOR PROVINCIAL  
ADMINISTRATION AND INTERNAL SECURITY

The Permanent Secretary Ministry of State for Provincial Administration and Internal Security, Mr. Francis T. Kimemia appeared before the Committee accompanied by the following:

Peter Kavila - Director of Operations, Kenya Police  
Peter W. Okwanyo - Director of Administration and Security, Kenya Police  
Julius Ndegwa - Deputy Provincial Police Officer, Nairobi Province

On the onset he informed the Committee that the riot at KU was unprecedented and that never before had massive destruction of such magnitude at KU had been witnessed in any University in the country.

He stated that the security personnel were ready to deal with any crisis at any institution of higher learning. The porous boundary at KU was challenge to the security personnel and needed to be addressed. The University should be able to put mechanisms in place for responding to disasters instead of relying on the police. In view of the above issues raised by the Committee the PS sought the indulgence of the Committee to be given more time to enable him consolidate all reports on KU riots including the one by the National Security and Intelligence Service and present a comprehensive report to the Committee on a date to be agreed upon.

The Committee agreed to meet the PS on 15th September 2009 at 10.30 a.m.

MIN. NO. 572009 - ADJOURNMENT

There being no other business the Chairperson adjourned the meeting at 3.30 p.m. until Thursday, 3rd September 2009 at 9.30 p.m.

**SIGNED: THE HON. DAVID K. KOECH  
(CHAIRPERSON)**

**DATE: 26<sup>TH</sup> NOVEMBER 2009**

MINUTES OF THE FOURTEENTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON THURSDAY, SEPTEMBER 03, 2009 IN THE MAIN COMMITTEE ROOM FIRST FLOOR, COUNTY HALL, PARLIAMENT BUILDINGS AT 10.15 A.M.

PRESENT: The following Members of the Committee were present:-

The Hon. David Koech, M.P. - Chairperson  
The Hon. Shakila Abdalla, M.P.  
The Hon. (Dr.) Wilbur Ottichilo, M.P.  
The Hon. John Pesa Dache, M.P.  
The Hon. David Njuguna, M.P.

ABSENT WITH APOLOGY

The Hon. F.T. Nyammo, M.P. - Vice-Chairperson  
The Hon. Danson Mwazo Mwakulegwa, M.P.  
The Hon. Abdirahman H. Ali, M.P.  
The Hon. (Dr.) Joyce Laboso, M.P.  
The Hon. B. C. Muturi Mwangi, M.P.  
The Hon. Alfred B. Odhiambo, M.P.

IN ATTENDANCE

NATIONAL ASSEMBLY

M. J. Chesire - Clerk Assistant  
Paul Ngetich - Senior Research Officer

MIN. NO.58/2009

EVIDENCE FROM A SECURITY OFFICER IN- CHARGE AT THE RUIRU CAMPUS

The Committee heard evidence from the Security Officer In-charge at the Ruiru Campus

(Mr. Charles Muia) who narrated to the Committee on the events leading to the strikes at KU on 18th and 29th March 2009 as follows:

- i) That on 18th March 2009 he was informed by the Student representative at the Ruiru Campus (Mr. Abdikari Dubow) that the KUSA leadership would be meeting with the Vice Chancellor in the Main Campus to discuss registration issues.
- ii) That later in the day, students in large numbers, which was unusual, boarded the transport buses and headed for the Main Campus. He alerted the Main Campus on the students' movement and in order to contain the situation the administration withdrew the University bus transport between the two campuses.
- iii) That they received circulars from the administration warning students who had not registered on-line to call off the semester though generally the students

had been optimistic that they would reach a consensus with the University and be allowed to sit for examinations.

- iv) That there existed communication disconnect between the two campuses by stating that though he learnt from the Chief Security Officer that the University had been closed, the official communication confirming the same reached Ruiru Campus at 4.00 p.m. long after the closure of the University at 2.00 p.m.
- vi) That after the 1st strike the students were recalled back to college between 27th and 29th 2009. The students registered in the Main Campus and were being issued with yellow forms for identification.
- vii) That at 11.00 a.m. he was informed that there were leaflets in circulation in the campus calling for the exit of the V-C from the University. He also got information from a fourth year student who disclosed to him the students' plans to disrupt exams which were due on 30th March 2009. He, with the student, met with the Chief Security Officer (CSO), to discuss the events unfolding at the Campus.
- viii) That he left for home after meeting the CSO only to be called back by the night security officer at Ruiru informing him of the disturbance at the Campus. He contradicted earlier evidence adduced before the Committee that the main gate to the KU was impassable on that material day by stating that he stopped at the KU gate at 8.00 p.m.
- ix) That there was need to promote dialogue between the students and the KU management to avert any crisis in future.

MIN. NO.59/2009

EVIDENCE FROM HOSTEL ATTENDANT SUPERVISOR  
AT THE KENYATTA UNIVERSITY

The Committee heard evidence from Mr. Nicholas Lemetek, a Hostel attendant at the KU who informed the Committee as follows:

- i) That before the strike on 29th March 2009, he had overheard from students that there may be disturbances at the University if registration problem was not resolved as witnessed during the disturbance on 18th March 2009.
- ii) That information reaching the security personnel was that the strike was to start from the Ruiru Campus. He confirmed that strike started at the Ruiru campus at 5.45 p.m. and the main campus at 6.00 p.m.
- iii) That he called the CSO for mobilization of security personnel. The police arrived after a lot of destruction had been done.
- iv) That before the arrival of the police the one student casualty had already died.

MIN. NO.60/2009

EVIDENCE FROM A DUTY OFFICER AT THE  
KENYATTA UNIVERSITY

The Committee heard evidence from Mr. Samuel Ogero, duty officer who informed the Committee as follows:

- i) That the relationship between the various security organs at the KU lacked coordination.

The Committee as follows:

- ii) That on the morning of 29th March 2009, students, after registration started moving out of the campus instead of preparing of exams which were to begin on 30th March 2009.
- iii) That when the strike started the local Administration Police (AP) based at the University were overwhelmed by the students.
- iv) That the dead student may have been shot before the arrival of the police. He alleged that the in one occasion he overheard the APs conversing among themselves if they were allowed to shoot to kill. He saw the injured student being rushed to the KU Health centre and later transferred to the Kenyatta National Hospital.
- vi) That though operations at the University have resumed total normalcy and tranquility are yet to be guaranteed.

On the way forward he stated that there was need for the security organs at the KU to be restructured. The KU should have its own security without relying heavily on the private security provider as well as the APs seconded to the University.

MIN. NO.61/2009

MEETING WITH THE CHIEF SECURITY OFFICER  
KENYATTA UNIVERSITY

The Committee heard evidence from the Chief Security Officer at the KU (Mr. Francis Kirathe) who informed as follows:

- i) That security at KU is provided by three units namely; permanent guards employed by the University, private security firm and Administration Police seconded to the University.
- ii) That when he reported at the KU in 2006 the security in place was disjointed and that he had been able to streamline the units and ensured that the units were coordinated.
- iii) That after 2008 KUSA elections, those who lost during the elections started campaigning immediately for the 2009 elections and consequently won the elections. During the campaigns the candidates gave many promises but he could not recall of any efforts by the KU administration to counter some of the unrealistic promises being advanced by the students.
- iv) That prior to the disturbance on March 18 2009, the students had gathered on 17th March to demand for extension of registration deadline. During the demonstration by the students to the Vice-Chancellor's office, the KUSA officials were under siege from other students.
- v) That registration deadline was still an issue after reopening of the University between 27 and 29th March 2009. The students also felt that the Kshs.1000 fine was exorbitant. He informed the administration on the students' displeasure regarding the fine.
- vi) That prior to the strike, there were rumours about the students plan to disrupt exams which were to start on 30th March 2009. This led to a security meeting between the V-C and the Officer Commanding Police Division (OCPD), District Criminal Investigation Officer (DCIO), Officer Commanding Station (OCS) Ruiru

Police Station, District Commissioner, Nairobi North and Administration Police District Commander (Nairobi North District); to assess the situation and propose measures to be put in place. The security personnel agreed to assemble at the University at 6.30 p.m. with the OCS Ruiru Police Station taking charge of the Ruiru Campus. The security personnel did not arrive as agreed but after 8.30 p.m.

- vii) That the security personnel from the private security firm (Lavington Security Services), which already had been beefed up, was overwhelmed by the commotion in the University and fled the University when the strike started. This could have informed the decision by the University not to renew their contract.
- viii) That at the height of the strike and for fear of being attacked, the KU personnel immobilized KU Communication Control Room hence paralyzing communication network.
- ix) That after the disturbances the University, the security department at the University had been restructured by hiring a Director of Security to head the Directorate. Consequently, the APs personnel seconded to the University have also been enhanced up to 29 officers from 13.

On why they could not raid the adjacent estates around the KU to search for the stolen computers especially after confirming that the computers were taken to the Kamae Market (KM), he stated that his jurisdiction as the CSO was limited within KU. He confirmed that the external police did not conduct any raid in search of the computers.

He admitted of serious disconnect between the security personnel during the strike. While denying knowledge of the killer of the dead student, he stated that after the incident all the firearms with the APs seconded to the University were confiscated by the DCIO, Nairobi North District for ballistic analysis.

While he refuted claims of ethnicity among the security personnel he was asked to avail to the Committee the list of all the APs seconded to KU during and after the strike.

MIN. NO. 62/2009 - ADJOURNMENT

There being no other business the Chairperson adjourned the meeting at 6.10 p.m. until Tuesday, 14th September 2009 at 10.30 a.m.

**SIGNED: THE HON. DAVID K. KOECH  
(CHAIRPERSON)**

**DATE: 26<sup>TH</sup> NOVEMBER 2009**

MINUTES OF THE FIFTEENTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON TUESDAY, 15TH SEPTEMBER, 2009 IN THE MAIN COMMITTEE ROOM FIRST FLOOR, COUNTY HALL, PARLIAMENT BUILDINGS AT 10.30 A.M.

PRESENT: The following Members of the Committee were present:-

The Hon. David Koech, M.P. - Chairperson  
The Hon. F.T. Nyammo, M.P. - Vice-Chairperson  
The Hon. Danson Mwazo Mwakulegwa, M.P.  
The Hon. Abdirahman H. Ali, M.P.  
The Hon. (Dr.) Joyce Laboso, M.P.  
The Hon. John Pesa Dache, M.P.  
The Hon. David Njuguna, M.P.

ABSENT WITH APOLOGY

The Hon. B. C. Muturi Mwangi, M.P.  
The Hon. Alfred B. Odhiambo, M.P.  
The Hon. Shakila Abdalla, M.P.  
The Hon. (Dr.) Wilbur Ottichilo, M.P.

IN ATTENDANCE - NATIONAL ASSEMBLY

M. J. Chesire - Clerk Assistant  
Paul Ngetich - Senior Research Officer

MIN. NO.63/2009 - PRELIMINARY

The Chairperson called the meeting to order at 1035 a.m. and once again welcomed the Permanent Secretary, Provincial Administration and Internal Security. While reminding him on the issues the Committee requested him to address when he appeared before the Committee on 2nd September 2009, invited the PS to give an overview of what transpired at the Kenyatta University before, during and after the strike from a security point of view.

MIN. NO.64/2009 - MEETING WITH THE PERMANENT SECRETARY, MINISTRY OF STATE FOR PROVINCIAL ADMINISTRATION AND INTERNAL SECURITY

The Permanent Secretary, Ministry of State for Provincial Administration and Internal Security, Mr. Francis T. Kimemia appeared before the Committee accompanied by the following:

Julius Ndegwa - Director of Operations, Kenya Police  
Peter W. Okwanyo - Director of Administration and Security, Kenya Police

Mutea Iringo - Senior Director Administration/Secretary Internal Secretary  
Matilda Sakwa - District Commissioner, Kamukunji District

He informed the Committee as follows:

- i) That on 29th March 2009 the Vice-Chancellor Kenyatta University convened a meeting with the District Security Intelligence Committee (DCIC) which was attended by the District Nairobi North, Officer Commanding Police Division (OCPD), District Criminal Investigation Officer (DCIO), Officer Commanding Police Station (OCS) and the Chief Security Officer at KU. During the meeting it was resolved that the security should assemble at the University at 6.00 p.m.
- ii) That the University was attacked at 7.00 p.m. though the University had assured the students of their security. Because of the magnitude of the destruction the APs had to use live ammunitions to thwart the rampage by the students and hired goons. The police was informed of the incident at 9.00 p.m. and the OCPD Kasarani mobilized the police personnel.
- iii) That following the death of one student, the firearms with the APs were confiscated for ballistic analysis. It has not been ascertained who killed the student though he could not rule out straying of bullets in the quelling of he riots.
- iv) That KU administration knew of the looming crisis at the Institution as early as 24th March 2009 but they did not divulge the information with the security until 29th March 2009.
- v) The KU administration had information that some lecturers and students who were sympathetic with the suspended students might organize an internal strike in solidarity with the students.
- vi) That the destruction of property at the KU was done by students and goons who took advantage of the student's strike.
- vii) That some of the causes of the strike included, among others, the registration deadline, the Ksh.1000 charged on the students after the first strike, favouritism of some students in award of marks, non-recognition of KUSA officials, hostility from the surrounding community, introduction of dress code, withdrawal of buses between the main Campus and Ruiru Campus.
- viii) That since it was a weekend, it was a challenge in mobilizing security personnel and hence the delay in arrival of the police at the University.
- ix) He contradicted KU CSO by asserting that the police raided the adjacent residential areas to search for the stolen computers but none had been recovered.
- x) That KU, like any other learning institutions, was assured of security and that the Kasarani District Security Committee had been instructed to keep surveillance on

the University. The University must encourage dialogue between the lecturers, students, the non-teaching staff and other stakeholders.

- xi) That external influence could not be ruled out of the disturbances as they had information that some political leadership supported the strike with some senior University officials allowing their offices to be used in planning the strike. There were attempts by some civil society groups to sensitize the student leaders on their roles and responsibilities but instead incited them.
- xii) The hostile relationship between the University and the Kamae Market was a concern especially after the V-C took the KM residents to court in an effort to resolve the land dispute between them.

He recommended as follows:

- a) The KU administration should make use of the intelligence gathering mechanisms to ensure that they are well positioned in case of any threat.
- b) The University should engage in corporate social responsibility by initiating projects to benefit its neighbourhood for coexistence to prevail.
- c) The University should endeavour to share information with the security agencies to assist them prevent any threats in future.
- d) The University administration should change the management style to ensure that dialogue is encouraged between the administration, students and the staff to iron out any differences.
- e) Title deeds should be issued to the genuine settlers of the Kamae Market. The Ministry of Lands should demarcate the land with a view to securing the University land.
- f) Frequent *barazas* should be held between the neighbours, the University administration and the local administration to ensure peaceful co-existence.
- g) The University should be firm in taking disciplinary action against errant students, lecturers and the non-teaching staff.

The PS stated that they were still receiving information on the ongoing investigations on KU and undertook to submit a report to the Committee in a week's time.

MIN. NO. 65/2009

ADJOURNMENT

There being no other business the Chairperson adjourned the meeting at 1.20 p.m.

**SIGNED: THE HON. DAVID K. KOECH**  
**(CHAIRPERSON)**

**DATE: 26<sup>TH</sup> NOVEMBER 2009**

MINUTES OF THE SIXTEENTH SITTING OF THE DEPARTMENTAL  
COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON  
WEDNESDAY, 11TH NOVEMBER, 2009 IN THE MAIN COMMITTEE ROOM  
FIRST FLOOR, COUNTY HALL, PARLIAMENT BUILDINGS AT 11.30 A.M.

PRESENT: The following Members of the Committee were present:-

The Hon. F.T. Nyammo, M.P. - Acting-Chairperson  
The Hon. B. C. Muturi Mwangi, M.P.  
The Hon. John Pesa Dache, M.P.

ABSENT WITH APOLOGY

The Hon. David Koech, M.P. - Chairperson  
The Hon. Danson Mwazo Mwakulegwa, M.P.  
The Hon. Abdirahman H. Ali, M.P.  
The Hon. (DR.) Joyce Laboso, M.P.  
The Hon. Alfred B. Odhiambo, M.P.  
The Hon. Shakila Abdalla, M.P.  
The Hon. (Dr.) Wilbur Ottichilo, M.P.  
The Hon. David Njuguna, M.P.

IN ATTENDANCE

NATIONAL ASSEMBLY

M. J. Chesire - Clerk Assistant

MIN. NO.66/2009

CONSIDERATION OF THE REPORT ON THE  
STUDENTS' UNRESTS AT THE KENYATTA  
UNIVERSITY IN MARCH 2009

The Acting-Chairperson called the meeting to order at 12.00 O'clock. Copies of the Report were given to the Members present. The Committee deliberated on the Report and resolved to allow each Member to study it individually before consideration in the next meeting. The Secretary was asked to circulate copies of the Report to all Committee Members.

MIN. NO. 67/2009

ADJOURNMENT

There being no other business the Acting-Chairperson adjourned the meeting at 12.20 p.m. until 18th November 2009 at 11.30 a.m.

**SIGNED: THE HON. DAVID K. KOECH  
(CHAIRPERSON)**

**DATE: 26<sup>TH</sup> NOVEMBER 2009**

MINUTES OF THE SEVENTEENTH SITTING OF THE DEPARTMENTAL  
COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON  
THURSDAY, 26TH NOVEMBER, 2009 IN THE MAIN COMMITTEE ROOM,  
FIRST FLOOR, COUNTY HALL, PARLIAMENT BUILDINGS AT 10.00 A.M.

PRESENT: The following Members of the Committee were present:-

The Hon. David Koech, M.P. - **Chairperson**  
The Hon. Danson Mwazo Mwakulegwa, M.P.  
The Hon. (Dr.) Joyce Laboso, M.P.  
The Hon. John Pesa Dache, M.P.  
The Hon. B. C. Muturi Mwangi, M.P.  
The Hon. Alfred B. Odhiambo, M.P.  
The Hon. Shakila Abdalla, M.P.  
The Hon. (Dr.) Wilbur Ottichilo, M.P.  
The Hon. David Njuguna, M.P.

ABSENT WITH APOLOGY

The Hon. F.T. Nyammo, M.P. - **Vice-Chairperson**  
The Hon. Abdirahman H. Ali, M.P.

IN ATTENDANCE

NATIONAL ASSEMBLY

M. J. Chesire - Clerk Assistant

MIN. NO.68/2009

- CONFIRMATION OF PREVIOUS MINUTES

The following Minutes were confirmed by the Members present and signed by the Chairperson upon being proposed and seconded as follows:

- (i) Minutes of the Seventh Sitting held on 11<sup>th</sup> August 2009 were proposed by the Hon. (Dr.) Joyce Laboso, MP and seconded by the Hon. Alfred Odhiambo, MP.
- (ii) Minutes of the Eighth Sitting held on 18<sup>th</sup> August 2009 were proposed by the Hon. Dason Mwakulegwa, MP and seconded by the Hon. David Njuguna, MP.
- (iii) Minutes of the Ninth Sitting held on 19<sup>th</sup> August 2009 were proposed by the Hon. Shakila Abdalla, MP and seconded by the Hon. Alfred Odhiambo, MP.
- (iv) Minutes of the Tenth Sitting held on 20<sup>th</sup> August 2009 were proposed by the Hon. (Dr.) Joyce Laboso, MP and seconded by the Hon. (Dr.) Wilbur Ottichilo, MP.
- (v) Minutes of the Eleventh Sitting held on 21<sup>st</sup> August 2009 were proposed by the Hon. David Njuguna, MP and seconded by the Hon. (Dr.) Wilbur Ottichilo, MP.

- (vi) Minutes of the Twelfth Sitting held on 26<sup>th</sup> August 2009 were proposed by the Hon. Danson Mwakulegwa, MP and seconded by the Hon. Shakila Abdalla, MP.
- (vii) Minutes of the Thirteenth Sitting held on 2<sup>nd</sup> September 2009 were proposed by the Hon. Alfred Odhiambo, MP and seconded by the Hon. David Njuguna, MP.
- (viii) Minutes of the Fourteenth Sitting held on 3<sup>rd</sup> September 2009 were proposed by the Hon. David Njuguna, MP, MP and seconded by the Hon. Shakila Abdalla, MP.
- (ix) Minutes of the Fifteenth Sitting held on 15<sup>th</sup> September 2009 were proposed by the Hon. David Njuguna, MP and seconded by the Hon. Danson Mwakulegwa, MP.
- (ix) Minutes of the Sixteenth Sitting held on 11<sup>th</sup> November 2009 were proposed by the Hon. B.C. Muturi Mwangi, MP and seconded by the Hon. John Pesa Dache, MP.

MIN. NO.68/2009 - MATTERS ARISING

Under MIN. NO.37/09 and MIN. NO.40/09 the Committee revisited the position taken by the Vice Chairperson's against the Committee's inquiry into the Kenyatta University students' unrests. The Chairperson reported that he had consulted the Speaker on the same who advised that the Committee should proceed with the inquiry as it was within its mandate.

MIN. NO.70/2009 - REPORT ON THE INQUIRY INTO THE STUDENTS' UNRESTS AT THE KENYATTA UNIVERSITY

The Committee deliberated on the Report and adopted it with minor amendments. It was proposed by the Hon. Danson Mwakulegwa, MP and seconded by the Hon. B. C. Muturi Mwangi, MP.

The Committee asked the secretary to finalize the report and the minutes to ensure that the report is ready for tabling on Tuesday, 1<sup>st</sup> December 2009.

MIN. NO. 71/2009 - ANY OTHER BUSINESS

The following matters were discussed:

(i) The Chairperson informed the Committee that though the Committee had not undertaken any foreign trips during the first quarter of the 2009/10 Financial Year he assured them that plans were underway for the Committee to visit India and China by February 2010.

(ii) The Chairman informed the Committee that the following Members of the Committee have been nominated by the Speaker to attend the following conferences:

(a) UNESCO Conference on Education For All in France between December 9 and 11 2009

Hon. Danson Mwakulegwa, MP and Hon. David Njuguna, MP

(b) Visit to Egypt at the invitation of the Kenya Private Schools Association between 30<sup>th</sup> November and 10<sup>th</sup> December 2009

Hon. Joyce Laboso, MP, Hon. Alfred Odhiambo, MP and Hon. B.C. Muturi Mwangi, MP

(iii) Hon. Mwakulegwa informed the Committee of a meeting he had with some teachers (P1/A-Level teachers) who came to Parliament on 19<sup>th</sup> November 2009 to appeal to the Committee regarding their grading and remuneration by Teachers Service Commission. The Committee resolved that a letter be written to the Ministry of Education asking about the status of the said teachers.

MIN. NO. 72/2009

ADJOURNMENT

There being no other business the Chairperson adjourned the meeting at 1.20 p.m.

**SIGNED: THE HON. DAVID K. KOECH**  
**(CHAIRPERSON)**

**DATE: 1<sup>st</sup> DECEMBER 2009**

9

MINUTES OF THE EIGHTEENTH SITTING OF THE DEPARTMENTAL  
COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON  
TUESDAY, 1<sup>ST</sup> DECEMBER, 2009 IN THE COMMITTEE ROOM NO. 9  
PARLIAMENT BUILDINGS AT 11.00 A.M.

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**PRESENT:** The following Members of the Committee were present:-

- The Hon. David Koech, M.P. - **Chairperson**  
The Hon. Danson Mwazo Mwakulegwa, M.P.  
The Hon. John Pesa Dache, M.P.  
The Hon. B. C. Muturi Mwangi, M.P.  
The Hon. Alfred B. Odhiambo, M.P.  
The Hon. Shakila Abdalla, M.P.  
The Hon. David Njuguna, M.P.

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ABSENT WITH APOLOGY

- The Hon. F.T. Nyammo, M.P. - **Vice-Chairperson**  
The Hon. Abdirahman H. Ali, M.P.  
The Hon. (Dr.) Wilbur Ottichilo, M.P.  
The Hon. (Dr.) Joyce Laboso, M.P.

IN ATTENDANCE

NATIONAL ASSEMBLY

M. J. Chesire - Clerk Assistant

MIN. NO.73/2009

- CONFIRMATION OF PREVIOUS MINUTES

Minutes Seventeenth Sitting held on 26<sup>th</sup> November 2009 were confirmed by the Members present and signed by the Chairperson after being proposed and seconded by the the Hon. Shakila Abdallah, MP and The Hon. David Njuguna, MP respectively.

MIN. NO.74/2009

- MATTERS ARISING

- i) Under MIN. NO.71/09 the Chairperson assured the Committee it would undertake on foreign by February 2010 and was optimistic that the Committee would also embark on another foreign visit before the end of the Financial Year.
- ii) Under MIN. NO.73 the Committee confirmed the final Report on the inquiry into Kenyatta University students' unrests and agreed that the report be tabled on Wednesday, 2<sup>nd</sup> December 2009.