



PROFILE:

Kutoka Network, Nairobi People’s Settlement Network, Muungano Wa Wanavijiji Federation, The Youth Congress Network and Soweto forum are community based organizations bringing together over 100,000 residents of informal settlements in Nairobi and other towns. The aim of these five networks is to create a healthy working relationship between the leaders and community members and encourage collective efforts towards sustainable community development and peaceful co-existence.

INTRODUCTION

According to the *International Covenant on Economic, Social and Cultural Rights*, the right to education is recognized as a human right which includes the right to free and compulsory basic education. The entrenchment of the Bill of rights in the new constitution guarantees the Right to free and compulsory education to all children. Article 43 clauses 1(f) provides that every person has a right to education and Article 53 provides that every child has a right to free and compulsory basic education.

This right to education in Kenya has not been fully realized. Many children are not enjoying it due to a number of factors like the ineffectiveness of the free basic education program, corruption in the education sector and lack of sufficient information amongst the community members with regards to education related matters and have resorted into taking part in unethical activities like prostitution, mugging, drug dealing and others are forced into early marriages and child labour.

The objectives of this activity therefore is to emphasize the role of the state in providing quality education through the allocation of substantial budgetary resources and regulating the provision of education.

The Body

Free and Compulsory Education: According to the new constitution, every child has a right to free and compulsory basic education as per Article 53.

In 2002, the government implemented the FPE (Free Primary Education) policy whose key concerns are access, retention, equity, quality and relevance and internal and external efficiencies within the education system. The government's focus is also on "quality education and training as a human right in accordance to Kenya law and international conventions.

After the initial euphoria, it was noticed that there was lack of sustained and comprehensive communications strategy for the FPE. There was lack of consultation and information on the roles of various key stakeholders. As a result of this, there is confusion amongst teachers, parents, school committee members, sponsors and local donors. At the same time, there was lack of clear guidelines as far as FPE was concerned, and many issues were rushed without these being addressed adequately.

Though the abolition of school levies increased the number of students attending primary school, with it came many challenges. The issue of quality education has been of great concern as the number of pupils have doubled or tripled in some cases, thus affecting the pupil to teacher ratios. Some parents have since then removed their children from private schools so as to benefit from this free education while others have left the public sectors due to poor quality of education and overcrowded classes.

Though the Kenya Government pledged to provide funds for purchase of all teaching learning materials, teachers' salaries and for capacity building programs, reports of delayed or inadequate funding are common among most institutions.

The Kenya FPE raises questions of sustainability due to its lack of appropriate planning, slow deliver, poor quality of education and the failure to incorporate the lessons learned over the years.

Illegal fees and corruption: We appreciate the government for the introduction of the free and compulsory education in Kenya; however, it has opened doors for corruption that is rampant from the top to the bottom offices in the education sector. This has led to introduction of many

illegal fees like the desk fees, examination fees, registration fees, full uniform fees and remedial fees which are affecting the common mwananchi now more than ever before.

Public Health: we also congratulate the government for the introduction of various health related programs like the WASH campaign which has helped improved health conditions in school. In spite of this effort however, the situation is still wanting. We are faced with challenges like lack of clean toilet facilities, clean water for use and consumption and soap, poor structures that are hazardous to the children and teachers, lack of sanitary towels for the girl child.

Informal Schools: Private schools should be supported in the region, as the government public schools cannot accommodate all the children. In Kibera for example most of the perceived Formal schools are informal schools or are schools not within Kibera the main example being Olympic primary school which although serves the Kibera population is not in Kibera. The same applies to Toi primary school, Old Kibera and Joseph Kang'ethe among other schools.

Services provision: we have realized as parents that matters concerning services in the school are another issue that requires immediate attention from government. There is lack of adequate and continuous supervision and inspection of schools to ensure health standards are abided and that the environment is also conducive for children with disabilities for quality education; and also monitoring of use of funds as some are wasted or put into use not recommended. Supervision also lack in ensuing that schools are attended to by trained teacher, the feeding programs are inadequate and are mostly attracting extra levy from the parents.

Equality amongst the children: As Kenyans we believe that all children are equal as emphasized in the constitution under Article 27. There are no formal or non formal children hence treatment of children different depending on what system of education they belong to is illegal and must be shunned for instance in selection to national secondary schools all children must be treated equally in the course of learning. Government should subtend its services to all kind of schools reason being in most informal settlements for example, in Kibera there are no public schools as perceived and therefore children from this region are prejudiced as the government does not put their needs into much consideration.

Information: The lack of proper orientation on the new education policy is evident among the community members and teaching staff alike. Most teachers are only aware of what the

government funds are meant for (distributed) but do not understand the aims and motivations behind the policy. This makes it hard for them to support it. Community members are also generally unaware of their rights and privileges under the policy.

RECOMMENDATIONS

The education provided must encompass four aspects which include availability, accessibility, adaptability and acceptable quality. This means that all children must have equal access to school services regardless of gender, race, religion, ethnicity or socio-economic status. This includes ensuring that proper laws are in place against any child labour or exploitation to prevent children from obtaining primary or secondary education.

There should be adequate infrastructure and facilities in place with adequate books and materials for students which are relevant and culturally appropriate for all students. Methods of teaching should be objective and unbiased and material available should reflect a wide array of ideas and beliefs

Buildings should meet both safety and sanitation standards, such as having clean drinking water. Active recruitment, proper training and appropriate retention methods should ensure enough qualified staff is available at each school.

Schools must be within a reasonable distance for children within the community, otherwise transportation should be provided to students, particularly those living in informal settlements, to ensure ways to school are safe and convenient.

Education should be affordable to all, with textbooks, supplies and uniforms provided to students at no additional costs. One of the greatest challenges of the FPE policy is that most of the beneficiaries and stakeholders do not understand the policy guidelines

We therefore propose the following:

- The government should develop simple but clear guidelines that should be shared with all stakeholders.

- They should include guidelines on the government's role and the parents and schools obligations in the policy.
- They should also give directions on matters related to access to schools, admission criteria and transfer guidelines. These guidelines should be included in the sensitization campaign packages and distributed to communities and schools. The local politician should be cautioned about giving inadequate/improper information.
- The government should also enhance community participation in school management. This will help give a sense of ownership to the community and establish them as key contributors to the education sector. This can be done through more orientation on the policy.
- Reviewing School Funding- The Government should review the current funding policy to allow for flexibility within the instructional materials and general-purpose accounts. These inflexible guidelines prevent parents and school management committees from responding timely to needs, specific to the schools. The funding policy should be reviewed and tailored to the needs of specific regions, as schools with adequate infrastructure receive same amount (per child) of funding as those without. Funding should also be based on needs and not on school enrolment only. Not only should additional students have access to schools, but the schools should be equipped to have the basic requirements conducive for a healthy learning environment.

The Kenya government should look at other sources of funding to meet the financing gaps on the education budget. The government funding is inadequate and is creating a strain on other sectors. Reliance on external donors would harm a lot of Kenya pupils if funding were to be withdrawn prematurely.

There must be implementation and introduction of centers of excellence which should be of standard in every constituency as proposed in the current constitution.

Government should involve the public in matters relating to dispensation of the education funds by publication of funds dispensation to the schools in public notices in provincial administration offices like the chiefs camps for transparency to the community members.

The government should be involved in matters concerning informal schools and should therefore intervene in formulation of school management committees and especially give clear guidelines as to how they should be formed and how they carry out their businesses. The government should come out clearly and strongly abolish the illegal fees charged in informal schools.

Government should provide sufficient and adequate sanitary towels for the girls in schools.

The government should liaise with the community members to improve the social amenities in schools like toilets and water services.

The government should employ general staff to carry out inspection and auditing in schools to both formal and non formal school and continuously have impromptu inspections to make sure standards are being maintained. The government should come up with a mechanism to provide and assist the feeding program.

We rebuke the impunity and call upon the government to take political responsibility on matters concerning education for instance the education scandal surrounding the free primary education.

Planning committee:

1. Kutoka – Pamela A. Owiti and Michael Makori
2. Muungaano Wa Wanavijiji – Edwin Gichuki and Esther Kemunto
3. The Youth Congress – Stanley Ogola and Owiti Sam.
4. Nairobi People’s Settlement Network (NPSN) James Ndiba and Samuel Njorege.
5. Soweto Forum – Wiltah Nyabate and John Mwiha.
6. Kisumu Social Rights Association (KISORA) Philip Omondi and Erickson Sunday
7. Economic and Racial Rights Centre (Hakijamii) Marcy Kadenyeka; Elijah Odhiambo and Sally Omotto.