

GOVERNMENT OF NAIROBI CITY COUNTY



Paper laid on
17/04/2024.
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THE NAIROBI CITY COUNTY ASSEMBLY

OFFICE OF THE CLERK

THIRD ASSEMBLY

(THIRD SESSION)



NCCA/TJ/PL/2024(11)

17TH APRIL 2024

PAPER LAID

SUBJECT: REPORT OF COMMITTEE

Pursuant to Standing Order 211 (4) (b), I beg to lay the following Paper on the Table of the Assembly, today Wednesday 17th April 2024:

— THE REPORT OF THE SECTORAL COMMITTEE ON CHILDREN, EARLY CHILDHOOD EDUCATION & VOCATIONAL TRAINING ON CONSIDERATION OF NAIROBI CITY COUNTY EARLY CHILDHOOD DEVELOPMENT AND EDUCATION BILL, 2023 (ASSEMBLY BILL NO. 8 OF 2023)

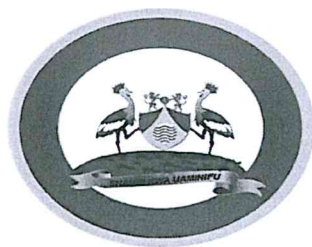
(Chairperson, Children, Early Childhood Education & Vocational Training Committee)

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The Speaker
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THE NAIROBI CITY COUNTY GOVERNMENT



THE NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY – THIRD SESSION

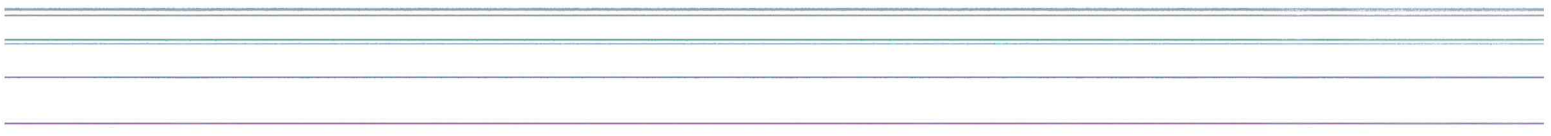
THE REPORT OF THE SECTORAL COMMITTEE ON CHILDREN, EARLY
CHILDHOOD EDUCATION & VOCATIONAL TRAINING

ON

THE CONSIDERATION OF THE NAIROBI CITY COUNTY EARLY CHILDHOOD
DEVELOPMENT AND EDUCATION BILL, 2023 (ASSEMBLY BILL NO. 8 OF 2023)

Clerk's Chambers,
CITY HALL,
NAIROBI.

Edition: April, 2024



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1.0. PREFACE

1.1. Mandate

Hon. Speaker,

The Sectoral Committee on Children, Early Childhood Education and Vocational Training is established under Standing Order No. 209 (1). Its mandate pursuant to Standing Order 209 (6) is to: -

- a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- b) study the programme and policy objectives of departments and the effectiveness of the implementation;
- c) study and review all county legislation referred to it;
- d) study, assess and analyse the relative success of the departments as measured by the results obtained as compared with its stated objectives;
- e) investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- f) vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 196(Committee on Appointments): and
- g) make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

1.2. Membership

The Committee comprises the following Members: -

1. Hon. Perpetua Mponjiwa, MCA – Chairperson
2. Hon. Kennedy Swaka, MCA – Vice-Chairperson
3. Hon. Jared Akama Ondieki, MCA
4. Hon. Lily Akoth Kidenda, MCA
5. Hon. Abel Osumba Atito, MCA
6. Hon. Agnes Wambui Njeri, MCA
7. Hon. Naomi Kerubo Bosire, MCA
8. Hon. Maurice Ochieng Onyango, MCA

9. Hon. Absalom Odhiambo Onyango, MCA

~~10. Hon. Hellen Awuor Okello, MCA~~

11. Hon. Peter Owera Oluoch, MCA

12. Hon. Hannah Wanjiku Muriuki, MCA

13. Hon. Eric Kiogora Murigu, MCA

14. Hon. Rachel Wanjiru Maina, MCA

15. Hon. Fredrick Njogu Njoroge, MCA

16. Hon. Diana Katile Mwangangi, MCA

17. Hon. James Karanja Karis Kariuki, MCA

18. Hon. Carrington Gichunji Heho, MCA

19. Hon. Eutyclus Mukiri Muriuki, MCA

20. Hon. Gerald Irungu Mukuru, MCA

21. Hon. Tricer Jeptoo Ayabei, MCA

22. Hon. Waithera Chege, MCA

23. Hon. Robert Mbatia, MCA

Hon. Speaker,

The County Assembly Committees are extensions of the Assembly established under the County Assembly Standing Orders and in accordance with Section 14 of the County Governments Act, 2012. The Committees are supposed to perform functions that the Assembly is not well fitted to consider in plenary.

The Committee exercise its oversight role on the work and administration of the Education and Children Sub-Sectors.

Pursuant to the provisions of Standing Order 209 (6) (b), (d) and (e), the Sectoral Committee on Children, Early Childhood Education and Vocational Training is supposed to study the programmes of the Early Childhood Education and Vocational Training Sub-Sector; and Children Services Department and the effectiveness of the implementation; study, assess, and analyze the success of the Sub-Sector as measured by the results obtained; and inquire into all matters relating to the Sector.

In accordance with the Third Schedule of the Standing Orders, the Sectoral Committee on Children, Early Childhood Education and Vocational Training is mandated to consider all matters relating to: – *“pre-primary education, village polytechnics, home craft centres and childcare facilities; children welfare”*.

1.3. Executive Summary

Hon. Speaker,

Pursuant to Section 23 of the County Governments Act, 2012, the Nairobi City County Early Childhood Development and Education Bill, 2023 was published in the special issue of the Kenya Gazette Supplement No. 12 on 25th October, 2023. The Bill was introduced in the County Assembly as First Reading on Tuesday, 7th November, 2023. The Bill was thereafter committed to the Sectoral Committee Children, Early Childhood Education and Vocational Training for scrutiny, public participation and reporting to the Assembly pursuant to Standing Order 135.

Article 196(b) of the Constitution of Kenya, 2010 requires the County Assemblies to facilitate public participation and involvement in the legislative and other business of the Assembly and its Committees.

Hon. Speaker,

Upon committal of the said Bill, the Committee placed a notice in the local dailies on Friday, 10th November, 2023 calling for representations and proposals for amendments from the public and inviting them for a public participation forum on Tuesday 28th November, 2023 pursuant to Article 196(b) of the Constitution of Kenya, 2010 and the Nairobi City County Standing Orders 135 (3) which require public participation in the legislative and other business of the County Assembly and its Committees. The Committee held a public participation forum on Tuesday, 28th November, 2023 to receive proposals from the members of the public. The Committee also identified the following key stakeholders to the Bill and invited them to submit comments, reviews and propose amendments to the Bill;

- a) The State department of Education;
- b) The Institute for Social Accountability (TISA);
- c) Kenya Law Reform Commission;

- d) Kenya Institute of Curriculum Development;
- ~~e) Kenya National Examination Council;~~
- f) Kenya Education Management Institute;
- g) Kenya National Commission for UNESCO;
- h) ECD Network;
- i) Uthabiti Africa;
- j) Save the Children International;
- k) Terre Des Hommes Foundation;
- l) The Teach for Kenya;
- m) The Action Foundation;
- n) The Kenya Institute of Special Education; and
- o) The Nairobi City County Sector of Talent, Skills Development and Care.

Hon. Speaker,

The Committee held a total of six meetings to consider the Bill and all presentations received from stakeholders. All stakeholders while supporting the Bill in principle, proposed amendments on some of the provisions of the proposed law.

Hon. Speaker,

The Committee finds this Bill to be a right step towards streamlining the pre-primary schooling and Early Childhood Development Programmes to achieve the goals of basic education within the County. The Bill seeks to provide for a comprehensive pre-primary schooling and early childhood development and education programmes so as to achieve the goals of basic education for all residents in the County.

Hon. Speaker,

The Committee considered the submissions by stakeholders as provided for in the Standing Order and had proposed amendment to the Bill in the Long Title, Clauses 1,2, 5,12,25, 27,29,31,32,36,37,44 and 46, Some of the amendments are editorial while others are aimed at ensuring that the Bill is consistent with the Constitution, the National Laws and also cater for the concerns of the stakeholders.


1.4. Acknowledgement

Hon. Speaker, I wish to acknowledge with gratitude the offices of the Speaker and the Clerk of the County Assembly for the logistical and technical support accorded to the members of the Committee to enable them consider the Nairobi City County Early Childhood Development and Education Bill, 2023. Appreciation is also extended to the stakeholders for their immense contribution.

I am grateful for the Members of the Committee whose support and commitment enabled the Committee to accomplish this task. Special thanks to the Secretariat for their support at all times.

On behalf of the Committee and pursuant to Standing Order 135 (3), I now have the honour and pleasure to present this Report on the consideration of the Nairobi City County Early Childhood Development and Education Bill, 2023.

Thank You.

SIGNED 

HON. PERPETUA MPONJIWA, MCA
(CHAIRPERSON)

DATE..... 09/04/2024

2.0. INTRODUCTION

Pursuant to Article 185 of the Constitution of Kenya, 2010, the legislative authority of a County is vested and exercised and the County Assembly. The County Assembly is to make laws that are necessary for effective performance of the functions of the County Government as provided for in Part Two of the Fourth Schedule to the Constitution.

Pursuant to the provisions of Section 23 of the County Governments Act, 2012, the Nairobi City County Early Childhood Development and Education Bill, 2023 was published in the special issue of the Kenya Gazette Supplement No. 12 on 25th October, 2023. On Tuesday, 7th November, 2023, the Bill was read a First Time and thereafter committed to the Sectoral Committee Children, Early Childhood Education and Vocational Training for scrutiny, public participation and reporting to the Assembly pursuant to Standing Order 135.

Article 196(b) of the Constitution requires the County Assemblies to facilitate public participation and involvement in the legislative and other business of the Assembly and its Committees.

3.0. CONSIDERATION OF THE NAIROBI CITY COUNTY EARLY CHILDHOOD DEVELOPMENT AND EDUCATION BILL, 2023

While examining the Bill, the Committee noted the following:

3.1. Objective of the Bill

The principle objective of the Bill is to provide a legal framework for a comprehensive pre-primary schooling and early childhood development and education programmes in order to achieve the goals of basic education for all residents in the County. The Bill provides for values and principles under which the provisions of pre-primary school education shall be guided. This include the right for every child to free and compulsory pre-primary school education; equitable access for the child to pre-primary education and promotion of quality and relevant education amongst others.

The Committee observed that paragraph 9 of Part two of the Fourth Schedule to the Constitution of Kenya, 2010 gives County Government powers to regulate Early Childhood Development and Education within the County. The Committee is therefore in agreement with the Bill since it seeks to give effect to the Part two of the Fourth Schedule

to the Constitution of Kenya, 2010. Furthermore, since the Bill seeks to regulate pre-primary education within the County, it will help in addressing some of the challenges facing the education Sector which include unregistered early childhood education centres that offers unapproved courses with untrained teachers.

Part I: Preliminary Provisions

Part I of the Bill sets out the preliminary matters with respect to the Bill. Clause 1 sets out the short title of the Bill. Clause 2 provides for definition and interpretation of terms as used in the Bill while Clause 3 gives guiding principles and values under which the pre-primary school education is to be directed.

On Clause 2, the Committee proposed the deletion of the first definition of the word “County education Board” and replace with the definition of the word “County Early Childhood Development Committee” – “means the Committee established under Section 4 of this Act” word”. A stakeholder known as No One Out and Others proposed for definition of the word “County Education Board” to mean to be used in the proposed law. The stakeholder further requested for definition of the term “Holiday tuition as used in the Bill. The Committee disagreed with the stakeholder as the term is known.

3.2. Part II: Establishment, Powers and Functions of Nairobi City County Early Childhood Education Committee

Part II of the Bill contains the provisions relating to the establishment, powers and functions of a County Early Childhood Education Committee. Clause 4 provides the establishment of a Committee to be known as the Nairobi City County Early Childhood Education Committee which shall report to the County Education Board. Clause 5 provides for the functions of the Committee which shall include to establish a county based governance structure to manage pre-primary education programs, enforce effective implementation of National Pre-primary Education Policy and Standard guidelines, promote advocacy for access, equity, inclusion, quality and relevance of pre-primary education, monitor and evaluate the implementation of pre-primary education programmes in the County amongst other functions. A Stakeholder proposed to include “protection and safeguarding rights of children against societal issues like sexual gender based violence”. The Committee agreed with the proposed amendment. Clause 6 provides for the manner in which the

Committee will conduct its business and affairs where the Committee is to work in consultation and cooperation with the County Education Board. The Committee is to conduct and regulate its affairs as it shall be provided for in the Regulations. Clause 7 provides for the composition of the County Education Committee which shall consist of a Chairperson and eight other members. The Clause further provides for the qualifications to be appointed as a member of the Committee. A stakeholder proposed for inclusion of a representative of National Parent Association of Kenya. The Committee disagreed with the proposal since the Bill is to serve the County and not National. Clause 8 highlights the remuneration of the County Education Committee which shall be as approved by the County Executive Committee Member in consultation with the County Treasury and the Salaries and Remuneration Commission. Clause 9 provides for the Committee to consult with experts from time to time to assist in the discharge of its functions. Clause 10 provides for the reporting of the Committee, where the Committee is to submit annual report to the County Education Board detailing the activities and new registrations undertaken by the Board during the year. A stakeholder proposed an amendment that a special Committee on life skills and mentorship be added. The Committee disagreed with the proposed amendment as the said Clause provides for the reporting by the Committee.

3.3. Part III: Free and Compulsory Pre-primary School Education

Part III of the Bill contains provisions on the role of the County Executive Committee Member, free tuition, duty of parents and guardians, free admission, proof of age for admission, period of admission and prohibition of discrimination and the responsibility of the County Executive Committee Member. Clause 11 highlights the role of the County Executive Committee which is to implement the right of every child to access free and compulsory pre-primary school education. The C.E.C Member is to establish pre-primary education centres and Special integrated and inclusive schools for learners with disability. Some stakeholders proposed for provisions for the County Executive Committee Member in consultation with relevant stakeholders develop curriculum programmes that are wholistic in nature and promote culture and the overall development of the child. The Committee agreed with the proposal for the C.E.C Member to develop the curriculum in consultation with the Kenya Institute of Curriculum Development. Clause 12 provide for free tuition to all county public pre-

primary schools. However, tuition fee may be charged to a person who is not a Kenyan citizen. The County Assembly Select Committee of County Finance, Budget and Appropriations proposed for deletion of the Clause in its entirety. The Committee noted that Clause 12 (3) was not clear in the Bill and therefore agreed to delete the Sub-Clause. Clause 13 provides for duty of parents and guardians to present for admission or cause to be admitted his or her child to a pre-primary education institution. The Clause further provides a fine to a parent or guardian who fails to present his or her child for admission. The Clause further provides for the right of a parent or guardian to participate in the character development of his or her child. Clause 14 provides for free admission of a child to a public pre-primary school. Clause 15 provides for need to proof age of a child during admission which shall be determined on the basis of the birth certificate issued in accordance with the provisions of the Births and Deaths Registration Act, Chapter 149 or on attainment of the school going age of three years. The Clause further provides that a child shall not be denied admission in a school for lack of proof of age. Clause 16 provides for the period of admission where a child is to be admitted to a pre-primary school at the commencement of the academic calendar or within such other extended period as by be prescribed by a basic education institution. The Clause further prohibits discrimination against any child seeking to be admitted in any pre-primary education institution on the basis of ethnicity, sex, religion, race, colour or social origin, age disability, language or culture. Clause 17 give provisions for a pupil to be given appropriate learning incentives to learn and complete pre-primary school education. The Clause further prohibit a pupil to be held back in any class or be expelled from a pre-primary school. Clause 18 prohibit any physical punishment and mental harassment to a pupil. The Clause provides for charge against any person who contravenes the provisions in the Clause. Clause 19 forbids any pre-primary education institution from subjecting a pupil to holiday tuition. Clause 20 highlights the responsibilities of the C.E.C Member which includes ensuring free and compulsory pre-primary education to every child in the County; ensure compulsory admission, attendance and completion of pre-primary education by every pupil; progressively provide human resource including schools, learning and teaching equipment and appropriate financial resources amongst other responsibilities. Clause

21 provides for the duty of head teacher which include investigation of the circumstances of a pupil's absence from school.

3.4. Part IV: System and Structure of Pre-primary School Education and Teacher Training

Part IV of the Bill contains provisions for pre-primary education and early childhood training, administrative requirements, structure of education, curriculum framework and categories of schools. Clause 22 provides for C.E.C Member to promote pre-primary education and training of the early childhood education teachers in the County. Amendment was proposed to the Clause to delete the provision on ECD training. The Committee disagreed with the proposed amendment since Teacher Training was part of Technical, Vocational Education and Training which is part of the function of the County Government. Clause 23 highlights the administrative requirements for service provider for every licensed early childhood education service. Clause 24 provides for structure of education to enable learners to access education and training at any level in a sequence and at a pace that be commensurate with the individual learner's physical, mental and intellectual abilities and the resources available. Clause 25 provides for establishment of curriculum framework to be prescribed by the C.E.C Member for licensed early childhood education services in consultation and in alignment with the current National Curriculum framework developed by the Ministry of Education and Kenya Institute of Curriculum Development. The Clause further provide for publication of the curriculum framework in the Gazette. The Committee agreed with the proposal by Kenya Institute of Curriculum Development to amend the Clause for the C.E.C Member to establish administrative curriculum framework. The Clause to be amended by inserting the word "administrative" immediately before the word "curriculum framework" to appear in the entire Clause. Clause 26 highlights provisions of the various categories of pre-primary school educational institutions as either private schools or public schools. The Clause further prohibit conversion of a public basic education institution to a private basic education institution.

3.5. Part V: Promotion of Special Needs Pre-primary School Education

Part V of the Bill contains provisions for establishment and management of special needs pre-primary education institutions, regulations in Special needs education, duty of county

education Board to provide child guidance services, reporting of child with special needs to County Education Board and future provisions for children with special needs. Clause 27 provides for establishment and management of special pre-primary school institutions by the County Executive Committee Member. The Clause further provides for the C.E.C Member to ensure that every special school or educational institution with learners with special needs is provided with appropriate trained teacher, non-teaching staff, infrastructure, learning materials and equipment for the learner. An amendment was proposed to the Clause to delete the word “mentally” and reword the term “hearing impaired” to read “learners with hearing impairment”. The Committee agreed with the proposed amendment. Clause 28 provides for the C.E.C Member to make regulations for the establishment and management of special schools and institutions offering special needs education to pupils with special needs. Clause 29 provides for the County Education Board to provide for education assessment and research centres including a special need service in identified clinics in the County. The Clause further provides what includes special needs services which include giving advice to parents and teachers as to appropriate methods of education for such children. The Committee agreed to the proposal to delete the word “research” and replace it with the word “resource” as proposed. The Committee agreed to the proposal to delete the word “methods” and replace it with the word “intervention” as proposed in Sub-Clause 29(2). Clause 30 provides for relevant Director in relation to each child with special needs belonging to schools in their area make a report to the County Education Board. The Clause further highlights the contents of the report to be made to the Board by the Director. Clause 31 provides for the Board to make such arrangements as they deem necessary to enable a pupil with special needs attend an establishment whether or not is a school in or outside the County if the establishment makes provisions wholly or partly for gifted or talented learners or advantage of pupil or one or both of his or her parents or some other persons to be present with him or her at the establishment during the period of the attendance. The Committee agreed with the proposed amendment to delete the term “future provision” and replace it with the term “transition”.

3.6. Part VI: Private Education Institutions

Part VI of the Bill contains provisions for establishment registration of private early childhood education institutions. The Part further provisions for duties of private schools

and eligibility of teachers to be recruited. Clause 32 provides for any person to establish and maintain a private school subject to the Constitution, the National law and the provisions of the proposed County law. The Committee agreed with the proposal to insert the term “of Kenya” immediately after the word “Constitution”. Clause 33 provides for the registration of private schools where a person cannot establish and maintain a private school unless it is registered according to the law. The Clause further highlights criteria for registration of a private school. Clause 34 provides for the right to attend a private School as an alternative to a public school. Clause 35 provides for duties of a private school which includes establishment of necessary educational and governance structure; recruitment of registered teachers and compliance with and follow the approved curriculum. The Committee disagreed with the proposal to include “not registered if it does not promote inclusion” as the word inclusion was different from special needs.

The Committee further disagreed with the provisions to include APBET ECDE centres since the provision on categories of schools clearly names the APBET as a separate category. Subsequently, all provisions of the Bill apply to APBET as well.

3.7. Part VII: recruitment of ECD Teachers

This part provides for the recruitment of Early Childhood Education Teachers. Clause 36 provides for the eligibility of a person to be recruited as early childhood education teacher by the recruitment panel. The Clause further provides for the composition of a recruitment panel. Clause 37 provides for the terms and conditions of service for any person recruited as an early childhood education teacher which is to be determined by the County Public Service Board. The Committee agreed to amend the clause by deleting the term “Section 34” and replace with the term “Section 36”.

3.8. Part VIII: Assessment

Part VII of the Bill contains provisions for assessment of an early childhood education teacher trainee. It provides for duration, sequence and report of assessment. Clause 40 provides that the early childhood education trainee teacher is to be assessed during normal class session at least twice in a term but on different dates and lessons. The Clause further provides for the conditions of the assessment process by the assessor to be appointed by the recruitment panel established under Clause 38 (2). The Committee agreed to combine Part VI and VII as they speak on the same issue.

3.9. Part IX: Financial Provisions

Part IX of the Bill contains financial provisions of Early Childhood Development and Education in the County. Clause 39 provides that funds of the Department of Early Childhood Education shall be used to promote pre-primary school education, which includes; monies provided by the County Assembly for the purposes of the Department; any funds provided by bilateral or multilateral donors for the purpose of basic education; gifts, grants, donations or endowments by the Department amongst others. The Committee disagreed with the proposal to include APBET schools since the Clause is on financing. The Committee further disagreed with the proposal to amend Clause 39 (e) on borrowing since Sections 142 and 143 of the Public Finance Management Act, 2012 on the County entities to borrow through C.E.C for Finance or the Accounting Officers of the entity. Clause 40 provides for the financial year of the Department which shall be government financial year. Clause 41 provides for preparation of Annual estimates by the relevant Department. The Committee disagreed with the proposed amendment to delete Clause 41(3), since the import of the provision is for the Sector to including funding of the programmes of the Act in its annual estimates. Clause 42 provides for funding of certain early childhood education services where in every year, out of money appropriated by the County Assembly, the service provider for a licensed early childhood education service maybe paid general grants. The County Executive Committee Member is to determine the means by the which the amounts of grants may be calculated or ascertained. The County Assembly Select Committee on Budget proposed for the deletion of the Clause, which the Committee disagreed with. Clause 43 provides for Accounting and Auditing of county Early Childhood Development and Education Departments and schools in the County. Clause 44 provides for the C.E.C Member to establish mechanisms for school-based auditing where the responsible officers are to advise and work with respective head teacher. The Committee agreed with the proposed amendment to delete the term “head teacher and replace it with the word “centre manager”. Clause 45 provides for the C.E.C Member in consultation with the C.E.C Member for finance to invest any of the funds of the Department in securities.

3.10. Part X: Power of Entry and Inspection

Part X of the Bill contains provisions for power for entry and inspection of any pre-primary education institution in the County. Clause 46 provides the parents or guardians the right

to enter to a licensed early childhood education service provider where a licensed home-based education and care service is provided whenever their child is there. The Committee agreed to delete the repetitive words “where a licensed home-based education and care service is licensed home-based education and care service provided” in the Clause. Clause 47 provides for the C.E.C Member to authorize any person in writing who is suitable and trained to enter and inspect an early childhood education centre. The Clause further provides what contained in an authorization. Clause 48 provides for power of entry and inspection of an early childhood education centre with warrant. The authorized officer is to apply in writing and on oath to court for a warrant. The Clause further provides for the contents of the warrant to be issued.

3.11. Part XI: General Provisions

Part XI of the Bill contains general provisions on Early Childhood Development and Education in the County. Clause 49 gives general penalties for any person who commits an offence under the proposed law where no other penalty is provided. Clause 50 provides for offence of insult, abuse and intimidation of staff where a person who intentionally insults, abuses or intimates a teacher or member of staff or an early childhood education and care centre commits offence. Clause 51 provides for offences of physical and verbal abuse of children where a service provider, teacher or caretaker who subjects children in an early childhood education centre to verbal or physical abuse commits an offence. Clause 52 provides for offences in obstructing power of entry provides for the inspection of Early Childhood Development and Education on regular basis by the Directorate. Clause 53 empowers the County Executive Committee Member in consultation with the County Education Board to make regulations for purposes of implementing the proposed Legislation. The Clause further highlights specific components that require regulation. Clause 54 repeal the Nairobi City County Early Childhood Education Act of 2017. The Committee considered the submissions from the County Executive Sector and noted that the same was considered during the pre-publication scrutiny.

4.0. SUMMARY OF THE CONSIDERATION OF THE NAIROBI CITY COUNTY EARLY CHILDHOOD DEVELOPMENT AND EDUCATION BILL, 2023

The Committee deliberated on the Bill as follows: -

Long Title – proposed amendments

| | |
|------------------|-----------------------|
| Short Title | – proposed amendments |
| Clause 2 | – proposed amendments |
| Clause 3 | – agreed to |
| Clause 4 | – agreed to |
| Clause 5 | – proposed amendments |
| Clause 6 | – agreed to |
| Clause 7 | – agreed to |
| Clauses 8 to 11 | – agreed to |
| Clause 12 | – proposed amendments |
| Clauses 13 to 24 | – agreed to |
| Clause 25 | – proposed amendments |
| Clause 26 | – agreed to |
| Clause 27 | – proposed amendments |
| Clause 28 | – agreed to |
| Clause 29 | – proposed amendments |
| Clause 30 | – agreed to |
| Clause 31 | – proposed amendments |
| Clause 32 | – proposed amendments |
| Clauses 33 to 35 | – agreed to |
| Clause 36 | – proposed amendments |
| Clause 37 | – proposed amendments |
| Clauses 38 to 43 | – agreed to |
| Clause 44 | – proposed amendments |
| Clause 45 | – agreed to |
| Clause 46 | – proposed amendments |
| Clause 47 to 54 | – agreed to |

5.0. ANNEXES

1. Committee Stage Amendments
2. Amendments Matrix

(As attached to this Report)

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1st March, 2024

The Clerk
Nairobi City County Assembly
City Hall Building
NAIROBI.

**RE: COMMITTEE STAGE AMENDMENTS TO THE NAIROBI CITY COUNTY EARLY
CHILDHOOD DEVELOPMENT AND EDUCATION BILL, 2023**

NOTICE is given that the Chairperson of the Sectorial Committee on Children, Early Childhood Education and Vocational Training intends to move the following amendments to the Nairobi City County Early Childhood Development and Education Bill, 2023, at the Committee Stage.

LONG TITLE

THAT the Long Title of the Bill be amended by deleting the numerical “2023” and substituting thereof with “2024”.

SHORT TITLE

THAT the Short Title of the Bill be amended by deleting the numerical “2023” and substituting thereof with “2024”.

CLAUSE 5

THAT Clause 5 of the Bill be amended as follows; -

- (i) In Sub-Clause (1) by inserting a new paragraph (w) “protection and safeguarding rights of children against societal issues like sexual gender based violence”.

CLAUSE 12

THAT Clause 12 of the Bill be amended as follows; -

-
-
-
-
-
- (i) By deleting Sub- Clause (2) (3) and (4) in their entirety.

CLAUSE 25

THAT Clause 25 of the Bill be amended as follows; -

- (i) By inserting the word “**administrative**” immediately before the words “**curriculum framework**” to appear in the provision of the entire clause.

CLAUSE 27

THAT Clause 27 of the Bill be amended as follows; -

- (i) In sub-clause (3) paragraph (a) by entirely deleting the word “**mentally**” and also by rewording the words “**hearing impaired learners**” to read “**learners with hearing impairment**”
- (ii) In Sub-Clause (3) paragraph (c) by deleting the word “**specially**”

CLAUSE 29

THAT Clause 29 of the Bill be amended as follows; -

- (i) In Sub-Clause (1) by deleting the word “**research**” appearing immediately after the words “**education assessment and**” and replacing it with “**resource**”
- (ii) In sub-clause (2) paragraph (b) by deleting the term “**methods**” appearing immediately after the word “**appropriate**” and replacing it with “**intervention**”

CLAUSE 31

THAT Clause 31 of the Bill be amended as follows; -

- (i) By deleting the words “**future provision**” in the header of the clause and replace it with “**transition**”

CLAUSE 32

THAT Clause 32 of the Bill be amended as follows; -

- (i) By inserting the words “**of Kenya**” immediately after the word “**constitution**”

CLAUSE 36

THAT Clause 36 of the Bill be amended as follows; -

- (i) In sub-clause (1) paragraph (f) by deleting the word “needs” appearing immediately after the word “special” and substituting thereof with “Education”;
- (ii) In sub-clause (1) paragraph (f) by inserting the words “for teachers of schools with children with special needs” immediately after the word “advantage”.

CLAUSE 37

THAT Clause 37 of the Bill be amended as follows; -

- (i) By deleting the numerical “34” and replacing it with “36”

CLAUSE 44

THAT Clause 44 of the Bill be amended as follows; -

- (i) In sub-clause (2) by deleting the words “head teacher” and replacing with the words “centre managers”

CLAUSE 46

THAT Clause 46 of the Bill be amended as follows; -

- (i) By deleting the repetition of the words “home based education and care service”



MINUTES OF THE 12TH SITTING OF THE NAIROBI CITY COUNTY ASSEMBLY SECTORAL COMMITTEE ON CHILDREN, EARLY CHILDHOOD EDUCATION AND VOCATIONAL TRAINING HELD ON TUESDAY, 19TH MARCH, 2024 AT 12.00 NOON IN THE CHAMBERS, ASSEMBLY WING, CITY HALL BUILDING.

PRESENT

1. Hon. Papetua Mponjiwa, MCA – Chairperson
2. Hon. Abel Osumba Atito, MCA
3. Hon. Rachel Wanjiru Maina, MCA
4. Hon. Naomi Kerubo Bosire, MCA
5. Hon. Robert Mbatia, MCA
6. Hon. Jared Akama Ondieki, MCA
7. Hon. Agnes Wambui Njeri, MCA
8. Hon. Tricer Jeptoo Ayabei, MCA
9. Hon. Gerald Mukuru Irungu, MCA
10. Hon. Hannah Wanjiku Muriuki, MCA
11. Hon. Carrington Gichunji Heho, MCA
12. Hon. Fredrick Njoroge Njogu, MCA
13. Hon. Diana Katile Mwangangi, MCA
14. Hon. Maurice Ochieng Onyango, MCA

ABSENT WITH APOLOGY

1. Hon. Kennedy Swaka, MCA – Vice-Chairperson
2. Hon. Waithera Chege, MCA
3. Hon. Peter Owera Oluoch, MCA
4. Hon. Lily Akoth Kidenda, MCA
5. Hon. James Karanja Karis Kariuki, MCA
6. Hon. Eric Kiogora Murigu, MCA
7. Hon. Absalom Odhiambo Onyango, MCA
8. Hon. Eutyclus Mukiri Muriuki, MCA
9. Hon. Hellen Awuor Okello, MCA

SECRETARIAT

1. Mr. Asman Omweri – Clerk Assistant

MIN.55/SC-CEV/MARCH/2024 – PRELIMINARY

The Chairperson called the meeting to order at Nineteen minutes past Twelve O'clock and said the opening prayers. She then welcomed the Members present to the meeting and read the agenda which was adopted for discussion as proposed by Hon. Rachel Wanjiru, MCA and seconded by Hon. Diana Katile, MCA as follows: -

- a) Preliminaries (prayers & adoption of the Agenda),
- b) Tabling and Adoption of the report on ECD and Education Bill, 2023
- c) Any Other Business,
- d) Adjournment.

The Committee's legal attaché walked Members through the report which was a culmination of a series meetings and engagements between the Committee, the County Executive's line department and stakeholders.

The report was adopted as tabled before the Committee without further amendments as proposed by Hon. Fredrick Njogu, MCA and seconded by Hon. Diana Katile, MCA.

MIN.57/SC-CEV/MARCH/2024 – A.o.B

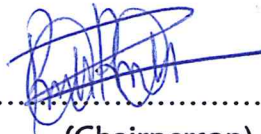
There was no other business for consideration.

MIN.58/SC-CEV/MARCH/2024 – ADJOURNMENT

There being no other business and the time being Forty-six minutes past noon, the Chairperson adjourned the meeting. The next meeting was scheduled to be held on Tuesday, 26th March, 2024 at 12.00 noon.

CONFIRMED AS TRUE RECORD OF THE PROCEEDINGS

SIGNATURE



(Chairperson)

DATE.....

09/04/2024