

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 20<sup>th</sup> March 2019

The House met at 9.30 a.m.

*The Deputy Speaker (Hon. Moses Cheboi) in the Chair]*

PRAYERS

QUORUM

**Hon. Deputy Speaker:** Order, Hon. Members! We do not seem to have the required quorum. Therefore, I order that the bell be rung for 10 minutes.

*(Quorum Bell was rung)*

Order, Hon. Members! Order! Order! Kindly take your seats. We have the required quorum. Proceed.

PETITION

**Hon. Deputy Speaker:** On that particular Order, let us have Hon. Brighton Yegon, Member for Konoin.

*(Hon. Leonard Yegon shook the microphone)*

Wait briefly. You do not have to shake it. This is not a microphone at political rallies. It is a fixed one.

NEGLECT AND EXPLOITATION OF SMALL-HOLDER TEA FARMERS BY KTDA

**Hon. Leonard Yegon**(Konoin, JP): Thank you very much, Hon. Deputy Speaker. I am presenting public Petition No.29 of 2018. This Petition regards the neglect and exploitation of small-holder tea farmers by the Kenya Tea Development Agency (KTDA).

I, Brighton, on behalf of small-holder tea farmers, draw the attention of the House to the following:

THAT, since inception, tea-growing in Kenya has expanded rapidly making it a significant contributor to the Kenyan economy through exports with a direct impact to over 3 million small-holder tea farmers;

THAT, tea growing in Kenya is regulated by various policies established by the Kenya Tea Directorate under the Agriculture and Food Authority Act of 2013;

THAT, KTDA was incorporated in 2000 to liberalise the tea industry and enable tea farmers to exercise control over the management and factories through board management agents;

THAT, KTDA has monopolised and taken over the management of the entire small-holder tea companies and this constitutes a strong strategic barrier against the entry of new managing agents;

THAT, KTDA sells tea produced by farmers on a quarterly basis but only declares bonuses to farmers at the end of the year;

THAT, the current monthly payments of Kshs15 to Kshs16 per kilogramme are too low and there is need for an increment to Kshs25 per month;

THAT, deductions were made from farmers for hydropower generation four years ago but to date, no hydropower generation plant has been put in place in the west of the rift;

THAT, efforts to address the above grievances with the relevant small-holder have been futile;

THAT, the issues in respect of which this Petition is made are not pending before a court of law, constitutional or statutory body.

Therefore, your humble petitioners pray that the National Assembly through the Departmental Committee on Agriculture and Livestock:

(i) recommends formulation of policies and regulations to cushion farmers from exploitation by KTDA;

(ii) recommends formulation of regulations to limit licensing of one agent to undertake multiple functions for the purposes of fairness, equity and inclusivity;

(iii) recommends establishment of small-holder tea farmers' association to look into welfare matters of tea farmers for instance, training and enhancement of farmers' representation at regional, national and international levels, among others; and,

(iv) makes any other order or direction that it deems fit in the circumstance of the matter.

Your petitioners will every pray.

**Hon. Deputy Speaker:** I will give an opportunity to a few Members who want to speak to the Petition. We are having a challenge with our electronic system. I am trying to see the Members who are interested. Let us have the Member for Igembe North. You will use the Dispatch Box. The Petition is about small-scale tea farmers. I will look out for those Members who come from areas where there is a specific interest in that field.

**Hon. KubaiIringo**(Igembe Central, JP): Thank you, Hon. Deputy Speaker for giving me this opportunity to comment on this Petition regarding tea farmers. Small-scale farmers are the worst remunerated farmers in this country especially when it comes to the monthly payments and the bonus. There is a lot of bureaucracy in the tea industry whereby KTDA, factories, committees and many other institutions take this money and the farmer ends up with very little. When it comes to harvesting, even those who pick tea take a lot of money and the farmer ends up getting very little money. It is even worse when you know that tea-farming is a laborious and very expensive business to get into from the farm up to when you harvest the tea.

This should be looked into with a view of increasing remuneration of the tea farmers, especially the small-scale farmers.

**Hon. Deputy Speaker:** Is that Hon. Chachu? That cannot be ChachuGanya. I am sure you are not interested in this one. Let us have the Member who is seated immediately behind you. I would be very surprised.

**Hon. John Mutunga**(Tigania West, JP): Thank you, Hon. Deputy Speaker for the opportunity to contribute to the Petition. The KTDA behaves like a monopoly although it was initially a Government parastatal. It has now been privatised. It has shown its monopolistic tendencies especially when it comes to small-holder farmers. Even if the small-holder farmers organise themselves to counter the forces within the KTDA, they always have a problem. The KTDA is lauded the world over as one of the most successful models. Unfortunately, the success of the KTDA does not result into better services for small-holder farmers. It has the most elaborate infrastructure for the collection and management of tea leaves but once so often, farmers suffer out of neglect and delayed payments.

I happen to have been one of the people involved in the merging of the eight parastatals into one to form the Agriculture and Food Authority (AFA) from the various boards. We had an in-depth study of the KTDA model as it were. The findings were that if you look at what KTDA gives to the Kenyan farmers as bonus, it is not a bonus. It is the farmers' money. They retain part of the farmers' money and then they give it later as bonus. So, our farmers do not get bonuses. It is their money that they get. Ideally, they should get money that comes as a bonus. We need to investigate where this bonus goes. Where is the money taken when KTDA sells tea to other parts of the world? When farmers do not get value for money, their investments are affected, in the sense that they cannot grow and continue improving the quality of tea. Kenya is lauded for having very highquality tea, although we do not have a lot of returns on the investment.

Hon. Deputy Speaker, this Petition has come at the best time possible for us to consider the issues that are there. We call upon the Ministry of Agriculture and Irrigation to look into the KTDA and assess whether it is the best way we should go or we should have a better open way of doing business. The directors are elected at the tea factories. We do not have democracy in electing directors under the KTDA model because there is a lot of influence from the KTDA. They get their people to serve Kenyans, whether the farmers want them or not.

If you look at the KTDA very closely, they own tea, farmers and factories. The KTDA is not supposed to own property because it is a marketing agency. They are supposed to respond to the wishes of the farmers but not own everything.

Hon. Deputy Speaker, I support the Petition.

**Hon. Deputy Speaker:** You have made a speech, but I gave one minute to contribute. Hon. Members, all the names of the Members who had logged in their cards have been deleted because of the problem we had. So, you will do it afresh. I am trying to look out for Members who come from the tea growing areas. I will give the opportunity to the last two Members. I am trying to look for a Member from my left side and there is none for now. There is Hon. AlfahOndieki. Which side of the House is he? Do you want to contribute to this Petition or the next Order?

**Hon. AlfahOndieki** (BomachogeChache, KNC): I do not want to contribute.

**Hon. Deputy Speaker:** Then we will go to Hon. (Dr.) Pukose.

**Hon (Dr.) Robert Pukose** (Endebess, JP): Thank you, Hon. Deputy Speaker. I support the Petition, which is very important. I know you are trying to look at whether I come from a tea growing area. I come from a tea growing area. Trans Nzoia County grows tea. We are known for plenty of tea. Other parts of the country are experiencing famine, but we have maize in our stores. We hope that the Government will buy it and take it to the Kenyans who are affected by famine.

I want to go back to the Petition. As you heard, the Member said that money is deducted from farmers for generation of hydroelectric power. That is true, but it has not been distributed. What is holding the process is the licence from the Ministry. I hope this will be expedited, so that farmers can reap the benefits of their contribution towards the independent power generation (IPG). It will supply electricity within those areas. We have seen IPGs in areas like Murang'a County, which are doing very well. They reduce the cost of power within those areas.

I went to Kapkatet in the neighbouring county recently and saw independent power generators which have been installed there and the cost of electricity is very cheap. The President came up with the Big Four Agenda and among them is manufacturing. It will only thrive if we make the cost of power cheap. We should encourage the independent power generators. This is what the people of Kericho County and the surrounding areas can learn from.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Let me confirm. Hon. Ganya, do you want to contribute to this Petition?

**Hon. ChachuGanya** (North Horr, FAP): Yes.

**Hon. Deputy Speaker:** Okay. Then I will give you the opportunity.

**Hon. ChachuGanya** (North Horr, FAP): Thank you, Hon. Deputy Speaker. We hardly produce any tea in northern Kenya, but we are serious consumers of it. There are producers and consumers. Tea is part of the culture of the people of northern Kenya.

**Hon. Deputy Speaker:** Hon. Ganya, Hon. Brighton talked about the small-scale holders. Are you also talking about the large-scale consumers and small-scale consumers? Anyway, proceed.

*(Laughter)*

**Hon. ChachuGanya** (North Horr, FAP): We have a serious stake in tea production and tea as a commodity. Small-scale tea producers are exploited by a monopoly called the KTDA. If farmers are not rewarded for the hard work they do in tea production, the prices will go up. If that happens, consumers will be affected. The prayers here is for us to have the right policies and regulations to cushion the small-scale farmers from this monopoly. This is the right prayer. It needs our support. I strongly support this Petition.

I thank you.

**Hon. Deputy Speaker:** Next Order. Before we go to the next Order, I want to recognise students from Daystar University, Lang'ata Constituency, and those from Blessed Pavel Academy Catholic Primary School, Kasarani, Nairobi County who are seated in the Public Gallery.

## ORDINARY QUESTIONS

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We have three Questions. We will start with the Member for Suna West, Hon. Masara. He is absent. So, the Question is dropped.

*Question No.115/2019*

SENSITIZATION OF MINERS ON SAFETY PROCEDURES

*(Question dropped)*

Member for Nambale, Hon. SakwaBunyasi.

*Question No.125/2019*

STATUS OF THE LOWER SIO RIVER IRRIGATION PROJECT

**Hon. SakwaBunyasi** (Nambale, ANC): Thank you, Hon. Deputy Speaker. I rise to ask the Cabinet Secretary for Agriculture and Irrigation:

(i) What is the status of construction of the Lower Sio River Irrigation Project located in Malanga and Mwikeno areas, Nambale Constituency, and when is it expected to be completed?

(ii) Could the Cabinet Secretary provide a list of all the farmers who have received compensation as a result of being relocated to pave way for the project?

(iii) What measures is the Ministry undertaking to compensate all affected farmers?

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** That Question will be replied before the Departmental Committee on Agriculture and Livestock.

Hon. Vincent KemosiMogaka requested his Question to be deferred.

*Question No. 126/2019*

DELAYED CLEARANCE OF SCHOOL FEES CHEQUES AT UNIVERSITY OF NAIROBI

*(Question deferred)*

I order it to be asked in the next Sitting. Next Order.

### MOTION

INSTITUTIONALIZATION OF DIAGNOSTIC TESTING FOR DIABETES IN  
WORK PLACES AND COMMUNITY SETTINGS

THAT, aware that the prevalence of diabetes in the country has been on the increase with approximately 458,900 cases reported in Kenya according to the International Diabetes Federation Report of 2017, representing two per cent of the total adult population; deeply concerned that many people with diabetes continue to lose their lives each year due to lack of awareness of the disease, inability to afford management of the condition and the expensive medication; noting that people living with diabetes can live longer and lead comfortable life if they receive the right medical care and support to help them manage the disease; further noting that there remains inadequate funding for the implementation of the effective strategy for the prevention, detection and management of diabetes thus hindering Kenya's achievement of the Sustainable Development Goal 3 and Vision 2030; recognizing the importance of early diagnosis of diabetes, aiding treatment, monitoring treatment progress, monitoring recovery and preventing life threatening and expensive complication, this House urges the Government to institutionalise diagnostic testing for diabetes in work places and community settings, provide for education, prevention and subsidised routine diabetes screening and treatment and put in place and put in place measures to ensure an effective diabetes care system at all levels of health care.

*(Hon. (Ms.) Ruweida Obo on 6.3.2019)*

*(Resumption of Debate concluded on 13.3.2019)*

*(Hon. Memusi ole Kanchory consulted loudly)*

**Hon. Deputy Speaker:** Order Members! Order, Member for Kajiado Central. This Motion was finalised. I have confirmed that we have the required quorum.

*(Question put and agreed to)*

## BILLS

### *First Readings*

#### THE LIVESTOCK AND LIVESTOCK PRODUCTS MARKETING BOARD BILL

**Hon. Benjamin Washiali**(Mumias East, JP): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** What is your point of order, Whip of the Majority Party?

**Hon. Benjamin Washiali**(Mumias East, JP): Thank you, Hon. Deputy Speaker.

You may have used your wisdom to skip Order No.7, which covers Questions, but given the concern we had yesterday, Members asked the House to address issues on Questions.

**Hon. Deputy Speaker:** Which Order are you referring to, Hon. Washiali?

**Hon. Benjamin Washiali**(Mumias East, JP): I am referring to Order No 7, which covers Questions. We have three Questions that were to be asked in this Sitting.

**Hon. Deputy Speaker:** They were asked. For clarity, Hon. Member.

*(Hon. David ole Sankok spoke off-the-record)*

Order, Hon. Sankok! He has made a perfect observation, which I have to answer. The reason you probably missed it is that there were only three Questions. Of the three one was dropped because there was no Member to ask it. The second one was asked by Hon. Bunyasi and the last one was deferred because the Member concerned is out of town and he had notified the Speaker about it. That is the position.

I know you have been keen, but I also know that you are being distracted by a medical consultant. Let us proceed.

THE INSTITUTE OF DIRECTORS OF KENYA BILL

THE INDUSTRIAL TRAINING (AMENDMENT) BILL

THE NATIONAL HOSPITAL INSURANCE FUND (AMENDMENT) BILL

THE ANTI-CORRUPTION AND ECONOMIC CRIMES (AMENDMENT) BILL

THE NATIONAL YOUTH COUNCIL (AMENDMENT) BILL

THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL

*(Orders for First Readings read - Read the First Time and ordered to be referred to the relevant Departmental Committees)*

### MOTION

CRITERIA FOR ALLOCATION OF SCHOOL  
INFRASTRUCTURE IMPROVEMENT FUNDS

**Hon. Deputy Speaker:** Hon. Members, the Motion is going to be moved by Hon. Omboko Milemba. I hope he is prepared. That microphone is not working so you will have to go to the Dispatch Box. In the olden days, that microphone was reserved for ministers.

**Hon. Omboko Milemba**(Emuhaya, ANC): Hon. Deputy Speaker, I beg to move the following Motion:

THAT, aware that Article 53(1)(b) of the Constitution provides that every child has the right to free and compulsory basic education; further aware in addition to providing free compulsory education, the Government is also implementing free tuition secondary education; appreciating the Government's policy on achieving 100 per cent transition of pupils from primary to secondary schools; concerned that this policy has resulted in a stretch and strain of schools' infrastructure and facilities as a result of the large number of students admitted to secondary schools; cognizant that there is strong evidence that adequate high quality infrastructure facilitates better instruction improves

student outcomes and reduces dropout rates, among other benefits; further cognizant that day secondary schools could be the key to ensuring widest access to secondary education, especially for students from humble backgrounds, due to their reduced cost in comparison with boarding schools; this House urges the Government to ensure that at least seventy (70) per cent of total funds allocated under the secondary schools' infrastructure improvement programme is allocated to public day secondary schools to cater for improved infrastructure, and further that these funds be allocated as capitation grant.

Hon. Deputy Speaker, the Constitution of Kenya in Articles 43(1)(f), 53(1)(b), 54(b) and 55(a) makes education a right of every Kenyan. Vision 2030 underscores the importance of education. The Bill of Rights makes education a fundamental human right and this is consistent with the international commitments and conventions that Kenya is signatory to.

The policy of 100 per cent transition from primary to secondary schools is good and we thank the Government of Kenya for it. This policy is working and is real with counties such as Migori, Siaya and Kisumu among others, leading with a 100 per cent transition from primary to secondary school. While counties like Kitui, Mombasa and Embu stand at the bottom with transition rates of 75.5, 76.04 and 76.27 per cent respectively, this is still very good. Transition that is even at the bottom is above 70 per cent according to the Ministry report as at 22<sup>nd</sup> February 2017.

According to the Last Mile 100 per cent National Transition Rate Campaign by the Ministry, 100 per cent transition from primary to secondary school has been realised and the rate has moved from 87 per cent to 93.14 per cent. In terms of numbers, the students joining Form One rose from about 700,000 to 931,148 between 2013 and 2017. Reporting to schools is still continuing. Today, according to the National Education Management Information System popularly known as NEMIS, secondary schoolgoing students have increased from 30,000 in 1963 to 1.9 million in 2013 and now stands at 2.8 million in 2017. This is a percentage increase of over 25 per cent making the transition stand at 70 per cent between 2013 and 2017.

Ministry reports indicate that 72.34 per cent of all secondary school going students are in day schools, most of whom came out through the National Government Constituencies Development Fund (NG-CDF). These schools are seriously lacking basics like laboratories, classrooms, computer laboratories, administration blocks and dining halls among other facilities. They also lack toilets, yet they have to compete with the rest of the students from Kenya. The day schools still carry the burden of paying board of management (BOM) teachers and subordinate staff, which is a heavy burden to day schools today. The capitation of Kshs22,224 per child that the Government gives to schools is still mutilated by the Ministry and it ends up in schools as a paltry Kshs11,000 per student. The Ministry of Education is funded for infrastructural support to schools. Just to highlight to the House how the funds have been disbursed, the Ministry of Education in the 2017/2018, 2018/2019 financial years was given Kshs200 million for primary schools' infrastructure. For secondary schools, it was given Kshs1.6 billion. While it was given a total of Kshs300,000 for the upgrade of secondary schools the Ministry received Kshs200 million and Kshs1.51 billion for secondary schools. For the upgrade of the national schools, it received Kshs300 million. In 2019/2020, the Ministry received Kshs200 million for primary schools, Kshs1.5 billion for secondary schools and Kshs300,000 for the upgrade of national schools countrywide.



If you were to look at the money the Ministry received in this area, let us take a total of Kshs1.6 billion and divide by the number of students. Every student in Kenya should get slightly over Kshs700. The Ministry supports expansion of school infrastructure through provision of funds under the infrastructure improvement grant. This money is allocated to the Ministry annually to support transition from primary to secondary school in order to enhance access, transition, equity, relevance and quality. Schools are funded to rehabilitate, construct, expand and equip infrastructure. I am drawn more to the issue of equity which this money is supposed to attain. Equity is being fair and impartial in providing equal opportunities for access to education and training to all. Allocation of these funds is based on a number of factors as per the Ministry reports including and not limited to requests by the schools, amount available, opinion of the Cabinet Secretary or Principal Secretary, curriculum broadening and performance among others. This funding distribution has been misused by the Ministry leadership.

There is no proper inventory of the requests. There is no public declaration of the amount that is released every year and there is no public report on how the funds are distributed annually in the schools, the sub-counties, the counties or the regions. Some schools get as high as Kshs63 million in a year and the following year, they receive another Kshs13 million while schools in other constituencies receive as low as Kshs8million per year depending on the leaders at the Ministry. This is neither promoting equity nor equality as was originally intended. Some principals of schools have to use unorthodox means to get the funds. Sometimes Members have to go begging if they have to get funding. In essence, this distribution mode is leading to corruption activities within the Ministry.

To sanitise the distributions of these funds, I want to ask this House to urge the Ministry to allocate 70 per cent of the funds to day schools which are hosting over 72 per cent of all the students in secondary schools.

I also want to ask this House to urge the Ministry to allocate the money as per capitation grant per student. This will remove the issue of patronage by principals, individuals and Members of Parliament to the Ministry in order to get the funding. An inventory of requests and a list of distribution should be published publicly to promote not only equity and equality, but also transparency on how the amounts are distributed. Later on, we will follow up with amending the regulation governing distribution of funds within the Ministry and more so, the infrastructure funding.

With those many remarks, I beg to move and kindly ask Hon. Wamalwa, the veteran, to second.

**Hon. Deputy Speaker:** You see there are titles which can only be stated by the Speaker himself. As far as I know, Hon. Dr. Wamalwa is the Deputy Whip. There is no other title that is recognised in this House. However, I think you should proceed to the Dispatch Box. It is okay now. Let us try it.

**Hon. (Dr.) Chris Wamalwa**(Kiminini, FORD-K): Thank you, Hon. Deputy Speaker. I arise to second this Motion. It has ably been moved by Hon. Omboko Milemba. This Motion is very timely in the sense that the Government of Kenya has focused on 100 per cent transition from primary to secondary school. Through NEMIS, we have seen how the Government has achieved that. With that transition from primary to secondary school, quality can only be assured if there is infrastructure improvement. Education is very critical as far as our lives are concerned. Allow me to quote what the late Nelson Mandela said about education. He said that the most

powerful weapon that you can use to transform the world is education. If you look at the Sustainable Development Goals (SDGs) No.4, it talks about quality education. For you to achieve quality education, it goes without saying that there is a high positive correlation between infrastructure and passing of exams. When you go down to our schools, as much as we are celebrating the 100 percent transition, children are suffering. There is a lot of congestion in schools. You find a classroom with an excess of 100 students. In terms of quality, it becomes a problem because they are so squeezed.

I recently went to St. Joseph's Secondary School in Kitale and it is actually number one in Kenya in terms of population. It has a population of 2,000 to 2,500 pupils. I am told Maranda High School is number two with a population of about 2,400 pupils. With this kind of population and the kind of infrastructure that they have, you will realise that there is a mismatch. Indeed, it is important that as we focus on this Motion, the Government of Kenya and particularly on the issue of funding, when it comes to infrastructure, should look into the issue of population. As Hon. Omboko clearly puts it, we have a big problem in day schools. Parents whose children go to day schools are mostly disadvantaged. Some of the students were admitted to national schools or county schools, but were unable to join them forcing them to go to day schools because fees in day schools is somehow negligible. It is important that we revisit this issue. We are calling upon the Ministry of Education to ensure that if this Motion passes, they should revisit this matter and look into the issue of funding so that infrastructure can be prioritised. When we talk of infrastructure, in most cases we mainly focus on building of classrooms and laboratories.

On the issue of teachers, we urge the TSC to attend to the issue of the teachers' shortage. As we move forward and look into the aspect of infrastructure, it is also important that the ratio of teacher to student is addressed. We are told the rule of thumb provides that the teacher to pupil ratio should be 1:40 while secondary school teacher to student ratio should be 1:60. We should also look into the issue of extra funding to enable the TSC to employ more teachers to cope with the high demand as a result of the 100 per cent transition.

Hon. Deputy Speaker, the policy guideline is the Big Four Agenda. We are talking about housing, manufacturing, universal health care and food security. The Big Four Agenda can only be achieved if we manage the enabler. In this case, education is the enabler of the Big Four Agenda. Indeed, it is important that when it comes to the issue of education, we should give it priority. We should prioritise in the sense that in the long run, the Big Four Agenda should not just be a public relations exercise but something that can be achievable.

I was just looking at the Sustainable Development Goals, Goal No.2, which says that there must be zero hunger. It is shameful that people are dying because of hunger in more than 10 counties namely, Turkana, Wajir and everywhere. For pupils to go to school, they must be well fed. It is important for us to have a collaborative approach, so that we can have a clear framework to enable us achieve our goals. We should not come up with goals with no clear framework to achieve them. It is shameful. After Independence, the founding father of this country talked about the three ills of our society, namely, poverty, hunger and ignorance. We celebrated our Silver Jubilee and have gone beyond because it is 66 years after, but we still have hunger problem. This can only be achieved if we enhance infrastructure when it comes to matters of schools.

As I speak, we do not have a CS in charge of Education, but I know Prof. Magoha is on the way coming. How I wish this House will pass his nomination! I have no doubt, having

worked with him at the University of Nairobi, that the House will approve this nomination. He has what it takes to lead the Ministry of Education into greater heights of prosperity.

With those few remarks, I second.

*(Question, proposed)*

Top on the list is Hon. Dawood Rahim. The Floor is yours.

**Hon. Rahim Dawood** (North Imenti, JP): Thank you, Hon. Deputy Speaker. From the outset, I want to join Hon. Omboko on this timely Motion. I wish this Motion had results instead of urges. You are aware that when a Motion urges, it is at the whims of the Government to implement it or not. However, that being the case, I believe we need to have more funds going to both day and boarding schools. There are a lot of funds which remain at the whims of technocrats at the Ministry of Education. There are some schools which in the last one or two years, were given over Kshs100 million for infrastructure, yet there was no criterion on how they were given such amounts of money.

They probably knew somebody higher up in the Ministry of Education and that is how they can get such money in their schools. We are not sure whether the Kshs100 million went to those schools. When we are told that over 72 per cent of enrolment in secondary schools is for day schools, I wonder why we did not concentrate on the day schools. Our day schools have a problem. We talk of free secondary education yet we charge students lunch fees and other fees. There are many students who go to day schools because they cannot afford to go to boarding schools. However, they are chased from the day schools because they cannot pay the lunch fees. Many schools do not have a standard figure for charging lunch and they charge more than what the pupils can afford. I believe we need to put more funds into day schools. We need to give them funds for food. This needs to be done for all the secondary schools to facilitate proper transition; we should have a policy in place for it. We talk of 100 per cent transition from primary school to secondary school, but if you go to the schools during the second term, you will find that the transition rate is not beyond 70 per cent. Many of the students will have been sent home to get school fees. They cannot afford to pay fees during second term and third term. When students are out of school, what happens? Their performance goes down and that is not progressive. The Government should do something to ensure that secondary education is truly free.

It is true that many of our day schools lack infrastructure. Our day schools are good. In some cases, they outperform boarding schools. I believe we should have enough infrastructure in day schools, so that there is proper learning and good performance. We need to rein in on the technocrats at the Ministry of Education; they need to tell us the criteria they use in allocating more money to some schools than other schools.

On special funds, we need to know how much has been allocated in each constituency's schools. Two years back, there were funds that were removed from the NG-CDF and taken to the Ministry of Education. The schools that benefited from those funds did not know that the money was from the NG-CDF even though its distribution was through the Ministry of Education. At the end of the day, when we go to the constituencies, we are told that the money was from the Ministry of Education and not NG-CDF. In such a case, we need that money to go to the NG-CDF, so that we can distribute it according to a school's needs; it should not be from the

Ministry of Education. We do not like it when the technocrats handle it. When they do, we have problems.

It is a good that we are getting 100 per cent transition. In my constituency, it is 90 to 95 per cent. However, there is no proper arrangement because 100 students sit in a class meant for 40 students. I believe we are not getting value for money. We need to create more classrooms and improve the general infrastructure.

With those remarks, I support this Motion. I wish we could amend it so that instead of urging, we resolve as a House.

Thank you.

**Hon. Deputy Speaker:** Let me see if there is somebody to my left on intervention. I do not see anyone. So, I will give the Floor to Hon. Dennitah Ghati. We are having a challenge with our system today.

**Hon. (Ms.) Dennitah Ghati** (Nominated, ODM): Thank you, Hon. Deputy Speaker for giving me the opportunity to support this important Motion. Allow me to congratulate Hon. Omboko Milemba for bringing this Motion. The Motion speaks volumes for the children of this country. As you are aware, the Constitution of Kenya, under Article 53(1)(b), states that every child has a right to free and compulsory basic education. It went further to compel the State to institute affirmative action to ensure that children and youth have access to relevant education and training.

This is an important Motion. Sustainable Development Goal No.4, which is on quality education, seeks to achieve inclusive and quality education, and to promote lifelong learning opportunities for children all over the world. This is a timely Motion. The Ministry of Education has ensured that this fundamental right to education for our children is guaranteed. It is for this reason that every year, the Ministry ensures that students in both day schools and boarding schools get the allocation they deserve under what we call capitation grants.

You are aware that children who go to school, including children with disabilities, have a right to go to school. In order to achieve 100 per cent transition, there is need to ensure that children who go to school remain in those schools until they complete their education and transit to a higher level of education. In terms of transition, Migori County, where I come from, is among the counties that have achieved 100 per cent transition. Other counties include Kericho and Siaya. Children should go to schools and belong there.

Most of the schools in the rural settlements are day schools. Those are the schools where most of the children go. They leave their homes in the morning for school and return home in the evening. Because of high levels of poverty in that area, parents prefer sending their children to day schools. That is why I support the Member who proposed that 70 per cent of the capitation grants should be directed towards enhancing the infrastructure of day schools. That is where our children go to school. Children with disabilities in that county and all over the world are usually the last to get into a classroom. They are among the first to drop out of school for lack of school fees because their families have issues. So, with the capitation grants that go to schools, school administrators should be obligated to enhance the infrastructure as well as improve other learning facilities. This will also ensure that even children with disabilities are in school to learn and even transit into other areas of their lives.

Hon. Deputy Speaker, the aim of the grant is to enhance infrastructure and sanitation facilities in schools such as toilets and bathrooms. However, some of the toilets and other

infrastructure that are supposed to be enhanced by the funding do not accommodate children with disabilities. That is why in some of the day schools, a toilet is shared by children with disabilities of both gender while the other children with no disabilities use separate toilets. These are the challenges that the Fund should deal with. Infrastructural challenges need to be addressed. The Ministry of Education should also look into the sanitation challenges where children with disabilities share toilets. It is wrong and dehumanizing.

Most of these funds are basically meant to cater for classrooms, enhance laboratory facilities and dining halls. However, I want to challenge the administrators of those school funds to ensure that the facilities within the school environment makes a child feel a sense of belonging. This will enable our children to complete their education and move forward. I am aware that in 2017, the Ministry said that it will ensure that every child who did their Kenya Certificate of Primary Education (KCPE) will proceed to secondary school. The Fund basically looks at the secondary level. How are we enhancing our secondary institutions to ensure that children complete their education? This is a very important Motion. Because most of our children belong to day schools, we need to ensure that the day secondary school children get a lot of funds to enable them complete their education. Currently, every child who is in school, according to the Ministry, gets about Kshs22,000. That is the capitation grant for every school-going child to complete their education.

Hon. Speaker, this is an extremely indispensable tool in terms of the achievement of Sustainable Development Goals (SDGs). It is a Motion that has come at the right time and it is evident since the House is full and every Member is passionate about the enhancement of education. I have a rallying call to the House that when we talk about improving infrastructure in schools, we also keep in mind that children with disabilities also attend schools. This will ensure that every facility and infrastructure in a school is accessible to children with disabilities. Accessibility is something that is guaranteed in our Constitution and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

This Motion talks about inclusive education and it is the direction we need to go in order to ensure that education as it is, is a devolved function. It is high time that we ensured that even within our counties and constituencies, education is guaranteed through the support of the development criteria that ensures that 70 per cent of this money goes to day schools to support the majority of our students who attend them.

Thank you.

**Hon. Deputy Speaker:** Hon. Memusi ole Kanchory, you have the Floor.

**Hon. Memusi ole Kanchory** (Kajiado Central, ODM): Thank you, Hon. Deputy Speaker for giving me this opportunity to contribute to this very important Motion. I am in support of it and I thank the Mover. But I wish it came in as a Bill. We would have a definite way of saying that this is how the Ministry should distribute the funds. It is very important for this House to look at the budget that we give ministries because certain pertinent issues have been raised about the Ministry of Education and how they allocate the money that is meant for infrastructure in different constituencies. I heard the Mover of the Motion say that there is no proper inventory in the Ministry on how the funds are allocated. The Mover went on to say that there is no public report on distribution of the funds. The question that the House should be asking is: What is the criterion, if any, that the Ministry uses to decide that a particular constituency be allocated a given amount of money?

Hon. Deputy Speaker, we have ministries that are not accountable. We have ministries that draw billions of shillings from the Exchequer every financial year but if you ask Members of this House whether any of such funds trickle to their constituencies, the answer will be “No”. We have the Ministry of Health, for instance, which we allocate billions of shillings and yet, health is a devolved function. But if you go to the ground, does the money trickle down to constituencies? The answer is “No”. We must, as a House, exercise our oversight role to make sure that the money meant to trickle down to the people at the grassroots does so.

Appreciating the fact that the Mover of the Motion has emphasised on the need to establish infrastructure in day schools, we also must appreciate the uniqueness of certain areas. There are pastoralist regions like where I come from which are best served by boarding schools. We must appreciate the uniqueness of our regions because in pastoralist areas, boarding schools best serve the people. As the Mover of the Motion talked about day schools, it is important that we also look at improving infrastructure in boarding schools because those schools serve certain children in certain regions.

Having said that, I would like to look at the National Government Constituencies Development Fund (NG-CDF). The House supported it is because it seeks to cure certain ailments that are seen in ministries. We have heard that there is no accountability and transparency in the Ministry of Education, Science and Technology in distributing those funds. The NG-CDF will cure the issues in ministries. The Mover of the Motion should go ahead to ask the Ministry of Education, Science and Technology to equally distribute the money for infrastructure to constituencies. If this is done, then the issue of equality will not arise.

Hon. Deputy Speaker, I support this Motion. I, however, would like to urge the Mover to look at the issues that will be raised by Members so that we can deal with issues of accountability, transparency and uniformity. Non-uniformity is skewing development in this country. Those of us from pastoralists regions will agree that, as much as we have the Equalisation Fund and other funds that seek to cure unequal development, we are still lagging behind.

I support the Motion. I want to thank the Mover, and urge him to consider bringing this Motion as a Bill so that this House can critically look at the monies allocated to ministries.

I am a Member of the Departmental Committee on Defence and Foreign Relations, and I know that the Ministry responsible for Defence receives Kshs117 billion. If you ask Hon. Members about the contribution of the Ministry of Defence in their constituencies, they will say there is none. We need to exercise our oversight role and determine how distribution of money is done.

I support.

**Hon. Deputy Speaker:** Let us have Hon. Jimmy Nuru Angwenyi.

**Hon. Jimmy Angwenyi** (Kitutu Chache North, JP): Thank you, Hon. Speaker for giving me an opportunity to contribute to this important Motion. I believe this Motion has started the journey to a law on infrastructural funding. I believe that after approving this Motion, the Mover, whom I would like to thank, will come up with a Bill so that we can enact a law on infrastructural funding. There is value in having professionals in the House. The Mover is an educationist and you can see that from his contribution.

Hon. Deputy Speaker, we allocate the largest portion of our Budget to the Ministry of Education, Science and Technology, but it looks like it is not accountable. For instance, if it

wants to distribute the infrastructural funding, it can do so through the NG-CDF. There is evidence that the NG-CDF has made tremendous contribution to the education sector. In our constituencies, classrooms and other learning facilities in schools have been developed through the NG-CDF. Why do you want to re-invent a wheel when one has already been invented by the NG-CDF? When we enact a law, we must ensure that the amount allocated to infrastructural development is sent through NG-CDF so that we can know the amount spent in each constituency.

Hon. Deputy Speaker, the Government said that we are moving to 100 per cent transition from primary schools to secondary schools. In my constituency, and I believe in many others, we lack adequate infrastructure to accommodate that transition. There are schools with 120 students in a classroom that is supposed to hold 40 to 45 students. Sometime back, I saw in the media that some students were learning under trees because they were too many for the available classrooms. That is really embarrassing to us as Members of Parliament, who have the mandate to oversee expenditure in the country. The House and the Budget and Appropriations Committee have a mandate to restructure the budgetary allocation for various sectors in the Government.

I am sure we all support this Motion. We insist that the infrastructural funding should be allocated through the NG-CDF office so that we can build infrastructure in our schools. As my sister, Hon. Dennitah Ghati has said, while doing infrastructure, we must take care of children living with disabilities. This will ensure that they also have access to the buildings.

With those few remarks, I beg to support.

**Hon. Deputy Speaker:** Hon. Sankok, the Floor is yours.

**Hon. Members:** How about this side?

**Hon. Deputy Speaker:** Which side? Do not worry. I will give an opportunity to two Members. The Mover and the Seconder came from that side and I have also given a chance to two Members who are seated on this side. I am rescinding what I have just said. I will give an opportunity to only one Member.

**Hon. David ole Sankok** (Nominated, JP): Thank you, Hon. Deputy Speaker. I hope you have not “eaten” into my time.

Hon. Deputy Speaker, according to our Constitution, every child has a right to basic education. This is a timely Motion and I would like to thank Hon. Omboko Milemba. As Hon. Kanchory has said, it will be good to look for ways of making this Motion a Bill. We should not be urging the Government, but rather we should resolve as a House so that we turn this 100 per cent transition into a reality. It should not just be policy in paper form, but a reality on the ground.

This policy should target an all-inclusive education where all our children have access to it. As we think of an all-inclusive education and the 100 per cent transition, we must also think about policies that target children living with disabilities. We must target children with disabilities by identifying and categorising them. That way, we will be moving together.

Hon. Deputy Speaker, let us think of a child living with disability who is on a wheelchair and is transitioning to a day secondary school in some remote area of Marsabit.

**Hon. Deputy Speaker:** Hon. Sankok, hold it there. I want to rescind a decision I had made earlier on. I have been convinced by Hon. Masara why he was not in to ask his Question. His Question will, therefore, be asked in the afternoon. I think that is perfectly in order.

Hon. Members, I want to recognise the presence of students from Kavutiri Day Secondary School, Runyenjes Constituency, Embu County and St. Therasas Gatura Girls High School, Gatanga Constituency, Murang'a County. They are seated in the Speaker's Gallery.

Proceed Hon. Sankok.

**Hon. David ole Sankok** (Nominated, JP): Hon. Deputy Speaker, you have spent my time but I am sure I will be compensated. Let us think of children transitioning to secondary schools and especially that child on a wheelchair in a remote pastoralist area where there is human-wildlife conflict. Think of that child travelling for, say, two kilometres on a wheelchair in that harsh terrain. It is almost impossible for that child to access school and so he will have to drop out.

As we set the policy for 100 per cent transition, we should identify and categorise children living with disabilities so that we can help them transition to secondary schools. Because of this 100 per cent transition, I have heard schools having 100 students in a classroom. If you think of a classroom with 100 children who are using wheelchairs, the space is not even enough. It will not be possible to accommodate 100 wheelchair users in one classroom. So, when we think of infrastructure, let us also think of infrastructure that is accessible to children with disabilities.

*[Hon. Deputy Speaker (Hon. Moses Cheboi) left the Chair]*

*[The Temporary Deputy Speaker (Hon. Patrick Mariru) took the Chair]*

Hon. Temporary Deputy Speaker, Hon. Dennitah Ghati had actually spoken on this; that accessibility to a built environment is very important for children with disabilities. When children with disabilities are in a day school, they will be the last ones to enter the classroom. Some of them travel three to four kilometres with crutches or on wheelchair and if there is rain, those children will be the last ones to enter the classroom. In the first lesson, they will not be listening to the teacher. They will be drying up. In the evening, they will be the first ones to leave the classroom because their walking is a bit challenged and they have to get out of the classroom if they are in a day school so that they can travel to their respective homes. So, when we allocate those funds, let us allocate them with a lot of equity. We should not allocate them equally but with equity; taking into consideration special schools although nowadays in this country, we advocate for integrated schools. The integrated system of education has limitations because there are some disabilities that cannot allow us to be integrated into the normal system of education. Where it is possible, for physical disabilities and persons with albinism, we should advocate for an integrated system of education.

The Ministry of Education, in realigning this policy, will benefit a lot from the UN Convention on Persons with Disabilities, the Persons with Disabilities Act of 2003, Sessional Paper No.14 and even the knowledge of Members of this House. I have in mind Hon. John Mbadi, son of Mbadi, who in 1996 set a particular policy that we call the 10<sup>th</sup> Strategic Management Unit at the University of Nairobi in terms of accommodation and costing of food. It was in 1996. Up to now, the university is still relying on that Strategic Management Unit of Hon. John Mbadi. Ten to 20 years later, they have not been able to get another best brain to set another unit. They will benefit a lot.



I joined the University of Nairobi in 1998. When we made this strategic plan, we were buying *ugali*, *sukuma wiki* and three pieces of meat at Kshs11. Some of this money that goes to waste and some of the best brains that we have in this House can be used to set up this policy and make sure that we do not waste a lot of public funds.

Lastly, we should also target the pastoralist community when we talk about 100 per cent transition. Hon. Kanchory has said that in pastoralist communities, if you talk about day schools and yet their way of life is nomadic; that is migrating from one point to another then it will not work. At times, the Maasai are in Tanzania. At times, the Somali from Marsabit are in Ethiopia in search of pasture and water for their livestock. If you talk about day schools, unless we also have mobile day schools like mobile clinics or the Beyond Zero clinics which follow the movement, it will not work. So, if we target the pastoralist regions, which form 80 per cent of the landmass of this country, we should think of day schools so that we can have the 100 per cent transition. Without that, you will get those children dropping out of school.

We also have challenges in most of those regions with Female Genital Mutilation (FGM) and so on. So, when we talk of this inclusive education, let us have a multi-sector approach so that we bring all sectors together to target and achieve the 100 per cent transition.

With those very many remarks, I support this Motion 100 per cent. I wish it could be turned into a Bill so that we make it a law and not only urge the Government. This is very important because education is the equaliser. It is known all over the world. It equalises the pastoralists with the non-pastoralist communities. It equalises children with disabilities with those without disabilities. It equalises everybody - the poor and the rich. We should give it the attention and the energy that it deserves.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): To my left, top on the list is Hon. Nguna Ngusya, the Member for Mwingi West.

**Hon. Charles Nguna** (Mwingi West, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity. I thank the Mover of the Motion. I rise to support this Motion because it is very critical. It is worthy to note that education is a fundamental right and it is enshrined in our Constitution. Again, it is worthy to note that education itself is not a preparation for life, but it is life itself. For this country to eliminate economic laziness, social stupidity, disease, hunger and poverty, we have to educate each and every member of the society. However, it is regrettable to note that most of our schools, especially the day schools, have inadequate infrastructure such as laboratories and dining halls. Of course, infrastructure enhances staff motivation. It is also worthy to note that most of the schools with good infrastructure relatively perform better compared to the ones which do not have infrastructure. That is why we are agitating for this Motion to be accorded the respect it deserves and to be implemented fully.

Majority of our day schools face acute shortage of teachers. Most of the teachers are totally unqualified. They are employed by the Boards of Management (BoMs) and parents. I would like to urge the country to speed up the process of employing more teachers and posting them to day schools. The same schools have an acute shortage of infrastructure such as labs. That is why if this Motion is passed, I know it will help our country. I do not have much to say. I support this Motion and it should be fully implemented.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Mutunga, you have the Floor.

**Hon. John Mutunga** (Tigania West, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to support this Motion. At the outset, I would like to lay out some of the facts in view of how the Kenyan Government has supported education in perspective. The Constitution of this country clearly specifies that the right to education is a basic right for the children of this country. A very specific citation is from Article 2(6) of the Constitution which ratifies most of the international treaties to protect the right to basic education which now forms the fundamental Kenyan law. The African Charter for the Rights and Welfare of the Child also emphasises the right to education. The United Nations International Convention on Social and Economic Rights also clearly speaks to the right to education. The United Nations Convention on the Rights of the Child, specifically Articles 28, 29 and 30, talk about education. Our own Constitution in Article 53(1)(b) states that every child has a right to free and compulsory basic education.

Article 43 refers to the right to education generally while Article 55(a) states that the State shall take measures, including affirmative action programmes, to ensure that the youth access the relevant education and training. I would also like to bring to the attention of the House Article 27(1) of the Constitution which gives the right to equal benefit of the law to every person. Article 27(2) articulates the full and equal enjoyment of all rights and fundamental freedoms while Article 27(3) prohibits the State from discriminating, directly or indirectly, against any person.

I base my support for this Motion on the issue of discrimination. A right delayed is a right denied. In this particular case, a right mismanaged is also a right denied to the Kenyan child. I thank Hon. Omboko for bringing this particular Motion. Just as the other Members who have spoken to it have said, I wish that it came as a Bill. The allocation of infrastructure resources at the level of 70 per cent in day secondary schools is what we need. What is happening right now, especially in our national schools, is appalling. The Government has made a policy decision to open up day classrooms in national schools. We are opening up the world to national schools. That is likely to bring in a lot of interference of the school management systems by the outside world.

Over-expansion of schools has led to schools having schools within schools. Some of the renowned national schools in this country have more than 1,500 children. With more than 1,500 children, it means that you have four schools in one. No wonder schools like Alliance High School, Alliance Girls High School, Mang'u High School and others have principals at every level of schooling. They have a principal for Form I, another for Form II, another for Form III, another for Form IV and then a general principal. This management system is failing in the sense that we are over-expanding the institutions we have when we can grow others.

Africa is leading as a continent in terms of the age of our population. We are leading in terms of the young population. That being the case, we should be more strategic in developing those institutions to match the other institutions that were developed in the past. We should not only dwell in expanding the institutions that we have beyond capacity. One of the questions we should be labouring with is at what point in time should we say Alliance High School, Alliance Girls High School, Mang'u High School or the other national schools have reached maximum expansion levels?

This Motion could not have come at a better time. It is necessary to urge the Government to allocate 70 per cent of the infrastructure resources to day secondary schools. Last year's results clearly spoke to the fact that day secondary schools are also capable of producing quality grades. There is a boy who was in a day secondary school and got an A minus. Most day secondary schools do not have enough facilities, classrooms and laboratories. Students do not sleep there. In some cases, there are no dining halls. The little money that they raise is from the NG-CDF which we allocate as Members of Parliament and is not enough to build infrastructure. It will, therefore, take a long time for us to develop those institutions to the level where others are. There is need for us, as a country, to look at how to develop those other institutions to match the national schools and the extra county schools.

Why should we develop those other institutions? The curriculum is the same. There is no curriculum for day secondary schools and another for national and extra county schools. It is the same curriculum. The examination is also the same. The approach to teaching should be the same. We should have standard schools. We should come up with a minimum standard for our secondary and primary schools in Kenya. We should develop all schools to match that standard so that all our children will be fairly treated. Therefore, we shall attest to delivering the rights that have been articulated so well in most of the documents that I referred to, namely, the international documents that we have signed and the Kenyan Constitution which specifies that we should not discriminate against children.

The Government's capitation that is given to secondary schools, as somebody has said, is very little. That money is calculated against the number of students within the Kenyan standing population. If it is calculated against the number of students, there are students in private schools who do not benefit from that money. Where does their money go? Why do private secondary schools also not benefit from capitation and yet, they are Kenyan children? Since they are Kenyan children and we should not deny them the right to benefit from Government support, this money should be better managed.

It has been alluded to on this Floor that Kshs1.6 billion has been allocated to the Ministry for disbursement. If that is the case, how is that money followed up to ensure that it is put into proper use? Since most of the systems and examinations are standardised, schools should be standardised. If people take science subjects and they do not have laboratories, they should not do the same exams with those who have laboratories. They can go to do it at any time in their life in school. Therefore, we should quickly invest in those schools to ensure that we have facilities and infrastructure that match the quality of education that we want to produce.

If a child goes to a day secondary school, it is like that child is already condemned to failing. They have shown us that they can get an A minus. Getting an A minus from a day secondary schools means that even day secondary school students can also pass those exams. We need to look at how we manage this particular process of standardisation. I propose that we improve those schools. Failure to take into consideration the contributions of those schools where the greater majority of poor children go is like perpetuating or sustaining poverty. If we give those children hope and enable them to attend school where they can have equal possibilities of passing examinations, we will be developing the Kenyan children in a standard way and giving all of them equal rights to education.

I support the Motion.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): What is it, Hon. Mbai Mbithuka? What is the intervention about?

**Hon. Nimrod Mbai** (Kitui East, JP): Thank you, Hon. Temporary Deputy Speaker. My concern is that this Motion is touching on the country and most of us are interested in speaking to it. I request that we reduce the time Members take from five minutes to three minutes so that we can accommodate most of us.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Mbai, that is a good request. It is coming slightly late. Ideally, the rule is that one would rise on a point of order before the beginning of the Order and request the House to resolve the reduction of time. That is gone. It could be that you are persuading the Hon. Members who will get a chance. They are persuaded but we shall see. I can tell there is a bit of interest on this one. Many Members want to speak to it. I cannot direct Members. Let us see with the first one who is on top on the list on my left.

Yes, Hon. Mukhwana Khamala. I hope I have pronounced your name correctly.

**Hon. Titus Khamala** (Lurambi, ANC): Hon. Temporary Deputy Speaker, I want to thank you for giving me an opportunity to contribute to this Motion by my very good friend, Hon. Omboko, on the criteria for allocation of school infrastructure improvement funds. I want to take a few minutes to highlight one of the problems we have currently. The challenge we have is on the quality of education. It is compromised. Our school facilities are overstretched with 100 per cent transition. There are so many pupils all the way from Early Childhood Development Education (ECDE) and the classrooms that are available are not enough.

I visited a school in Lurambi Constituency recently and found learners learning while seated on the floor because the desks were not enough. The Government is aggressive and ambitious in making sure that our children go to school. The same system that has been put in place is the challenge to the good thinking of the Government. We take all our students to the existing classrooms and buildings and give them poor quality education. We are exporting the same to institutions of higher learning. When we have low and poor quality education infrastructure in our primary schools, do not think that we will do any better in high schools, universities and colleges. If you look at the university education that we have right now and the same quality of education we had 20 or 30 years ago, you will find that there is a very big difference because those challenges begin right from ECDE.

This Motion is very important because it considers the security and health of the learners. The other day I watched a programme on television about deaths in dormitories. There is congestion in dormitories. A dormitory that is supposed to accommodate 40 or 50 students accommodates 150 students. In case of a fire outbreak, there are not enough exits to facilitate evacuation of the huge population of students. Therefore, I highly support this Motion by this wonderful teacher, Hon. Omboko Milemba, because we have compromised the standards of our education.

I want to be honest before this honourable House. The Government wants 100 per cent transition, a new curriculum and every child to go to school. Most of the parents are reluctant to take care of schools in my constituency because everything is free. The Government wants free education and we want our children to go to school. Are we ready for that? Is the Government providing the resources for this? That is why I support that going forward we must strengthen the NG-CDF because this is the only fund that is doing tangible work on the ground. I have used the

NG-CDF to construct many classrooms in my constituency. I have been told of a school called Shiunzu back in my constituency that does not have toilets. We have money for infrastructure development in the Ministry of Education, Science and Technology. There is a lot of bureaucracy in the disbursement of that money.

A former Cabinet Secretary, Ministry of Education, Science and Technology came to a school in my constituency and promised to give a certain amount of money but, up to now, we have never seen it. It was not brought. It was promised in January, 2018. Do you think that learners will wait for the promise, unless as a bishop, they ask me to pray, intercede and fast to call on heaven to bring the money from the National Treasury?

I want to support this Motion and urge this honourable House to get together, so that we make sure that we have a grip and put our feet down to support our learning institutions because they are chaotic. Kakamega High School is in my constituency. The learners are about to learn under trees because a class has 80 students. You can imagine being a teacher and you have 80 students in a classroom. I am thankful that this House has wonderful teachers like Hon. Omboko Milemba and Hon. Sossion. Another teacher is here. Think about standing in front of 80 learners in one classroom. That cannot work. There is no quality learning in our learning institutions. We are taking half-baked material to institutions of higher learning. Those students cannot compete on the global platform. Our world is a global village today. Somebody will go to school in Nairobi but he will not go to work in Singapore, Malaysia or Chicago or the United States of America (USA). If students do not get quality education, they will crow like the way a rooster crows in the village but when they get on the other side, they cannot compete.

The Ministry of Education, Science and Technology is chaotic. I hope and pray that Prof. Magoha will bring in his knowledge and work with stakeholders but not as a lone ranger, so that he can clean the mess. We should formulate policies that will get us out of this mess. The National Assembly should come up with legislation, so that people do not waste money and make roadside declarations which do not materialise. There is congestion in schools today. There were chaos during the Form I intake. The intake was supposed to come from Jogoo House but the principals were doing other intakes on the other side. It was chaotic. We have to look at the challenges in the education sector holistically. We cannot do piecemeal legislation. I want to congratulate Hon. Omboko Milemba. He has my support and prayers so that this Motion can go through and we get quality education.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Mukhwana was not convinced and persuaded by Hon. Mbai. Let us see whether Hon. Pukose will be persuaded.

**Hon. (Dr.) Robert Pukose** (Endebess, JP): Hon. Temporary Deputy Speaker, I am persuaded by what the Member has said. I stand to support this Motion by Hon. Omboko Milemba. I wish that it resolves something, but not urging the Government to provide the funds for improvement of schools infrastructure. That is because when we keep on urging it to do something, we do not achieve it.

On the education sector today, I am a little bit disappointed because there was a fire outbreak in my former school, St. Joseph High School, Kitale between 8.00 p.m. and 11.00 p.m. in the dormitories. It seems that is the trend within that region. The dormitories of a neighbouring county school, Chewoyet High School, also burnt recently. This is a very sad issue. It needs

proper investigations and the culprits should be arrested because if this kind of thing spreads to other schools, then it will be disappointing.

The Motion urges the Government to allocate 70 per cent of the total funds allocated under secondary school infrastructure improvement programme to the public day secondary schools. It is a good proposal but it needs to be actualised. I urge the Ministry of Education to reduce bureaucracy. The last Parliament set up some money for infrastructure in all the 290 constituencies. However, that money took a lot of time to be disbursed and it became even more expensive. The amount of money that was allocated did not achieve what we wanted. We hope Prof. Magoha will streamline the Ministry and take it to greater heights from where Matiang'i left it. The former Cabinet Secretary, Hon. Amina Mohamed did not leave a very good mark considering that when she came in, one of the things she stopped was registration of new schools. She left a bad mark. If you stop registration of new schools and yet we are talking about 100 per cent transitioning from primary to secondary schools, where will the students go? If you stop the establishment of new secondary schools, it means that the transiting students will not have any school to go to. For instance, in Endebess Constituency which I represent we have three secondary schools. They are Lutasu Secondary School, Kietike Secondary School and Chepchoina Secondary School.

Currently, they have students in class but are not fully registered. They do not have teachers and principals from the Teachers Service Commission (TSC). They are managed by neighbouring schools. This is a very sad affair. Had those schools been properly registered and got proper principals from the TSC, the children would have been assured of their education. A Question on this matter will be asked on the Floor, hopefully, next week. I really want this matter to be addressed.

Prof. Magoha is a hardworking citizen. He was my supervisor for my post-graduate in general surgery and at the same time, the Vice-Chancellor of the University of Nairobi. He could create time to supervise me. It shows how much energy and dedication he has. We hope the House will approve his appointment as the Cabinet Secretary for the Ministry of Education, Science and Technology so that he can deliver. That Ministry requires a lot of support and guidance because we need to get our education system on a proper footing.

With those few remarks, I support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): We will get more Members to speak to it. I have to give a chance to Members on both sides of the House. You will get a chance if we do it the way Hon. Pukose has done it.

Before I give a chance to Hon. Baya, allow me to recognise in the Public Gallery, students of St. Anthony Secondary School from Narok East Constituency, Narok County.

Yes, Hon. Baya.

**Hon. Owen Baya** (Kilifi North, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to support the Motion and congratulate my brother, Hon. Omboko Milemba for bringing it to the House. I would also like to echo the sentiments by Members that we need to craft a Bill out of this Motion so that we can compel the Government to do what Hon. Omboko Milemba has envisioned here.

Education is a blend of infrastructure, a good curriculum, good human resource and leadership. We have done a lot in this country, but we have not steered infrastructure development in our schools. There are many schools that would like to admit students, but they

cannot because they do not have the requisite infrastructure. The Government policy on 100 per cent transition is a noble idea. If you look at economics of education, we are told that the benefits of education, especially from primary to secondary school, are higher in a country because education has more social benefits. It is prudent to have all our children go up to Form IV. They need to finish high school and then go to other areas. But as it is today, even if we struggle for a 100 per cent transition, the quality of that education--- If you have a good infrastructure in a school, it will improve the retention rates of children. It will also keep teachers in schools.

Today, we have schools in this country where a teacher cannot afford a chair and a table to do his work. There are teachers who have to sit under a tree to mark pupils' books. That tells us that such teachers are demotivated. We have a teacher who goes to a classroom that is so dilapidated that he does not feel like he is an officer in a particular job group and ranking. He or she likens themselves to other teachers in better schools. That, in itself, demotivates and reduces the retention rate for teachers in schools. That is why teachers do not feel like going to school because when they leave their beautiful homes and go to work in a place that is demotivating, they do not want to be there the next minute. Indeed, that compromises the quality of education.

On the part of learners, they lose self-confidence if they go to a school that does not have proper infrastructure. Think of a Form IV student in a dilapidated school in the rural part of Kilifi County and his or her counterpart in a school in Nairobi. Both of them have to sit the same O-Level examination at the same time. You can imagine the consequences of not providing the infrastructure to the student in Kilifi. The performance can never be the same.

So, in order to bridge the gap between the poor and the rich in this country, or to bridge the gap between failing and passing, the Government must make a deliberate move to ensure there is infrastructure.

Let me go back to what my friend Hon. Milemba said. We need to relook at day schools. If we build and equip more day schools and give them more quality infrastructure, this country will never be the same.

The studies of Smith and Sholes in the United States of America on the development trajectory reveal that the United States had an upper hand in development because it had better education. Today, we still say that Kenya was at one point at the same level with Malaysia and Singapore. However, if you look at the reason Kenya lagged behind those economic tigers, you will realise it is because of the quality of education in this country. They invested a lot more in infrastructure and quality of education and shot up the economic trajectory. Kenya lagged behind because we made lesser and lesser investment in education.

The Constitution envisages equalisation of the country so that the areas that were initially marginalised can move to the same level with other places. There is a fund in the Constitution of 0.5 per cent, which also caters for education. The only four areas highlighted in the Constitution are education, housing, health and roads. But if you ask the National Treasury how much money for infrastructure development it has disbursed under the Equalisation Fund, you will not get an answer. The country's development trajectory in the future depends on education.

In Kilifi County, many children are *boda boda* riders. If you ask why, they tell you they did not get an opportunity to go to high school because there was no space. They will also tell you there is no school and opportunity. This country needs to create opportunities by building more day schools so that every child that finishes primary school accesses a secondary school. A six-year-old child must access a primary school. It is very sad to note that children do not access

schools because the schools are more than ten kilometers away from their homes. How does a six-year-old child get to such a school that is very far away? We need to have a deliberate policy to reduce the distance from home to school for primary and secondary schools. Every child must have the opportunity to go to school. One of the reasons countries have governments is that governments need to create opportunities for their citizens. Now, the greatest opportunity that a country or a government can ever create is the opportunity to give a child an opportunity to go to school. That is what we need to do.

Therefore, when the estimates will come to this House, we should be very keen to see how much money is going specifically to education. The future of education, the future of the children, the future of this nation and economic development of this country will depend on nothing else but the education that we give to our people.

The social benefits to education are very many. If people are educated in a country, they will ensure that there is better participation, better governance, better agriculture and better maternal health care. We shall spend less money in health if the people have a good education. We shall produce more food if the people are properly educated because they will have more technological advances in agriculture. They will do better farming. If people are educated, they will take care of the young people better; children will be brought up well. There will be fewer diseases if we invest in education.

The first thing we need to do is to ensure there is a school. What quality of a school do we need? We need good infrastructure. When some of the kids that come from rural areas go for interviews, they fail to get jobs because their self-esteem is low because of where they have come from. The Government has not invested in their school. They look at themselves as inferior and, therefore, the gap between the rich and the poor in this country continues to widen. That is because others are going to better schools where there is better infrastructure and better layout than others. Therefore, we continue growing the gap between the poor and the rich. But there must be a deliberate effort to ensure that if a school is being put up, it must have some certain standards and quality. It is the responsibility of the Government to ensure that this service or this fundamental right is provided to the people and the children of this country. I like what the President said the other day. He said that he will ensure that every child in this country goes to school. He even said that even if children must go to school and there are no classes and they have to study under trees, it is still okay. That is because they are in school. That should be taken forward by the Ministry of Education, Science and Technology to ensure that the President's dream to ensure that everybody goes to school is not curtailed by lack of facilities in schools.

Hon. Temporary Deputy Speaker, I want to thank you and support the Motion by my friend.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): The next is speaker is Hon. Kega.

**Hon. Kanini Kega** (Kieni, JP): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this very important Motion by my very good friend, *mwalimu*, Hon. Omboko Milemba. They say that education is key to success. It is actually true. I believe that most of us are here courtesy of going to school, save for a few.

Education receives one of the biggest budget allocation in the budget that we do. Apart from the Recurrent Expenditure that goes to pay salaries, paying of rent and all that, the rest of



the money goes to development. If you look back and check what happens with the developmental money, you will find that there is nothing to write home about. The Ministry of Education has to get its priorities right.

I was in the 11<sup>th</sup> Parliament where we agreed that the tablets and the laptops are a failed project. Some of us were against it from the word go. We thought that we first needed to improve the infrastructure of institutions before we embarked on those gadgets. Now those gadgets are lying idle. They are not being used. We spent over Kshs25 billion on the laptops which, of course, was a failed project.

The Ministry of Education, Science and Technology allocates billions of shillings every year to buy computers. If you ask Members of Parliament here which schools in their constituencies have been allocated those computers, you will find they are very few cases. In fact, from where I sit, the next place the DCI should camp is the Ministry of Education, Science and Technology. I am happy that, at least, now we have a Cabinet Secretary who has said from the outset that he is going there with a very big broom because there are a lot of not-very-good-things happening in the Ministry.

I support what Hon. Omboko Milemba is proposing. The money for infrastructure should be done through capitation. There could be some Members here who can say that we allocate this money through the NG-CDF. Last week, I had a very candid discussion with a Member of Parliament from Nairobi County. He confided in me that he has only three public primary schools and two secondary schools in his constituency. In my constituency, I have 115 public primary schools and 56 secondary schools. A lot of inequalities. We cannot channel it through NG-CDF. The NG-CDF has its own challenges especially in term of resource allocation. Of course, that is a debate for another day. Through capitation or through per capita, definitely it will trickle down to individuals.

When we were growing up and going to school, we were all looking forward to joining public secondary schools, mostly national schools. Some of us were not able to make it to the national schools but, somehow, we made it to the university. These days, the same schools that we were yearning to be part of, most of the students in them are complaining. The national schools are overstretched. You have one classroom with about 100 students and only one teacher. When you increase the number of students in a school, definitely you need more classrooms, more teachers, a bigger dining hall, a bigger kitchen and more toilets. Unfortunately, we are concentrating on admitting very many students in a school without considering that you need good infrastructure for those students.

We have travelled to other countries. You have seen, for example, America and UK do not have boarding schools. Most of the schools are day schools. We need to help the day schools because that is where we are headed to. In fact, we went through public day schools and we made it. If we are able to improve the infrastructure of those institutions, definitely, we will be giving many students an opportunity to achieve what they want to do in life.

Finally, with regard to the issue of corruption, we have seen that if you are building a classroom through the Ministry, you will see that one classroom is costing in excess of Kshs3 million. The same classroom that you are doing through NG-CDF goes for a maximum of Kshs1 million. Even the resources that are channeled through the Ministries do not have value for money. It is clear in the Constitution that we should have value for money.

So, I support this Motion and I believe and hope that we are going to transit the same to become a Bill and, maybe, in the near future, have it implemented as opposed to us urging the Government. Urging is a question of whether to do it or not. Thank you for giving me this opportunity and I urge my colleague who is my good friend and my colleague in football for bringing this very important Motion.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Odhiambo Akoth, you have the Floor.

**Hon. (Ms.) Odhiambo-Mabona** (Suba North, ODM): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. I hope I will be able to obey the unwritten rule. I would wish to thank Hon. Milemba for bringing this Motion. The only thing that I wished is that we moved away from urging the Government. I do not know why he was not brave enough to say the House resolves. When we urge the Government, even when it is a noble initiative, it does not go far.

As is indicated, the Constitution under Article 53 guarantees the right to education for every child, which is also provided under the convention on the rights of the child and other treaties that we have ratified as a country. However, one of the core issues that is of challenge is the issue of equity. Equity should follow equality. Most of the time, people raise it as contradictory when it is not. Even though we all aspire for equality, there are areas that traditionally have been left behind; they have been marginalised. For us to reach that, what we need is to provide special resources so that they are able to reach where other parts of the country have reached including my own constituency, Suba North. Also, if you look at the way the terrains of some of those constituencies are, in my constituency for example, we have seven habitable highlands. When I became a Member of Parliament is when we brought the first ever classroom. So it has one classroom and not one school, otherwise, most of the kids were moving from the island to the main land daily to go to school.

Hon. Temporary Deputy Speaker, if you look at the dynamics in every constituency with those challenges, then it means there are areas that need to be fast-tracked so that they reach where others are otherwise, I think the issue of capitation that the Government has provided for infrastructure is very important. It is enabling children or improvement in infrastructure. I also want to congratulate the Government on the issue of 100 per cent transition rates which of course for other socio-economic factors may not be possible to realise like the ones that I have indicated before.

I have another island which is almost... I do not want to talk about the nautical miles because other Members talk of kilometres while I talk of nautical miles. So, I would say if you go by speed boat, it is one hour away from the main land. The Budget and Appropriations Committee in the last House had promised to go there so that they understand how we are different in terms of constituencies. They were only able to move on water for 10 minutes when they said they could not because they were scared of the water but, some of us live through that daily. There is a school in that island that was built less than 10 years ago, many years after Independence. It shows you that even one of the things we have said before that NG-CDF equalises regions is wrong; it can never be equal. That is why we need equity.

Hon. Temporary Deputy Speaker, I had a lot to say but because I want to be mindful of other Members as we have said, I will leave the rest so that other Members can get an opportunity.

I support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): I can see that one of the schools is from Runyenjes. I will, therefore, give the Member for Runyenjes an opportunity. I think that school was introduced as Kavutiri. We also have one seated at the Public Gallery, Elerai Girls High School from Kajiado East, Kajiado County.

**Hon. Erick Njiru** (Runyenjes, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me a chance to add my voice to this Motion by my fellow Member of Parliament, Hon. Omboko Milemba.

One thing that I noticed and has interested me is that the Member is talking about day secondary schools. I believe there is a very bright future for our day secondary schools in our country. For example, in my constituency, the top 10 secondary schools that did very well in last year's exam, we had more day secondary schools than boarding schools. It is also on record that so many of our students in day secondary schools are doing quite well these days than before. So, there is need to support these day secondary schools with infrastructure; funds to construct classes so that they can have a good environment as they undertake their studies.

We are debating this Motion at a time when one of the schools has visited me. It is Kavutiri Day Secondary School which is in Runyenjes Constituency. Unfortunately, it is one of the schools that are affected. It lacks classes, dining hall and laboratories. I believe if we support this Motion by our colleague, it will go a long way in helping several other schools that do not have these facilities.

Hon. Temporary Deputy Speaker, the NG-CDF is not sufficient to fund all our schools at the same time. Going by the mood of the House, and the contributions by the other Members, this Fund cannot be enough to fund our schools at the same time. I believe now that we are going to have a new CS for Education, it is important that the Ministry lays emphasis on these schools so that, at least, we can have a better learning environment in our schools.

Thank you, Hon. Temporary Deputy Speaker. I support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Very well. Hon. Wanyonyi Kevin, the Floor is yours.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Thank you, Hon. Temporary Deputy Speaker, for the opportunity. At the outset, I want to take this opportunity to thank Hon. Omboko. Once a teacher, always a teacher. Thank you for the Motion well presented. It had all the details one would think of. Probably, this could have come as a Bill. That notwithstanding, and the fact that we have started, we hope that eventually we will resolve as a House and not urge the Ministry that most of the items that he has actually mentioned should be implemented. I hope the implementing Committee is here and we can implement some of the actions that we are actually trying to work on.

First and foremost, our schools are overstretched and constrained in terms of infrastructure. Looking at the Motion, it is talking about infrastructure improvements. My constituency, Kwanza, has 72 secondary schools and 148 primary schools. We are overstretched. The NG-CDF money that has been coming in very low percentages cannot do anything. If you look at the laboratories, toilets, classrooms and other infrastructure they are not complete. The Ministry of Education should come clear. We give so much money in budgetary allocations. The Ministry of Education gets most of the budget allocations. The proportion is high, but I want to agree with the Mover that some principals find their way to the Ministry of Education to get

more than others. I have all the reasons to believe that some principals manage to get to the Ministry and get as high as Kshs63 million or 70 million as allocation. Other poor principals may be getting about Kshs10 million only.

Corruption is in the making and I hope Prof. Magoha, whom we will get tomorrow as the new CS, is a very thorough man. The Ministry is disorganised and this can be seen in some of the policies that have come up, like delocalisation of teachers. We have teachers who are being delocalised and it is being done as if they are being punished. They are sent miles away from their homes. Many have become demoralised and by the time they get to the new schools, they just do not work. By midweek, they go back to their homes. Hopefully someone in the Ministry is hearing us. We are against that policy of delocalization. It is not helping, but rather demoralising our teachers who are very hard-working and it should be stopped forthwith. I hope it is part of the resolutions that Hon. Omboko will come up with.

For those of us who were in the previous Parliament, some monies were deducted from the NG-CDF and given to the Ministry. I never got anything. As a constituency, I never got anything and no wonder we have this problem. We have to ask the Cabinet Secretary for Education to double the amount. If they want more money to be allocated, they may come to the Departmental Committee on Education and Research and request for a supplementary allocation.

Lastly, it is a fact that some of the students walk long stretches from their homes to their schools. I want the Ministry to improve on the boarding facilities. In my constituency, I know of students who walk for 10 kilometres to go to school. That does not bring good results at the end of the day. So, the number of pupils in a school should be commensurate to the infrastructure at the schools. When I was benchmarking, I went to a classroom in a school in a constituency in Kakamega County - I do not want to name it - and I was amazed. Ideally, a classroom is supposed to accommodate 45 pupils, but at that particular school, there was a classroom which was accommodating more than 110 pupils. The teacher could not stand and teach. He had to manoeuvre his way to control pupils. Some of the pupils were near the blackboard and were not able to see what the teacher was writing. Therefore, the Ministry of Education should ask for more funds to improve the infrastructure in existing schools and establish more schools.

With those few remarks, I want to donate my one minute to...

*(Laughter)*

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Wanyonyi, you know you are out of order.

**Hon. Ferdinand Wanyonyi** (Kwanza, FORD-K): Sorry, Hon. Temporary Deputy Speaker. It was a request by my neighbour here. I thought I was just being a good man by allocating him a minute.

With those few remarks, I support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Order! Hon. Wanyonyi, you cannot have bilateral agreement there. It is only the Speaker who can do that. I can tell from my list of interventions that, whoever you want to donate part of your time to are not on the request list.

Next is Hon. Oyioka Oroo. Hon. Washiali, you will definitely get a chance to contribute. I have seen you.

**Hon. John Oyioka** (Bonchari, PDP): Thank you, Hon. Temporary Deputy Speaker. At the outset, I stand to support this Motion that has been sponsored by Hon. Milemba. When it comes to the issue of access, we are almost reaching a point where all the pupils moving from primary school get placement in secondary schools. The only problem is that the 100 per cent transition of students to secondary schools has created a problem in the quality of education. The quality of education will be compromised because most secondary schools do not have adequate tuition facilities such as classrooms, laboratories, computer rooms, recreational facilities, *et cetera*. Therefore, we cannot attain quality education. Other than the tuition facilities, we also do not have adequate teaching staff. In secondary schools we talk of curriculum-based establishment. It is not a teacher per class as it is in primary schools. We have big shortfalls. Therefore, teaching is not adequate. This also affects the quality of education in secondary schools. That is why I support this Motion. On capitation grants, more money should be given to day schools because most of the pupils who have gone to secondary schools are joining day schools.

There is the issue of curriculum supervision. This is important, if we have to attain the necessary quality of education to enable our people who are moving out of the Kenyan education to fit into international jobs. If there is no adequate curriculum supervision, we shall compromise the quality. The Ministry is unable to send adequate staff to take care of quality assurance and standards. I have visited several primary and secondary schools in my constituency and I cannot trace the last time a quality assurance officer visited those schools. This, therefore, means that the supervision of the curriculum is missing. I wish to recommend that the Ministry of Education moves away from sending their officers to supervise schools, especially secondary schools, to be allowed to appoint their own quality assurance staff to take care of that section in individual schools. This will be a good option for them to take.

On evaluation, once the curriculum has been put in place, it must be evaluated. Without curriculum evaluation, we cannot know how far we have moved and whether the teaching is effective. We cannot measure the standards unless there is curriculum evaluation. At the moment, the evaluation we have is examination-centred. This is a system where a child gets to Form One and moves all the way to Form Four and is tested at the end of the fourth year's curriculum. You administer an examination that lasts for two hours and then that examination is marked and the student is judged to have failed or passed. That is extremely unfair. I hope as we move to the new curriculum, we will adopt a different system of curriculum evaluation through continuous assessment tests, whose grades should be computerised and kept. All the grades through the entire four-year curriculum should be taken into account when giving the final evaluation for a candidate. That will be the best thing to do.

On facilities available in secondary schools, we are lucky to have the NG-CDF. It has made a big change in terms of the facilities we have in schools. More funds, including the capitation per student, should be given to the NG-CDF. We do not know the parameters that are used to allocate money to constituencies. In my constituency, for the last one year I have been in charge, I have not seen any money from the Ministry of Education going to any secondary school directly. So, if this money was to be put into the NG-CDF, we would put it into better use. I know of funds which have gone directly to schools from the Ministry and other areas. In most cases the type of work that is done on the ground is overrated. I concur with the hon. Member

who said that some of us are able to construct a good classroom with only Kshs500,000 but other people will tell you that constructing one classroom costs Kshs2 million. That is not in order.

Lastly, Hon. Milemba is right in referring to our secondary education system as free tuition secondary education. It is not free. To say that secondary education is free *per se* is paradoxical. Parents have to go into their pockets to support secondary school education of their children through lunch programmes and other programmes. The lunch programme can be better managed if the NG-CDF could allocate some money to schools for that purpose instead of school management boards asking parents to pay for it. Poor parents cannot afford the lunch programme. In most instances, their children stay at home. In my constituency, I have tried to enforce that it is illegal for principals to put children out of school because of the lunch programme. I have not succeeded because they say that it is a resolution of the Ministry of Education. Parents are coerced in most cases to accept. They are even threatened that if they do not pay for the lunch programme, they should take their children back home. We should look for a way of supporting these poor children by giving them money from the NG-CDF because as at now, we are not allocating any money for students in day schools for their lunch.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Peter Kimaru.

**Hon. Peter Kimaru** (Mathioya, JP): Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to speak to this important Motion by Hon. Omboko Milemba on the criteria of the allocation of the infrastructure improvement funds to schools. I would like to address this single area because the criterion is the jinx of the whole Motion. We know that infrastructure funds play an important role in our schools through building laboratories, classes and dormitories. We have seen how these funds are skewed. One institution receives Kshs80 million, some receive Kshs20 million, Kshs10 million, Kshs5 million while others do not receive a single shilling. The manner in which distribution of these funds has been done before is the biggest problem.

I support what Hon. Omboko seeks to address by asking that we ensure these funds are allocated on a capitation basis so that it will be the number of students in an institution that will determine the funds that it will receive. Once we address that, I believe equity will be achieved in provision of these funds.

Hon. Temporary Deputy Speaker, if the matter of equity is addressed, in future, as Members of Parliament, we will support a better budget for the infrastructure funds because our institutions need them. Even though we are supporting many institutions through the NG-CDF money, we still have a lot that needs to be done. It is necessary that equity is displayed. According to the data by Hon. Omboko, only Kshs2billion is allocated to infrastructure funds. We want to request that this kitty is enhanced but we must see equity.

We also need to address the issue of wastages in some of our ministries. We must look at the issue of allocation of books to schools. I understand that a few years ago, only a few students had books in schools but now, unnecessary books that are not even needed have been dumped in schools. We must address that area because it only creates wastage. A Form One student does not have books yet books for Forms 2, 3, and 4 have already been distributed. Some institutions do not have libraries to store these books. Infrastructure funds will help in building the right infrastructure.

I support and hope this Motion will come to fruition and that it will be implemented to the letter.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. (Dr.) Otiende Amollo.

**Hon. (Dr.) Otiende Amollo** (Rarieda, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Motion but with a slight variation. This is a timely Motion and the suggestion for 70 per cent allocation to day schools is appropriate noting that in terms of proportionality, 75 per cent of secondary schools in this country are day schools. I want to request Hon. Omboko to consider that we raise the allocation to 75 per cent instead of 70 per cent. It is possible and I have heard some arguments that by suggesting that these funds go to day schools, we are punishing excellence and seeking to deny students who have excelled and have therefore gone to boarding schools, including national schools. It should be noted that, that is not the case.

First of all, there are free day secondary schools and the component of Kshs6000 for maintenance and improvement for all other schools. This other money for this year's allocation was Kshs59 billion. So, students who have excelled and are in boarding schools, including national schools, already have a large component that goes to maintenance and improvement of the schools. Those schools already have good infrastructure and there is an allocation for better infrastructure. By dedicating this percentage to day schools, we are adjusting to bring those who are immensely disadvantaged on board. We know that the children of the poor always go to day schools. As we do this, it should be noted that in comparison, the infrastructure funding for this year should be called the Transitional Infrastructure Grant (TIG), and it is only Kshs1.5 billion. To dedicate this amount, which should be increased, to day schools is to try and bridge the gap between the poor and the rich.

As we do that, we should take note of equity and equitability. As we allocate these funds, we should take note that in previous allocations, these monies have not been granted equitably or with utmost equity between the constituencies. It is true that a survey of the grants demonstrate that there are schools and constituencies that have benefitted more than others. It is important that these funds are spread across the board.

I want to urge the Mover to abandon the idea of making this allocation by way of capitation grant. I will urge the Mover to consider a study done by Dr. S.W. Ngigi from Kenyatta University, which I have already drawn his attention to. The idea of capitation gives a specific allocation per student. As of 2016, it was about Kshs12,870. If we go by way of capitation, the small day schools will be greatly disadvantaged compared to the bigger day schools. There are day schools that have students as few as 50 and others have more than 2000 students. If we go that way, a day school with only 50 students, which even needs more infrastructure, will get very little money and a boarding school with 2000 students per capitation will get more money. While we would have succeeded in bridging the gap by focusing on day schools, we would have succeeded in disadvantaging the new and smaller day schools and advantaging the bigger day schools. That is a contradiction. I want to urge Hon. Omboko Milemba to reconsider that category.

Hon. Temporary Deputy Speaker, should we give a primary role to the elected Members of Parliament? As we consider this, I want to urge that the Member of Parliament plays a central role. I urge that as we consider this, the Member of Parliament should play a central role. It is true that in some of these allocations, other interveners either from the schools or ministries have

sometimes had a say and influence on which schools to benefit. I do not think there is anyone in any constituency who understands the schools that are needy more than the elected Members of Parliament.

While I appreciate what Hon. Kega was saying that in some instances some constituencies have fewer schools than others, I think the principle should be that the allocations should take into account the number of day schools that a constituency has. Once it has considered that, then the Member of Parliament should gain primacy in making that determination because Members of Parliament also have the advantage of knowing the allocation they give and to which schools in terms of the National Government Constituencies Development Fund (NG-CDF). Therefore, they will be strike balance that is necessary to ensure equity and fairness.

With that, I support the Motion.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Before I give the Floor to Hon. Washiali, who has been extremely patient, let me get Hon. Mwirigi Paul.

**Hon. John Paul Mwirigi** (Igembe South, Independent): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this important Motion. I take note that education is a key factor in the Republic of Kenya. At the same time, the Government has instructed that we are supposed to have 100 per cent transition from primary to secondary school.

Quality education is a requirement to all students and we cannot attain quality education in schools where we do not have enough facilities. You will note that many students are streaming to secondary schools whose infrastructure is not enough. You will see one class having more than 100 students meaning that the students will not get enough from the instructor or teacher who is giving instructions.

I would like to join hands with my fellow Members who are supporting this Motion so that the Government can take an initiative of giving these institutions funds. This is because the Government does not allocate them adequate funds. I would like to request that when funds are being allocated, the Member of Parliament should know the amount which is allocated per constituency by the Ministry. This is because the distribution which is made by the Ministry of Education does not factor in all the constituencies equally. This is why you will find some secondary schools without enough facilities such as laboratories, dining halls and administration blocks. For example, in my constituency, Kirindini Day Secondary School is affected. I was a day scholar and as a day scholar, I understand all the problems which a day student encounters.

The Government cancelled the registration of new schools. I urge it to reinstate it so that we add more schools which can absorb students since the government wants 100 per cent transition. Since we have more students in our secondary schools, I urge the government to employ more teachers. The problem our school is experiencing is lack of enough teachers. Most schools do not have enough teachers. We would like the Government to recruit more teachers. Since the Government wants to see pupils go to secondary schools, we would like to see it employ more teachers so that we can have enough teachers to teach the students who are joining the institutions.

With those few remarks, I beg to support. Thank you very much.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Yes, Hon. Jomo.



**Hon. Benjamin Washiali** (Mumias East, JP): Thank you, Hon. Temporary Deputy Speaker, for noticing my patience. I have actually been patient here for quite some time. This is because of this system. It blinks and when it does, it erases all the requests that we have made and it forces us to go back to square one. Sometimes it blinks when I am away from my desk, given my other role in this House, and so I am not able to put in my request as soon as it is supposed to be made.

Allow me to thank Hon. Omboko for bringing this very important Motion. It is a well thought out Motion. I would like to join my colleagues who I have heard very clearly. We want to encourage Members to start bringing Bills as opposed to Motions.

Hon. Temporary Deputy Speaker, there was a very important communication in which it was stated that the leadership of this House has now reduced the period it takes to bring forth a Bill. That is why even in today's Order Paper, you will see a number of Bills that will be going through First Reading. We should take advantage of the new position.

We have been debating about a formula. Indeed, the biggest problem is the formula. Allow me to thank the Member of Parliament. The problem we are discussing about our day schools today was alleviated by the management of the NG-CDF. There is minimal difference between the schools that are properly funded and the ones that are not.

Secondary school education is a function of the national Government. Before I say what I wanted to say about the function of the Government, allow me also to thank the Governor of Kakamega, Hon. Wycliffe Ambetsa Oparanya. Despite the fact that this is a national Government function, he has gone out of his way to fund two secondary schools in each constituency, including mine in Mumias East. He has given money to Isenye Girls Secondary School and Lubinu Secondary School just to provide or create opportunity for more students to go to school. I think we cannot fail to recognise that effort. No wonder he is the Chair of the Council of Governors.

In order to realise the 100 per cent transition, which actually confirms the right of Kenyans to basic education, the Ministry of Education, Science and Technology last year, gave money to our secondary schools to develop at least one classroom each. The students who were in Form One out of that programme are now in Form Two and yet the Ministry did not make a follow up. Any student going to Form One might definitely end up going to Form Two and progress all the way to Form Four. What has happened? The Ministry did not allocate further funding. This tells us that there is a very serious problem in how this money is distributed.

If my memory serves me right, last year we had some amount of money under the NG – CDF that was contested. I am sure many of my colleagues proposed that this money be channelled through the Ministry of Education. Those of us who channeled the funding through the Ministry of Education never received the same amount of money in the constituencies. I do not know whether I am alone or many other Members had the same experience. In my constituency, we channeled about Kshs30 million through the Ministry of Education. What ended up coming to the constituency was about Kshs10 million with a condition that Kshs1.2 million should be used to build a class, a figure that we never use under NG-CDF to build a classroom. This tells you that there is a problem in the Ministry.

This should have been a Bill because it would have helped us arrive on a formulae that would be fair to all the schools. I have seen the proposal in this Motion but I am scared to support that formula because there is already a lot of unfairness on the ground. If today you

introduced this formula that would mean that the schools that have been unfairly treated would always remain poor and the schools that have had funding would always get more money. Because of the previous funding, those schools would have attracted more students and, therefore, the capitation per student would definitely advantage them.

I want to be sensitive to my colleagues. As the leadership of this country, we have been unfair and insensitive. How do we dispense the same exams or subject students of this country to the same exams when we have not fairly distributed the facilities? I hope you have my attention, Hon. Temporary Deputy Speaker, the other day we saw a school in Baringo where students were sitting under a tree with a teacher. There were about eight students. The incentives of students going to school in places like Baringo and Turkana where there is hunger is wanting. At the end of the year, you will find that those students in Baringo and those in Nairobi School, Lenana School and other well-to-do schools doing the same exams. How do you compare those two situations?

I emphasise that good Members like Hon. Omboko Milemba and any other Member who would want to propose a Motion that would help this nation should convert this into a Bill. A Motion is good but a Bill is better because we can subject our officers or the Executive to the rules that they need to take as they allocate those funds.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): To my left, let us have Hon. Onyiego Osoro.

**Hon. Silvanus Onyiego** (South Mugirango, KNC): Thank you, Hon. Temporary Deputy Speaker. I equally rise to support the Motion by Hon. Omboko Milemba with regard to the criterion for allocation of school infrastructure improvement funds. Hon. Temporary Deputy Speaker, you will notice from the comments made by everyone who has spoken that we are talking about children in the remote areas of this country. Everyone supports this Motion because of the problems that we, as Members of Parliament, face. The inadequate allocation of funds and inequitable distribution of resources affects us so much that even coming up with distribution of the NG-CDF is not possible. One example is from my constituency. I have 156 schools. I have 70 secondary schools and the rest are primary schools. Out of the 70 secondary schools, 60 do not have well equipped laboratories or good infrastructure, like school halls and classrooms, but we still expect students in those schools to perform well.

You are invited to an education day, where a school community celebrates the placement of six students in university. That is a great achievement because they say that is what they can achieve with the kind of infrastructure they have. That becomes a major celebration in the villages. When you walk around the school to look at infrastructural facilities like laboratories and other infrastructure that is necessary for performance of schools, you notice that they are completely unequipped. I am still confused about the criteria that the Government uses to distribute the infrastructure development funds to make sure that schools have adequate learning facilities.

An order on the 100 per cent transition was made the other day. I see chiefs moving round in our constituencies insisting that every class eight pupil, regardless of the marks he got, must go to high school. The 100 per cent transition order has affected the operations of schools. One of the local schools in my constituency called Omovili Secondary School teaches form ones in a tent. They hire a tent so that students can learn.

The Government needs to come up with a clear formula on how infrastructure funds are shared. That formula needs to be shared in this House. We need to know the criteria that are used to share out the funds from the Ministry. When you go to the neighbouring constituencies, you notice that there are some schools that started within the same period with a school in your constituency but they have better infrastructure and are funded by the Government. We still do not understand the criteria that the Government uses to make sure that the funds get to the local schools.

Some of the oldest schools still remain the same way they were. They have myriad of proposals. We are left to balance our meagre NG-CDF to make sure that every school gets infrastructure funds, which is not adequate. You give Kshs1million to a school and then you find that it is insufficient. You then hear that there is a certain school somewhere that received Ksh12 million, Kshs7 million or Ksh10 million. What criteria does the Government use to distribute the school infrastructure development funds? That is the question we need to ask as we support this Motion.

For that reason, I support this Motion by Hon. Omboko Milemba. There is a way the Government should work. Let it come out with speed and show us this formula, so that we are satisfied that it is equitable but not equal. It should be equitable on need basis so that we can balance the resources across the country.

Thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Let us have Hon. Koyi Waluke. Members can save some minutes for others. I cannot direct you to contribute for fewer minutes but I can only persuade you to do so.

**Hon. John Waluke** (Sirisia, JP): Hon. Temporary Deputy Speaker, I thank you for giving me this opportunity to contribute. Members have spoken. Education is the key to everybody all over the world and it is a fundamental right of every child in this country.

There are two problems in the education sector of this country that we need to handle as a House. One is on infrastructure or classrooms. Many Members have spoken about infrastructure and it is true that schools have very poor infrastructure due to corruption. We need to know the criteria that officers or a Cabinet Secretary in charge use to disburse money to schools. The former Nyanza and Western provinces, mostly in Bungoma, were disadvantaged. We were marginalised because we did not support the previous governments. For the last 39 years, people from Nyanza and Western Kenya, because of opposing previous governments, were sidelined when it came to development. If you check, you will see that we have had many problems.

The other problem is under-staffing in schools. Rural schools are always not considered by the Ministry of Education. Most rural schools have five teachers with one teacher per subject compared to urban schools which have five or six teachers per subject. This is unfair and ridiculous. For many years, it has been that way. So, there is no equity in setting of examinations. We need to request that the exams be set differently, if possible. If a school does not have enough teachers and a school in Nairobi has 100 teachers or a secondary school has eight teachers, and others are employed by the board, then it is not fair. The Ministry of Education, Science and Technology is not fair in the distribution of funds.

We should eliminate the word “urge” that we always use on Government. We even urge the Clerk of the National Assembly to remove that word so that we use the word “resolve”. This is Parliament and it oversees everything in the country. We are not begging because this is public

money. The contributors of the money are Kenyans and yet we do not give them enough that they need.

I have been to Lodwar in Turkana and you cannot compare children from that county, as we see them now suffering because of hunger, with children in Nairobi who are enjoying and expect them to do the same exam. This should be considered.

There are many problems in the Ministry of Education, Science and Technology particularly corruption. The Ethics and Anti-Corruption Commission (EACC) and the Directorate of Criminal Investigations (DCI) should go there even tomorrow to find out what is happening.

We want to see them arrested the way we are seeing others being arrested. This is like animal farm where all animals are not equal. Other people are enjoying these facilities more than others. This is a national cake that is being enjoyed by other people and other counties while others are not. So, we need to look into this properly so that we can get equitability of the money.

The other day I watched on TV that a *matatu* was impounded. When it was taken to the police station, it was found out that it belonged to the NG-CDF. There are Members who are using the NG-CDF to buy *matatus* because they have too much money. We have constituencies that can run *matatus*, yet some of us are crying for money to build schools and give bursaries to our children. The issue of equitability in the NG-CDF should be considered because there are people who are enjoying more than others.

I want to consider other Members who want to contribute, I support.

With those few remarks, I support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): What is your point of order, Hon. Millie?

**Hon. (Ms.) Odhiambo-Mabona** (Suba North, ODM): Thank you, Hon. Temporary Deputy Speaker. Is the Member in order to mislead the House that there are Members who buy *matatus* with NG-CDF when the Members do not control the NG-CDF? The NG-CDF is controlled by committees that are constituted by the national board. The Members have no role in buying *matatus* or otherwise. So, is he in order in misleading the House?

*(Hon. John Waluke stood in his place)*

I know he has been in the House for the second time but he is a slow learner because he is not supposed to stand while I am on the Floor. Perhaps, you can direct my brother to sit. Is he in order to mislead the House? Members have no control over programmes that are developed. He knows that this is a matter before court.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): It looked more of information to the Member for Sirisia although his reception was not sought before the information was given. He looks like he is content by the information you gave him. Let us proceed because we do not have a lot of time.

Hon. Kamuren, what is out of order?

**Hon. Charles Kamuren** (Baringo South, JP): It is an intervention, Hon. Temporary Deputy Speaker. Because of time, I want to urge the Members to use the shortest time possible, at least two minutes so that we can get opportunity to contribute on this matter.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Well, that is what Hon. Mbai had earlier sought. I was to give Hon. Rindikiri a chance but we have a few minutes before the Mover is called upon to reply. Hon. Members, we have limitation of time on this Motion. It must be a maximum of three hours. Hon. Mbai had requested that Members reduce their time of contribution. Some did, some did not. Hon. Milemba, during your time of replying, if you could be gracious enough, donate a few of your minutes to Members. That will be very helpful

**Hon. Omboko Milemba** (Emuhaya, ANC): Thank you, Hon. Temporary Deputy Speaker. Indeed, Members are interested in contributing to this issue. Let me donate two minutes to the Member you had wanted to give an opportunity immediately before I stood up. I also would like to donate two minutes each to Hon. Tonui and Hon. Jared Okelo.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Rindikiri, you have the Floor.

**Hon. Mugambi Rindikiri** (Buuri, JP): Thank you, Hon. Temporary Deputy Speaker. It is a very traumatizing experience we have in this House because of the machines. However, I would like to support this Motion bearing in mind that Article 28 of our Constitution talks about human dignity. The environment in which our children are learning, especially our day schools, is deplorable. We are also talking about Article 42 which is about the right to a clean and healthy environment.

Infrastructure is wanting in all our day schools. I think the biggest problem that we have--

**Hon. Beatrice Nyaga** (Tharaka Nithi, CWR, JP): On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): What is out of order?

**Hon. Beatrice Nyaga** (Tharaka Nithi, CWR, JP): Hon. Temporary Deputy Speaker, I was expecting you to give Hon. Waluke a chance so that he substantiates on the matter he had raised of Members who are buying *matatus*. If he cannot substantiate his remarks, then he should withdraw them.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Well, Hon. Nyaga, I have already given direction on that. I said that he was clearly given the right information by Hon. Millie Odhiambo and he seemed to have received it. So, he is well informed on that matter.

**Hon. Mugambi Rindikiri** (Buuri, JP): Hon. Temporary Deputy Speaker, my two minutes are being eaten by unnecessary interjections.

*(Laughter)*

I was saying that the main problem in the Ministry of Education, Science and Technology has to do with management. I hope the Minister-in-waiting will take up that matter seriously and reorganise the Ministry. He will need to look at the people who are charged with the responsibility of managing education at the constituency and county levels. That is very important because we are now seeing people with no relevant education background being given responsibilities to manage education at both the constituency and county levels.

For us to move forward, we need to bring forth a Bill. That way, we will compel the Government to act in line with this Motion which I support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Tonui, you have the Floor.

**Hon. Ronald Tonui** (Bomet Central, JP): Thank you, Hon. Temporary Deputy Speaker. I want to commend Hon. Omboko for bringing forth this Motion. I support it.

I want to raise an issue about the budget-making process. We are a law-making institution. Although we are urging the Government in this Motion, we need to take initiative during the budget-making process and when appropriating monies. We should specifically provide that 75 per cent of the funds allocated to the Ministry of Education, Science and Technology goes to day schools. We need to be specific on that during the budget-making process because we will have a chance to do so.

The other issue is cost of construction, especially of classrooms. When we construct classrooms through the NG-CDF, normally it costs us Kshs500,000 – at least in my constituency. However, when the same is done by the Ministry of Education, I understand they submit a workplan of about Kshs1.5 million. There is a disparity of Kshs1 million. I understand that is possibly because of the 20 per cent that they demand from day schools. This needs to be harmonised.

The issue of corruption, which arises when infrastructure is provided through the Ministry of Education, Science and Technology, should be addressed so that the cost of construction is harmonised.

These funds should be constituency-based and there should be a criterion based on the number of schools---

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Milemba, did you donate a minute to Hon. Mbai?

**Hon. Omboko Milemba** (Emuhaya, ANC): Yes.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Okay. Let us have Hon. Mbai.

**Hon. Nimrod Mbai** (Kitui East, JP): Thank you, Hon. Temporary Deputy Speaker. In the interest of time, I want to thank Hon. Milemba for being kind to me by donating a minute and for bringing the Motion before the House.

I support the Motion. We have three major basic needs namely food, shelter and education. Parents can provide shelter and food for their children at home, but they cannot provide education at home. They have to partner with the Ministry of Education, Science and Technology. Seventy per cent of secondary schools in this country are day schools so 70 per cent of the infrastructure funding should go to day schools failure to which they should be subjected to a different set of exams from the national schools, which benefit from proper infrastructure.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Finally, Hon. Jared Okelo.

**Hon. Jared Okelo** (Nyando, ODM): Thank you, Hon. Temporary Deputy Speaker. Infrastructure is a crucial element in schools without which exams cannot be effectively passed by students. There is strong evidence that high quality infrastructure facilities, better instructions in schools and improved student outcome reduce dropout rates among other benefits.

In Kenya, we use a fragmented or piecemeal approach to investing in the education infrastructure. Decisions about education infrastructural investments have historically been made under uncoordinated and decentralised model driven by *ad hoc* needs and limited funding based on availability rather than on a strategic approach. Schools in marginalised areas such as Nyando Constituency face the biggest investment needs in the country meaning that students who attend

these schools are doubly disadvantaged. These students are mainly from low-income and rural families, which do not have well equipped schools. There are no science laboratories and no indoor toilets. They are only overcrowded with few toilets.

We should focus on access to quality by employing a multi-faceted model to promote effective learning environment. In a nutshell, we are proposing a holistic and evidence-based model to inform decisions about investment in education infrastructure in the county. The proposed capitation of 70 per cent by Hon. Omboko Milemba will go a long way in improving infrastructure in schools.

I support the Motion.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Omboko Milemba, you have the remainder of the time to reply.

**Hon. Omboko Milemba** (Emuhaya, ANC): Thank you, Hon. Temporary Deputy Speaker. I want to thank Members for their immense contribution to this Motion with support. They have widened my scope of thinking and have urged me to develop this Motion into a Bill. I want to appreciate that.

Without more ado, because I had donated most of my time, I want to thank them again.

I beg to reply.

**Hon. Benjamin Washiali** (Mumias East, JP): On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Washiali, what is out of order?

**Hon. Benjamin Washiali** (Mumias East, JP): Thank you, Hon. Speaker. I rise under Standing Order No.53(3). I request you to defer the putting of the Question to the next sitting because of the nature of business in this House. After Members make their contributions, they normally attend meetings and other businesses that engage them as per their positions of leadership. We may not have the number to conclusively put the Question.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): We shall pend putting the Question to that Motion to a subsequent time.

### ADJOURNMENT

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Members, the time being 1.00 p.m., the House stands adjourned until this afternoon, at 2.30 p.m.

The House rose at 1.00 p.m.