



18th February 2021
Afternoon EDITED.doc

BARINGO COUNTY ASSEMBLY

THE HANSARD

The House met on February 17th 2020 at 9:59 PM

The Speaker (Hon. Kiplagat) in Chair

PRAYERS

The Speaker (Hon. Kiplagat): Sergeant at Arms you may ring the bell for five minutes

(Quorum bell rung)

The Speaker (Hon. Kiplagat): Clerk!

MOTION

REPORT ON BARINGO COUNTY PRE-PRIMARY AND EARLY CHILDHOOD BILL, 2020

The Speaker (Hon. Kiplagat): Chairperson Education Committee. What's the concern Hon. Kibai?

Hon. Kibai: Mr. Speaker my concern is where we are sitting is not comfortable; it's like the room was not washed well after the tear gas was lobbed in here. Hon. Chepsongol is telling me that he is sneezing a lot. Mr. Speaker maybe we can re-arrange our sitting. Thank you Mr. Speaker.

The Speaker (Hon. Kiplagat): It's unfortunate that the cleaning should have been done and I think that it was not completely wiped out but you are free to move to a place where you think you will be more comfortable. Chair Education continue...

Hon. Tarus: Thank you Mr. Speaker I arise to present the report on Education Vocational Training and ICT on the Baringo County preprimary and early childhood Bill 2020. I wish to move straight to the preamble.

Hon. Speaker on behalf of Members of the Committee on Education, Vocational Training and ICT, it is my humble duty and privilege to present this report to this House under the Baringo County Assembly Standing Order Number 124 (4).

The Speaker (Hon. Kiplagat): What is your point of order Hon. Leader of Minority Party?

Hon. Limo (Minority Leader): Mr. Speaker there is always a procedure and rules
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in this House that when a report is presented to the House every member should be having the report following that where I am seated and even Hon. Maria does not have the report kindly give direction.

The Speaker (Hon. Kiplagat): I imagined that everybody has the report. Leader of minority have you got the copy. It appears like you did not see but it's okay its confirmed that everybody has the report proceed Chair,

Hon. Tarus: Mr. Speaker, we have the report and every member has a copy and as a committee we have the report which we ask this House for adoption.

Hon. Speaker, the report on The Baringo County Pre - Primary and Early Childhood Bill, 2020 No 30 of 2020 was the result of thorough effort by Committee Members and Secretariat who put their time and energies to come up with the proposed amendments as contained in this report.

Hon. Speaker, the Committee would like to acknowledge your Office and the Office of the Clerk and the Liaison Committee for facilitating the Committee towards conducting Public participation and report writing.

Much gratitude also goes to the Members of the Public and the Baringo County Civil Society groups for their input and contributions on the Bill.

Hon. Speaker, I would like to sincerely thank the Members of My Committee and the secretariat for their technical support offered and continuous commitment, dedication and enthusiasm demonstrated towards the Committee work in seeing that this Bill becomes a reality.

Finally Hon. Speaker, we extend our gratitude to the County Department of Education and ECDE teachers in Baringo County who are the primary users of this Bill for presenting their memorandum that has enriched the Bill and this report in ensuring that the document is more comprehensive, elaborate and inclusive to meet the needs of ECDE and the stakeholders for successful management and operation of ECDEs in the County.

Hon. Speaker, The Baringo County Pre - Primary and Early Childhood Bill, 2020 was read in the House for the first time on Tuesday, 17th November, 2020 at 2:30PM.

Hon. Speaker, the Bill was subsequently referred to the Sectorial Committee on Education, Vocational Training and ICT. The Committee was tasked with the responsibility of fine tuning the Bill, receiving and considering expert opinions, and generally conducting public participation and considering the views of the public and other stakeholders as required under the law. Mr. Speaker we went to all sub counties

Hon. Speaker, this Committee, is obliged under Standing Order 123 (4) of the

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Assembly to report to the Assembly, its findings and recommendations on the Bill.

Mr. Speaker I may not go through the committee mandate because we are all aware about it as well as the committee members

Introduction of the Bill;

Hon. Speaker, I wish to also inform this honorable House, that, the senate came up with prototype Bill; titled The County Early Childhood Bill 2018. (Senate Bill 2018) and also other counties have since enacted similar legislations in the recent past. They include the following:

1. The Taita Taveta County Early Childhood Development Act, 2016
2. The Lamu County Pre- Primary and Early Childhood Act, 2016

Over view of the memorandum of objects and reasons;

Hon. Speaker, the Bill concerns one of the functions of County Governments as stipulated in paragraph 9 of part 2 of the fourth schedule to the Constitution of Kenya 2010 which provide for pre- primary and Early Childhood Education and for other connected purposes.

The main object and purpose of this Bill is to facilitate management of Preprimary and Early Childhood learning, administration and other institutional responsibilities. The Bill will also give effect to the role of parents, sponsors, stakeholders, head teachers of the attached primary schools and the public. In summary the objects and purpose of this Bill is;

- a. To provide for responsibilities relating to preprimary and Early Childhood Education.
- b. To provide for registration of schools, centers and other institutions within the County and;
- c. To provide for miscellaneous provisions to include Administrative and technical costs, how the public may institute complaints, publication of the matters of concern to the community and other subsidiary regulations.

Hon. Speaker, the operationalization of certain provisions of the proposed law shall include the establishment of a fund with respect to section 116 of the PFMA 2012 to meet the various needs of ECDE; teachers, school feeding programs among other needs as established under a new section 4(d) if adopted by this Honorable House.

Public participation;

Hon. Speaker, one of the salient features of the Constitution of Kenya 2010, is the

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requirement to involve the public in the lawmaking process. With regard to legislation in the County Assembly, Article 196(1) of the Constitution of Kenya as read together with Sections 87, 92 and 115 of the County Governments Act, outlines the principles of public participation and indeed to emphasize, Article 196(1) of the supreme law provides that ‘The County Assembly shall facilitate public participation and involvement in the legislative and other business of the Assembly and its Committees’.

Hon. Speaker, in fulfillment of the constitutional requirement to involve the public in legislation, the Committee, through the office of the Clerk to the Assembly, sent out notices to members of the public on Tuesday 24th November, 2020, inviting them to make their written comments and representations on this Bill to the Clerk, Baringo County Assembly.

Hon. Speaker, other than seeking written comments and memoranda, the committee also subjected the Bill to further public participation by facilitating an interactive session with members of the public at a forum held in all the six Sub-Counties as per the below attached program as appearing in the Standard newspaper dated 24th November, 2020.

We have the schedule there and I may not go through it because it is well laid

Mr. Speaker the Ministry of Health directions and protocols during this COVID-19 pandemic. The committee is glad to report that the views and suggestions of members of the public have been included in the proposed amendments in as far as it was possible.

Public hearing as per sub-County;

Hon. Speaker, the committee observations and findings after conducting thorough public participation forums and are as follows;

3.1 Baringo North Sub-County;

Hon. Speaker, concerning the Pre - Primary and Early Childhood Bill, 2020

The members of the public in the aforementioned sub County made the following observations:

Part II

THAT, the responsibilities of the following stakeholders be included in Section 3 as follows,

ECDE teacher

Parent/guardian

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Sponsors/Donor

Project Management Committee (PMC)

Head Teacher

Part III

Concerning this part, the members of the public proposed that the fine should be Kshs. 100,000 or a jail term not exceeding three years or both.

Section 9, to include Registration of schools to be renewable after five (5) years

Section 19 to include code of conduct for the teacher and disciplinary channel.

We move on to Baringo south Sub County. Hon. Speaker, concerning the Pre - Primary and Early Childhood Bill, 2020

The members of the public made the following observations:

- Section 7(1) was proposed that the SRC to be involved in determining remuneration of teachers.
- Section 9(3) the fine for contravening the law was proposed to be five Hundred thousand shillings (500,000/-) or jail term of three (3) years or both.
- Section 19, it was proposed additional paragraph to be named (c) which reads as .Any person who will be found with a child of school going age and has not been enrolled to any school is found to have contravene article 53(1) (b), children act Of 2001, Basic Education Act 2013 and other related laws is liable on conviction to fine not exceeding one hundred thousand shillings or jail term of two years or both.
- Section 4 (a) it was further proposed that a section to be introduced which will capture children with special needs.
- A section of ECDE teacher staffing and remuneration, supervision and discipline should be included

Tiaty Sub-County

Hon. Speaker, concerning the Pre - Primary and Early Childhood Bill, 2020

The members of the public made the following observations:

- Section (4)(a) teaching and learning materials should consider children with special needs.(Talent development, genius children)
- Section 7(2) the department may have such consultants or related profession, psychology, sociology and social work, an expert in ECDE profession.

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- Section 9(3) the fine for contravening the law was proposed to be Hundred thousand shillings (100,000/-) or jail term of three (3) years or both.
- Additional section to include feeding program
- Role of parent in the ECDE should be included

Baringo Central Sub-County

Hon. Speaker, concerning the Pre - Primary and Early Childhood Bill, 2020

The members of the public made the following observations;

- THAT, Section 4. The teacher welfare be captured, the classes and the teaching learning materials to be PWDs friendly.
- Additional section to give information on teacher terms of service and the organizational structure of ECDEs in the County.

Mogotio Sub-County;

Hon. Speaker, concerning the Pre - Primary and Early Childhood Bill, 2020

The members of the public in Mogotio made the following observations:

- Part III Section 9(3) a fine of hundred thousand (100, 000/-) and Five 5 years imprisonment or both.
- Section 10 PART (2) to include teachers' job security
- In service training for ECDE teachers.
- Eldama Ravine Sub-County
- Hon. Speaker, concerning the Pre - Primary and Early Childhood Bill, 2020
- The members of the public made the following considerations;
- PART II Section 3 (1), to include ensuring, staffing, remuneration of the care givers.
- Part II section 3 Delete the compulsory basic in the last sentence
- Section 7 (1) to include ECDE teachers to be among those to be appointed. The terms and conditions be determined by the relevant laws of the land.
- Section 8 (1) The department report should include teachers welfare(Retired, replaced)
- Part III to have addition section numbered 18. which will have teacher register, capturing all the permanent and pensionable

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- Part IV to include health officer in case of issues to do with environmental and child health.
- In case a teacher is married to another Sub County will she be considered for transfer?

Hon. Speaker, The committee also received the following memoranda from the department and the ECDE teachers which are as follows:

ECDE Teachers proposal for amendment (Annex3);

The Baringo ECDE teachers brought their memorandum on the issues they wanted to be considered in the Bill, the issues include; the terms and conditions of service for the teacher, Line of management of the ECDE centers,

Hon. Speaker, the Committee retreated for purposes of scrutinizing the Bill and proposing amendments in conjunction with the public opinions and the submitted memorandums for consideration by the Committee of the Whole House.

Hon. Speaker, the committee observations, findings and recommendations are set out here below in the body of our Report.

Proposed amendments to Part I- Preliminary;

Amend the title by adding ‘Development’ to read pre-primary and Early Childhood Development and Education Bill 2020

Amend preliminary section to have the following Interpretation,

“Child” means an individual who has not attained the age of eighteen years;

“Curriculum” means all the approved subjects taught or programs offered and includes all the activities provided at any institution of basic education;

“Parent/Guardian” means a mother, father or guardian of a child and includes any person who is responsible under the law to maintain a child or is entitled to a child’s custody;

“special needs education” includes education for gifted or talented learners as well as learners with disabilities and includes education which provides appropriate curriculum differentiation in terms of content, pedagogy, instructional materials, alternative media of communication or duration to address the special needs of learners and to eliminate social, mental, intellectual, physical or environmental barriers to learners;

“Sponsor” A religious institution whose duty is to uphold the religious traditions of the school, and always give spiritual guidance to the children and the teachers.

Proposed Amendments to Part II-Responsibilities relating to Pre -Primary and Early Childhood

1. Amend section 3(1) by deleting “compulsory” To read..... “proceed to the basic primary education”
2. Amend section 3 (2) to prescribe the roles of the following;
 - a) ECDE teacher
 - b) Parent /Guardian
 - c) Sponsor/donor
 - d) Project Management Committee
 - e) Head teacher
3. Amend Section 4 (a) by adding the following words immediately after childhood schools to read, considering children with “special needs”
4. Amend section 4 (b) to include the provision for teacher pupil ratio to be one teacher per twenty five pupils,
5. Amend Section 4 and include (d) Establishment of school feeding program
6. Amend Section 4 and include (e) Establishment of ECDE Fund pursuant to section 116 of PFM Act 2012
7. Amend Section 7 by adding ECDE teachers on the side notes to read, ECDE teachers, other officers and staff of the department; add “In reference to the SRC and other relevant laws” on the last paragraph of section 7(1)
8. Amend section 7 (2) by adding “The Department may search for consultants or experts with qualifications in the following professions; Psychology, Sociology, Social work, Early Childhood Education among other related disciplines from a recognized institutions” as may be necessary for the discharge of its functions.

Proposed Amendments to Part III- Registration of schools, centers and institutions

1. Amend section 9(3) by adding “to a fine not exceeding one hundred thousand shillings or jail term of two years or both”
2. Amend Section 13(1) by introducing Sub section (f) to read Where the applicant is a company at least one of the directors should be an educationist with Early Childhood Education background or experience.

Proposed Amendments to Part IV-Miscellaneous provision;

1. Amend the second last paragraph of Section 19(3) by adding any other relevant officers depending on the nature of the complaint

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2. Amend section 19 by introducing sub section (c) “Any person who will be found with a child of school going age and has not been enrolled to any school is found to have contravene Article 53(1) (b), Children Act of 2001, Basic Education Act 2013 and other related laws is liable on conviction to fine not exceeding one hundred thousand shillings or jail term of two years or both”.

Hon. Speaker, on behalf of the membership of this Committee I hereby urge Members of this Honorable House to approve and adopt this report. More importantly is implementing this Act with good will and as soon as possible starting with streamlining the terms of employment for ECDE Teachers and Caregivers as devolution is here to stay.

Hon. Speaker, I beg to move.

I want to urge the Hon. Diana Siriti to second, before that I believe that my committee has done a very good job we sat in Kisumu to do the report writing and it captures what we need to do as an Assembly so that we can enact this particular Bill which will streamline the issues of registration ,management of schools because currently Mr. Speaker as we speak there is no law which governs the management of our ECDE centers and these are very important institutions which lays the foundation of development of our children and if they are not well managed it will be a disaster for us as a County. I urge all the Hon. Members to support and adopt this report so that we can move with speed to have it assented to then we implement and I believe we will be moving forward as a County.

I beg to move and urge Hon. Siriti to second. Thank you Mr. Speaker.

Hon. Siriti: Thank you Mr. Speaker, I stand to second the Bill from Education committee, A Bill is a tool used to source resources as the education committee we feel that for education in Baringo to continue well we need to have a tool that can source resources from different organizations and NGOs and the Government for our kids to learn well

Mr. Speaker as what the Chair said we need to establish fund management in our ECDEs the only ECDE which have management are those attached to primary schools so the Head teacher is the one responsible in ensuring that it has resources and facilities, theones which are not attached to primary schools the pupils are suffering since there is no management. It is good we pass this Bill which will give direction

Secondly, we captured on teacher replacement after retire or someone has gone to look for greener grass. Most of our ECDE don't have teacher's especially Tiaty teachers go there work for a short while then go back to their Home area if we pass

this Bill it will give direction on replacement. In terms of transfer if someone is employed far how can we organize for transfer?

Mr. Speaker we have the issue of teacher pupil ration in some schools you will find a teacher teaching almost 100 pupils in one class that means the objectives will not be archived during learning. We need the correct ratio and when we adopt these Bill it will guide us on How to employ teachers otherwise I stand to second the motion thank you

The Speaker (Hon. Kiplagat): Thank you, this motion being dully moved and dully seconded

(Question proposed)

Debate is now on you may proceed Hon. Kibai.

Hon. Kibai: Mr. Speaker I want to congratulate the education committee they have done a great job this is one of our main responsibilities in the County Assembly Most of the times we should be debating Bills that are brought by the executive Mr. Speaker if you have been very keen members in these House have severally brought Bills and that's why we were ranked number three country wide on House matters concerning representation and legislature in these House. I thank all the members on the work which they are doing.

Mr. Speaker I support this report on the education committee this is our main function on devolution and as it has been said by the member who seconded it is very important on the monitoring and evaluating our children as they grow up to become important people in the society. I support the report Thank you Mr. Speaker

(The Speaker [Hon Kiplagat] left the Chair)

(The Deputy Speaker [Hon. Cheboiwo] took Chair)

The Deputy Speaker (Hon. Cheboiwo): Hon. Kibet MCA Kabarnet.

Hon. Kibet: Thank you Mr. Speaker mine is to just mention a few things; I want to appreciate the committee, they have tried though there is a lot of work which needs to be done. ECDE is a devolved function and the executive should be in the front line from what I have read here and I have heard from the Chairman you don't see the involvement in the executive. Key things in the ECDE is infrastructure and the human resource and what I have not seen is the welfare of the teacher because ECDE is more about the teacher

Mr. Speaker it is a big shame that in Baringo a teacher is paid 7,000 or 10, 000. Remuneration alone will deal with issues of teacher employment. I have seen the committee is talking about issues on replacement this is because people are moving away from the ECDE jobs because it is not attractive what we have on the table is good for a start. The infrastructure is not what is desired the other day we were issuing out books in Model ECDE

Mr. Speaker we are going to pass this Bill as usual the Chairman implementation is here he knows where these things go to and he is my good friend but for me if I was the Chairman implementation I would have resigned by now because he has nothing to show. If we cannot implement even a single Bill and motions then this Bill is good for the Chairman education to go and tell his people that he passed a Bill and that is it...

The Deputy Speaker (Hon. Cheboiwo): What is the point of order Hon Kakerel?

Hon. Kakerel: Je, ni halali mhe. Spika kusema mwenyekiti wakamati ya implementation ajiuzulu na yeye mwenyewe hajui tuko na mpango gani na hii Bill kwa hivyo aombe msamaha.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon Kakerel, go ahead Hon Kibet.

Hon. Kibet: thank you Mr. Speaker my concern is that the ECDE Bill is a serious Bill and I was encouraging my Chairman that if there is anything he can do is to start with this Bill because it is our main domain

If we talk about the ECDE we have the teacher and some parents do not understand what is going on they think that education is free and my work is to just allow the child to go to school. I have gone to some schools like here in Model besides the teachers who are employed by the Government the board of management have employed some teachers and it's because they are in town and they understand the need for ECDE but if you go to our villages nobody is ready to support

Mr. Speaker we are talking about the sponsor, most of these schools are sponsored by churches and it is bad because the primary section seems to control the sponsor there was not clear definition that if the primary is supported by for example the AIC what about the ECDE like here in kabarnet we could be having several ECDE feeding one primary school; even the project management committee.

Mr. Speaker there is something that is not clear because if you go to the committee, you'll be given the construction committee that is those who were put in place when the committee was built. We cannot call that a committee that can run an ECD because the infrastructure committee cannot be the committee to run the school, it is just the same way as in churches where we have the building

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committee and the committee that runs everything. In most of the ECDs, there is no leadership; like in Baringo, I think Model is the only school with a principal ECD teacher because we have more teachers but I am sure that across my Ward, there is nothing like the Head teacher; it is just teachers.

Mr. Speaker, we have to be fair as there is very little consultations from the committee to the members because I am surprised; the Chair committee education is my friend; and he knows that at least I have something that I can say; he would have consulted so that we can say, how can we form a leadership structure for the ECD? We can combine 10 ECDs and have one principal example like in my Ward Kerio Valley, to introduce something like that because it is not easy to have 4 or 3 teachers in the same school for ECD alone or we come up with...in consultations; now most of the ECDs are within the primary school section and you know the primary school section is a national function so maybe there would have that consultation and by reading this I don't pick that and it's not easy for me to try and understand how the ECD is supposed to work with the primary section and it is because we have this idea that ECD feeds primary; that is what the Chairman knows and I think that's what he assumes that it is the normal thing. I have gone to ECDs where the head teacher does not even recognize the ECD and times the head teacher says that those are the issues of the County. For me I support this motion and I want to say we cannot throw the basin and the baby, we will support and encourage the Chairperson, I don't know how many Bill he will bring, to see and we can even form a caucus to support our Chairman's implementation because when the people ask us...I also want to have credit in this Bill, my honorable member who is also my mum was agitated that I should apologize...

The Deputy Speaker (Hon Cheboiwo): I think Hon Ernest you are going far. Just wind up.

Hon Ernest: No I just wanted to assure the member that I was not demeaning the Chair but I was just supporting and ask the Chair that if they cannot listen to you; you are a man of integrity, then just say to hell with this thing and just move on. If they cannot listen to this, then what else can they listen to? Thank you Mr. Speaker.

The Deputy Speaker (Hon Cheboiwo): Thank you Hon Ernest, I think the committee Education has gathered some information from Hon Ernest, Hon Cheruiyot, MCA Koibatek Ward.

Hon Cheruiyot: Thank you Hon Speaker for giving this chance to contribute to this motion, first I want to congratulate the Chairman Education committee for bringing up this Bill and to also contribute to this report that has been brought to the floor of this House. I am also part of those who are lamenting...

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The Deputy Speaker (Hon Cheruiyot): Order Hon Kagerer and Hon Ernest, consult silently.

Hon Cheruiyot: Mr. Speaker, I was saying that I am also part of those lamenting that this Bill should touch more because we are performing poorly especially on the ECD. One is concerning the ECD teachers, they are remunerated badly and if you go deeper I was told by some of the ECD teachers that they were given pay slips of more pay that is about 25,000 while they are not getting that money and were wondering what was happening. So they were demoralized in some way, at times they are embarrassed of cost workers and I think this Bill could have addressed those issues because I have so many ECD centers in my Ward whose teachers are not paid even by the County Government, they are paid by the parents and sometimes go without pay and to them it is like volunteering while some of them are trained; they went to schools, colleges but the payment is not forthcoming and I thought Mr. Speaker this Bill and report could have addressed those issues.

We also have issues about the replacement of those who had retired. Since 2017, I have some centers in my place like Kanjulul ECD center, a teacher retired and no one has replaced that teacher up to date. Another one is Kokwomoi ECD center, a number of them retired and have not been replaced. Others like Chemelil do not have an employed teacher, Naitilii ECD center built by the County Government but don't have even a single teacher, Tuyabei have no teachers while they have very beautiful infrastructure. This Bill could have captured these issues; how to replace those who have retired, how to employ teachers to those centers that don't have teachers and I thought it could be better if those centers had even one ECD teacher. I support this report but I wish they could have addressed these issues. This morning, I received 3 calls from some of my teachers complaining that they are not receiving payment, others are asking when they are going to be employed because some are reaching retirement age and have been working without pay and that is why I support Hon Ernest when he said we were not consulted; I was not consulted and I could have given those views. I know this is a report and there is a Bill, next time they should bring another motion which will create more room for these teachers who are not employed, thank you Mr. Speaker I support and congratulate the Committee.

The Deputy Speaker (Hon Cheboiwo): Thank you Hon Musa Cheruiyot, Hon Rono.

Hon Rono: Thank you Hon Speaker and before I continue I'd like to appreciate the committee for finding time and getting us this report. I won't lament but would appreciate what they have done though we are not satisfied. I would like to say that the first public participation was supposed to be with the members because we are

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the primary unit of development and we always face these challenges and complaints from our ECD teachers and centers. I just to make the Chair Education aware that the way ECD centers were proposed and built is like what I call the devolution facilities in the department of health. When devolution came, the issues of ECDs were given to the counties and in every village would like to have their ECDs marked to know where an ideal center was to be built. The ideal environment for an ECD center was never considered, I have cut across my statement on the ECD centers because the only ECDs center I got were the ones attached to primary schools and those outside the primary had challenges. So far I have never heard of a standard college with a clear curriculum with an ECD training centers and I think that it is an agitating problem for us to really know which college offers the best training for our ECD teachers Mr. Speaker.

We know of the primary, colleges and universities but not of those offering our ECD teachers training and this tells us that we need to know about this. During the public participation in Baringo South, they raised their concerns about the issues of salaries of the ECD teachers and that it should be left to the SRC which is true because in counties like Narok, they are paid around 25,000 and I read in one of the newspapers that a minimum certificate holder should get should be 25,000 and in Baringo they are talking about around 10,000-15,000 and I am not sure if that is a pay slip or an example. We should have a standard pay for our ECD teachers across the country to avoid other counties having different amounts because they are all teachers teaching the same to the children. All the employers in Kenya have their own standards and why shouldn't we have this with the ECD teachers and I am not saying that we run away from our responsibilities but it is an issue for the central Government to establish it then give us something with standards. We are grumbling with the little resources that we have. In our ECD centers, apart from the teachers, the teaching materials are not easy to get so they'll have to go to the primary to acquire the resources to help these children but from the counties it's almost zero.

From the look of things, the County seems to not be able to handle these issues of ECDs but nevertheless, we need to pull up our socks to see that we can allocate funds to the ECD centers. When we look at the centers, we are not able to handle the children with disabilities in that, when you see the washrooms and classrooms we are not prepared to handle these children and we need to entrench first and firmly to ensure that we have such facilities for these children. Reading from Tiaty, they had a very good concern which cuts across the Endea lowlands where I also represent. They talked about these feeding programs; majority of us went to school early because of the Nyayo milk and 'supro' and I know when we'll start this feeding program; it is unfortunate that we had allocated some money and in the last

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budget, it seems that we removed them and did not consider our children. It is our responsibility to ensure that the school going children especially the ECDs have something in that school. You must know Mr. Speaker that in rural areas especially the dry areas food is still a problem so if we offer it in this ECDs, we will attract them and we will have smart and brilliant children to benefit from it.

We still have issues of malnutrition, so when we introduce the feeding program, we would have balanced malnutrition issues in our society. I think the members captured it but not boldly but we appreciate it and we need this feeding program and we had gone to an extent of saying that instead of just feeding them, we should give them milk too for nutrition. I support this Bill and would like our members to adopt it for we have to start from somewhere. Mr. Speaker we are taking a lot of responsibilities that is not ours like paying the university fees, secondary schools and those are not our mandates but just a public relation activity. We need to equip the ECDs, pay our teachers and I urge the members to adopt this Bill, thank you.

The Deputy Speaker (Hon Cheboiwo): Thank you Hon Rono, members be informed that we still have room for amendment; you can prepare your amendments and talk to the Clerks to the committee as well as the Chair so that you be informed how to present it in the next stages, Hon Maria Losile.

Hon Losile: Thank you Mr. Speaker for giving me this opportunity. I rise to support this report, committee Education Vocational Training and ICT. The reason why I support this report is; first I'd like to thank the committee in Education for bringing this important report. I only want to request that during amendment, we should be considering; I conquer with my colleague who seconded this motion Hon Diana by saying that replacement should be done where teachers have been removed but also we should talk of employing more teachers, salary increment and these teachers should be employed on a permanent job because if you see these ECD teachers, you pity them as they are really suffering judging by their attires, this is my request.

We have a lot of ECD buildings, like in Tiaty; their buildings look like elephants because there are no teachers posted to those schools. In my place, I have like 8 schools with no teacher; Children just report, play then go home. Another problem is on the feeding program, there is no food in those schools. How do you expect those children to survive or study well? I have constructed so many schools in my area and I am not giving up because the area needs more schools and we need this County Government to put more funds for the ECD centers. If I could mention schools in my area with no teachers, you will be amazed. I have Namuget, Kapurget, Chemng'atit, Chepungus, Tuwet, Chemktan, Chepkoigo and many others. Those who are able to educate their kids take them to private schools and

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not everyone can afford it. We have a big problem as a County and we need to take this report seriously. For those few remarks, thank you very much Mr. Speaker Sir.

The Deputy Speaker (Hon Cheboiwo): Thank you Hon Losile, Hon Cheserem.

Hon Cheserem: Thank you Mr. Speaker for giving me this opportunity, I rise to support this motion with a number of recommendations and I must thank you Mr. Speaker for allowing amendments; I had even consulted the Chair if he understood and he requested if I could make some amendments but because have allowed, there are so many amendment that need to be put there and recommendations that need to be put there but first I want to thank the committee for doing a very good job and it's a good start; this is the best report we need because this is our backbone for this County and without the ECD or the pre-primary education, we will not progress as a County. Mr. Speaker Sir, I have a concern whether in future we should be put as part of the recommendation on the registration of the schools. There was time until recently I was serving in the Baringo Education Board and whenever the CEC education came to participate in the board meetings, to especially during registration, they were in a dilemma whether to give information or participate fully on what to be done in the registration; there was nowhere captured in the basic education act and they have been laboring whether to put their inputs. I recommend that the first person that the application forms for new or existing members who have not registered the ECD centers should go to the Sub-County coordinator and not the CEC or to the department because those are the people who will go to the ground and do the inspection. At the moment, the structures at the ECD are not well constituted because they only have a coordinator in Sub Counties. In our barrier Wards even reduce it to a zone, in the setup in the ministry of Education, they have many officers compared to the ECD and yet this is the beginning of education in any serious country or County; so we also need; if they could consider in future appointing coordinators on the Ward level not even the Sub County level so that they can gather more of the information needed in our ECDs because we also need inspections to be done there; you know, in education we need guiding and counseling most the time and information reaching them in the shortest time. Most of the time, the coordinators cannot reach the schools or the ECD centers because they do not have the means and are just in the office waiting for information to be brought by those on the ground either by foot or by motorbikes and at times there is no other means. Thank God for the network in some areas where they can call but they cannot verify. Another concern is on the issue of salaries. I really want to recommend to the committee to discuss at one time with all the time that we have even at the moment since the 2020 or 2019 financial year, we have not had the bursaries going to the beneficiaries but I want to recommend Mr. Speaker Sir and to the House that if the bursaries can be

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changed to include the increase of teachers' salaries instead of giving out those 'miaka' 5,000 or 10,000 while our teachers are not being paid and our kids are not getting food. Let's just allocate...

(Loud consultations)

Deputy Speaker (Hon Cheboiwo): Hon Tarus, what's your point of order?

Hon Tarus: Honorable Speaker, is it on order for this honorable member to mislead this House that the payment of the ECD teachers is 5,000 and maximum 10,000 when actually, as a committee we struggled in the last financial year to ensure that each ECD teacher was added an extra 1,500 and the minimum as of now is 9,000...

Deputy Speaker (Hon Cheboiwo): Honorable, let him give the clarification on what he meant. I thought he meant the bursaries.

Hon Cheserem: Thank you Mr. Speaker Sir for getting the information, Hon Tarus, I didn't mean the salaries of the ECD teachers; I said the bursaries which we have been giving 5,000 to 10,000 to beneficiaries and it is not helping them that much and if we could convert the bursaries to increase the salaries of the ECDs. So I think we are together and I was in order it's only that the point missed you. It was a good point of order...

Deputy Speaker (Hon Cheboiwo): I think now Hon Tarus you've now understood; he has clarified...

Hon Cheserem: Thank you. Mr. Speaker Sir I also wanted a recommendation or amendment to be more specific on the issue of replacement of the teachers who have retired, those who have been transferred due to marriage or other wishes; it depends on the needs of people and also the teachers who might have passed on. There has not been any replacement of teachers who have retired, transferred, passed on and those who might have left the job because some time back they had a problem with salaries and some opted to not doing the job and resigned up to now. If that could be done so that the ECDs that are now suffering because of shortage of teachers; we have heard a member giving us the number of teachers who have transferred, others retired, resigned because of the salaries. Replacement should be done because if money was allocated for payment to those who were in the field, then they should be replaced and avoid the issue of lacking money to pay them. Till now there has not been advertisement for replacements unlike in the TSC where when a teacher retires, they are replaced as it is a continuous process. We in the ECD department should have an act provision replacement of those who might have retired or resigned.

I want to recommend that we include the component of water provision in our ECD centers. As much as we get food, there is shortage of water in the centers. If they could consider supplying all the ECD centers with water tanks where they could store the water for a period of time when in school and also when there is no water, we could make arrangements to supply them in collaboration with the department of water so as not to struggle in getting both food and water. Otherwise this report has tried a lot. I know and I have seen that they are ready for amendment and taking us through. I'd wish to recommend that if they had time to have a session with all the members just like a 'kamukunji,' we share a few things, they will have a very good report in future and for now I support and it is going to take us places because they have started well; thank you Mr. Speaker, I support.

Deputy Speaker (Hon Cheboiwo): Thank you Hon Cheserem, Hon Francisca Cheburet.

Hon Francisca Cheburet: Thank you Hon Speaker, my colleagues have touched on most points and I'd wish to congratulate the Education Committee team for this work that is so detailed. Although the Bill will still need more amendments, but then I'd want to appreciate the far they have come is around 75% of what should be done and I want to touch on a few areas; one of the areas that should be taken care of is the feeding program. We note that without the feeding program or children not getting the right food, it could affect their intellectual ability of that child growing up and I think from that it also affects the height growth. When you go to the education experts who have been making follow ups of the same, they'll inform you that children who are not being fed well will have a retarded growth. I want to agitate to the committee that may we follow up on this so that we might not make some of our children not reach their goals in life because their intellectual ability has been affected and that their physical growth has also been affected.

The other issue is, the department should come up with a proper policy. It is so discouraging to note that during devolution, there were so many things that were introduced, so many structures and we as honorable members have a good pay slip and everything; I was looking at this pay slip and was wondering on the person working on this pay slip especially in the Human Resource office; because how can you give a basic salary (23), rental House allowance 3850, hardship allowances 5700 then to lock up the whole pay slip, you note that that person is earning a total salary of 10,000 and it is so unfair; it is being unfair to the ECD teacher and I think it is because of the love they have for the children of this County that they have been persevering and getting this pay. How can someone's total pay by adding it all be 10,000? Is this a pay slip honorable Speaker? Then again you start deducting from the 10,000. How do you prepare a pay slip without

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pension in it or graduate? Honorable Speaker, this is being unfair to the ECD teacher. In fact this is not a pay slip, it is so shameful and we shouldn't be claiming it as our own because I can see the designation reads (G.O.1.H.G) so what? Where do these teachers fall in when such things are written? What did these people want to raise on this? When the pay slip reads that this pay slip belongs to a teacher who has been serving and she is now 47 years; without pension, without anything. I mean this is so bad Honorable Speaker and this is a lie, this is no pay slip. Whoever prepares this must have copied from the SRC pay slips that we normally get and pasted the rest to fit their intentions and it is being so unfair to the ECD teachers. My request is...I think that the H.R department should also wake up; don't lie to the teacher that because you have an employment number now, you can get a pay slip that someone has prepared with their own intentions.

The other thing is, I think the education department are sleeping because one, when we came to this Assembly, they should have been the first department to bring the policy that governs everything that relates to the structures to the teachers of ECD Mr. Speaker. We are so disappointed that this is our third year in the Assembly headed to the fourth and we are now dealing with issues that would have been dealt with in the first year when we came to this Assembly. I just empathize with these teachers; they have even worked extra hard because you will find students who are so brilliant who were brought up by these same teachers and we are really proud of our ECD teachers. I have been looking at some of their papers and some of them have masters in ECDE and you can imagine that same person earning around 15,000 or having pay slip like this. Where is the merit? Why these teachers should strain by exhausting their raw materials to attain a degree or masters and are not earning anything? What does it mean to motivate a teacher? What is your definition of motivation? One of the motivating factor is, you take a teacher for training and support the teacher when they are going to learn. Most of those working in other sectors even in our own Assembly, the more they get their papers, the more their earning; training is a motivator and I'd wish to say that, ECD teachers should be given this motivation. Not only monetary motivation but they can be taken for training, taken for retreats, for those who have performed very well, they should introduce a system of graduating after every 3 years or maybe two years. What are we doing to encourage our children and the ECD teachers?

Another problem in the ECD that was not indicated here is having the same structures all over. Whether it is on a flat land or on a higher ground, it should be built the same way. So you find that those parts that are flat, the ground is so high and children may fall at any given time because they have to come down and considering their age...I think the ECD has not been given the right way to be done; starting from their structures, their equipment, their teachers and also their

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terms of service. When I look at the memorandum that the teachers did, they were to the point that the teachers remunerations be done; permanent and pension scheme. Schemes of service to be implemented and they didn't even ask for more; they just asked for three main issues. I think they understand that maybe resources are not that much and that is why they requested for the three. But then us as leadership, what are we doing to motivate the ECD teachers? I support this motion and thank you Honorable Speaker.

Deputy Speaker (Hon Cheboiwo): Thank you Hon Cheburet, I think you can look for amendment on the minimum pay for the ECD teachers so that we can at least fix the issue; Hon Majority Leader.

Hon Kipchumba (Majority Leader): Thank you so much Mr. Speaker Sir, I also rise to air my views and I support the report. I am a member of this committee and we sat down and deliberated on so many other issues. I entirely agree with the statements expressed by the members and as a new document; you see even the Kenyan Constitution was started somewhere and it has been developed up to where it is at the moment and there are still some great areas. I agree that whatever we have done there is room for improvement and we will continue improving until we get a perfect document Mr. Speaker Sir. We all come from our Wards and we know the ECD Institutions are wanting. I have one case; sometime back, I took my child to a private school, a class 6 child, and after sometime, I was called by the teachers and was told that your child lacks some basic ECD lessons yet in class 6. She had to attend those lessons and that is a rural area. So Mr. Speaker, we really need to do something on ECD because it is an integral part of the education system in Kenya and if we don't get it right, eventually it will appear somewhere in the child's learning. I strongly thank the members and I strongly support, thank you.

Deputy Speaker (Hon Cheboiwo): Okay the mover to reply...

Hon Tarus: Okay, thank you Hon Speaker, I rise to reply and I'd like to first thank the honorable members for their contributions whether in support or lament, or giving their suggestions on what should be done those have been captured. For a coordinated management or registration and of course the management of the schools, this Bill has captured that and on teachers welfare replacements, retired, payments of salaries, of course these are problems we've had for quite some time and these replacements and retired teachers and those who have gone out through natural admissions and those ones are being addressed by this Bill. We have the amendments that are being released on page 13 on the roles of various stakeholders, are captured and the issue of pay is our problem as a County because of a wage called the wage Bill. If you try to increase; like what we increased the other day is short on the wage Bill by a large sum of money and one thing that I am

happy about is that, the County is likely to receive a good amount of money when it comes to the increment that was announced by the President. This House is a House that passes the budget; so it is our responsibility if it is awarded to the departments or committee, then this House should approve for payment to be increased for the ECD teachers and as we have already mentioned, which I still want to reiterate is that, there is still room for amendments. I want to urge the honorable members that you make your submissions to me or the Vice Chair or the Committee or even the Clerk so that we can capture all those suggestions that you want to be included in the Bill. We want a document that is all rounded and captures all the requirements for our ECD teachers. I want to request members to put it in writing and submit it so that we can incorporate these issues in this Bill and it will be in the second reading because it is our responsibility to make those amendments so that it can reflect on the wishes of our people and the members of this Assembly.

Mr. Speaker, on bursaries or performing mandates that are outside us as a County, has actually been done for quite some time and it is done just for peer exercise, where we want to give bursaries to children in secondary schools, universities and so on which are actually outside our mandate but I want to inform this House that we have a Bill on bursaries which is already in the Government printers and I don't know if it will be brought to this House so that we can debate, pass it, make sure that all the requirements have been captured and then later on we will have a public participation comprising of members of the Assembly and this will stop the issue of doing things outside our mandate. I want to also register what the honorable members have said about the disappointing salaries that will be addressed once we have the issue of 1.2 Billion from the National Government. Otherwise Mr. Speaker, I want to thank the honorable members for their contributions, suggestions and recommendations which I think we have captured as a committee and another thing I would like to request is, people should not give their suggestions or recommendations before the mover of the motion gives a reply, members are already outside and you can see what is doing to this House and I think that this members are not serious because how do you recommend something and before you get the answer you are already gone and that means that we are just doing things for the sake of doing. Thank you Mr. Speaker and also members.

Deputy Speaker (Hon Cheboiwo): Thank you, I now put the question

(Question put and agreed on)

ADJOURNMENT

Order members! The House stands adjourned until today 2.30p.m.

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The House rose at 11.45am.