REPUBLIC OF KENYA

27/07/2011

KENYA NATIONAL ASSEMBLY

TENTH PARLIAMENT – FOURTH SESSION

REPORT

OF THE DEPARTMENTAL COMMITTEE ON

EDUCATION, RESEARCH AND TECHNOLOGY

ON

THE SCRUTINY OF THE ANNUAL ESTIMATES OF THE 2011/2012 FINANCIAL YEAR

FOR

VOTE 31 - MINISTRY OF EDUCATION

VOTE 43 - MINISTRY OF HIGHER EDUCATION, SCIENCE AND TECHNOLOGY

VOTE 47 - TEACHERS SERVICE COMMISSION

Kenya National Assembly

Nairobi

July 2011

1. PREFACE

Mr. Speaker Sir,

On behalf of the Committee on Education Research and Technology I wish to take this opportunity to present to the House the Report of the Committee on the scrutiny of the Annual Estimates for the Financial Year 2011/2012 for Votes 31, 43 and 47 pursuant to the provisions of the Standing Order 152 (1) and (2).

1.1 Mandate of the Committee

The Departmental Committee-D- on Education, Research and Technology executes its mandate, like other Departmental Committees, in accordance with the provisions of the Standing Order 198 (3) to:

i) *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) *study the programme and policy objectives of the Ministries and departments and the effectiveness for the implementation;*

iii) *study and review all legislation referred to it;*

iv) *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) *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) *make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.*

1.2 Composition of the Committee

The Committee of Education, Research and Technology comprises the following Members:-

1. The Hon. David Koech, M.P – **Chairperson**
2. The Hon. F.T. Nyammo, M.P- **Vice-Chairperson**
3. The Hon. David Njuguna, M.P.
4. The Hon. Shakila Abdalla, M.P.

5. The Hon. John Pesa Dache, M.P.
6. The Hon. Alfred B. Odhiambo, M.P.
7. The Hon. (Dr.) Joyce Laboso, M.P
8. The Hon. (Dr.) Wilbur Ottichilo, MP
9. The Hon. Danson Mwazo Mwakulegwa, M.P
10. The Hon. B.C. Muturi Mwangi, M.P.
11. The Hon. Mohammed Sirat, M.P.

The Committee oversees performance of the following Ministries/Departments:-

(i) Education;

(ii) Higher Education, Science and Technology; and

(iii) Teachers Service Commission

2. SCRUTINY OF ESTIMATES

In accordance to the Standing Order 152, the Committee held five (5) sittings to consider the Printed Estimates of assigned ministries for the year ended 30th June 2012 which were tabled in the House on 8th June 2011 by the Deputy POrime Minister and Minister for Finance.

The Committee considered, discussed and reviewed the Estimates of the afore-stated Ministries and Department in the following order:

1. Ministry of Education-**Vote 31**
2. Ministry of Higher Education, Science and Technology-**Vote 43**
3. Teachers Service Commission-**Vote 47**

During consideration of the 2011/2012 Printed Estimates, Ministers of the two Ministries and the Secretary of the Teachers Service Commission appeared before the Committee, made submissions and responded to issues raised by the Committee making it possible for the production of this report. A summary the submissions is reflected in the report as well as Minutes of the respective sittings of the Committee.

During scrutiny of the Estimates the following policy documents were considered which included, among others, the Budget Speech 2011/2012, Printed Estimates for 2011/2012, Strategic Plans for the Ministries/Departments, Sessional Paper No.1 of 2005 on Education and Development, the Millennium Development Goals (MDDs), the Vision 2030 Blue Print and Medium Term Plans for the Ministries/departments.

The Committee, after examination of the 2011/2012 Financial Estimates, recommends that the various amounts requested under Vote 43 be approved and Votes 31 and 47 be approved subject to:

(1) Transfer of Kshs.2.4 billion (for sustainability of the contract teachers) from the Ministry of Education (Vote 31) to TSC (Vote 47).

(2) Provision of Ksh.6, 556, 000, 000 by Treasury within this Financial Year to absorb the 18000 contract teachers on permanent and pensionable terms and recruit 10000 new teachers in line with Government's earlier commitment to employ 28000 teachers annually.

Mr. Speaker Sir,

The Committee also wishes to thank the Ministers for Education; Higher Education, Science and Technology and Secretary, Teachers Service Commission for responding promptly to the issues raised by the Committee during the examination of the 2011/2012 Financial Estimates. As Chairman I wish to thank all the Members of the Committee for their sacrifice and dedication which enabled the Committee to complete its tasks as assigned.

SIGNED: ....

(CHAIRPERSON-EDUCATION, RESEARCH AND TECHNOLOGY)

DATE: 22/07/2011

1.0 MINISTRY OF EDUCATION –VOTE 31

1. The sub-sector derives its mandate from the Education Act, which mandates the Ministry to promote, provide and coordinate quality education and training.

2. The functions of the Ministry include primary and secondary education policy, quality assurance and supervision of pre-primary, primary and secondary education institutions, teacher education management, teachers colleges, school administration and programmes, registration of basic education and training institutions, curriculum development, examinations and certification, school equipment, early childhood education care and development, special need education, adult education, Centre for Mathematics, Science and Technology in Africa and Kenya National Commission for UNESCO.

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

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

1.1. Submissions by the Minister

1. The Minister gave a brief overview of the Ministry and informed the Committee the Recurrent Expenditure for the Ministry in the FY 2011/12 decreased from Kshs.130, 369,901,300 to Kshs.37, 137, 263, 420. He attributed the decrease of 72% on account of transfer of teachers emoluments to Teachers Service Commission (TSC) Vote 47. The Development expenditure decreased from Ksh.9, 913, 805, 885 to Ksh.8, 739,500,000 million and that the decrease is on account of lack of provisions for Sub-Vote 312-Quality Assurance and Standards and Policy and Planning in the FY 2011/12.

2. That despite Government's recognition of Early Childhood Development Education (ECDE) as an integral part of basic education in the country it has been perennially underfunded. During 2011/2012 the Ministry had requested Kshs.3.758 billion but it was allocated a Kshs.387, 711, 904. Despite the under allocation the Ministry will spend Ksh.320 million for salaries for ECDE 3200 teachers who will be employed in all constituencies beginning September 2011. He undertook to write a Cabinet Memo to the Treasury for enhancement of the funds allocation to this item in the next Supplementary Estimates.

3. That during the Financial Year under review Free Primary Education (FPE) has been underfunded upto the tune of Kshs.780, 738, 053. It was allocated Kshss.7, 889, 261, 947 which the Minister explained that 20% (Kshs.1, 734 billion) will be disbursed in September 2011, in January 2012 50% (4, 335 billion) will be disbursed and the balance (Kshs.1, 820, 261, 947) representing 30% will be disbursed in May 2012. That Free Day Secondary Education (FDSE) has been underfunded by Kshs.6, 620, 650, 000 and was allocated Kshs.16, 160,

000, 000 against a request of Kshs.22, 780, 650, 000. The allocation will be disbursed to 1, 764, 695 students in secondary schools with each student being allocate Kshs.10, 265. The Ministry since 2003 has been supporting low cost boarding schools in ASAL areas with each pupil receiving Kshs.4000 but the amount has drastically been reduced to Ksh.2900 due to the increased pupil enrollment.

4. That under the Education III project the Ministry has been allocated Kshs.1, 177, 000, 000 for (a) construction/rehabilitation of 350 secondary schools (Ksh.954 million), (b) procurement of text books and (c) learning support materials (Kshs.116 million) and funds for the needy students (Kshs.107 million).

5. That in 2011/2012 Financial Estimates Kenya Secondary Schools Support Programme (KESSSP) has been allocated Kshs.92, 374, 200 as compared to the precious year's allocation of Kshs.102, 655, 000. He explained that the reduction would affect implementation of programmes like Peace Education, Communication strategy, implementation of service delivery charter and strengthening of HIV/AIDS infections.

6. The new Mitihani House, for the Kenya National Examination Council, has been under construction since 1986 and had been hampered by continuous shortage of funds and was optimistic that the allocation Kshs.734 million will complete the construction of the building. In this FY the Ministry has allocated Kshs.100 million for the project.

7. The Ministry plans to equip Kenya Institute of Education (KIE) as the national centre for research and curriculum development but it lacks

adequate funds to fulfill its mandate. The Ministry plans to establish Education Resource Centre that will comprise modern and appropriate instructional laboratories for science, language, mathematics, applied science, digital content and workshops for development of curriculum support materials. This centre will go towards propagating ICT in schools.

8. The Ministry has allocated Kshs.750 million for improvement of infrastructure in thirty (30) new national schools, with each school getting Kshs.25 million. In the last FY the item was allocated Kshs.926 million- Mang'u, Maseno and Alliance High Schools, each received Kshs.72Million, Kshs.62Million and Kshs.18Million respectively. However, the allocations Mang'u and Maseno were not sufficient necessitating an addition of Kshs.152 million in the 2011/12 FY.

   The intention of the Ministry is to establish two national schools in every county, for boys and girls. The identified schools were those that could attract students in terms of performance and facilities. On the other hand, the number of national schools has since been enhanced to thirty (30) schools. He will discuss with the Committee the criteria for upgrading/construction of the new schools.

9. No additional funds were allocated for the recruitment of teachers despite the current shortage of over 61,000. The Minister stated that he had written to the Treasury in June 2011 to request for Kshs.6.556 billion for conversion of the 18000 contract teachers to permanent and pensionable terms and recruitment of 10000 new teachers.

1.2 Committee observations and recommendations

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

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

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

2. The Committee noted that the Ministry had requested Ksh.3, 758,000,000 to be provided for the sector but only got Ksh.387, 711, 904 which is too minimal to implement the extensive programme intended by the Ministry. However, the Committee welcomed the Ministry's plan to absorb 3200 ECDE teachers in all the 210 constituencies beginning September 2011.

   The Committee strongly recommends that more funds are urgently needed to streamline the ECDE sector and urges the Minister to urgently engage the Treasury to ensure that more funds are provided within the current Financial Year.

3. **Shortage of teachers:** With the introduction of FPE, there has been high demand for teachers, classrooms and teaching/learning

materials. The current teacher-pupil ratio has extremely gone higher to over 100:1. This poses a major threat to the provision of quality of education in the country.

The Committee strongly recommends that Kshs.6.556 billion requested by the Minister be provided by the Treasury within this Financial Year for the absorption of contract teachers and employment of 10000 new teachers on permanent and pensionable terms.

The Committee further recommends that the Kshs.2.4 billion allocated under Ministry of Education (D31) for sustaining the Contract teachers be transferred to Teachers Service Commission, Vote 47 for proper administration.

4. **Free Primary Education:** The Committee was gravely concerned with the accountability issue surrounding the disbursement of donor funds for FPE, FSE and infrastructure in schools and this will have a negative impact on the sector especially when there are delays in disbursement. There is need for the Ministry to state what measures have been instituted in order to increase transparency in the disbursement of FPE funds and also deal with the procurement irregularities.

The Committee recommends that there is urgent need to put in place strong checks and balances including systems, processes and routines so as to enhance transparency and accountability in the management of the funds.

The Committee also recommends that the police and the Kenya Anti-Corruption Commission should intensify their investigation

into the mismanagement of the funds and ensure that those found culpable are prosecuted.

5. The Committee also observed that secondary education has faced myriad challenges ranging from the shortage of secondary schools to match the growth in the primary sector leading to a lot of wastage of primary school graduates. This has been compounded with a large number of secondary school dropouts and shortage of teaching materials in the said schools.

   The Committee therefore recommends that the government provides incentives and build partnerships with the private sector to build more schools in order to reduce congestion and low transition to secondary schools. However, the Government has the obligation of ensuring that there are enough public secondary schools for those who cannot afford private education. This will go towards ensuring 100% transition to secondary schools.

6. **Incomplete Centres of Excellence**: The Committee noted that no funds have been allocated for completion of the centers of excellence which were established during the 2011/2012 FY.

   The Committee recommends that the Minister reallocates funds within this FY to complete the centres to fulfill its intended purpose and ensure that Kenyans get value for money.

7. The Committee is agreeable to the Minister's proposal that a sum of not exceeding Ksh.33, 910, 263, 420, less Kshs.2.4 billion to be transferred to Teachers Service Commission, be withdrawn from the consolidated fund to finance Recurrent expenditure and a sum of not exceeding Ksh.7, 069, 000, 000 be withdrawn from the Consolidated

fund to finance Development expenditure in the Ministry. The Committee is also agreeable that a sum not exceeding Ksh.3, 227, 000, 000 is collected as appropriation in aid to finance Recurrent Expenditure and a sum not exceeding Ksh.1, 670, 500, 000 is collected as appropriation in aid to finance Development Expenditure in the Ministry.

2.0 MINISTRY OF HIGHER EDUCATION, SCIENCE AND TECHNOLOGY

1. The functions of the Ministry as outlined in the 2008 Presidential Circular are: - higher education policy, science, technology and innovation policy, technical education, technical training institutes, institutes of technology, national polytechnics, promotion of research, science and technology, the National Council for Science and Technology, research authorization, inventory and dissemination, the Commission for Higher Education, the Higher education Loans Board, university education, continuing education and public universities.

2. Globally, it s recognized that political, social and economic growth of any country is largely a result of the transformation of knowledge, science and technology into goods and services. Developments of the necessary higher education, scientific and technological infrastructure as well as the technological and entrepreneurial skills are essential prerequisite to the transformation of Kenya into a knowledge based society.

3. The global economy is undergoing rapid development where technology driven by skills and innovation will be among the key determinants to enhancement of efficiency, productivity and competi8tiveness. Kenya requires a highly effective National Innovation System to ensure sustainable harnessing of the potential offered by modern science and technology.

2.1 Summary of submission by the Minister

1. The Minister gave a brief overview of the Ministry and informed the Committee that the Recurrent Estimates for the Ministry's Vote in the FY 2011/12 is Ksh.25, 959, 216, 860, reflecting a decrease from Ksh.26, 105, 017, 800 in 2010/11. He attributed the decrease to the account of transfer of teachers' emoluments to TSC Vote. The Development expenditure increased from Kshs.8.181 billion in 2010/2011 to Kshs.11, 854, 271, 453 in the FY under review. The increase was related to the provisions for university education.

2. In the 2011/12 FY the Ministry has been allocated Kshs.1.801billion same as in the previous FY for the construction of thirteen (13) Technical Training Institute (TTI). To address counties without technical institutions the Ministry under the Economic Stimulus Programme started eight institutions namely, Bureti and Aldai in Rift Valley; Thanu in Central; Tseikuru in Eastern; Siala in Nyanza, Gondoma in Coast, Wajir in North Eastern and Butere in Western.
3. During the Financial Year under review the Ministry has approved the creation of two new constituent colleges, Chepkoilel and Karatina University colleges and Ksh.1, 281,000,000 has allocated for both Development and Recurrent Estimates.
4. Kenya won a competitive bid to host the Pan Africa University at the JKUAT and will be launched in September 2011 and expected to specialize in science and innovation.

5. The introduction of double intake in the universities is underway and Kshs.5.6 billion is needed to accelerate the intake. At the

same time a policy on the establishment of an open university has been presented to the cabinet for consideration. This will also reduce the backlog of students waiting to join university. This will ensure accessibility of university education to all Kenyans.

6. Estimates of university spending consist of public grants to the universities, grants to HELB for student loans and specific investment funding. The universities have substantially improved their situation by increasing income through fees from module II programmes. The flexible learning programmes introduced in the universities have resulted in a significant growth in the number of students.

2.2 Committee observations and recommendations

1. **University education**: The Committee observed that University education in Kenya is faced with a lot of challenges such as high cost of self-sponsored programmes, quality and relevance of higher education, disconnect between education outcomes and market demands.

2. **Technical Training Institutes**: On the other hand technical and vocational training is faced with challenges of control, registration, quality assurance and coordination of private technical colleges mushrooming all over the country and proper accreditation and effective courses vetting for market suitability and content appropriateness. This is compounded by the growth of higher education which has been skewed over the recent past in favour of universities with less emphasis being placed on

middle level colleges. Furthermore, the conversion of tertiary colleges to constituent university colleges has left a gap in the provision of technical skills much needed in the job market.

The Committee recommends that the Ministry fast-tracks the construction of the proposed thirteen new technical institutions to offer middle level courses. This would bridge the gap created by the conversion of middle level colleges to university status. The Committee strongly believes that there is need to increase the number of new technical institutions to twenty (20). The Committee will discuss with the Minister on the right criteria to be followed before approval of the proposed colleges.

3. **Research sector**: The Committee was concerned with the perennial underfunding of research sector in the country and continuous segregation of all research funds in the various Ministries and Departments.

   The Committee further reiterates that the Minister fast-tracks the introduction of the Kenya Research Foundation Bill (KENREF) in Parliament and the creation of Research Foundations Fund.

4. **Appropriation-In-Aid (AIA) in the Universities**: The Committee was concerned that the AIA collected by the universities has remained the same for many years. **The Committee recommends that the AIA collected by universities should reflected accordingly and the universities should enhance the collection of AIA to support their sustainability.**

5. **Bursaries and Scholarships:** The Committee noted with appreciation the transfer of bursary funds from the Ministry of Higher Education, Science and Technology to the Higher Education Loans Board (HELB). In spite of that many Kenyan still access the funds and hence cannot afford higher education due the high fees charged by institutions.

   The Committee recommends as follows:

   i) **That bursary allocations to students be increased to enable all qualified students to access.**

   ii) **That those students on parallel degree programmes should be eligible for bursaries from 1st semester like those on regular programmes.**

   iii) **That there is also need to enhance allocation of funds to HELB to enable the Board give loans to students in both universities and tertiary institutions**

   iv) **That the Ministry should look for more scholarship opportunities.**

6. The Committee is agreeable to the Minister's proposal that a sum of not exceeding Ksh.25, 959, 216, 860 be withdrawn from the consolidated fund to finance Recurrent expenditure and a sum of not exceeding Ksh.6, 714, 000, 000 be withdrawn from the Consolidated fund to finance Development expenditure in the Ministry. The Committee is also agreeable that a sum not exceeding Ksh.15, 392 000, 000 is collected as appropriation in aid to finance Recurrent Expenditure and a sum not exceeding Ksh.5, 140, 271, 453 is collected as appropriation in aid to finance Development Expenditure in the Ministry.

3.0 TEACHERS SERVICE COMMISSION – VOTE 47

1. Article 237 of the Constitution of Kenya established TSC as one of the independent Commission. Consequently, the TSC will operate as an independent entity unlike previous years when its budget was part of Ministry of Education and Higher Education, Science and Technology.
2. The mandate of TSC is to register teachers, registration, deployment, promotion, remuneration, discipline and maintenance teaching standards.

3. The Teachers Service Commission's Strategic Plan envisages to providing a framework for planning, implementation, evaluation of its programmes as well as providing a basis for resource mobilization, allocation and targeting.

3.1 Submissions by the Secretary, Teachers Service Commission

1. The Secretary of the Teachers Service Commission gave a brief overview of the Commission and informed the Committee that in 2011/2012 FY the Commission has been allocated Kshs.103, 407, 925, 010 against a budget proposal of Kshs.110, 108, 278, 089.

2. The implications of the underfunding will result in the following:

   i) There will be no recruitment of teachers in the 2011/12 Financial Year despite the current shortage of 61, 235. Kshs.3.6 billion is required to recruit 10, 000 new teachers on permanent and pensionable terms.

   ii) The 18, 060 contract teachers who were recruited in 2010/2011 FY will remain under the same terms and will not be converted to permanent status as envisioned. For the conversion to be implemented a top up of Kshs.4.41billion is required against the teachers current emoluments of Kshs.2.4 billion as provided for under the Economic Stimulus Package under the Ministry of Ministry of Education.

iii) There is a shortfall in salaries of Kshs.1, 295, 993, 658 for current/continuing teachers.

iv) There will be no promotions of teachers by the Commission during the FY under review. The Commission promotes 2.5% of all P1 teachers TPC course and 4500 upon attainment of diploma and degree certificates. Additionally the Commission promotes 12,000 graduate teachers through various schemes of service. This may affect delivery of service if welfare of the teachers is not catered for.

3. Under the Work Injuries Benefits Act of 2008 the Commission is required by law as an employer to provide work injuries cover for its employees who may get injuries in the course of duty. The TSC secretariat has a group accident policy but teachers are not covered under the same. In 2009/2010 the Commission had requested for Ksh.600 million for the item but no funds have been allocated to date. Though there are few cases of claims by teachers on injuries inflicted on them in the course of duty there is need for the Treasury to provide the funds to ensure that teachers enjoy the group accident policy. It will be too costly, than having a group accident policy, if the affected teachers were to seek redress in the courts of law.

4. Under Development Vote the TSC Headquarters requires additional funds to complete its buildings to make it optimally usable and conducive working environment for its employees. However, no funds were allocated for development, although in the last FY the Commission had been allocated Kshs.30 million for completion of the building.

5. The Commission, in 2007/08 FY had presented a proposal for allocation of Ksh.200 million for a Housing Scheme for the Commission Secretariat and teachers but Treasury advised them it

would be considered in the subsequent FY. It is the Commission's request that the Treasury considers the proposal for the Commission employees to enjoy the facility like their counterparts in the public service.

3.2 Committees' observation and recommendations

1. **Recruitment of teachers**: The Committee was concerned that the Treasury did not allocate funds for recruitment of 10, 000 teachers, conversion of the 18, 000 contract teachers to permanent and pensionable status and promotion of continuing teachers. This can compromise provision of quality service.

   The Committee therefore recommends that the Treasury urgently provides Ksh.6, 556, 000, 000 be availed within this Financial Year to absorb the 18000 contract teachers on permanent and pensionable terms and recruit 10000 new teachers in line with Government's earlier commitment to employ 28000 teachers annually.

2. **Housing Scheme for Teachers' Service Commission**: The Committee noted that civil servants enjoyed a housing scheme facilitated by the Government and wondered why the same service cannot be extended to other public organs like the TSC.

   The Committee therefore recommends that, to be in line with the Constitution that every citizen has the right to accessible and adequate housing; the Government allocates funds to roll out a housing kitty for the TSC like their counterparts in the public service.

3. **Retired teachers:** The Committee noted the non-payment retirement benefits to retired teachers. During the FY under review Treasury has allocated only Kshs.3.3 billion for the same and is to be paid in two phases. The High Court ruling had directed that the affected teachers be paid Kshs.34 billion.

The Committee therefore recommends that the Government looks for funds in order to pay the retired teachers as directed by the Court. The Kshs.3.3 billion allocated was not enough to cushion the retirees against the high cost of living.

4. The Committee is agreeable to the Minister's proposal that a sum of not exceeding Ksh.103, 407, 925, 010 PLUS **Ksh.6, 556, 600, 000 (for recruitment of 28,000 teachers) and Kshs.2.4 billion (for sustainability of the contract teachers) transferred from the Ministry of Education (Vote 31) to TSC (Vote 47)** be withdrawn from the consolidated fund to finance Recurrent expenditure and a sum not exceeding Ksh.80, 000, 000 is collected as appropriation in aid to finance Recurrent Expenditure.

----------------------------------**END**--------------------------------

APPENDIX 1

MINUTES OF THE THIRTY FIFTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY, 13TH JULY 2011, IN THE MEDIA CENTRE, MAIN PARLIAMENT BUILDINGS, AT 3.00 PM.

PRESENT: The following Members of the Committee were present

The Hon. David Koech, M.P. – **Chairperson**
The Hon. John Dache Pesa, M.P
The Hon. David Njuguna, M.P
The Hon. Danson Mwazo Mwakulegwa, M.P
The Hon. Alfred Odhiambo Bwire, MP

ABSENT WITH APOLOGY

The Hon. F.T.Nyammo, M.P. – **Vice Chairperson**
Hon. (Dr) Joyce Laboso, MP
The Hon. Shakila Abdalla, M.P.
The Hon. (Dr.) Wilbur Ottichilo, M.P.
The Hon. Mohammed Sirat, M.P
The Hon. B. C. Muturi Mwangi, MP

IN ATTENDANCE - NATIONAL ASSEMBLY

Ms. M. J. Chesire - Clerk Assistant

MIN. NO. 213/2011 - ADOPTION OF THE REPORT OF SCRUTINY ON THE FINANCIAL ESTIMATES FOR THE 2011/2012 FINANCIAL YEAR

The Committee considered the report of the Financial Estimates for the 2011/2012 FY and adopted with amendments after being proposed and seconded by the Hon. Pesa, MP and seconded by Hon. Odhiambo, MP.

MIN. NO. 214/2011 - ANY OTHER BUSINESS

1. The Committee agreed to meet on Tuesday, 19th July 2011 to discuss the following:
   i) Consideration of the draft Free Primary Education (FPE) report
   ii) Prepare a programme of sittings to finalize the investigation on informal schools
   iii) Discuss the proposed new technical institutions and where they are situated. The research department to compile report on the same.

2. The Committee agreed to meet with the Forum for Africa Women Educationists (FAWE) on Thursday, 21st July 2011 at 10.00 am

MIN. NO. 215/2011 - ADJOURNMENT OF THE MEETING

There being no other business for consideration, the meeting was adjourned at 4.25pm.

SIGNED...

(CHAIRPERSON)

DATE...

MINUTES OF THE THIRTY FOURTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY, 13TH JULY 2011, IN THE MEDIA CENTRE, MAIN PARLIAMENT BUILDINGS, AT 11.00 AM.

PRESENT: The following Members of the Committee were present

The Hon. David Koech, M.P. – **Chairperson**
The Hon. John Dache Pesa, M.P
The Hon. David Njuguna, M.P
The Hon. Danson Mwazo Mwakulegwa, M.P
The Hon. Mohammed Sirat, M.P
The Hon. Alfred Odhiambo Bwire, MP
The Hon. B. C. Muturi Mwangi, MP

ABSENT WITH APOLOGY

The Hon. F. T. Nyammo, M.P. – **Vice Chairperson**
Hon. (Dr) Joyce Laboso, MP
The Hon. Shakila Abdalla, M.P.
The Hon. (Dr.) Wilbur Ottichilo, M.P.

IN ATTENDANCE - NATIONAL ASSEMBLY

Ms. M. J. Chesire - Clerk Assistant

MIN. NO. 209/2011 - REMARKS BY THE CHAIRPERSON

The Chairperson called the meeting to order at 9.30am and opened with a word of prayer. He informed the Members that the main agenda of the meeting to consider the report on the Scrutiny of the Financial Estimates for the 2011/12 Financial Year. He further informed the Committee he was going to present the report to the Budget Committee.

MIN. NO.210/2011 - CONFIRMATION OF PREVIOUS MINUTES

Minutes of the twenty Ninth, thirtieth, Thirty First, Thirty Second and Thirty Third sittings were confirmed as the true record of the Committee deliberations.

MIN. NO. 211/2011 - MATTERS ARISING

1. Under MIN. 186/2011 the Committee was informed that the letters for India, South Korea and China were with the CNA for approval before dispatch.

2. Members raised concern with the committee allowances which have not been reflected in their monthly pay. It was agreed that a template is generated for each Member showing how many meetings each Member has attended.

3. Under MIN. 192/2011 the committee agreed to visit Kibabii Teachers College to assess facilities at the institution. Kibabii has been under construction for a long time and it was currently operational.

4. Under MIN. 193/2011 the Committee agreed to discuss the FPE report on Tuesday, 19th 2011 at 10.00 am.

5. Under MIN. 197/2011 the secretariat was asked to confirm the constituencies where the 13 technical colleges and campuses situated. The committee was concern on the allocations to new institutions and felt that selected centres were skewed to benefit only some area where Ministers came from. The Committee recommended under the same allocation number of the new institutions be increased to twenty (20) to accommodate areas left out.

6. Under MIN 198/2011 the Committee agreed to
   i) Meet with the two Task Forces in the Ministries of education and Higher Education.
   ii) To discuss with the Minister for Higher Education on the criteria to be used to give bursaries to the 82000 university students.
   iii) To invite the Minister for Education to discuss the projected figures for FPE and FSE

7. Under MIN 203/2011 the Committee agreed to raise with the Minister the issue of retirement package for teachers.

MIN. NO. 212/2011 - ADJOURMENT

There being no other business the Chairman adjourned the sitting at 2.20 until 3p.m.

SIGNED: ....
(CHAIRPERSON)

DATE: ....

MINUTES OF THE THIRTY THIRD SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON THURSDAY, 30TH JUNE 2011, IN ROOM 7, MAIN PARLIAMENT BUILDINGS AT 9:30AM

PRESENT: The following Members were present:

Hon. David Koech, MP - **Chairperson**
Hon. F. T. Nyammo, MP - **Vice-Chairperson**
Hon. Joyce Laboso, MP
Hon. David Njuguna, MP
Hon. B. C. Muturi Mwangi, MP

ABSENT WITH APOLOGY

The Hon. (Dr.) Wilbur Ottichilo, M.P.
The Hon. John Pesa Dache, M.P.
The Hon. Alfred B. Odhiambo, M.P.
The Hon. Shakila Abdalla, M.P.
The Hon. Muhamed Sirat, M.P.
The Hon. Danson Mwazo Mwakulegwa, M.P.

IN ATTENDANCE

NATIONAL ASSEMBLY

Ms. Mary Chesire	-	Clerk Assistant
Ms. Rebecca N. Tonkei	-	Research Assistant

MINISTRY OF EDUCATION

Hon. (Prof.) Samuel K. Ongeri, EGH, MP- Minister for Education

Prof. Jame Ole Kiyiapi	-	Permanent Secretary
Prof. George Godia	-	Education Secretary
Mr. I. N. Kinara	-	Adult Education
Mr. Mohammed Munyipembe	-	Kenya National Commission (KNATCOM) for UNESCO

MIN. NO. 205/2011 - REMARKS BY THE CAHIRPERSON

i. The Chair opened the meeting with a word of prayer and welcomed the Minister and his team for the meeting. He informed the meeting that on 24th June 2011, the Parliamentary Budget committee had led a team of members of departmental committees, concurrently in all the eight, former provincial headquarters for public hearings to listen to the members of the public on their views as to the current budget.

ii. The Chair further informed the meeting that during the said public hearings, the public in general was concerned about the recruitment of teachers, to deal with the issue of shortage of teachers.

iii. He informed the meeting that next year the process of public participation will be taken up early enough to inform the budget process.

MIN. NO. 206/2011 - MEETING WITH THE MINISTER FOR EDUCATION

The Minister informed the meeting that:

1. The Government recognizes Early Childhood Development Education (ECDE) as an integral part of basic education in the country but the item has been underfunded since time immemorial. Currently the item has been allocated Kshs.387, 711, 904 though it had requested Kshs.3.758 billion. He undertook to write a Cabinet Memo to the Treasury for enhancement of the funds allocation to this item for consideration during this in the next Supplementary Estimates.

2. There was a shortage of FPE funds based on pupils' enrolment. In the 2010/2011 financial year, the Ministry received 8.1Billion under FPE. This financial year, the Ministry was allocated 7, 889, 261, 947. The shortfall of 1.62Billion was regretted. The shortfall should be provided in the next Supplementary Estimates.

3. The Minister explained that the FPE funds will be disbursed as follows: 20% (Kshs.1, 734 billion) in September 2011, in January 2012 50% (4, 335 billion) and the balance (Kshs.1, 820, 261, 947) representing 30% will be disbursed in May 2012.

4. The Free Day Secondary Education (FDSE) has been underfunded by Kshs.6, 620, 650 000 and allocated Kshs.16, 160, 000, 000 against a request of Kshs.22, 780, 650, 000. However, the allocation will be disbursed to 1,764,695 students in secondary schools with each student getting Kshs.10, 265. The Ministry since 2003 has been supporting low costly boarding schools in ASAL areas with each pupils receiving Kshs.4000 but the amount has drastically reduced to Ksh.2900 due to the increased pupil enrollment.

5. No additional funds were allocated for the recruitment of teachers despite a shortage of over 61,000. Kshs.750 million has been allocated during the 2011/12 FY. The 2.4 Billion allocated is for sustaining the current contract teachers. Under the national schools project, Mang'u, Maseno and Alliance High Schools, each received Kshs.72Million, Kshs.62Million and Kshs.18Million respectively to improve the status of national schools. Kshs.750 million has been allocated to thirty (30) nationals school for infrastructure.

The intention of the Ministry is to establish two national schools in every county, for boys and girls. The identified schools were those that could attract students in terms of performance and facilities. He undertook to discuss with the Committee the criteria used to select the schools in every county before the final selection of the schools.

6. Under the Education III project the Ministry has been allocated Kshs.1, 177, 000, 000 for construction/rehabilitation 350 secondary schools (Ksh.954 million) in the country, procurement of text books and learning support materials (Kshs.116 million) and funds for the needy students (Kshs.107 million). It was the Ministers hope that more funds will be allocated in the next FY.

7. In the FY under review Kenya Secondary Schools Support Programme (KESSEP) has been allocated Kshs.92, 374, 200 as compared the precious year's allocation of Kshs.102, 655, 000. He explained that the reduction would affect implementation of programses like Peace Education, Communication strategy, implementation of service delivery charter and strengthening of HIV/AIDS infections.

8. The Ministry plans to equip Kenya Institute of Education (KIE) as the national centre for research and curriculum development but it lacks adequate funds to fulfill its mandate. The Ministry plans to establish Education Resource Centre at the KIE that will comprise modern and appropriate instructional laboratories for science, language, mathematics, applied science, digital content and workshops for development of curriculum support materials. This centre will propagate ICT in schools.

9. The funds meant for purchase of computers in the five schools per constituency for the financial year 2010/11 was dispatched and the project is ongoing.

10. On insurance for motor vehicles in school, as from September 2011, every school will be on its own in terms of insurance. The Minister had requested Kshs.300Million to cater for that kitty but it was not allocated.

MIN. NO. 207/2011 - DELIBERATIONS

The Committee observed as follows:

i) That despite the government's recognition of the unit as an integral part of basic education, there is lack of broad government ECDE policy that clearly defines the role of government and local communities in ECDE. As a result ECDE has remained as a community affair with main challenges including lack of adequate classrooms/centres, qualified/trainers, teaching/learning resources. The Committee therefore recommended that Ministry urgently engages the Treasury to ensure that more funds are provided in the next Supplementary Estimates.

ii) With the introduction of FPE, there has been high demand for teachers, classrooms and teaching/learning materials. Even though the ideal national teacher-pupil is expected to be 40:1, there exists a huge variance between schools and districts with some schools recording a ratio of over 100:1. This poses a serious challenge to quality education hence the serious need to recruit more teachers. Other challenges in this sector include; limited opportunities in terms of schools and classrooms and delays in disbursement of the FPE grants to schools.

iii) The Committee was gravely concerned with the accountability issue surrounding the disbursement of donor funds and felt that it was likely to have a negative impact on the sector especially when there are delays in disbursement. The Committee recommends the urgent need to ensure that the Government puts in place in-built checks and balances system so as to enhance transparency and accountability in the management of the funds. The Kenya Anti-Corruption should also intensify its investigation into the misuse of the FPE funds.

iv) The Committee also observed that with the introduction of Free Day Secondary Education there has been a mismatch between the growth in primary and the secondary sectors leading to school drop outs of primary graduates. The Government should provide incentives to private sector to collaborate and build more schools in order to reduce congestion and low transition to secondary schools.

MIN. NO. 208/2011 - ADJOURNMENT

There being no other business for consideration, the meeting was adjourned at 12.30 pm.

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

DATE: 13TH JULY, 2011

MINUTES OF THE THIRTY SECOND SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY, 29TH JUNE 2011, IN ROOM 7, MAIN PARLIAMENT BUILDINGS AT 2:30PM

PRESENT: The following Members were present:

The Hon. David Koech, M.P. - **Chairperson**
The Hon. F.T.Nyammo, M.P. - **Vice Chairperson**
The Hon. David Njuguna, M.P.
The Hon. B.C. Muturi Mwangi, MP.
The Hon. (Dr.) Joyce Laboso, M.P.

ABSENT WITH APOLOGY

The Hon. Shakila Abdalla, M.P.
The Hon. (Dr.) Wilbur Otichilo, M.P.
The Hon. John Dache Pesa
The Hon. Alfred Bwire Odhiambo, M.P.
The Hon. Muhamad Sirat, M.P.
The Hon. Danson Mwazo Mwakulegwa, M.P.

IN ATTENDANCE

NATIONAL ASSEMBLY

Ms. Mary Chesire	-	Clerk Assistant
Ms. Josephine Kusinyi	-	Clerk Assistant

- TEACHERS SERVICE COMMISSION

Mr. Ibrahim Hussein	-	Chairperson
Mr. Gabriel Lengoiboni	-	Secretary/Chief Executive Officer
Mr. Cheptumo Ayabei	-	Director, Finance
Frankline Choge	-	Deputy Director, Finance
Mrs. Mary Rotich	-	Director, Staffing, (Post Primary)
Calleb O. Ogot	-	TSC, Finance
John Obalah	-	Kenya National Union of Teachers (KNUT)

MIN. NO. 201/2011 - REMARKS BY THE CHAIRPERSON

The Chair opened the meeting with a word of prayer and welcomed the Chairman and his team for the meeting. He informed the meeting that on 24th June 2011, the

Parliamentary Budget committee had led a team of members of departmental committees, concurrently in all the eight, former provincial headquarters for public hearings to listen to the members of the public on their views as to the current budget.

He informed the meeting that next year the process of public participation will be taken up early enough to inform the budget process.

MIN. NO. 202/2011 - MEETING, WITH TEACHERS SERVICE COMMISSION

The Secretary, Teachers Service Commission informed the meeting that:

i. The TSC printed estimates for 2011/2012 financial year is Ksh.103,407,925,010 against a budget proposal of Ksh.110,108,278,089.The Commission's budget was prepared and presented to Treasury through the Ministry of Education and Ministry of Higher Education, Science and Technology.

i. The Commission has been given a separate vote consequently; the budgets under the two Ministries relating to the Commission have been merged under Vote 47.

ii. There will be no recruitment of teachers in the 2011/2012 financial year despite the current teacher shortage.18, 060 teachers will remain under contract and will not be converted to permanent status as envisaged.

iii. The salaries and allowances of the current teachers are not fully covered to the tune of Kshs.1.3Billion.This was arrived by comparing the amount provided in the printed estimates and the amount requested.

iv. The current budgetary provision does not cater for teachers salary increments after promotions. The Commission promotes 2.5% of non graduate teachers promoted annually and promotes 12000 graduate teachers through various schemes of service annually.

v. The Commission will require an additional Ksh.11Billion to be able to recruit additional 10,000 teachers, convert contract teachers to permanent terms and promote teachers as per current schemes of service.

vi. A number of items were grossly underfunded and the Commission will not be able to discharge its mandate effectively. Specifically the items below are of concern:

a) **Domestic Travel and Accommodation**, to be able to adequately reimburse teachers transport expenses while attending interviews and witnesses in disciplinary cases. The trend on the expenses will change as the interviews will be undertaken at the County level, once the Counties are established.

b) **Foreign Travel** is required to cater for travelling expenses for teachers travelling abroad on exchange programmes, CEMASTEA, sports, scouting and per diems for teachers on Government of Kenya scholarships. Only Kshs.5Million has been provided for this against the requested Kshs.21Million.

c) **Group Accident Policy**, the Commission is required by law as an employer to provide cover to employees who may get injured in the course of their duties as provided by the Work Injuries Benefits Act of 2008.Civil Servants enjoy this benefit which is managed from Treasury. Teachers have however been left out. The Commission requested for Ksh.200Million but received Nil. This is a legal requirement and the Commission has only been lucky not to be taken to Court for claims under this policy.

d) Since the 2007/08 budget, the Commission has been presenting a proposal for a housing/mortgage scheme of Khs.200 Million to Treasury. To date, the case is yet to be considered. Other civil servants enjoy this benefit.

vii. The Commission's accommodation on LR. NO. 209/1142/Nairobi requires additional new works such as partitioning. The Commission had requested for Ksh.60 Million but no amount was allocated for this purpose.

viii. To align itself to the new constitution, the Commission has written to Treasury requesting for Ksh.873 Million to employ senior staff to be deployed to manage county teacher management functions. The employment of this staff will enable the Commission to devolve promotion and discipline functions to the county.

ix. To reduce the challenges in disbursement of funds, the Commission recommends that the Kshs.2.4 billion currently provided sustaining the contract teachers in Ministry of Education, (Vote D31), be transferred to TSC, (Vote R47).

MIN. NO. 203/2011 - DELIBERATIONS

i. Supervision of teachers is key as the Commission has now become fully independent. Most head teachers do not perform due to lack of proper supervision and the Commission should undertake this matter seriously.

ii. On the issue of pension package for retired teachers, the Court ruled that the retired teachers should be paid Kshs.34 billion but the Treasury has allocated Kshs.3.3 billion in the 2011 Budget to be paid in two phases. The Commission has duly informed Treasury and the same will be paid in two phases. The only pending cost that Treasury is yet to consent to is the taxation of the bill of costs by the Plaintiffs' Advocates, which is yet to be finalized.

iii. The Commission should consider writing to Treasury as regards the amount of money in terms of deficit in recruitment of teachers, as the amount of deficit quoted in the Permanent Secretary's (Ministry of Education) letter dated, 23rd June 2011,to Treasury indicates a different figure, compared to the Commission's need.

iv. Due to the high turn-over of the contract teachers, the Commission has given the Schools the go ahead to replace the contract teachers whenever needed. This is why the budget for contract teachers has not been reduced in the 2011/12 budget.

MIN. NO. 204/2011 - ADJOURNMENT

There being no other business for consideration, the meeting was adjourned at 5:00pm.

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

DATE: **13TH JULY, 2011**

MINUTES OF THE THIRTY FIRST SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY 29TH JUNE 2011, IN ROOM 7, MAIN PARLIAMENT BUILDINGS AT 10:00AM

PRESENT

The Hon. David Koech, M.P. - **Chairperson**
The Hon. F.T.Nyammo, M.P. – Vice Chairperson
The Hon. David Njuguna, M.P.
The Hon. B.C. Muturi Mwangi, MP.
The Hon. Danson Mwazo Mwakulegwa, M.P.
The Hon. (Dr.) Joyce Laboso, M.P.

ABSENT WITH APOLOGIES

The Hon. Shakila Abdalla, M.P.
The Hon. (Dr.) Wilbur Otichilo, M.P.
The Hon. John Dache Pesa
The Hon. Alfred Bwire Odhiambo, M.P.
The Hon. Muhamad Sirat, M.P.

IN ATTENDANCE

NATIONAL ASSEMBLY

Ms. Mary Chesire	-	Clerk Assistant
Ms. Josephine Kusinyi	-	Clerk Assistant

MINISTRY OF HIGHER EDUCATION

Hon. Hellen Sambili	-	Minister
Hon. Kilemi Mwiria	-	Assistant Minister
Hon. Asman Kamama	-	Assistant Minister
Prof. Crispus Kiambaa	-	Permanent Secretary
Dr. Roy Mugiira	-	Acting CEO, National Bio Safety Authority
Dr. Rugut	-	National Council of Science and Technology
Dr. G.A Ombakho	-	Director, DRMD
Mr. N. K. Gakungu	-	Director, Directorate of Technical and Quality Assurance (DTAQA)
Mr. Norman Wambayi	-	Director, Technical education
Mr. Kimathi Mugambi	-	Chief Finance Officer
Prof. Everett Standa	-	CEO, Commission for Higher Education
Mr. Malenya	-	Director, Higher Education

Mrs. Wachira - Finance Officer, Higher Education Loans Board
Ms. Esther Maina - Finance Officer, MOE
Ms. Mary Ndegwa - Finance Officer, MOE

MIN. NO. 196/2011 - REMARKS BY THE CHAIRPERSON

The Chair opened the meeting with a word of prayer and welcomed the Minister and her team for the meeting. He informed the meeting that on 24th June 2011, the Parliamentary Budget committee had led a team of Members of Departmental Committees, concurrently in all the eight, former provincial headquarters for public hearings to listen to the members of the public on their views as to the current budget.

He informed the meeting that next year the process of public participation will be taken up early enough to inform the budget process.

MIN. NO. 197/2011 - MEETING WITH THE MINISTER FOR HIGHER EDUCATION

The Minister then introduced her team and the meeting commenced with the Permanent Secretary informing the meeting as follows:

i. That the Ministry derives its mandate from the presidential circular No. 1/2008 and includes Science, technology and innovation policy, National Council for science and technology, Commission for Higher Education, Higher Education Loans Board, National Bio Safety Authority, University Education, National Polytechnics ,Technical Training Institutes, research authorization, co-ordination, inventory and dissemination.

i. The Ministry is budgeted under the Research, Innovation and Technology Sector, under which administrative services, University and Tertiary Education and Research and innovation were identified.

ii. For the financial year 2011/2012, the Ministry had requested for Kshs.47, 634Million for the recurrent expenditure and Kshs.25, 959 Million for the development expenditure. However Treasury had allocated the Ministry Kshs.25, 959

iii. **Comparison of previous year's allocations and ministry's absorption capacity**
The Ministry's total recurrent expenditure as a percentage of the ministry's total expenditure has been ranging between 76.77% and 97.09% from the 2006/07 financial year to 2010/2011 financial year. Under the development expenditure,

the ministry's total expenditure in percentage has been ranging between 2.91% and 33.01% from the 2006/07 financial year to 2010/2011 Financial Year.

iv. **Allocations for New Projects / Programmes**

Ksh.1.801 Billion has been allocated to roll out the new programme of thirteen (13) new technical training institutes funded by both the Government of Kenya and the African Development Bank. The institutions are to be spread in all eight provinces. The Government funded institutions are:

a) North Rift TTI in the Rift valley
b) Karumo TTI in Eastern
c) Mitunguu TTI in Eastern
d) Bondo TTI in Nyanza
e) Ekerubo Getai TTI in Nyanza

The ADB funded institutions are

f) Thanu TTI in Central
g) Gondoma TTI at the Coast
h) Tseikuru TTI in Eastern
i) Bureti TTI in the Rift Valley
j) Wajir TTI in North Eastern,
k) Siala TTI in Nyanza
l) Aldai TTI in the Rift Valley
m) Butere TTI in Western

v. To address the Counties without technical institutions, the Ministry has started the following eight(8) campuses through the Economic Stimulus Programme:

   a. Kwale Campus in Kwale County
   b. Turkana Campus in Turkana County
   c. Bomet Campus in Bomet County
   d. Narok Campus in Narok County
   e. Marsabit Campus in Marsabit County
   f. Mandera Campus in Mandera County
   g. Ziwa Campus in Uasin Gishu County
   h. Emining Campus in Baringo County

vi. The Government of Kenya in partnership with the Chinese Government has a project for equipping Technical Institutions and Universities of Technologies, to the tune of 2.5 Billion.

vii. The National Council for Science and technology Headquarters building has been allocated Kshs.150Million during the Financial Year.

viii. The two new constituent University Colleges of Karatina University College and Chepkoilel University College each got an allocation of Kshs.180 million and Kshs.170 million respectively under the Development Vote and Kshs.250 million and Kshs.702 million respectively, under the Recurrent Vote.

ix. The Pan Africa University programme has been allocated Kshs.50 million. The University is a network of universities with five host universities within North, South, East, West and Central Africa. Kenya is the host in East Africa and more specifically the Jomo Kenyatta University of Agriculture and Technology (JKUAT).The University will deal with science and innovation. Space is yet to be identified at the University for this purpose. This initiative is supported by the Government of Kenya and the African Union. It is hoped that the same will be launched early next year.

x. The Open University programme has been allocated Kshs.100Million.The document to operationalize this programme is ready for cabinet approval and the master plan is done. Space will be rented at the Multi Media University College, Nairobi for administrative purposes.

xi. The National Space Science Secretariat was allocated Ksh.50Million.The Secretariat will be at Malindi. Kenya in partnership with Italy has already set up a satellite tracking station.

MIN. NO. 198/2011 - DELIBERATIONS

i. The youth Polytechnics do not fall under the ambit of the Ministry of Higher Education but instead, under the Ministry of Sports. The Committee recommends that the youth polytechnics should fall under the Ministry of Higher Education, Science and Technology.

ii. The Ministry for Higher Education, Science and Technology has formed its own taskforce to realign higher education to the provisions of the constitution. The task force will work closely with the Ministry of Education's task force to avoid duplicity and ensure all relevant ground is covered.

iii. The Higher Education Loans Board intends to provide loans and bursaries to 82,000 students in universities and tertiary institutions. The Committee recommended that students in tertiary institutions should also benefit for the same. Currently, the Board provides loans to students in private universities as well. However, the students cannot access the loans in the first semester. The fees for the private universities is quite high and as such the student must be able to show that he/she can be able to stay in campus for the whole year. HELB provides a small proportion in terms of loan. The Committee recommends that mechanisms should be put in place to ensure that students get bursaries during the first semester of joining the institutions.

iv. Over the years, HELB has greatly improved on its loan recovery, as it has partnered with various employers.300Million which was meant for bursaries has now been transferred to HELB and the bursaries will be disbursed from their end, as they are better placed in terms of machinery, to do this.

v. The Chief Executive Officer of the Commission for Higher Education informed the meeting that the Commission was dealing with the issue of fake certificates and unregistered institutions. The Commission had a department to deal with this issue and encourages the would be employers to verify the authenticity of certificates with them

vi. On the crucial issue of skills audit, the meeting was informed that a consultant had already been identified to undertake a technical skills audit within the Technical Education/Training sector.

vii. Most of the pending Bills that fall under the Ministry are still awaiting cabinet approval. These include the TIVET Bill, the Innovations Bill and the Universities Bill.

viii. The Committee was concerned that with the existence of Bio Safety Act 2008, the Government was planning to fast-track the importation of Genetically Modified Organisms (GMO) without putting measure to ensure that Kenyans are protected against harmful products.

ix. On the issue of stalled projects within the universities, the Permanent Secretary informed the meeting that so far so good, only Egerton University had stalled projects. Other Universities had through their own internal programmes found funding to complete their projects. The Ministry has however approached the university to try and look for alternative programmes to raise money to complete the projects. Kenyatta University is one of the universities that have through its own initiative looked for donors to fund their various projects. The Government of China has partnered with the Kenyatta University to co-sponsor the construction of state of the art of a teaching and referral hospital at the University.

x. On the issue of accelerated admissions, the Permanent Secretary informed the Committee that the Ministry had requested for Kshs.4.2billion to assist in the implementation of this project but it had received nothing. Kenyatta University and the Kenya Polytechnic had commenced the project.

MIN. NO. 199/2011 - ANY OTHER BUSINESS

The Chair informed Members to meet at 2:30 pm at the same venue, for a meeting with the Teachers Service Commission.

MIN. NO. 200/2011 - ADJOURNMENT

There being no other business for consideration, the meeting was adjourned at 1:05pm.

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

DATE: 13TH JULY, 2011

MINUTES OF THE THIRTIETH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON TUESDAY 21ST JUNE 2011, IN ROOM 9, MAIN PARLIAMENT BUILDINGS AT 3:00PM

The Hon. David Koech, M.P. - **Chairperson**
The Hon. F.T.Nyammo, M.P. – Vice Chairperson
The Hon. David Njuguna, M.P.
The Hon. B.C. Muturi Mwangi, MP.
The Hon. Danson Mwazo Mwakulegwa, M.P.
The Hon. (Dr.) Joyce Laboso, M.P.
The Hon. (Dr.) Wilbur Otichilo, M.P.
The Hon. John Dache Pesa
The Hon. Alfred Bwire Odhiambo, M.P.
The Hon. Muhamad Sirat, M.P.

ABSENT WITH APOLOGIES

The Hon. Shakila Abdalla, M.P.

IN ATTENDANCE NATIONAL ASSEMBLY

Ms. Josephine Kusinyi	-	Clerk Assistant
Ms. Phyllis Makau	-	Budget Office
Mr. Fredrick Muthengi	-	Budget Office

MIN. NO. 189/2011 PRELIMINARY

The meeting began with a word of prayer

MIN. NO. 190/2011 ADOPTION OF THE AGENDA

Members adopted the agenda of the meeting.

MIN. NO. 191/2011 REMARKS BY THE CHAIR

The Chair informed Members that the Budget Committee would lead members of departmental committees in public hearings that would be held simultaneously in all provincial headquarters on 24th June 2011.He encouraged members to attend the hearing and bring feedback from the public, on matters that concern the committee. He further informed members that there had been a proposal to include Kitale as an additional centre for the hearings but this was yet to be confirmed.

MIN. NO. 192/2011 BUDGET OFFICE BRIEFING

The Budget Office highlighted the following issues;

i) This year's recurrent expenditure had gone down, the development expenditure had risen and the consolidated fund services had grown.

ii) Under the Fiscal Management Act, the treasury memoranda which indicates all audit queries and what should be done on the queries of all ministries should be submitted every year when the budget statement is delivered. This was not done this year. The Memoranda gives the key highlights of the Auditor General's report.

iii) Under the Recurrent budget for colleges, there is no indication in terms of percentage, as to how much goes to every college. It would be important to interrogate whether the Kshs.15 million allocated to Kagumo Teachers College was adequate, especially after Kenya Science Teachers College was made a constituent college of the University of Nairobi.

iv) There was a serious shortage of teachers in the Ministry of Education.

v) The purported allocation of over Kshs.300 million for ECDE is not additional funds. This amount has always been provided for in previous years. ECDE funds were mainly pumped in from development partners.

vi) There is need to clarify whether the Transport Policy announced during the 2009/10 budget speech has been reversed.

vii) Under the National Space Secretariat, there's an allocation of Kshs.50 million. There is a similar provision under the Ministry of Defence budget. This needs to be clarified.

viii) The accounting of Appropriation in Aid in the Universities is wanting. The Minister should be put to task as to the accountability of these funds and quality control of University Education.

ix) A lot of money has been voted for stalled projects and in particular, 100Million has been voted for KNEC. The committee needs to probe the matter further.

x) The Ministries need to give the actual expenditure up to May 2011, when appearing before the committee.

MIN. NO. 193/2011 - ANY OTHER BUSINESS

Members resolved that the following issues should be raised when meeting various ministries for the budget scrutiny;

i. The legality of the Joint Admissions Board (JAB). This would be taken up with the Ministry of Higher Education during budget scrutiny

ii. The issue of shortage of ICT teachers and counselors should be raised under the issue of teacher shortage. The teacher training colleges should include ICT in the curricula, for it to have a trickle-down effect.

iii. Increase of the FPE and FSE funds is crucial as this has not been revised to factor in the high rate of inflation.

iv. A proper clarification should be made on the Bus Project Policy and especially the issue of hiring out of buses and insurance.

v. The Budget office to sieve through the budget and give a brief to the committee on priority areas, such as why the issue of national schools is a priority over teacher recruitment. The office should further provide to the committee the cost implication of employing extra teachers.

vi. On the issue of loss of FPE funds, members agreed that the committee needs to be seen as dealing with the matter urgently. This scandal should be an agenda in the next meeting.

MIN. NO. 194/2011 DATE OF NEXT SITTING

The next meeting would be held on 29th June 2011, for consideration of the budget programme.

MIN. NO. 195/2011 ADJOURNMENT OF THE MEETING

There being no other business for consideration, the meeting was adjourned at 5:40pm.

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

DATE: 13TH JULY, 2011

APPENDIX 2

REPUBLIC OF KENYA

OFFICE OF THE MINISTER

Telegrams: "EDUCATION", Nairobi
Telephone: Nairobi, 318581
Email: minister@education.go.ke
When replying please quote

JOGOO HOUSE "B"
HARAMBEE AVENUE
P O. Box 30040 – 00100
NAIROBI

Ref No **MOE/CONF/G11/10/2/Vol. 11/(48)**

8th April, 2011

Hon. Uhuru M. Kenyatta, EGH, MP
Deputy Prime Minister and
Minister for Finance
P.O. Box 30007
NAIROBI

Dear

RE: MINISTRY'S 2011/12 – 2013/14 MEDIUM TERM BUDGET

The Ministry has prepared its budget based on the ceilings issued by your Ministry.

However the ceilings cannot accommodate the resource requirement of the Ministry in a number of critical programmes which are core to its mandate and critical in the realization of the Vision 2030 objectives.

They are as follows:-

(1) **Free Day Secondary Education - Kshs 6,620,650,000**
The above program has been allocated **Kshs 16.16billion** against our requirement of **Kshs 22,780,650,000**. This follows the implementation of the new policy of disbursing funds at the ratio of 50:30:20 in terms 1,2 and 3 and which you approved when you met Heads of Secondary Schools in Mombasa in June 2010. The additional resources required will level off after the implementation of the new policy at the end of 2012/13 Financial Year.

(2) **Early Child Hood Development Education (ECDE) Kshs 4,758,000,000**
The Government policy now is to mainstream ECD to the primary schools set up. You do recall that last year I wrote to you to consider allocating funds to mainstream ECDE and you gave a commitment that the same will be factored in the budget for 2011/2012 Financial Year.

However this is not the case and I am renewing the request for funds. The funds required will meet the capitation at a cost of **Kshs 1020** for 1.9million students and recruitment of contract teachers for the schools which are 23,500 in number.

(3) **Free Primary Education Kshs 1,162,238,053**
The additional funds are required to meet the shortfall in the current year's allocation which stands at **Kshs 7,507,761,947** against the Ministry's resource requirement of **Kshs 8,670,000,000**. The increase is attributed to increase in school enrollment from 8.4m to 8.5m

(4) **Teachers Recruitment Kshs 6.556 billion**
The teacher shortage has continued to pose the greatest challenge in provision of quality education. During the year 2010/2011, 18,000 contractual teachers were employed bringing the overall teacher shortage to 61,235. It is our intention to convert the contracted teachers to permanent status and recruit an additional 10,000 teachers in 2012/2013 Financial Year and address the resultant shortage in the subsequent Financial Years. This will require an additional **Kshs 6,556billion.**

(5) **Personnel Emoluments for Teachers Kshs 4billion**
In the ceilings given the allocation for Personnel Emoluments is **Kshs 102,947million**. The requirement for TSC alone is **Kshs 102billion** which excludes **Kshs 3.5billion** which is part of the negotiated salary award for teachers. The Ministry therefore requires Kshs 3.5billion to meet the last phase of the negotiated salary award for teachers and **Kshs 530 million** is required to meet the cost of the 18,000 contracted teachers as the allocation of **Kshs 2.013million** which is the current ceiling caters for only ten (10) month's salary.

(6) **New Mitihani House – Kshs 734million**
The New Mitihani House has been under construction since 1986. The construction pace has been hampered by continuous shortage of funds and it only picked up in 2010/2011 Financial Year through allocation of funds for stalled projects under Ministry of Public Works. The cost of completion of the building has been estimated at **Kshs 1.02billion** of which Ministry is required to contribute **Kshs 734million** as due to budgetary limitation we were not able to allocate **Kshs 240million** in the current Financial Year.

(7) **Double Shift Intake in Secondary Schools – 60,000,000**
In order to address the issues of access and equity in Secondary Schools, the Ministry introduced double shift intake in 10 pilot secondary schools. The schools were allocated **Kshs 6million** each in 2009/2010

Financial Year to rehabilitate infrastructure, employ temporary teachers and reimburse transport to the teachers who report early and leave late. In the 2010/2011 Financial Year funds were not allocated and this has occasioned serious operational challenges for the schools.
It is my request that we be allocated **Kshs 60million** for this exercise.

(8) Low Cost Boarding Schools Kshs 340,657,900
These schools cater for pupils in the ASAL areas. During the inception of Free Primary Education in 2003 the pupils in these schools were receiving capitation of **Kshs 4,000** per child, but as a result of increased pupil enrollment against a static budgetary provision, the capitation has reduced to **Kshs 2,900**. During the last three years 205 new schools with an enrollment of 54,615 have been approved thus requiring an additional **Kshs 218,460,000**. Therefore to meet the shortfall in capitation and accommodate the increased pupil enrollment, the Ministry requires additional funds amounting to **Kshs 340,657,900.**

(9) Special Needs Education – Kshs 130,000,000
Due to increased awareness levels on special needs children, there has been sharp increase in enrolment and opening of new special schools and units. The current budgetary allocation is therefore not sufficient to meet the growing financial demands and hence the need for additional funds.

The purpose of this letter is to request for additional funds amounting to **Kshs 23,476,650,000** for the Recurrent Expenditure and **Kshs 1,264,000,000** for Development Expenditure.

Yours

Hon. Amb. Prof. Sam K. Ongeri, EGH, MP
MINISTER FOR EDUCATION