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**Public Participation on the Basic Education (Amendment) Bill, 2021  
Senate Bill No. 4 of 2021**

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## INTRODUCTION

The African Women Studies, UON WEE hub has been engaging on Kenya's Fiscal Policy to support women participation in Kenya's Economy. The African Women Studies, UON WEE hub has been focussing on the Kenya's fiscal policy (with view of providing alternative policy choices to policymakers (National Treasury, County Assemblies and Parliament) to improve food security, Women Economic Empowerment, childcare, financial inclusion, social protection amongst other issues. The focus of this issues is drawn from Article 43 and 53 of the Constitution which requires lists the rights of Kenyan Citizens to highest attainable level of healthcare services, be free from hunger, clean and safe water, social security and education. Article 53 further compels Government of Kenya to provide free and compulsory basic education.

The following are sections that the research team would like the National Assembly select committee to consider:

### MEMORANDA FOR THE BASIC EDUCATION (AMMENDMENT) BILL,2021

CLAUSE NUMBER	MARGINAL NOTE	PROPOSED AMMENDMENT	JUSTIFICATION
	Long Title	Should read ...to give effect to <b>Article 53 (b) and (c)</b> and not <b>Article 53</b> .	The Bill only caters for provisions of parts (b) and (c) and not for the rest of the parts of Article 53.
4	Guiding Principles	An additional principle -Recognizing children's rights to adequate food of acceptable quality promoting nutritional status of school going children.	The Bill by recognizing the need for a school feeding program already acknowledges the Constitutional provisions of Article 53(b) and (c) and Article 43(c) and the National school Health policy 2009, under revision). Thus, this should be an additional guiding principle.

5(2)	Establishment and Functions of the Board.	-working with County Directors and all relevant authorities and agents to ensure supply of milk to schools	There is need to have an Authority that is accountable under the Act for implementation/enforceability. Thus, the school feeding program should be one of the functions of the Authority established under the Act.
25(2)	Committees of the County Education Board.	-School Feeding Program Committee	There is need to have a committee that will liaise with other authorities and agents in coordinating, enforcing, and monitoring supply of milk to schools as stipulated under clause 38A (1) on consultation with National government.
38A (2)	School Feeding Program.	<p>The milk provided to learners under subsection (1) shall-</p> <ul style="list-style-type: none"> <li>(a) Be distributed through County Director of Education</li> <li>(b) Be made available to learners of up to and including Grade 6 or it's equivalent</li> <li>(c) Procured from local farmers with 30% of the procurement given to women.</li> <li>(d) Comply with food safety and quality legislations.</li> <li>(e) Allocated an adequate annual budget.</li> <li>(f) Be made available to children of school going age who may not be formally enrolled in school.</li> </ul>	<p>-This is for purposes of practical implementation and sustainability.</p> <p>-This is to help integrate and promote policy goals in education, agriculture, and rural development through intersectoral cooperation.</p> <p>-stimulating inclusive and sustainable procurement and value chains.</p> <p>-stable markets and development opportunities thus promoting local sustainable development</p> <p>-to ensure sustainability of the program.</p>