

**SPECIAL ISSUE**

*Nandi County Gazette Supplement No. 8 (Acts No. 4)*



REPUBLIC OF KENYA

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**NANDI COUNTY GAZETTE  
SUPPLEMENT**

**ACTS, 2014**

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**NAIROBI, 30th June, 2014**

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CONTENT

Act—

PAGE

The Nandi County Pre-Primary and Early Childhood Education Care Services Act, 2015 .....	1
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**THE NANDI COUNTY PRE-PRIMARY AND EARLY  
CHILDHOOD EDUCATION AND CARE SERVICES  
ACT, 2014**

**No. 4 of 2014**

*Date of Assent: 24th June, 2014*

*Date of Commencement: See Section 1*

**AN ACT of the County Assembly of Nandi to provide for the implementation of the Fourth Schedule of the Constitution of Kenya, 2010; to provide a framework for improving Pre-Primary and Early Childhood Education and care services and for connected purposes**

**ENACTED** by the County Assembly of Nandi as follows—

**PART I—PRELIMINARY**

1. This Act may be cited as the Nandi County Pre-Primary and Early Childhood Education and Care Services Act, 2014 and shall come into operation on the date appointed by the Executive Committee Member responsible for education by notice in the County and Kenya Gazette, which date shall not be later than ninety days from the date of its publication.

Short title and  
Commencement.

2. In this Act, unless the context otherwise requires—

Interpretation

“Pre primary Education” means education offered to a child before joining level one in primary school;

“Early Childhood Education and Care centre” has the meaning set out in section 3;

“early childhood service” means an early childhood education and care centre, home-based education and care service, or hospital-based education and care service;

“home-based education and care service” means the provision of education or care, for gain or reward, fewer than 5 children under the age of 6 (in addition to any child enrolled at school who is the child of the person who provides education or care), in—

(a) their own home; or

(b) the home of the person providing the education or care; or

- (c) any other home nominated by the parents of the children

“hospital-based education and care service” means the provision of education or care to 3 or more children under the age of 6 who are receiving hospital care;

“licensed early childhood education and care centre” means an early childhood education and care centre in respect of which the service provider holds a current licence issued under regulations made under this act.

“licensed early childhood service” means an early childhood service in respect of which the service provider holds a current licence issued under regulations made under section 21;

“licensed home-based education and care service” means a home-based education and care service in respect of which the service provider holds a current licence issued under regulations made under section 20;

“licensed hospital-based education and care service” means a hospital-based education and care service in respect of which the service provider holds a current licence issued under regulations made under section 21;

“executive member” means the county executive committee member who is for the time being in charge of Education and children matters;

“playgroup” means a group that meets on a regular basis to facilitate children's play and in respect of which—

- (a) no child attends for more than 4 hours on any day; and
- (b) more than half the children attending on any occasion have a parent or caregiver present in the same play area at the same time; and
- (c) the total number of children attending on any occasion is not greater than 4 times the number of parents and caregivers present in the same play area at the same time;

“service provider” means each of the following—

- (a) in relation to an early childhood education and care centre, the body, agency, or person who or that operates the centre;

- (b) in relation to a home-based education and care service, the body, agency, or person who or that arranges, or offers to arrange, that education or care;
- (c) in relation to a hospital-based education and care service, the body, agency, or person who or that provides that education or care; and
- (d) in relation to a playgroup, the person or persons who operate the playgroup;

“unsupervised access to children” in relation to a licensed early childhood service, means access to any child that is not accessed by, or supervised by, or otherwise observed by, or able to be directed (if necessary) by, any one or more of the following—

- (a) a registered teacher or holder of a limited authority to teach;
- (b) a parent of the child.

“children with special needs” means children whose mental characteristic, sensory abilities, physical characteristics, emotional and social adjustment or communication abilities are underdeveloped and include children who suffer from long-term disabilities that affect the body or emotions to the extent that learning growth and development are affected

“County Education Board” means the Board established under section 17 of the Basic Education Act, 2013;

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

“Curriculum” for the purposes of this act Means programmes offered and includes all the activities provided at any institution of learning.;

“Teacher” has the meaning for the time being for that person who is giving care to children in an ECDE and pre primary institution;

“Headteacher” has the meaning for the teacher for the time being responsible for an ECDE centre;

“Department” means the Department of Pre-Primary and Early Child-hood Education established under section 14 of this Act;

“Early childhood” means the age between three and five years of a child;

“Pre-Primary” means the period of age between four and six years before the child joins level one in a primary school.

“Rules” means the rules and regulations made under section 44 of the Act.

**3. Early childhood education and care centre means** premises used regularly for the education or care of 3 or more children (not being children of the persons providing the education or care, or children enrolled at a school being provided with education or care before or after school) under the age of 6—

Meaning of Early  
Childhood  
Education.

- (a) by the day or part of a day; but
- (b) not for any continuous period of more than 7 days.

(2) Subject to subsections (3) and (4), premises of the following kind are not early childhood education and care centres—

- (a) registered schools:
- (b) hostels:
- (c) residences:
- (d) institutions under the control of the Ministry of Health:
- (e) hospital care institutions:
- (f) premises where all the children present are members of the same family in the care of a member of the family or members of the same family in the care of a caregiver who is not acting for gain or reward:
- (g) any premises, during any period of use for the education or care of children for any period not exceeding 4 hours a week in circumstances where the children's parents or caregivers are—
  - (i) in close proximity to the children and are able to be contacted; and
  - (ii) able to resume responsibility for the children at short notice:

(h) any premises, during any period of use for the education or care of 3 or more children under the age of 6, none of whom attends for any period exceeding 2 hours per day, in circumstances where the children's parents or caregivers are—

(i) in close proximity to the children and are able to be contacted; and

(ii) able to resume responsibility for the children at short notice:

(i) any premises, during any period of use for the operation of a playgroup, licensed home-based education and care service, or hospital-based education and care service.

(3) Despite subsection (2), premises are early childhood education and care centres if they are—

(a) within premises of a kind described in any of paragraphs (a) to (h) or paragraph (i) of subsection (2); and

(b) used regularly or principally for the education or care of 3 or more children under the age of 6 who are children of—

(i) staff who work within premises of a kind described in any of paragraphs (a) to (h) or paragraph (i) of subsection (2); or

(ii) persons attending premises of that kind as residents or students.

(4) An early childhood education and care centre may be operated within the premises of a registered school; and its status as an early childhood education and care centre is not affected by the fact of its being operated within those premises.

**4. (1).** This Act shall apply to all institutions of Pre-Primary and Early Childhood Education and Care Centres under this Act. Application.

(2) The application of provisions of this Act shall be guided by the following underlying principles—

(a) the right of every child to free and compulsory basic education;

- (b) equitable access to compulsory basic education and equal access to education or institutions for all children;
- (c) promotion of quality and relevance of education and training;
- (d) Accountability and democratic decision making on matters affecting education.
- (e) coordinated public participation in the formulation, implementation, monitoring and control of policies and plans related to the implementation of early childhood development and education;
- (f) a holistic approach towards meeting the education and other development needs of the child to ensure that their full potential is realised;
- (g) empowerment and capacity building as a means of facilitating the right to early childhood education;
- (h) recognition of the parents and family of the child as the primary care givers and the role of the community in providing an alternative support system to the parents and an environment that ensures the realization of the right to early childhood education and development;
- (i) equality, equity and non-discrimination in the provision of early childhood education and the recognition of children with special needs;
- (j) transparency in the implementation of programmes and activities relating to early childhood education and the allocation and utilization of public and private resources;
- (k) ensuring that interventions are based on objective information and methods, and monitoring mechanisms and regular evaluations are established, thus ensuring transparency in the public management, social audit and taking into account the needs of the population; and
- (l) accountability through developmentally appropriate methods of measuring, reporting and tracking a child's growth and development and the improvement of the system's programs.

## **PART II—THE NANDI COUNTY EDUCATION BOARD**

5. The County Executive shall establish the county education Board that will operationalise schedule 4 of the Constitution of Kenya, 2010. Establishment of the Education Board.

6. The County Executive Member shall Establish rules and regulations that will guide formation of membership of the Nandi County Education Board. Composition of the Education Board.

7. (1) The County Education Board shall perform such functions under this Act, including— Functions of the County Education Board.

- (a) oversee the operation and management of youth polytechnics, Pre-Primary education including early childhood care and education programmes in the county;
- (b) co-ordinate and monitor education and training in the County;
- (c) interpret national policies in education based on the county's needs;
- (d) initiate proposals for policy reforms;
- (e) plan, promote, develop, and coordinate education, training and research in the county in accordance with the provisions of this Act, the national education policy and the laws and policies of the county government;
- (f) collaborate with the Board of Management, the Principal, the Head Teacher, and other appropriate authorities in the management of basic schools;
- (g) register and maintain a data bank of all education and training institutions within the County;
- (h) monitor curriculum implementation in basic education in the county;
- (i) monitor the conduct of examinations and assessments at the basic education and training levels in the county in collaboration with all the relevant National Bodies;
- (j) prepare and submit a comprehensive school termly and annual report including Educational Management Information System data to the

County Executive Member on all areas of its mandate including education and training services, curriculum, policy implementation and school based audit report within the County;

- (k) co-ordinate with all relevant agencies to ensure that all the barriers to the right to quality education are removed and with National Government to facilitate realization of the right to education within the County;
- (l) put measures in place to ensure all children and youth of school going age within the county attend and stay in to complete basic education.
- (m) perform such other functions as may be necessary for the better carrying out of the functions of the county education board under this Act or any other written law.

(2) The County Education Board may in consultation with the National Education Board and relevant stakeholders appoint a sub county education office with clear functions and powers.

**8. (1).** The conduct and regulation of the business and affairs of the County Education Boards shall be as provided in the Second Schedule to the basic Education Act, 2013.

Conduct of Business and affairs of the Board.

(2) Except as provided in the Second Schedule to the basic Education Act, 2013, the County Education Boards may regulate its own procedure.

**9.** The members of the County Education Boards shall be paid such allowances and disbursements for expenses in accordance with section 23 of the Basic Education Act.

Remuneration of the County Education Board.

**10.** The County Education Board may establish such committees as may be appropriate to perform such functions and discharge such responsibilities as it may determine.

Committees of the County Education Board.

### **PART III—RESPONSIBILITIES RELATING TO PRE-PRIMARY AND EARLY CHILDHOOD EDUCATION**

**11. (1)** The County Executive Member shall promote the establishment of Pre-Primary and early childhood education and care centres and institutions in the county to

Responsibilities of the County Executive Member.

ensure a compulsory pre- primary education and development for all children below the age of six years before they proceed to the compulsory basic primary education.

(2) The County Executive shall organize the Pre-Primary and early childhood education and care service systems in the county and be responsible for the general progress, development and co-ordination of the system and its activities.

12. The County Government shall oversee the operation and management of Pre-Primary and Early Childhood and Care Centre services in the County. Oversight by  
County the  
Government.

13. (1) The County Executive Committee shall— Executive  
Committee to issue  
Guidelines.

- (a) Provide the minimum standards for school buildings, equipment and other relevant facilities for Pre-Primary and early childhood education and care centres and institutions;
- (b) Provide the curriculum for the training of Pre-Primary and early childhood education care providers and ensure that they have the necessary qualifications;
- (c) Prescribe a curriculum framework for any or all of the following—
  - (i) all licensed early childhood services;
  - (ii) all certified play groups;
- (d) Ensure that all Pre-Primary and early childhood education schools, care centres and institutions are licensed, registered and regularly assessed by government education Quality Assurance and Standards Officers.
- (e) The County Executive Member may make regulations providing for either or both of the following—
  - (i) the licensing of service providers to provide early childhood services of any kind, and the transfer of licenses;
  - (ii) regulating the management, operation and control of licensed early childhood services of any kind, and imposing duties on service providers.

**No. 4 Nandi County Pre-Primary and Early Childhood Education and Care Services 2014**

**14. (1)** There shall be a Pre-Primary and Early Childhood Education Department within the Directorate responsible for education in the County Public Service. Pre-Primary and Early Childhood Department.

(2) The Department of Pre-Primary and Early Childhood Education shall perform the following principal functions—

- (a) Advise the Governor and the Executive Committee on all matters relating to Pre-Primary and early childhood education;
- (b) Facilitate the raising and obtaining of funds for the promotion and development of Pre-Primary and early childhood education;
- (c) Initiate guidelines on the establishment of Pre-Primary and early childhood schools, centres and institutions for approval by the Executive Committee;
- (d) Register Pre-Primary and early childhood schools, centres and institutions;
- (e) Carry out any other functions for the effective provision of pre- primary and early childhood education.

**15. (1)** The Department of Pre-Primary and Early Childhood Education shall be headed by a Public Officer appointed by the County Public Service Board. Head of Department of Pre-Primary Education.

(2) A person is qualified for appointment as head of Department of Pre-Primary and Early Childhood Education if that person—

- (a) Is a citizen of Kenya;
- (b) Holds a degree in Early Childhood Education from a recognized university;
- (c) Has knowledge and relevant experience in Pre-Primary and Early Childhood Education.
- (d) Meets the requirements of leadership and integrity set out in Chapter Six of the Constitution.

(3) A person shall not be qualified for appointment as the head of the Pre-Primary and Early Childhood Education Department under sub-section (2) if that person—

- (a) is a member of the National or County Assembly;

- (b) is declared to be of unsound mind;
- (c) is an undischarged bankrupt; or
- (d) has been removed from office for contravening the provisions of the Constitution or any other written law.

**16. (1)** The County Public Service Board shall oversee registration, recruitment and remuneration of Early Childhood Education teachers on contract basis which shall be renewed from time to time as need arises.

Role of the County  
Public service Board.

(2) The County Public Service Board may appoint other officers, technical staff and other employees as may be necessary for the proper discharge Of the function of the Department under this Act, and upon such terms and conditions of service as the County Public Service Board may determine.

(3) The County Government shall allocate staff and officers employed pursuant to sub-section (1) and (2) above to the various early childhood education centres and institutions within the county.

(4) The County Government shall be responsible for promotion, transfer, disciplinary processes and termination of employment contracts of staff employed pursuant to sub-sections (1) and (2)

(5) The Department may, in Consultation with the County Government, engage such external consultants or experts as may be necessary for the discharge of its functions.

**17.** The County Government shall maintain proactive co-operation with strategic stakeholders and institutions through bilateral and multilateral collaboration in areas relevant to achieving the County's education objectives including advocacy on Early Childhood Education issues, funding of programmes, capacity building, technical and other support.

Co-operation among  
Stakeholders.

**18. (1)** The head teacher shall be in charge of day to day running of the Pre-Primary and Early Childhood Education Centres and institutions.

Role of  
Headteachers

(2) The Headteachers and staff working under them shall be responsible for—

- (a) ensuring the safety and security of the children while in the school, centre or institution.
- (b) effective delivery and implementation of the Pre-Primary and Early Childhood curriculum.
- (c) developing and maintaining all professional records pertaining to Pre-Primary and Early Childhood Institution.
- (d) monitoring the developmental progress of the individual children to ascertain smooth transition to lower Primary basic Education.
- (e) identifying children with Special Needs in consultation with relevant authorities for proper placement and necessary intervention.
- (f) regularly carrying out health checks of children under the institution's care and advising parents or guardians as appropriate.

**19. (1) The Parents and the local Community shall be responsible for—**

Participation of Parents and the local Community.

- (a) provision of physical facilities, play and learning materials
- (b) establishment of feeding programmes and growth monitoring promotion.
- (c) the management of Pre-Primary and Early Childhood Education programmes at the grassroots level through the Board of Management established under section 55 of the Basic Education Act.

No. 14 of 2013

**20. (1) The Department of Pre-Primary and Early Childhood Education shall prepare and submit an annual report to the Governor and the County Education Board including the number of schools, centres or institutions established and registered in that year and the general status of the Pre-Primary and Early Childhood Education system in the County.**

Annual and other Reports.

(2) Notwithstanding the provisions of subsection (1) above, the Governor or County Education Board may at any time, require a report from the Department on any particular matter under the responsibility of the Department.

(3) A report submitted under subsection (1) or (2) shall be tabled in the County Assembly.

#### **PART IV—REGISTRATION OF SCHOOLS, CENTRES AND RELATED INSTITUTIONS**

21. (1) A person shall not operate a Pre-Primary or Early Childhood education and care Centre or Institution unless it is registered under this Act. School, centre or Institution to be registered.

(2) A person shall not use any premises or facility to provide Pre-Primary or early Childhood education and care services unless the premises or facility of the school, centre or institution have undergone a quality review and been approved in accordance with the guidelines and standards issued under Part VI of this Act.

(3) Any person who operates a Pre-Primary or early childhood education and care centre or Institution which is not registered under this Act commits an offence and is liable, on conviction, to a fine not exceeding one hundred thousand shillings

22. (1) An application for registration of a school, centre or institution under this Act shall be in a form prescribed by the Executive Committee member responsible for education and shall be accompanied by information and particulars set out in Schedule I of this Act. Application for registration.

(2) Applications for registration of a school, centre or institution under this Act shall be submitted to the Department.

(3) The Department shall, within seven working days after receipt of an application under subsection (1), forward a copy of the application to the County Education Board.

(4) The County Education Board shall, within fifteen working days after receiving the application under subsection (3) undertake the following processes—

- (a) Visit and conduct an assessment of the proposed premises for the school, centre or institution; and
- (b) Conduct an interview with the applicant to assess the suitability of the equipment and the persons proposed to be employed in the school, centre or institution.

(5) The County Education Board shall within thirty days after the assessment and interview forward its recommendation to the Department for the registration of the school, centre or institution or to take such other action as the Department may deem fit.

**23.** A person making an application for registration of a Pre-Primary or Early Childhood School, Centre or Institution shall pay the prescribed fees to the Department. Applicant to pay prescribed fee.

**24.** The Department shall, upon receipt and after forwarding the application for the registration of a Pre-Primary or Early Childhood Education School, Centre or Institution to the County Education Board, publish the application in the County Gazette. Publication of applications.

**25.** (1) The department shall register a Pre-Primary or Early Childhood School, Centre or institution if the department is satisfied, based upon the assessment report of the County Education Board, that- Registration of a School, Centre or Institution..

- (a) the applicant is an adult, fit and qualified to operate the school, centre or institution;
- (b) the applicant has not been convicted of an offence under the Psychotropic and Dangerous drugs Act, or the Children's Act, or an offence involving fraud, dishonesty or moral turpitude;
- (c) Where the applicant is a company, firm or other organization, none of its Directors or members, has been convicted of an offence mentioned in paragraph (b);
- (d) None of the persons to be employed by the applicant in the operation of the institution has been convicted of an offence mentioned in paragraph (b);
- (e) the applicant or a person to be employed by the applicant in the operation of the institution is not, by reason of any infirmity of mind or body or otherwise, incapable of operating or being employed in the institution;

(2) Any person aggrieved by the decision of the Department under this section may, within thirty days of being notified of the decision, appeal against the decision to the Education Appeals Tribunal established under the Basic Education Act.

**26.** (1) The Department may, upon recommendation by the County Education Board, issue to an applicant for registration of a school, centre or institution, a permit to operate pending the fulfillment of the condition required by the Board for the determination of the application.

Provisional Permit to operate pending full registration.

(2) A permit under subsection (1) shall cease to operate upon—

- (a) the delivery of a certificate of registration to the applicant; or
- (b) the expiry of twenty-four hours after receipt of the notice of refusal of registration or such longer period as the Department may specify in the notice.

(3) The Department may prescribe a period within which the applicant must fulfill the conditions required by the Board for the improvement of the operation or the premises of the school, centre or institution as a condition of the grant of a permit under this section.

(4) A permit issued under this section shall be in the form prescribed by the Executive Committee member responsible for education.

(5) The holder of a permit under this section shall allow an Assessor to enter the premises of the school, centre or institution, at reasonable hours, for the purpose of carrying out any assessment to ascertain whether or not the school, centre or institution is in compliance with the conditions of the permit.

**27.** (1) A The Department shall on registration of a Pre-Primary or early childhood school, centre or institution, issue a registration certificate to the applicant.

Registration Certificate.

(2) A registration certificate shall be valid from the date of issue and may be renewed on application by the operator of the Pre-Primary or early childhood school, centre or institution, in accordance with this Act and for as long as the compliance status of the institution remains as it was during the initial registration.

**28.** The registration certificate issued under section (27) shall be displayed, by the operator, in a conspicuous place on the premises of the Pre-Primary or early childhood School, Centre or Institution.

Registration Certificate to be displayed.

**No. 4 Nandi County Pre-Primary and Early Childhood Education and Care Services 2014**

**29.** The Department shall keep a register of all Pre-Primary and early childhood schools, centres and institutions operating in the county and shall include in the register name of the schools, centres or institution's and such other particulars as the County Education Board responsible for education may prescribe.

Register of Schools etc to be kept.

**30.** (1) The managers of a school registered under section (25) shall notify the Board of any change in the location of the education centre including—

Change of Premises.

- (a) the acquisition of premises that are in addition to its current premises; or
- (b) the relocation of the education centre to a different premises from that currently occupied by the school.

(2) The managers of an education centre under subsection (1) shall not change the location of the centre nor acquire additional premises unless it has notified the Board and obtained its approval.

**31.** (1) The Board may take any action specified under subsection (2) with regard to an education centre where—

Revocation of registration.

- (a) it considers that the education centre has not met any or all of the criteria for registration as a private/public education centre;
- (b) a review conducted under section (25) indicates that the education centre does not, or is not likely to, meet all or any of the criteria for registration as a private education centre ; or
- (c) the managers of the education centre have breached or are breaching their statutory duties in relation to the education centre under this or any other enactment; or
- (d) the Board has reasonable grounds to believe that serious criminal activity is occurring in the education centre .

(2) Where the Board is satisfied that any ground specified under subsection (1) exist in relation to an education centre registered under section (20), it may take one or more of the following actions—

- (a) issue the education centre's managers with a notice to comply;

- (b) require the managers of the education centre to inform parents of the children at the centre that the centre is not meeting the criteria for registration as a private/public education centre;
  - (c) impose conditions on the education centre's registration; or
  - (d) take any action specified under paragraphs (a) to (c), and suspend the education centre's registration;
  - (e) cancel the education centre's registration under section (32) of this act.
- (3) Any action taken by the Board under subsection (2) —
- (a) shall be proportionate to the seriousness of the action or inaction by the education centre; and
  - (b) is in addition to any fine incurred or other penalty imposed under any other written law.

**32.** (1). The Board may at any time suspend the registration of an education centre registered under section (20.) if it has reasonable grounds to believe that the welfare of the children at the education centre is at risk, and—

Suspension of registration where welfare of children is at risk.

- (a) that it is unlikely that the risk can be managed by any practicable means other than by suspension of the registration; or
  - (b) that, although the risk could be managed by means other than by suspension of the registration, the amount of time necessary to do so is likely, in the opinion of the Board, to be excessive.
- (2) An education centre shall remain suspended under subsection (1) until the Board—
- (a) is satisfied that the managers of the centre have complied with all requirements imposed; or
  - (b) cancels the school's registration under section 32 of the Act.
- (3) A suspension under this section shall continue in force until the Board—
- (a) is satisfied that the welfare of the children at the school is no longer at risk; or

- (b) cancels the school's registration under section 32 of the Act.

**33.** (1) The Board may cancel the registration of an education centre if, following an action by it taken under any of paragraphs (a) to (d) of section 31 of the Act—

Cancellation of registration.

- (a) the education centre—
- (i) does not improve sufficiently to meet the criteria for registration under Part IV; and
  - (ii) is not likely to do so, in the opinion of the Board, within a further reasonable time.
- (b) the managers of the education centre are continuing in breach of their statutory duties in relation to the centre;
- (c) serious criminal activity continues to occur in the education centre .

(2) Before cancelling an education centre's registration under subsection (1) , the Board shall—

- (a) take reasonable steps to obtain and consider any relevant information, including any report by a review officer;
- (b) give written notice to the managers of the school that it is considering cancelling the school's registration, and give reasons; and
- (c) give the managers of the school a reasonable opportunity to respond to the notice.

#### **PART V—EARLY CHILDHOOD AND PRE-PRIMARY SERVICES**

**34.** (1) For purposes of this Act, the children shall be grouped into four broad categories as below—

Categories of Children.

- (a) Below 2 years- Play group.
- (b) 3 years—Baby class.
- (c) 4 years—Pre-Primary I.
- (d) 5 years—Pre-Primary II

**35.** The Executive Committee Member responsible for education shall take necessary steps to ensure that children below three years—

Services for Children below 3 years.

- (a) Receive protection from physical danger, and get adequate nutrition and health care.
- (b) Receive opportunities to develop holistically.

**36.** The Executive Committee Member responsible for education shall take necessary steps to—

Services for children aged 4 and 5 years.

- (a) Promote quality care, nutritional and health status of the children.
- (b) Ensure the development of the children's knowledge, self-confidence, free expression, spiritual and social values, and appreciation of other people's needs and views.
- (c) Provide a secure physical and psychosocial setting for the children.
- (d) Facilitate the development of children's affective, cognitive, psychomotor and physical attributes in an integrated manner including the development of talented and gifted children.

**37.** (1) For purposes of this Act, children with special needs include—

Services for Children with special needs.

- (a) intellectually, mentally, physically, visually, emotionally challenged or hearing impaired learners;
- (b) children with multiple disabilities; and
- (c) specially gifted and talented.

(2) The Executive Committee Member responsible for education shall ensure that every special need child at the pre-school or early childhood education is provided with appropriate trained teacher, non-teaching staff, infrastructure, learning materials and equipment suitable for such learners.

**38.** A person shall not discriminate another person in the provision of early childhood education as well as to means and rights to its access, on the basis of race, ethnic origin, colour, sex, language, age, religion, public opinion or other social status, aimed at impairing or obstructing equality in the enjoyment or exercise of the right to early childhood education.

Prohibition of discrimination.

**PART VI—STANDARDS AND QUALITY  
ASSURANCE**

**39.** (1) A person holding an authorization under subsection (3) may, at any reasonable time— Power of entry and inspection.

- (a) enter and inspect any registered Early Childhood education centre;
- (b) inspect, photocopy, print out, or copy onto disk any documents, whether held in electronic or paper form, that the person believes on reasonable grounds to be those of the board of the education centre; or
- (c) remove any document specified in paragraph (b), whether in its original form or as an electronic or paper copy.

(2) Where any original documents are removed from an education centre under subsection (1)(c), the person who removes the documents shall—

- (a) leave at the Early Childhood education centre a list of the documents removed; and
- (b) return the documents, or a copy of them, to the centre as soon as practicable unless to do so would prejudice any investigation being or to be carried out by the county department.

(3) The County Education Board may authorize in writing any person to exercise the powers specified under subsection (1).

(4) Every written authorization under subsection (3) shall contain—

- (a) a reference to this section; and
- (b) the full name of the person authorized; and
- (c) a statement of the powers conferred on that person by this section.

(5) Every person exercising any power under subsection (1) shall possess the appropriate written authorization, and evidence of identity, and shall produce them to the person in charge of the premises concerned or, as the case may be, the person having possession or control of the books, records, or accounts concerned—

- (a) on first entering the premises; and
- (b) whenever subsequently reasonably required to do so by the person in charge.

**40.** (1) The County Executive Committee shall, in collaboration with relevant bodies— Quality assurance.

- (a) prepare standards and guidelines on quality assurance in education centres in the County;
- (b) ensure that the standards and quality of education offered in education centres under this Act are adhered to and maintained in terms of the criteria set out in Schedule VIII and IX of this Act; and
- (c) review, and where necessary, update the standards and guidelines on quality assurance in the county.

**41.** (1) Each education centre, School or Institution under this Act shall— Safety equipment.

- (a) maintain premises that meet the requirements of the occupational health, safety regulations and building standards;
- (b) ensure the welfare and safety of the pupils, teachers, non-teaching staff and other persons within the institution;
- (c) put in place fire fighting equipment, first aid and other emergency equipment and non-prescription medicine as the County Executive Committee Member may prescribe.

(2) In providing the equipment specified under subsection (1)(c), the centre shall ensure that such equipment is accessible during an emergency.

(3) The equipment and medicine under subsection (1) shall be maintained or kept by a center in such manner as to ensure that it is out of the reach of children and ensures that the safety of the children is not compromised.

(4) The County Executive Committee Member shall prescribe minimum standards for the health and safety of pupils and for a satisfactory environment for education.

## **PART VII—MISCELLANEOUS PROVISIONS**

**42.** (1) No head teacher or instructor in an education institution shall administer or allow to be administered corporal punishment. Prohibition of Corporal punishment.

(2) A child in an Early Childhood Education Centre, school or other institution shall not be subjected to emotional or psychological abuse.

**43.** (1) Subject to subsections (2), (3), and (6), every education centre that, immediately before the commencement of this Act, was registered as an early childhood centre shall be deemed to be registered as an early childhood education centre under this Act, and continues to be so licensed for the relevant period of registration subject to such conditions of registration as may be imposed under this Act. Transition provisions.

(2) Despite subsection (1), the County Education Board may give written notice to the provider of an education centre registered under subsection (1), requiring the service provider who operates that centre to apply for registration under regulations made under section 48 within three months of the date of that notice, and—

- (a) if that service provider fails to make such an application within the specified period, the centre ceases to be licensed under subsection (1) at the end of that period; or
- (b) if that service provider makes such an application within the required period, the centre continues to be licensed under subsection (1) until that application has been determined.

(3) Despite subsection (1), if subsection (4) applies, the Secretary may, by written notice to the service provider who operates an early childhood education and care centre that is deemed to be licensed under subsection (1), declare that the centre is no longer licensed under subsection (1) and the notice has effect accordingly.

(4) The Board may give a notice under subsection (3) only if it is satisfied that the service provider or the centre—

- (a) fails to comply with the regulations made under section 44; or
- (b) fails to comply with any conditions for registration.

(5) The Board may, despite the fact that the centre concerned does not meet the minimum requirements for

registration under section 18, issue to the service provider operating the centre a transitional certificate in such manner as the County Executive Committee Member may prescribe and subject to such conditions as the Executive Committee Member may impose.

(6) Where the Board is not satisfied that the conditions specified in a certificate issued under subsection (5) are being complied with, the Board may, by written notice to the service provider operating the centre, cancel the certificate.

(7) Every notice under subsection (3) or subsection (6) shall set out the reasons for the action taken.

(8) Subsections (1) to (6) shall not limit any powers to cancel, suspend, or reclassify certificate or education centre in the manner prescribed by the County Executive Committee Member.

**44.** (1) The County Executive Committee Member<sup>Regulations</sup> may, in consultation with the Board, make regulations generally for the better carrying out of the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the County Executive Committee Member may make regulations to—

- (a) prescribe minimum standards relating to premises, facilities, programmes of education, practices in relation to children's learning and development, staffing and parental or caregiver participation, health and safety, implementation of the curriculum framework, communication and consultation with parents, the operation or administration of those services, or any of them, to be complied with to ensure the health, comfort, care, education, and safety of children attending licensed early childhood services;
- (b) limit or regulate the numbers of children who may attend a registered education centre;
- (c) provide for the grant, duration, expiry, renewal, suspension, transfer, reclassification, and cancellation of registration certificates of or more specified kinds for service providers for each kind of early childhood service;

**No. 4 Nandi County Pre-Primary and Early Childhood Education and Care Services 2014**

- (d) prescribe the conditions subject to which such registration certificates may be granted, renewed or transferred and the fees payable in respect of the grant, renewal, and transfer of such certificates;
- (e) prescribe conditions governing, or that may be imposed in respect of, registered education centres and the duties of their service providers;
- (f) prescribe the records to be kept by education centres in respect of children attending registered centres; and
- (g) regulate the qualifications to be held by persons managing, teaching or offering any care services in an education centre.

**SCHEDULE I ( Section 21)**

**Checklist for Registration of ECD Centre / Institution**

1. A copy of the Registration of the institution’s Business Name under the Business names Act or A certified copy of the registration of the organization as a Society or Limited Company and a copy of the Memorandum of Association.

2. Duly completed and signed application forms for the institution

3. Duly Completed and signed application forms for the Manager of the institution.

4. A recent full institution inspection report from the Ministry of Education and County Director of Education. (stamped & signed)

5. A detailed recent Public health/Sanitary Inspection Report (stamped and signed)

6. Title Deed/Allotment letter or a valid Lease Agreement covering a period of not less than 5 years.

7. Certified copies of professional and academic certificates of all teachers/Manager

8. Supporting minutes or Extract from the office of County Director of Education or any other authorized body’s minutes signed by the Secretary and Chairman

9. Site/Plan/Sketches of the institution approved by relevant authorities showing the existing facilities and future development or extension plans, where applicable.

10. Registration fees (where applicable) as set by relevant ministries payable to the respective Permanent Secretaries  
Money/Postal orders NOT ACCEPTABLE

**RECOMMENDATION**

.....  
.....  
.....

## **SCHEDULE II ( Section 22)**

### **Procedure for Establishing Educational and Training Institutions**

The procedure detailed below will be followed when applying for authority to establish—

1. Pre-School
2. ECD Training College

#### **Stage I**

Application to the County Director of Education and the County Executive Member for Education:-

- (a) The applicant will apply to the County Director of Education and County Education Member for permission to establish an Educational Institution in a specific location.
- (b) In support of the application, the applicant will provide the following—
  - (i) Name of the proposed Institution
  - (ii) Name and qualifications of the manager
  - (iii) Land Registration (LR) Number/Leasehold and site plan

#### **Stage II**

Approval by County Director of Education to start a Pre-School / ECD Training Institution and issuance of Registration Guidelines.

#### **Stage III**

Application for Registration and submission of the forms to the County Education Board through the County Director of Education and County Executive Member.

#### **Stage IV**

The County Director of Education, upon receipt of application for registration, shall acknowledge receipt within 14 days.

The County Education Board shall act on application of registration within four months of receipt of complete documents from applicant.

#### **Stage V**

Issuance of provisional registration certificate signed by authorized officer a copy of certificate to be forwarded by the County Education Board to Ministry of Education.

**Stage VI**

The applicant should apply to Ministry of Education through the County Education Board for full registration within the 18 months of initial registration. The County Education Board will forward to the Cabinet Secretary for Education for recommendation of the Institution for full registration.

**Stage VII**

- (a) The Secretary of the County Education Board shall forward registration documents to MOE headquarters within 2 weeks of decision by County Education Board.
- (b) From registration desk at MOE Headquarters, an acknowledgement on receipt of documents to be given within two weeks to applicant.
- (c) If all documents are in order, full registration of the institution shall be made within 3 months.

**SCHEDULE III****Criteria for Approval of a Charitable Children's Institution**

1. Show proof of financial stability and sustainability
2. Must have a mission and policy statement
3. Adequate premises to meet objectives set out in the mission and policy statement.
4. Adequate staffing to meet needs and objectives of the institution.
5. If it is a non-Governmental or religious organization, it must show proof of registration.
6. If it is an individual or body incorporated, it must show a list of trustees
7. Must accommodate or have capacity to accommodate at least twenty children.

**SCHEDULE IV (Section 23)**

**ECDE Application for Registration of Educational and Training Institution**

(TO BE FILLED IN TRIPLICATE)

**PART I**

1. Proposed Name of Institution.....

2. Address of Institution.....

Telephone: .....

E-mail .....

Fax No. ....

3. Location of Proposed Institution

County .....

Sub-County .....

Division .....

Zone .....

Location .....

Sub-Location .....

4. Type/Level of Institution: (Tick as appropriate)

ECDC	
Primary	
College	

5. Sponsor/Proprietor .....

6. Management (Private/ County Education Board /BOG, any other)

.....

7. Address of Sponsor/Proprietor .....

8. Type of Institution: .....

ECDE CentreDay - Boys/Girls/Mixed:

.....

Training Institution

Boarding – Boys/Girls/Mixed: .....

Day and Boarding - Boys/Girls/Mixed:

.....

9. Curriculum to be offered (K.I.C.D./any other K.I.C.D. approved)

.....

(a) Classes/grade to be catered for .....

(b) Number of streams per Class/Grade .....

(c) Arrangements for persons with special needs. Give details

.....

.....

10. Proposed Maximum number of children/students to be enrolled

.....

NB: The enrolment to be approved by the County Education Board.

11. Nature of buildings:

(a) Temporary: .....

(b) Permanent: .....

12. In case of re-registration of existing institution—

(c) Existing Registration Number: .....

(d) Reasons for Re-registration: .....

(e) Children/students Enrolment: .....

13. Declaration by the Applicant:

I hereby declare that I have read the Education Standards Requirements for Registration of ECDE and Training Institution, County Education Board and the institution will be conducted in accordance with its provisions, and that of the Education Act Cap 211, 1968 (Revised 1980).

Signed: .....

Full Name .....

ID NO./Passport No.: .....

Designation of Applicant: .....

DATE.....OFFICIAL STAMP

**PART II**

14. To be completed by the County:

Recommended/Not recommended (if not recommended, give reasons)

.....  
.....

Ref. Min. .... County Administrator.....

FULL NAME: .....

Date: ..... Signed/Official Stamp

**PART III**

15. To be completed by the County Education Officer

.....

Recommended/Not recommended

.....  
.....

(If not recommended give reasons)

Ref. Minute of County Education Board: .....

FULL NAME: .....

Date ..... signed/Official Stamp:

**PART IV**

16. Decision of the Cabinet Secretary Education

.....  
.....  
.....

APPROVED/NOT APPROVED (if not approved give reasons)

.....  
.....

Sign/Official Stamp

Date

REGISTRATION CERTIFICATE ISSUED ON:

CERTIFICATE NUMBER:

**SCHEDULE V**

**Registration Form For Community Development Projects/ Self Help Groups**

1. Name of the group .....
2. Physical address of the group
  - Division .....
  - Location .....
  - Sub-location .....
3. The group’s vision/objectives;
 

.....

.....

.....
4. The group’s official/committee members

NAME	ID/NO	TITLE	SIGNATURE
1.			
2.			
3.			
4.			
5.			

5. RECOMMENDATIONS
  - Locational CDA/or chairperson SDC
 

.....

.....
  - Chief of the area (if applicable)
 

.....

.....
  - Divisional CDA or chairperson DSDC (if applicable)
 

.....

.....
  - District officer
 

.....

.....

- District social development officer

.....  
 .....

**NOTE:**

- All applications must be accompanied with minutes duly certified, organization's constitution and the list of the members of the group/ project

**OFFICIAL USE ONLY**

- Approved Reg. No. ....
- Date approved .....
- Make of the approval officers .....
- Signature .....

Not approved with the following reasons:-

.....  
 .....

**SCHEDULE VI**

**Form of Application for Registration of a Charitable Children’s Institution**

- 1. Type of organization (NGO, Religious, etc) .....
- Year of inception .....
- 2. Name of institution .....
- 3. Physical address .....Postal address .....
- 4. Telephone No ..... E-mail .....
- 5. Name of chairman (or person of similar office) .....
- 6. Postal address ..... Telephone No. ....
- 7. E-mail .....
- 8. Name of person in charge .....
- 9. Postal address ..... Telephone No.....
- 10. E-mail .....

Does the institution already host children? Yes ..... No .....

If yes, what is the present capacity? (List total number of children)

Boys ..... Girls .....Total .....

If No, what is the intended capacity? (List total number of children) Boys

..... Girls .....Total .....

11. I/We hereby make application for registration as a charitable children’s institution. I/We have attached all relevant document and information hereto.

Name .....

Designation .....

Signature.....

Date .....

**FOR OFFICIAL USE ONLY**

Received by .....Date.....

(Name, Designation, Signature)

Application approved: Yes ..... No .....

**SCHEDULE VII (Section 25,26)**

**Application For Approval as Manager of Private Educational Institution**

(In Accordance with Education Act Cap 211 1968 (Revised 1980))

To be completed in triplicate by the applicant and forwarded to the District/City/Municipal Education Officer.

**PART I**

1. Name: .....

Identity/Passport No: .....

Address (Postal): .....

E-mail ..... Telephone: .....

Fax: .....

**2. Relevant qualifications and experience**

(i) Academic Qualifications (Primary, Secondary, College and University)

NAME OF INSTITUTION	YEARS ATTENDED		QUALIFICATION ATTAINED
	FROM	TO	

(ii) Professional qualifications (College and University)

NAME OF INSTITUTION	YEARS ATTENDED		QUALIFICATIONS ATTAINED
	FROM	TO	

**(iii) Work Experience**

ORGANIZATION	YEARS WORKED		POSITION/ DESIGNATION
	FROM	TO	

**3. Location of Institution: -**

County .....Sub-County.....

Division .....Zone .....

Location ..... Sub/Location .....

**4. Type of Institution (Pre-Primary/Primary/Secondary/College/TIVET, any other) .....**

**5. Curriculum offered .....**

**6. I have attached the following documents regarding my qualifications, experience etc.**

**(a) Certified Photostat copies of my original certificates (Refer to. No.2 i, ii and iii)**

**(b) Any other relevant documents (list them)**

.....

Signed:.....

Full Name: .....

Date:.....

**7. Name and addresses of two referees (one of whom is an educationist):**

**(i) Name .....**

Address: .....

Telephone: .....

**(ii) Name .....**

Address: .....

Telephone: .....

**PART II**

8. To be completed by the District/Director City Education/Municipal Education Officer after making necessary investigations.

.....  
.....

RECOMMENDED/NOT RECOMMENDED (if not recommended, give reasons)

.....  
.....

FULL NAME:.....

OFFICIAL STAMP .....

SIGNED .....DATE .....

**PART III**

Decision of Cabinet Secretary Education

.....  
.....

Approved/Not approved: (If not approved, give reasons)

DATE..... SIGN:.....

OFFICIAL STAMP.....

### SCHEDULE VII (Section 39, 40, 41)

#### Monitoring Tool for Quality and Standards Assurance Curriculum in ECD Centre

1. ECD Centre name .....Registration No. ....
2. Sub-County ..... Location ..... Zone .....
3. Enrolment: Boys ..... Girls ..... Total .....
4. Age ranges: Under 3yrs ..... 4 yrs old ..... 5 yrs old .....
5. Average No. of children per class .....
6. Number of care givers .....

7. Physical facilities/ Availability	YES	NO	Remarks
• Learning structure (building) available			
• Permanent building available			
• Buildings in good condition			
• Adequate ventilation			
• Class rooms of standard size (8m x 6m)			
• Classrooms with lockable doors			
• Classrooms with lockable windows			
• Indoor space adequate			
• Cemented floor			
Type of roof			Remarks
(i) Ironed			
(ii) Thatched			
(iii) Tiled			
Type of walls			Remarks
(i) Mud			
(ii) Plastered			
(iii) Timber			
(iv) Iron Sheet			
Type of floor	Yes	No	Remarks
(i) Earthen			
(ii) Cemented			

## Early Childhood Development Service Standard Guidelines

<ul style="list-style-type: none"> <li>• Type of walls</li> <li>(i) Good</li> <li>(ii) Poor</li> </ul>	Yes	No	Remarks
<ul style="list-style-type: none"> <li>• Toilets available - Caregivers</li> </ul>	Yes	No	Remarks
<ul style="list-style-type: none"> <li>• Children Toilets</li> <li>(i) Suitable toilet aperture</li> <li>(ii) Clean</li> <li>(iii) Enough for boys</li> <li>(iv) Enough for girls</li> </ul>	Yes	No	Remarks
<ul style="list-style-type: none"> <li>• Furniture</li> <li>(i) Available</li> <li>(ii) Adequate</li> <li>(iii) Children's suitable size tables</li> <li>(iv) Children's suitable size chairs</li> <li>(v) In good condition</li> </ul>	Yes	No	Remarks
<ul style="list-style-type: none"> <li>• Availability of Administrative Records</li> <li>(i) Admission register</li> <li>(ii) Attendance Register</li> <li>(iii) Log Book</li> <li>(iv) Fees Register</li> <li>(v) Visitors Book</li> <li>(vi) Ledger Books</li> <li>(vii) Attendance Register</li> <li>(viii) Inventory Books</li> <li>(ix) Cash Book</li> <li>(x) Receipt Books</li> </ul>	Yes	No	Remarks
<ul style="list-style-type: none"> <li>• Professional Records Available</li> <li>(i) Progress Records</li> </ul>	Yes	No	Remarks

**No. 4 Nandi County Pre-Primary and Early Childhood Education and Care Services 2014**

(ii) Daily Programme of Activities (iii) Termly Programme of Activities (iv) Health Records			
8. ECD Curriculum Availability	Yes	No	Remarks
• KICD ECD syllabus/guidelines			
• Learning corners/centres			
• Indication of theme teaching			
• Developmental Progress Ass. Records			
• Other approved syllabus (specify..)			
• Learning manipulative materials			
9. Physical/Psychomotor materials/equipment	Available	Not Avail.	Remarks
• Fixed equipments			
• Play materials			
• Fixed play equipment in good condition			
• Soft landing for slides			
10. Teaching Learning Methods	Yes	No	Remarks

• Child centered			
• Teacher centered			
• Children motivated through reinforcement			
• Children guided on the expected behaviour			
11. Cordial Relationships	Observed	Not observed	Remarks
12. Health and Nutrition	Yes	No	Remark
• Are there GMP services offered at the centre?			
• If yes, are health cards for all children available?			

<ul style="list-style-type: none"> <li>• Does the nearest health centre work with teachers to provide these services?</li> <li>• If GMP activities are carried out in the centre do parents in the neighbourhood bring children for immunization and other medical services?</li> <li>• Do the children appear healthy and energetic or are there children who appear malnourished?</li> <li>• Does the centre have a feeding programme?</li> <li>• If yes, is the food prepared at the centre</li> <li>• If food is brought from home are there storage racks in the ECD centre</li> <li>• If food is prepared at the centre, is there a kitchen?</li> <li>• Does the kitchen have lockable kitchen doors and windows</li> <li>• Is the kitchen well-ventilated?</li> <li>• Do the children take ten o'clock snack?</li> <li>• Is the porridge enriched?</li> <li>• If enriched specify ingredients used</li> <li>• Is lunch offered at the ECD centre</li> <li>• In your opinion, is the lunch made of a balanced diet</li> <li>• Are there alternative arrangements for children who cannot eat the foods provided due to allergies or other reasons?</li> <li>• Does the kitchen have non-leaking roof</li> <li>• Are drying racks available</li> </ul>			
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<ul style="list-style-type: none"> <li>• Is the Cook clean and neat</li> <li>• Are Health certificates available for the cook</li> <li>• Do you de-worm children at the centre?</li> </ul>			
<ul style="list-style-type: none"> <li>• Are the deworming tablets provided by staff of a nearby health centre?</li> <li>• Do you deworm children twice a year (If not specify .....)</li> <li>• If a child is sick at the centre, do you call the parents?</li> <li>• In cases of emergency do you have parental consent to take children to the hospital?</li> </ul>			
<b>13. Feeding programme</b>	<b>Yes</b>	<b>No</b>	<b>Remarks</b>
<ul style="list-style-type: none"> <li>• Are the utensils cleaned properly?</li> <li>• Is the feeding process orderly (washing hands, all children served, no pushing, small babies helped to feed)?</li> <li>• Are children allowed to enter the kitchen?</li> <li>• Is a first aid kit available?</li> <li>• Is there a resting place for the children (full day ECD centers)</li> <li>• Are there sleeping facilities?</li> </ul>			
<b>14. Play ground</b>	<b>Yes</b>	<b>No</b>	<b>Remarks</b>
<ul style="list-style-type: none"> <li>• Is play space adequate?</li> <li>• Is the playground well kept?</li> <li>• Is the playground fenced?</li> <li>• Is the grass/bushes cut?</li> <li>• Are there sharp and dangerous object?</li> <li>• Are there holes and pits on the</li> </ul>			

<p>playground?</p> <ul style="list-style-type: none"> <li>• Are there playgroup fixed equipments?</li> <li>• Are the equipments appropriate sizes for ECD children?</li> <li>• Are the equipments regularly serviced and maintained?</li> <li>• Is there a soft landing place for slides?</li> <li>• Are the swings at low level for ECD children?</li> <li>• Are there adequate play equipment for the number of children at the centre?</li> </ul>			
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**SCHEDULE IX ( Section 26, 27, 28, 29, 30, 31, 32)****Monitoring Tool for ECD Training Centre**

Institution Name: .....

Address: .....Tel: .....

Sub-County:..... Division: .....

Date of Registration:..... No. of streams: .....

**1 Courses offered:**

Course	Qualification	Male	Female	Total

**2 Physical facilities**

	Condition
Total number of classes	
Total number of toilets Female/Male	
Total number of dormitories	
Total number of offices	

**3 Trainers details**

NAME	Qualification	Duties	Course taught
1			
2			
3			
4			
5			

**4. Financial Records**

Receipt Book Yes ( ) No ( ); Cash Book Yes ( ) No ( ); Fees register Yes ( ) No ( ); Remarks: .....

**5 Administrative Records**

Admission Register Yes ( ) No ( ); Class Register Yes ( ) No ( ); Legal documents: -

TSC Code of Ethics Yes ( ) No ( ); Employment Act Yes ( ) No ( )

Others: .....

6 Training documents

Syllabuses Yes ( ) No ( ); Guidelines Yes ( ) No ( ); Modules Yes ( ) No ( ); Lesson Plans Yes ( ) No ( ); Scheme of work Yes ( ) No ( );

Record of Work Yes ( ) No ( );

Remarks: .....

7 Feeding Programme

Available Yes ( ) No ( ); Standard Yes ( ) No ( );

Remarks: .....

8 Training equipments

TYPE			
Office Equipment			
Materials for			

9. Students' Coverage

Standard Yes ( ) No ( ); Below standard Yes ( ) No ( );

10. Materials made by students

Attractive ( ); Suitable ( ); Adequate ( ); Durable ( ); Safe ( ); Tidy ( ); Special Needs user friendly ( );

11. Curriculum coverage

Curriculum suitability in school: - Good ( ) Average ( ); Below average ( ) Poor ( );

Remarks: .....

Trainer-trainees relationship: - Good ( ) Average ( ); Below average ( ) Poor ( );

Remarks: .....

Employer co-operation: - Good ( ) Average ( ); Below average ( ) Poor ( ); Remarks: .....

Materials equipment made usefulness in school: - Good ( ) Average ( ); Below average ( ) Poor ( );

Remarks: .....

12. Accommodation facilities

Meals - Good ( ) Average ( ); Below average ( ) Poor ( );

Remarks: .....

**No. 4 Nandi County Pre-Primary and Early Childhood Education and Care Services 2014**

Hostels/Dorms - Good ( ) Average ( ) Below average ( ) Poor ( );  
Remarks: .....

Water and sanitation - Good ( ) Average ( ) Below Average ( ) Poor ( );  
Remarks: .....

**SCHEDULE X ( Section 39, 40, 41)****Monitoring Tool for ECD Trainers**

Trainer's Name: ..... Personal No. ....

Qualification: ..... Grade: ..... Sex ..... Age.....

Name of Institution: ..... Sub-County: .....

Course taught: ..... Units: .....

Time: ..... Date: .....

(Tick (√) as appropriate)

1. Schemes: Available ( ); Suitable ( ); Unsuitable ( ); Relevant ( );  
 Unsuitable ( ); Not available ( ); Not relevant ( ); Up to date ( ); Not up to  
 date ( );

Remarks: .....

2. Lesson Plans: Available ( ); Suitable ( ); Relevant ( ); Unsuitable ( );  
 Not available ( ); Not relevant ( ); Up to date ( ); Not up to date ( );  
 Remarks: .....

3. Reference Material: Available ( ); Not available ( ); Suitable ( );  
 Unsuitable ( ); Remarks: .....

4. Teaching/learning materials: Available ( ); Not available ( ); Suitable  
 ( ); Not suitable ( ); Safe ( ); Not safe ( );

Remarks: .....

5. Teacher-student relationship: - Good ( ) Average ( ); Below average  
 ( ) Poor ( );

6. Introduction: Relevant ( ); Suitable ( ); Not relevant ( );  
 Not suitable ( );

7. Lesson Development: - Good ( ) Average ( ) Below average ( )  
 Poor ( );

8. Conclusion: - Good ( ) Average ( ) Below average ( ) Poor ( )

9. Records:

Register ( ) Progress record ( ) Record of work ( )

Remarks: .....

10. Administrative Records

Admission Register Yes ( ) No ( ); Class Register Yes ( ) No ( );

Legal documents: -

**No. 4 Nandi County Pre-Primary and Early Childhood Education and Care Services 2014**

Code of Ethics Yes ( ) No ( ); Employment Act Yes ( ) No ( )

Others: .....

**11. Training documents**

Syllabuses Yes ( ) No ( ); Guidelines Yes ( ) No ( ); Modules Yes ( ) No ( ); Lesson Plans Yes ( ) No ( ); Scheme of work Yes ( ) No ( );

Record of Work Yes ( ) No ( );

Remarks: .....

**12. Feeding Programme**

Available Yes ( ) No ( ); Standard Yes ( ) No ( );

Remarks: .....

**13. Training equipments**

Type			
Office Equipment			
Materials for training			

**14. Students' Coverage**

Standard Yes ( ) No ( ); Below standard Yes ( ) No ( );

**15. Materials made by students**

Attractive ( ); Suitable ( ); Adequate ( ); Durable ( ); Safe ( ); Tidy ( );  
Special Needs user friendly ( );

**16. Curriculum coverage**

Curriculum suitability in school: - Good ( ) Average ( ); Below average ( ) Poor ( );

Remarks: .....

Employer co-operation: - Good ( ) Average ( ); Below average ( ) Poor ( );  
Remarks: .....

Materials equipment made usefulness in school: - Good ( ) Average ( );  
Below average ( ) Poor ( );

Remarks: .....

**17 . Accommodation facilities**

Meals - Good ( ) Average ( ); Below average ( ) Poor ( );

Remarks: .....

Hostels/Dorms - Good ( ) Average ( ) Below average ( ) Poor ( );

Remarks: .....

Water and sanitation - Good ( ) Average ( ) Below Average ( ) Poor ( );

Remarks: .....

Monitoring Officer's Name: .....

Designation: .....

Date: ..... Signature: .....

**SCHEDULE XI****ECDE Certificate Students Assessment Form**

Teacher/caregiver's Name ..... Index No. ....

Academic level ..... Teaching experience .....

Name of ECD centre/school .....

Address ..... Sponsorship/management .....

Sub-County ..... Division ..... Zone .....

**1. ENROLMENT**

Age	Regular		Special Needs children		
	Boys	Girls	Boy	Girls	Total
Under 3 years					
4 years					
5 years					
6 years					
Total					

2. Training institutions (DICECE) .....

3. Theme .....

4. Sub-theme .....

5. Activity Area .....

**6. Learning Environment**

(i) Learning took place in a: Permanent ( ), Semi-permanent ( ) class

(ii) Class condition: Adequate space 8m x 6m ( ) Good Ventilation ( )  
Good lighting ( ) Can be swept ( ) Good roof ( ) Lockable doors ( )  
Good windows ( ) Poor ventilation ( )

Remarks: .....

(iii) Store: Permanent ( ) Semi-permanent ( ) Safe ( )

(iv) Well maintained ( )

Remarks: .....

(iv) Kitchen: Available ( ) Not Available ( ) Well Maintained ( )  
Lockable doors ( )

Cooking facility – Safe &amp; suitable ( ) Not suitable ( ) Safe ( ) Hygienic ( )

Personnel tidy and clean ( ) Water Available ( )

Remarks: .....

(v) Play ground: Adequate space ( ) Even and safe ( ) Play equipment available ( ) Equipment: Safe ( ) Suitable ( ) Adequate ( )

Remarks: .....

(vi) Sanitation facilities: Girls ( ) Boys ( ) Teachers ( ) Suitable ( ) Safe ( )

Child-size ( ) Water: Available ( ) Not available ( )

Remarks: .....

(vii) Water source: Piped ( ) Tank ( ) Borehole ( ) Well ( ) River ( ) Spring ( )

Available inside the ECD ( ) Available outside ECD centre ( )

Remarks: .....

(viii) Furniture: Suitable table ( ) Suitable chairs ( ) Available cupboards ( )

Furniture are safe ( ) Furniture not safe ( )

Remarks: .....

(ix) Mats/carpets: Available ( ) Safe ( ) Well maintained ( ) Not available ( )

Available not used ( ) Not suitably used ( ) Water: Available ( ) Not available ( )

Remarks: .....

(x) Office: Good size ( ) Small but adequate ( ) None ( ) Table and chairs available ( )

Remarks: .....

7. Preparations

(i) Syllabus/ECD Guidelines (KICD): Available ( ) Used ( ) Not used ( )

Remarks: .....

(ii) Reference Books: ECD relevant ( ) Irrelevant to ECD child ( ) Activity Books ( )

Others: .....

Remarks: .....

- (iii) Daily programmes and lessons plans: Available ( ) Suitable ( )  
Relevant ( )

Relevant to the scheme ( ) Up to date ( )

Remarks: .....

#### 8. Lesson Presentation and Development

- (i) Introduction of the activities: Arouse interest ( ) Suitable ( )  
Linked to previous activities ( ) Relevant to theme ( )

Remarks: .....

- (ii) Grouping of children: Ability grouping ( ) Interest grouping ( )  
Activity ( ) Interest grouping ( ) Age group ( )

Remarks: .....

- (iii) Methodology: Participatory ( ) Child-centered ( )  
Play activities  
( ) flexibility ( )

Remarks: .....

- (iv) Child teacher interaction: Good child level talk ( ) Soft tone ( )  
Unsuitable tone ( ) Teacher interest in children's play ( ) Good  
child level talk ( ) Social interaction ( ) child contact good ( ) Poor  
child contact ( )

Remarks: .....

- (v) Teaching/learning materials: Adequate ( ) Suitable ( ) Relevant ( )  
Safe ( ) Used by children ( )

Remarks: .....

- (vi) Children participation in ongoing activities: All participated ( ) A  
few ( ) Some groups ( ) Gender balanced ( )

Remarks: .....

- (vii) Teachers learning monitoring: Checking ( ) Assessing ( )  
Observing ( ) Marking ( ) Correcting ( ) Recording ( )

- (viii) Conclusion of activities: Summary of the activities ( ) Display  
of children's work done in the lesson/activity ( ) Clearing and tidying  
up ( ) Poems ( ) Song related to activity ( )

Remarks: .....

- (ix) Teaching/learning resources: Available ( ) Not available ( )  
 Suitable ( ) Not suitable ( ) Safe ( ) Not safe ( ) Adequate ( )  
 high quality ( ) Made from locally available materials ( )  
 Special child friendly ( )

Remarks: .....

- (x) Display: Teachers Work: Suitable ( ) Relevant ( ) Current ( )  
 Correct eye level ( ) Safe ( ) Tidy ( ) Well organized ( ) Well  
 maintained ( ) Well organized corners ( ) Themes relevant ( )
- (xi) Children's Work: Available ( ) Tidy ( ) Current ( ) Safe ( )  
 Themes relevant ( ) Reflect schemes ( )

#### 9. Records

- (i) Admission Register ( ) Class Register ( ) Log Book ( ) Visitor's  
 Book ( ) Health Records ( ) Inventory ( ) Staff and Committee  
 Minutes Books ( )

Remarks: .....

- (ii) Financial Records: (Tick (√) if available and (X) if unavailable)  
 Cash book ( ) Receipt Books ( )
- (iii) Curriculum Records: (Tick (√) if available and (X) if  
 unavailable) Children's Progress record ( ) Records of work ( )  
 Time table ( ) Individual Child Programme ( )

Remarks: .....

- (iv) Ledgers: (Tick (√) if available and (X) if not available)  
 Permanent ( ) Stock ledger ( ) Others ( )

#### 10. General Condition:

- (i) Environment: Clean ( ) Tidy ( ) Safe ( ) Dirty ( ) Untidy ( )  
 Unsafe ( )

Remarks: .....

- (ii) Children: Clean clothes ( ) In uniform ( ) Clean hair ( )  
 Short nails ( ) Clean body ( )

Remarks: .....

- (iii) Teacher: Well groomed ( ) Presentable ( ) Cheerful ( )

Remarks: .....

- (iv) ECD Centre and compound: Safe ( ) Unsafe ( )  
 Well-maintained ( ) Not well-maintained ( ) Well organised ( )  
 Not well organised ( ) Good set up

**No. 4 Nandi County Pre-Primary and Early Childhood Education and Care Services 2014**

( ) Poor setup ( ) All water bodies fenced ( ) Play equipments safe ( )  
Equipment not safe ( )

Remarks: .....

11. Community Involvement and Participation - (Tick (√) if available and (X) if not available) Teacher's role in involving the community in ECD activities

(i) Collection of material ( ) Teaching Sunday school ( ) Women group members ( ) Youth group member ( )  
Community clean up ( )

Remarks: .....

(ii) Feeding programme Cooking utensils ( ) Fuel ( ) Safe ( ) Away from classes ( ) Has water ( ) Hygienic ( ) Safe food( )

Remarks: .....

(iii) Physical facilities provided: (Tick (√) as appropriate Community ( ) Private ( ) County Government ( ) Church ( ) Company ( ) NGOs ( )

Remarks: .....

(iv) Water provision: Provided: Parents ( ) Community ( ) Management ( )

Remarks: .....

12. General Remarks Additional Remarks

(i) Areas of improvement: Planning ( ) Material ( ) Physical facilities ( ) Kitchen ( ) Menu ( ) Teaching ( ) Management ( ) Material display ( ) Children's work ( ) toilets ( ) Financial management ( ) Time management ( ) Record keeping ( ) Reference ( ) Playgrounds ( ) Registration Issues ( ) Reference books ( ) methods ( )

Remarks: .....

Total Marks: .....

Assessor's Name: .....

Designation: ..... Station ..... Date: .....

Signature: .....

**SCHEDULE XII****ECDE Diploma Students Assessment Form**

Name of Candidate ..... Registration No .....

Centre/School ..... Class .....

Training center/Institution .....

Date ..... Time ..... Assessment (I, II, III) .....

<i>Item</i>	<i>Activities</i>	<i>Assessor's Remarks</i>	<i>Marks Awarded</i>
Preparation	Scheme of Work (10 marks) <ul style="list-style-type: none"> <li>• Available</li> <li>• Relevance</li> <li>• Suitability</li> <li>• Use Objectives – SMART</li> </ul>		
	Lesson plan (10 marks) <ul style="list-style-type: none"> <li>• Available</li> <li>• Trainee centred</li> <li>• Relevance</li> <li>• Suitability and use</li> </ul>		
Presentation	Introduction (5 marks) <ul style="list-style-type: none"> <li>• Lesson development (35 marks)</li> <li>• Teacher child interaction</li> <li>• Involvement of children in learning activities</li> <li>• Methods used (participatory) theme based</li> <li>• Sequencing of activities</li> <li>• Mastery of content</li> </ul> Conclusion (5 marks)		

<i>Item</i>	<i>Activities</i>	<i>Assessor's Remarks</i>	<i>Marks Awarded</i>
<b>Personal Presentation</b>	(10 marks) <ul style="list-style-type: none"> <li>• Teacher's confidence</li> <li>• Teacher's warmth</li> <li>• Grooming</li> <li>• Gender sensitivity</li> <li>• Language</li> <li>• Teacher's initiatives</li> </ul>		
<b>Records Availability/</b>	(10 marks) <ul style="list-style-type: none"> <li>• Progress Records</li> <li>• Health Records</li> <li>• Attendance Register</li> <li>• Record of work</li> <li>• Timetable</li> <li>• Neatness of records</li> </ul>		
<b>Materials</b>	(10 marks) <ul style="list-style-type: none"> <li>• Appropriateness</li> <li>• Safety</li> <li>• Relevance</li> <li>• Durability</li> <li>• Adequacy</li> <li>• Improvisation/innovativeness</li> <li>• Display of materials</li> </ul>		
<b>Classroom Management</b>	(10 marks) <ul style="list-style-type: none"> <li>• Classroom organization/display</li> <li>• Cleanliness</li> <li>• Class control and</li> </ul>		

	discipline <ul style="list-style-type: none"> <li>• Children's work/display</li> <li>• Time management</li> </ul>		
	Additional remarks		
	TOTAL (100 Marks)		

Name of Assessor ..... Signature .....

Station and address of Assessor .....

Name of trainer ..... Signature .....

**Filled in Triplicate**

## SCHEDULE XIII (Section 37)

## Monitoring Tools for Children with Special Needs in ECD Centres

	Question	Answer	
		Yes	No
2.1	<p><b>Institutional Management Tools</b></p> <p>Does the school have the following:</p> <ol style="list-style-type: none"> <li>1. Persons with Disabilities Act (2003)</li> <li>2. Kenya National Disability Policy (2004)</li> <li>3. Policy On Special Needs Education for children with Disabilities</li> <li>4. Does the school keep a record of children with Special Needs</li> </ol>		
2.2	<p><b>Human Resource Management</b></p> <p>What is the teacher/pupil:</p> <ol style="list-style-type: none"> <li>1. Ratio for children with Special Needs Education as per the recommendation in the standard guidelines</li> <li>2. Do the teachers have any special training on handling children with Special Needs?</li> <li>3. Does the school identify children with Special Needs as recommended in the standard guidelines?</li> <li>4. Do the teacher work closely with the assessment centre/and parents of children with SNE?</li> <li>5. Is the support/staff/children with Special Needs ration as recommended in the standard guidelines?</li> </ol>		
2.3	<p><b>Curriculum Implementation</b></p> <ol style="list-style-type: none"> <li>1. Are all students who attain less treated like high attaining learners?</li> <li>2. Are a variety of home language and sign language make positive contribution to learning?</li> <li>3. Does the school have teaching learning materials for use by children with different disabilities?</li> <li>4. Is the work of all children displayed within the school and in their classrooms?</li> <li>5. Does the staff discriminate against mainstream</li> </ol>		

	<p>children and Special Needs children in Curriculum implementation?</p> <p>6. Does the school have individual education programme for children with special needs?</p>		
2.5	<p><b>Institutional Community Relations</b></p> <ul style="list-style-type: none"> <li>• Does the community participate in maintaining ECD centers where there are children with Special Needs?</li> <li>• Are parents of children with Special Needs involved in the running of the school?</li> <li>• Are parents of children with Special Needs consulted on academic programmes of their children?</li> </ul>		
2.6	<p><b>Student Welfare and Development</b></p> <ul style="list-style-type: none"> <li>• Are there separate latrines/toilets for boys/girls with Special Needs?</li> <li>• Is there safe water that is accessible for children with Special Needs?</li> <li>• Are there skill based Health Education for children with Special Needs?</li> <li>• Does the ECD centre have access to Health personnel in order to deal with the needs of children with disability as they arise?</li> <li>• Does the centre have guidance and counselling service for abused children with special needs and their parents?</li> <li>• Are the recreation programmes accessible to children with Special Needs in ECD centre?</li> <li>• Are all the children in ECD expected to attend classes together irrespective of their disabilities?</li> <li>• Are the needs of the Deaf and Blind considered in sign language and Braille communication?</li> </ul>		

Monitoring Officers Name .....

Designation ..... Sign .....

Date .....

**SCHEDULE XIV (Section 37)**

**General Screening Tools For Children With Special Needs in ECD Centres**

Ref No: .....  
Date: .....  
Place of Screening: .....  
Child brought by: .....

**1. BACKGROUND INFORMATION**

Name: .....  
Name Child is called at Home/School:.....  
Sex: Male.....Female..... Age: ..... Date of birth: .....  
Child's Residential Address: .....  
Parents/Guardian  
Father's full Name ..... Age .....  
Educational Level .....  
Occupation .....  
Permanent Address .....  
Telephone Number ..... E-mail.....  
Mother's full name..... Age .....  
Educational Level .....  
Occupation .....  
Permanent Address.....  
Telephone Number ..... E-mail .....  
Guardian's full name ..... Age .....  
Educational Level .....  
Occupation .....  
Permanent Address .....  
Telephone Number .....E-mail .....  
Physical Location of child  
Sub-County .....  
Location ..... Name of chief .....

Sub Location ..... Name of Ass. Chief .....

Village/Estate .....

Ethnic Group ..... (Nationality if not Kenyan) .....

Educational Background

Is the child enrolled in school? Yes/No .....

If Yes,

- Name of School .....
- Address .....
- Telephone No. ....
- Class/Form .....
- Type of School.....
  - o Regular School .....
  - o Inclusive School .....
  - o Special Residential School .....
  - o Integrated programme
  - § Resource room .....
  - § Special Class .....
  - § Small home .....
  - § Inclusion Class .....
  - o Charitable home (specify) .....
  - o Borstal/approval School .....
  - o Non-formal Education .....
  - o Rehabilitation / Vocational Training .....

If not in School, why? .....

.....

.....

2. CHILD'S COMPLAINTS/PROBLEMS

<i>Source</i>	<i>Complaints/Problem (S)*</i>
Parents/Guardians	
Teacher	
Child	
Significant others	

\* Whenever possible get as much information from the child.

Summary of Complaints



**No. 4 Nandi County Pre-Primary and Early Childhood Education and Care Services 2014**

(vi) HIV/AIDS

(vii) Others (specify) .....

The observations made in musculoskeletal system are: -

YES NO

(viii) Can sit without support

(ix) Can walk without support

(x) Can stand without support

(xi) Fall often

(xii) Controls body movement properly

(xiii) Can hold a pen

(xiv) Any problems with speech?

(xv) Any problems with movements?

(xvi) Any problem with posture?

(xvii) Has all the limbs?

(xviii) Any wasted muscles?

(xix) Unusual head size?

(xx) Has all the limbs?

(xxi) Any problem with posture?

(xxii) Any frequent fractures?

Findings .....

.....

.....

Consenting Person

Name: .....

Signature: .....

Date: .....

Recommendation: .....

.....

Referral:

**Use the referral form provided.**

**SCHEDULE XV (Section 33)**

**Form for Appeal Against Rejection of Application for Registration of a Charitable Children's Institution**

I/We the undersigned, on behalf of .....  
(name of organization), wish to appeal against the decision of the Director rejecting our application for registration as a charitable children's institution (attach copy of application) communicated to me/us by a letter attached herein dated ..... on the following grounds:

(State grounds for appeal)

Name of Chairman (or person of similar office): .....

Signature: .....

Address: .....

Name of Person In charge: .....

Signature: .....

Address: .....

Date: .....

