

SPECIAL ISSUE

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REPUBLIC OF KENYA

**MOMBASA COUNTY GAZETTE
SUPPLEMENT**

BILLS, 2015

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THE MOMBASA COUNTY QUALITY IN LEARNING AND TEACHING BILL, 2015

A Bill for

AN ACT of the Mombasa County Assembly to give effect to article 189 (1) (b) and (c) and 189 (2) of the constitution of Kenya, 2010 and section 18 (1) (a) (c) (e) of the Basic Education Act, 2013; to improve of the quality of education; to establish a Quality in Learning and Teaching Committee and its functions and for connected purposes

ENACTED by the Mombasa County Assembly as follows—

PART I— PRELIMINARY

1. This Act may be cited as the Mombasa County Quality in Learning and Teaching Act, 2015.

Short Title.

2. This Act will come into operation upon assent by the Governor.

Commencement.

3. In this Act—

Interpretation.

“basic education” means the educational programmes offered and imparted to a person in an institution of basic education and includes adult basic education and education offered in pre-primary educational institutions and centres;

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

“committee” means the Quality in Learning and Teaching Committee;

“county” means the County Government of Mombasa;

“county education board” means the board established under the Basic Education Act, No. 14 of 2013;

“executive committee member” means the secretary for the time being responsible for matters related to education and children;

“parent” 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;

“quality in learning and teaching department” means

an office in the Department of Education and Children;

4. The provisions of this Act are guided by the following values and principles—

Guiding principles.

- (a) the right of every child to free and compulsory basic education;
- (b) equitable access for every child to basic education;
- (c) promotion of quality and relevant education;
- (d) protection of every child against discrimination;
- (e) protection of the right of every child to equal standards of education including the medium of instruction used in schools for all children of the same educational level;
- (f) ensuring human dignity and integrity of persons engaged in the management of education.
- (g) restore the role of parents as the primary stakeholders in education.

5. The object of this Act is to improve the quality of education through collaboration and consensus between the national government, county government and other related stakeholders.

Object of this Act.

PART II — ESTABLISHMENT OF THE QUALITY IN LEARNING AND TEACHING COMMITTEE

6. There is established a committee to be known as the Quality in Learning and Teaching Committee.

Establishment.

7. The committee shall be composed of—

Composition.

- (a) a Chairperson who is the Executive Committee Member;
- (b) a secretary who is the Director of the Quality in Learning and Teaching Department;
- (c) the County Director of Education established in the Basic Education Act, 2013;
- (d) a representative of the Teachers Service Commission in the county;
- (e) a representative of a Teachers Union;

- (f) a representative of the Kenya Parents Association;

8. The committee shall—

Functions of the committee.

- (a) co-ordinate intergovernmental activities related to quality in learning and teaching in Mombasa;
- (b) build the capacity of teachers and monitor their teaching methods;
- (c) promote quality teaching and entrepreneurship through performing arts, creative arts and sports development in collaboration with relevant organs;
- (d) promote preparedness for examinations and ensure continuous learning;
- (e) collaborate with local, regional or international institutions to enhance quality education;
- (f) identify and address the policy gaps within the national government and County Government that affect quality of education in Mombasa;
- (g) oversee the monitoring and evaluation of the effectiveness of policies in education;
- (h) build up the administrative capacity of parents as the primary stakeholders in education;
- (i) ensure that children belonging to marginalized, vulnerable or disadvantaged groups are not discriminated against or prevented from pursuing and completing education;
- (j) carry out any other function for the effective provision of quality education.

9. The Executive Committee Member may make Regulations for the better carrying out of the provisions of this Act.

Regulations.

PART III — MISCELLANEOUS PROVISIONS

10. (1) The committee shall have at least four meetings in every financial year and not more than four months shall elapse between the date of one meeting and the date of the next meeting.

Conduct of business and affairs of the committee.

(2) Meetings shall be convened by the secretary in consultation with the Chairperson.

(3) The Chairperson shall preside over all meetings and in the absence of the Chairperson, the meeting shall be chaired by a person elected by the committee at the meeting for that purpose.

(4) The Chairperson may at any time convene a special meeting of the committee, and shall do so within two weeks of the receipt of a written request signed by at least three other Members.

(5) At least seven days notice of a meeting shall be given to every Member.

11. The quorum of a meeting of the board is four Members. Quorum.

12. A decision of the committee shall be by a majority of the Members present by voting and, in the case of an equality of votes the person presiding the meeting shall have a casting vote. Voting.

13. Minutes of all meetings must be kept and entered in records kept for that purpose. Minutes.

14. (1) If a person is present at a meeting of the committee where he or she is directly or indirectly interested in a private capacity, that person must declare such interest. Disclosure of interest.

(2) The person making the disclosure of interest under subsection (1) must not, unless the committee otherwise directs, take part in any consideration or discussion of, or vote on any question touching on the matter.

(3) A disclosure of interest made under subsection (1) must be recorded in the minutes of the meeting at which it is made.

(4) A Member of the committee must not transact any business or trade with the committee.

MEMORANDUM OF OBJECTS AND REASONS

The principle purpose of the Bill is to improve the inter-governmental relations and build the administrative capacity of parents in order to enhance the quality of education.

PART I of the Bill provides for preliminary matters including short title and definitions of the words used in the Bill as well as the object of the Act.

PART II of the Bill provides for the establishment of the Quality in Learning and Teaching Committee which will collaborate with the national government and other related state organs.

PART III deals with the miscellaneous aspects of the Bill which includes conduct of business and affairs of the board.

The enactment of this Bill will occasion improvement of quality in teaching and learning in Mombasa.

*Chairperson,
Committee on Early Childhood Education and Vocational Training.*