

SPECIAL ISSUE

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REPUBLIC OF KENYA

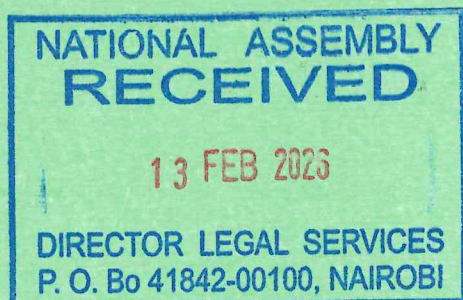
KENYA GAZETTE SUPPLEMENT

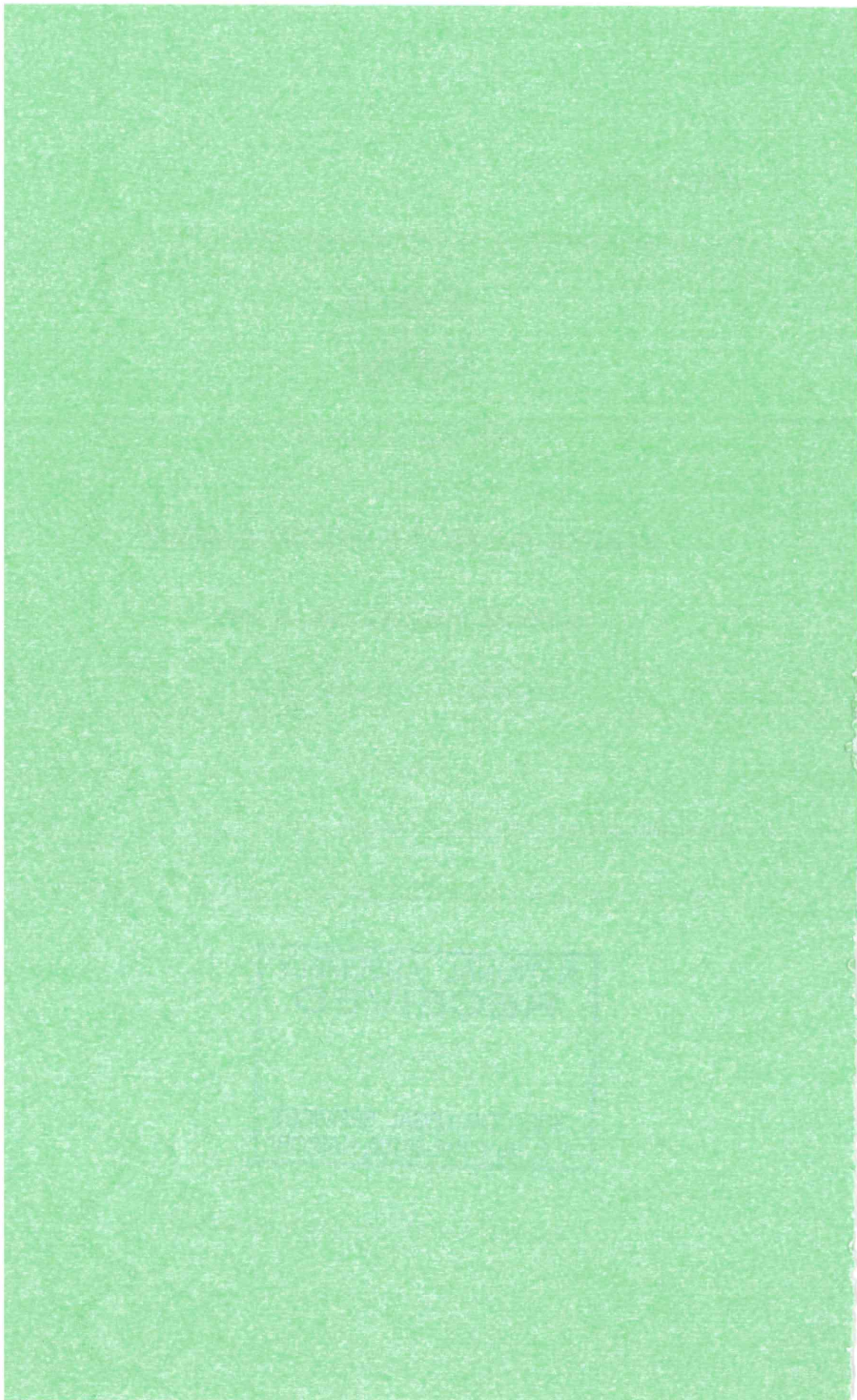
NATIONAL ASSEMBLY BILLS, 2025

NAIROBI, 21st November, 2025

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**THE EDUCATION LAWS (AMENDMENT) BILL,
2025**

A Bill for

AN ACT of Parliament to amend various education laws to require the development of a curriculum and teaching of nationhood science at all levels of learning

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Education Laws (Amendment) Act, 2025.

Short title.

2. Section 2 of the Universities Act is amended by inserting the following new definition in proper alphabetical sequence—

Amendment of section 2 of Cap. 210.

“nationhood science” means a programme of instruction that cultivates the national values and principles outlined under Article 10 of the Constitution, a national ethos, innovation, entrepreneurship, and the responsibilities of citizenship;”

3. Section 3 of the Universities Act is amended in subsection (1) by inserting the following new paragraph immediately after paragraph (c)—

Amendment of section 3 of Cap. 210.

“(ca) promote the teaching and learning of nationhood science;”

4. Section 2 of the Technical and Vocational Education and Training Act is amended by inserting the following new definition in proper alphabetical sequence—

Amendment of section 2 of Cap. 210A.

“nationhood science” means a programme of instruction that cultivates the national values and principles outlined under Article 10 of the Constitution, a national ethos, innovation, entrepreneurship, and the responsibilities of citizenship;”

5. Section 3 of the Technical and Vocational Education and Training Act is amended in subsection (1)(c) by inserting the following new subparagraph immediately after subparagraph (ii)—

Amendment of section 3 of Cap. 210A.

“(iia) integration of the teaching and

learning of nationhood science;”

6. Section 32 of the Technical and Vocational Education and Training Act is amended in subsection (2) by inserting the following new subparagraph immediately after subparagraph (i)—

Amendment of section 32 of Cap. 210A.

“(ia) teaching and learning of nationhood science;”

7. Section 2 of the Basic Education Act is amended by inserting the following new definition in proper alphabetical sequence—

Amendment of section 2 of Cap. 211.

“nationhood science” means a programme of instruction that cultivates the national values and principles outlined under Article 10 of the Constitution, a national ethos, innovation, entrepreneurship, and the responsibilities of citizenship;”

8. Section 4 of the Basic Education Act is amended by inserting the following new paragraph immediately after paragraph (g)—

Amendment of section 4 of Cap. 211.

“(ga) integration of the teaching and learning of nationhood science in basic education;”

9. Section 2 of the Kenya Institute of Curriculum Development Act is amended by inserting the following new definition in proper alphabetical sequence—

Amendment of section 2 of Cap. 211A.

“nationhood science” means a programme of instruction that cultivates the national values and principles outlined under Article 10 of the Constitution, a national ethos, innovation, entrepreneurship, and the responsibilities of citizenship;”

10. Section 4 of the Kenya Institute of Curriculum Development Act is amended in paragraph (m) by inserting the words “nationhood science” immediately after the word “values”.

Amendment of section 4 of Cap. 211A.

MEMORANDUM OF OBJECTS AND REASONS

Statement of objects and reasons for the Bill

The principal object of this Bill is to amend the Universities Act, the Technical and Vocational Education and Training Act, the Basic Education Act and the Kenya Institute of Curriculum Development Act to actualize Article 10 of the Constitution, entrench the learning of national values and principles, and promote innovation and entrepreneurship in the education curriculum at all levels.

Article 10 of the Constitution binds all State organs, State officers, public officers and all persons to uphold the national values and principles of governance. The Article outlines the values and principles to include patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people; human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised; good governance, integrity, transparency and accountability; and sustainable development.

Parliament is mandated to actualize the intentions of the framers of the Constitution and transform Kenya into a society of real and tangible values. The intention of the framers of the Constitution was to transform Kenya into a society with a national ethos infused with the spirit of oneness, honesty and integrity. The national ethos, innovation, entrepreneurship and various responsibilities of citizenship, such as the duty to promote harmonious living with other citizens, paying taxes, and contributing to national development, collectively constitute “nationhood science”.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

This Bill does not delegate legislative power or limit any fundamental rights or freedoms.

Indication of whether the Bill concerns counties

The Bill contains provisions affecting the functions of county governments as it seeks to entrench the learning of nationhood science in basic education institutions which include early childhood development centres.

Statement as to whether the Bill is a money Bill within the meaning of Article 114 of the Constitution

The enactment of this Bill shall occasion additional expenditure of public funds.

Dated the 10th November, 2025.

CAROLI OMONDI,
Member of Parliament.

Section 2 of Cap 210 that it is proposed to amend—

Interpretation

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

“academic programme” means the design of learning content which includes the intention, the structure of the content, the delivery mode, academic resources and assessment modes;

“academic staff” means any person appointed to teach, train or to do research at a university and any other employee designated as such by the university council;

“accreditation” means the procedure by which the Commission recognises an institution as a University and as having fulfilled the prescribed criteria for mounting its academic programmes;

“alumni” means a member of the convocation of a university;

“Board” means the Universities Funding Board established under section 54;

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters related to university education;

“Charter” means the Charter granted to a university under sections 19, 24 or 25;

“Commission” means the Commission for University Education established under section 4;

“constituent college” means a constituent college of a university established under this Act;

“differentiated unit cost” means the annual per student cost of mounting a particular degree programme;

“discipline differentiated remuneration” means academic staff remuneration based on programme discipline clusters;

“distance learning” means the mode of delivering education through use of print, audio-visual, electronic or other technical media;

“foreign university” means a university legally established in a country outside Kenya, which intends to offer university education in Kenya;

“foreign university campus” means an extension of a foreign university, set up by the university pursuant to its statutes and established in accordance with section 28 of this Act;

“Fund” means the Universities Fund established under section 53;

“institution” means a public or private institution or facility used or to be used wholly or partly, for the conduct of university education;

“instrument of accreditation” means the Charter or Letter of Interim Authority establishing a university issued under this Act;

“Open University” means the Open University established under section 24;

“Placement Board” means the Placement Board established under section 55(3);

“private university” means a university which is not established or maintained out of public funds;

“programmes accreditation” means the process by which the Commission formally recognizes an academic programme of a University, including a foreign university;

“public university” means a university established and maintained out of public funds;

“quality assurance” means the employment by a university of various measures and mechanisms developed by the Commission to assess, maintain and enhance standards of programmes offered by a university;

“Senate” means the senate of a university or any other equivalent body;

“sponsor” means any person including the government proposing the establishment of a university and committed to its development, implementation, construction, maintenance, management and financing;

“stakeholder” means a person or group of persons involved in an education, training and research institution and with vested interests for the benefit of such an institution;

“statutes” means the statutes of a university made by a university council;

“student” means any person registered in a university or an institution offering university education;

“student with special needs” means a student with motor, hearing or visual or other impairment which requires adaptive support to access education;

“technical university” means a university, established in accordance with section 25 of this Act;

“Trustees” means the Board of Trustees of the Fund;

“TVET Funding Board” and “TVETA” shall have the meanings assigned to them under the Technical and Vocational Education and Training Act (Cap. 210A);

“university” means a university established in accordance with section 13 of this Act;

“university campus” means an extension of a university set up by the university pursuant to its statutes and established in accordance with section 20 of this Act;

“University Council” means the governing body of a University;

“visitation” means the visitation of a university directed by the Chancellor under section 38 (3)(b).

(2) Notwithstanding subsection (1), until after the first general elections under the Constitution, the expressions “Cabinet Secretary” and “Principal Secretary” shall be construed to mean “Minister” and “Permanent Secretary” respectively.

Section 3 of Cap 210 that it is proposed to amend—

Objectives of university education

3. (1) The objectives of university education shall include—

- (a) advancement of knowledge through teaching, scholarly research and scientific investigation;
- (b) promotion of learning in the student body and society generally;
- (c) promotion of cultural and social life of society;
- (d) support and contribution to the realization of national economic and social development;
- (e) promotion of the highest standards in, and quality of, teaching and research;
- (f) education, training and retraining higher level professional, technical and management personnel;
- (g) dissemination of the outcomes of the research conducted by the university to the general community;
- (h) facilitation of life-long learning through provision of adult and continuing education;

- (i) fostering of a capacity for independent critical thinking among its students;
 - (j) promotion of gender balance and equality of opportunity among students and employees; and
 - (k) promotion of equalization for persons with disabilities, minorities and other marginalized groups.
- (2) In the discharge of its functions and the exercise of its powers under this Act, a university shall be guided by the national values and principles of governance set out under Article 10 of the Constitution, and shall in that regard—
- (a) promote quality and relevance of its programmes;
 - (b) enhance equity and accessibility of its services;
 - (c) promote inclusive, efficient, effective and transparent governance systems and practices and maintenance of public trust;
 - (d) ensure sustainability and adoption of best practices in management and institutionalization of systems of checks and balances;
 - (e) promote private-public partnership in university education and development; and
 - (f) institutionalize non-discriminatory practices

Section 2 of Cap 210A that it is proposed to amend—

Interpretation

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

“accreditation” means the process by which the Board formally recognizes and confirms by certification that an institution has met and continues to meet the standards of academic, training and competence excellence set by the Board in accordance with the provisions of this Act;

“Authority” means the Technical and Vocational Educational and Training Authority established under section 6;

“Board” means the Technical and Vocational Education and Training Board established under section 8 of this Act;

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters related to technical and vocation education and training;

“certificate” means the level of qualification below diploma or its equivalent;

“Certification Council” means the technical and Vocational Education and Training Curriculum Development, Assessment and Certification Council established under section 44(1) of this Act;

“Commission” means the Commission for the time being in charge of university education;

“Diploma” means the level of qualification below degree and above a certificate;

“Fund” means the Technical and Vocational Education Fund established under section 47;

“institution” means an institution that promotes or offers technical and vocational education and training;

“National Polytechnic” means an institution declared a National Polytechnic in accordance with this Act;

“private institution” means an institution which is not a public institution;

“public institution” means an institution established or maintained by use of public funds or by the community;

“technical and vocational college” means an institution offering technical and vocational education and training at diploma level;

“technical trainer college” means an institution offering technical teachers training at higher diploma level;

“trainer” means a person registered under section 25(1)(b);

“training” includes technical, industrial and vocational education and training leading to an award of a certificate, diploma;

“university” means a university within the meaning of the Universities Act(Cap. 210);

“vocational training center” means an institution providing training leading to the awards below the level of diploma.

(2) *Spent*

Section 3 of Cap 210A that it is proposed to amend—

Guiding principles

3. (1) In the discharge of its functions and exercise of their powers under this Act, the implementing authorities shall be guided by following principles—

- (a) training shall be availed to all qualified Kenyans without discrimination;
- (b) there shall be instituted appropriate mechanisms to promote access, equity, quality and relevance in training to ensure adequate human capital for economic, social and political development;
- (c) training programmes shall take into account—
 - (i) the educational, cultural and social economic background of the people;
 - (ii) the technical and professional skills, knowledge and levels of qualification needed in the various sectors of the economy and the technological and structural changes to be expected;
 - (iii) the trends towards integration of information and communication technologies to multiply access and improve training capacity, delivery modes and life-long employability of graduates;
 - (iv) the employment opportunities, occupational standards and development prospects at the international, national, regional and local levels; and
 - (v) the protection of the environment and the common heritage of the country.

(2) There shall be no discrimination on grounds of race, colour, gender, religion, national or social origin, political or other opinions, economic status, or any other ground save as provided under this Act.

Section 32 of Cap 210A that it is proposed to amend—

Programs of instruction in training institutions

32. (1) An institution offering technical and vocational education and training may with the approval of the Board, introduce, review or alter programmes of instruction or courses of study.

(2) The training programmes shall be designed so as to operate within a framework which leads to lifelong education and training, and which facilitates—

- (i) innovativeness and creativity;

- (ii) continuation of training for improvement of professional qualifications and updating of knowledge, skills and understanding;
- (iii) complementary education for those receiving technical, vocational and education training in the form of on-the-job training or other training in institutions or other facilities;
- (iv) the special needs of persons with disability, minorities and marginalized groups.

Section 2 of Cap 211 that it is proposed to amend—

Interpretation

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

“accreditation” means the procedure by which the accreditation agency formally recognizes the status of an institution offering basic education and confirms in writing by way of a documentation issued under this Act;

“adult” means an individual who has attained the age of eighteen years;

“adult and continuing education” means the learning processes within the perspective of lifelong learning in which an adult or out-of-school youth is granted an opportunity in an institution of basic education for purposes of developing abilities, enriching knowledge and improving skills;

“adult basic education” means basic education offered as a full-time or part-time course to a person who is above the age of eighteen years and includes education by correspondence, the media of mass communication and the use of libraries, museums, exhibitions or other means of visual or auditory communication for educational purposes and “Adult learning” shall be construed accordingly;

“basic education” means the educational programmes offered and imparted to a person in an institution of basic education and includes Adult basic education and education offered in early childhood education centres;

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to basic education and training;

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

“community” means persons residing in the neighbourhood of a basic education institution;

“County Director of Education” means a Director appointed under section 52;

“County Education Board” means a Board established as an agency of the national Government to serve the relevant county under section 17;

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

“Director-General” means a person appointed under the Public Service Commission Act (Cap. 185) and responsible to the Cabinet Secretary;

“Duksi” means Islamic elementary institution that offers Quranic education and other related subjects;

“Early childhood education” has the meaning assigned to it under the law relating to early childhood education;

“Education Appeals Tribunal” means the Appeals Tribunal established under section 93;

“EMIS” means Educational Management Information System;

“Education Standards and Quality Assurance Commission (ESQAC)” means the Commission established under section 62;

“formal education” means the regular education provided in the system of schools, and other formal educational institutions;

“headteacher” has the meaning assigned to it under the Teachers Service Commission Act (Cap. 212);

“ICT Integration and Education” means the seamless incorporation of information communication technologies to support and enhance the attainment of curriculum objectives, to enhance the appropriate competencies including skills, knowledge, attitudes and values and to manage education effectively and efficiently at all levels;

“institution of basic education and training” means a public or private institution or facility used wholly or partly, regularly or periodically for conducting basic education and training and includes a school, a tuition facility, an educational centre, an academy, a research institution, a school correctional facility or a borstal institution;

“Madrassa” means the structural Muslim educational institutions or schools that offer Islamic and other subjects and are laddered from primary to secondary;

• “manager” means a person who has been appointed by the Cabinet Secretary in consultation with the proprietor through regulations to coordinate and oversee implementation of education policies and guidelines in non-public basic education institutions and performs delegated teacher management functions;

“mobile school” means a formal flexible institution that allows for mobility of pupils and teachers and is specifically designed to suit the needs of migrant communities;

“National Council for Marginalized and Nomadic Education” means the council provided for under section 92;

“National Education Board” means the National Board for Education and Training established under section 5 of this Act;

“non-formal education” means any organized educational activity taking place outside the framework of the formal education system and targets specific groups/categories of persons with life skills, values and attitudes for personal and community development;

“out-of-school youth” means all persons who have attained the age of eighteen years but have not attained thirty five years and who are not engaged in learning in the formal education system;

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

“parent's association” means an association as prescribed in subsection 53(2);

“pastoral programmes” means the curriculum designed by different Christian churches;

“pre-primary education” deleted by Act No. 3 of 2021 ;

“primary education” means education imparted to a child who has completed early childhood education;

“Principal” has the meaning assigned to it under the Teachers Service Commission Act;

“private school” means a school established, owned or operated by private individuals, entrepreneurs and institutions;

“Salaries and Remuneration Commission” has the meaning assigned to it under the Salaries and Remuneration Act (Cap. 412D);

“school” means an institution registered under this Act that meets the basic prescribed standards and includes institutions offering alternative approaches of multi-grade, double-shift, mobile schooling, out of school programmes, adult and continuing education, distance or correspondence instruction, or accelerated learning and talent based institutions, but does not include-

- (a) any institution or assembly for which a Cabinet Secretary other than the Cabinet Secretary responsible for matters relating to basic education and training, is responsible;
- (b) any institution or assembly in which the instruction is, in the opinion of the Cabinet Secretary, wholly or mainly of a religious character; or
- (c) an institution mainly or wholly of a religious character;

“special education needs” means conditions physical, mental or intellectual conditions with substantial and long term adverse effects on the learning ability (other than exposure) or the needs of those who learn differently or have disabilities that prevent or hinder or make it harder for them to access education or educational facilities of a kind generally provided for learners of the same age in the formal education system;

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

“special school” means a school established for the benefit of a particular class of children who require some special form of education, treatment or care;

“sponsor” means a person or institution who makes a significant contribution and impact on the academic, financial, infrastructural and spiritual development of an institution of basic education;

“stakeholder” means a person, a public or private institution or organization involved in an education institution and with vested interests for the benefit of such an institution;

“statutory structural adjustment” means a systematic multi-disciplinary process of collecting information about learners for the

purpose of identifying and confirming the substantial and long-term impact on the learning process, abilities or educational progress so as to provide educational support based on the assessment or findings;

“teacher” has the meaning assigned to it under the Teachers Service Commission Act;

“tuition fees” means fees charged to cater for instruction or instructional materials.

Section 4 of Cap 211 that it is proposed to amend—

Guiding principles

4. The provision of basic education shall be guided by the following values and principles—

- (a) the right of every child to free and compulsory basic education;
- (b) equitable access for the youth to basic education and equal access to education or institutions;
- (c) promotion of quality and relevance;
- (d) accountability and democratic decision making within the institutions of basic education;
- (e) protection of every child against discrimination within or by an education department or education or institution on any ground whatsoever;
- (f) protection of the right of every child in a public school to equal standards of education including the medium of instructions used in schools for all children of the same educational level
- (g) without prejudice to paragraph (f) above advancement and protection of every child in early childhood and lower primary level of education to be instructed in the language of his or her choice where this is reasonably practicable;
- (h) encouraging independent and critical thinking; and cultivating skills, disciplines and capacities for reconstruction and development;
- (i) promotion of peace, integration, cohesion, tolerance, and inclusion as an objective in the provision of basic education;
- (j) elimination of hate speech and tribalism through instructions that promote the proper appreciation of ethnic diversity and culture in society;

- (k) imparting relevant knowledge, skills, attitudes and values to learners to foster the spirit and sense of patriotism, nationhood, unity of purpose togetherness, and respect;
- (l) promotion of good governance, participation and inclusiveness of parents, communities, private sector and other stakeholders in the development and management of basic education;
- (m) transparency and cost effective use of educational resources and sustainable implementation of educational services;
- (n) ensuring human dignity and integrity of persons engaged in the management of basic education;
- (o) promoting the respect for the right of the child's opinion in matters that affect the child;
- (p) elimination of gender discrimination, corporal punishment or any form of cruel and inhuman treatment or torture;
- (q) promoting the protection of the right of the child to protection, participation, development and survival;
- (r) promotion of innovativeness, inventiveness, creativity, technology transfer and an entrepreneurial culture;
- (s) non-discrimination, encouragement and protection of the marginalised, persons with disabilities and those with special needs;
- (t) enhancement of co-operation, consultation and collaboration among the Cabinet Secretary, Teachers Service Commission, the National Education Board, the County Education Boards, the education and training institutions and other related stakeholders on matters related to education; and
- (u) provision of appropriate human resource, funds equipment, infrastructure and related resources that meet the needs of every child in basic education.

Section 2 of Cap 211A that it is proposed to amend—

Interpretation

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

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to education and training;

“Council” means the Council established by section 5;

“curriculum” means all planned learning programmes that facilitate formal, non-formal and informal learning;

“curriculum support materials” means materials used to facilitate curriculum implementation and includes both electronic and non-electronic form;

“Director” means the Director of the Institute appointed under section 14;

“Director-General” means the Director-General responsible for matters relating to education;

“former Institute” means the Kenya Institute of Education established by the Kenya Institute of Education Order, 2010 (L.N. 120/2010);

“Institute” means the Kenya Institute of Curriculum Development established under section 3;

“member” means a member of the Council; and

“tertiary” means all post-secondary school education and training programmes, but does not include any training undertaken in a university.

Section 4 of Cap 211A that it is proposed to amend—

Functions of the Institute

4. The functions of the Institute shall be to—

- (a) advise the Government on matters pertaining to curriculum development;
- (b) evaluate, vet and approve, for application in Kenya, any local and foreign curricula and curriculum support materials in relation to the levels of education and training referred to in paragraph (d);
- (c) implement the policies relating to curriculum development in basic and tertiary education and training;
- (d) develop, review and approve programmes, curricula and curriculum support materials that meet international standards for—
 - (i) early childhood care, development and education;
 - (ii) pre-primary education;
 - (iii) primary education;
 - (iv) secondary education;

- (v) adult, continuing and non-formal education;
- (vi) teacher education and training;
- (vii) special needs education; and
- (viii) technical and vocational education and training;
- (e) initiate and conduct research to inform curriculum policies, review and development;
- (f) collect, document and catalogue information on curricula, curriculum support materials and innovations to create a data bank and disseminate the information to educational institutions, learners and other relevant organisations;
- (g) print, publish and disseminate information relating to curricula for basic and tertiary education and training;
- (h) collaborate with other individuals and institutions in organizing and conducting professional development programmes for teachers, teacher trainers, quality assurance and standards officers and other officers involved in education and training on curriculum programmes and materials;
- (i) develop, disseminate and transmit programmes and curriculum support materials through mass media, electronic learning, distance learning and any other mode of delivering education and training programmes and materials;
- (j) promote equity and access to quality curricula and curriculum support materials;
- (k) promote appropriate utilisation of technology to enhance innovations and achievement of a knowledge based economy;
- (l) offer consultancy services in basic and tertiary education and training;
- (m) incorporate national values, talent development and leadership values in curriculum development;
- (ma) incorporate personal safety skills, self-defence, demonstrations on security drills, first aid, detection and response to weapons and evacuation procedures in curriculum development;
- (mb) incorporate psychosocial skills and services to students in curriculum development;
- (n) receive, consider, develop and review curriculum proposals; and

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- (o) perform such other function as may be assigned to it under this Act or any other written law.





