



EDUCATION FOR THE URBAN POOR: THE STATE OF NON-FORMAL SCHOOLS IN NAIROBI



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1. EXECUTIVE SUMMARY

Hakijamii is a registered national non-governmental organization existing to amplify the voices of marginalized communities in Kenya so as to claim and realize their Economic and Social Rights which includes among other rights, the right to education. Education is a fundamental right of every person; a key to other human rights; the heart of all development; the essential prerequisite for equity, diversity and lasting peace.¹ For this reason, the Organization conducted a survey in selected non-formal schools in the informal settlements of *Mathare*, *Kibra*, *Kangemi* and *Mukuru*. The main purposes of the survey was to find out how compliant the non-formal schools are with Policy legislation particularly the Alternative Provision of Basic Education and Training (APBET) Policy of 2009 and its subsequent Guidelines of 2015 which the Ministry of Education developed as an intervention to facilitate access to quality basic education and training services for the hard to reach communities.

¹ World Education Forum, Education for All: All for Education, A Framework for Action. Dakar, April 2000.

Non-Formal Education was started by individuals, communities and organizations in Kenya as a solution to the crisis facing out of school children. Adverse socio-cultural and economic situations such as poverty, cultural beliefs, low retention and completion rates as well as lack of access to formal education were but some of the barriers to formal education facing poor and marginalized children. The Non-Formal Education comprised literacy programs for adults and youth as well as skills training and thus contributed to providing education opportunities, but without quality as most of the schools and centres established were registered with different Government departments such as Office of the President, State Law Office, Social Services and Ministry of Education to offer different services yet ended up providing education and training which made it difficult for the Ministry of Education to supervise their activities. This led to the Ministry of Education in 2009 to develop the Policy for Alternative Provision of Basic Education and Training (APBET) as an intervention to facilitate access to quality basic education and training services for the hard to reach communities and thereafter the Registration Guidelines for Alternative Provision of Basic Education and Training in 2015. The 2015 Guidelines provides for the basic standard requirements for registration of non-formal

schools. It further provides for the registration procedure of non-formal schools, re-registration procedure as well as de-registration procedure. It also provides for how the schools should be managed as well as the standard requirements for the welfare of learners and the standard requirements for physical facilities. The survey sought to find out how much in compliance the non-formal schools are with the Policy and Guidelines.

The study revealed that a majority of individuals operating the non-formal schools are unaware of the APBET Policy and Guidelines, all the schools are not for profit however they charge school fees, all non-formal schools that were enumerated during this study in *Kibra* and *Mukuru* informal settlements are registered whereas in *Kangemi*, 17% of the institutions are not registered while in *Mathare* non registered non formal schools constituted 40%, all of the schools enumerated in *Kibra* and *Mathare* informal settlements have Boards of Management whereas 86% and 83% of non-formal schools in *Mukuru* and *Kangemi* have Boards of Management, visits by the Quality

Assurance and Standards Officers varied with some schools being visited once a term, others once a year and others having no visits at all, the study evidenced the high number of girls against boys enrolled in the schools, majority of the schools do not meet the standard set for neither pupil teacher ratio nor pupil textbook ratio, all the schools offer some form of extra-curricular activities, some of the schools offer the 2-6-6-3 system without having been trained, the institutions' land varied with some having title deeds whereas others have lease agreements and finally with regards trained teachers, the survey revealed that 57% of the teachers of non-formal schools enumerated have certificates with 35% of the teachers being duly registered with the Teachers Service Commission.

The recommendations given are targeted to the National Government, County Government, Civil Society Organizations, Non-Formal Schools Officials and community members so as to ensure the non-formal schools are improved and offer quality education.

2. INTRODUCTION AND BACKGROUND

In June 2018, Hakijamii conducted a survey of non-formal schools in Nairobi. This report contains the findings of the survey which was conducted in four informal settlements of Nairobi being *Kibra, Mathare, Kangemi and Mukuru*. Six schools were snowballed from each of the said informal settlements. The survey involved administration of questionnaire to key persons involved in the management of the non-formal schools. The questionnaire was designed to examine if the school complied with requirements under the 2009 Policy for Alternative Provision of Basic Education and Training (APBET) and the subsequent 2015 Registration Guidelines for Alternative Provision of Basic Education and Training (APBET). The questionnaire covered the following aspects:

- Knowledge of Existence of APBET Policy and APBET Guidelines
- School Fees Charged
- Registration of the School
- Existence of a Board of Management

- Visit by the Quality Assurance and Standards Officers
- Enrolment by Gender
- Textbook Pupil Ratio
- Pupil Teacher Ratio
- Curriculum
- Extra-Curricular Activities
- Status of the Institutions' Land
- Trained Teachers

2.1 Purpose of the Study

- To generate data and information as basis to understand the non-formal schools sub-sector.
- To find out how compliant the non-formal schools are with Policy legislation.
- To use the knowledge generated from the study to plan specific interventions to improve the quality of non-formal schools.

2.2 Non-Formal Education in Kenya

Section 76 of the Basic Education Act provides that a person shall not offer basic education in Kenya unless that person is accredited and registered. However, there are some schools located in the informal settlements

that cannot meet registration criteria for regular private or public schools thus the Cabinet Secretary under Section 95 (3) of the Act has discretion to prescribe regulations on how schools shall be classified and make different provisions with respect to different classes of schools

It is against this background that the education system in Kenya is divided into two categories being the formal and non-formal sector. Formal education means the regular education provided in the system of schools and other formal educational institutions whereas 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.² The term non-formal was originally used in the Kenyan context, to refer to “schools without uniforms”, which were mushrooming in the informal settlements of Nairobi. Non-formal schools thus target non-enrolled school aged children using a formal curriculum.³

2.3 Why Non-Formal Schools?

Adverse socio-cultural and economic situations such as poverty, cultural beliefs, low retention and completion rates as well as lack of access to formal education led to individuals, communities and organizations to take action to respond to the education needs of out-of-school children and youths leading to establishment of non-formal schools. According to the 1999 Population and Housing Census, 4.2 million persons had never been to school due to several factors such as lack of educational equality and the increasing rise of educational costs.⁴ In addition to this, the 2007 Kenya National Adult Literacy Survey revealed that 7.8 Million Kenyans are illiterate. The non-formal schools were thus set up to address forms of social injustice, mostly characterized by an unequal distribution of educational services which favour urban sectors. The Non-Formal Education comprised literacy programs for adults and youth as well as skills training and thus contributed to providing education opportunities, but without quality as most of the schools and centres established were registered with different Government departments such as Office of the President, State Law

2 Section 2 of the Basic Education Act

3 Kenya Education Sector Support Program (KESSP 2005-2010).

4 Manzoor, A.. (1991) Basic Education and National Development: Lessons from China and India, UNICEF, New York.

Office, Social Services and Ministry of Education to offer different services yet ended up providing education and training which made it difficult for the Ministry of Education to supervise their activities.

This led to the Ministry of Education in 2009 to develop the Policy for Alternative Provision of Basic Education and Training (APBET) as an intervention to facilitate access to quality basic education and training services for the hard to reach communities. In addition, the Policy was implemented to ensure that the non-formal education sector is included in the national education statistics which would in turn enable the non-formal education programs to benefit from the Ministry of Education quality assurance services, curriculum development and teacher preparation.⁵ The Policy provides that all the alternative delivery provisions offering education and training to children, youth and adults shall be registered with the Ministry of Education which shall develop guidelines for the registration of non-formal education institutions. The Policy further provides that the Ministry of Education shall develop special guidelines for centres within the urban areas that are reflective of the acreage limitations. It is

based on this that the Ministry of Education developed the Registration Guidelines for Alternative Provision of Basic Education and Training in 2015. The Guidelines will guide implementation of the Policy and provides that the APBET institutions shall only be established in pockets of poverty in arid and semi-arid regions as well as in the informal settlements within the cities of Nairobi, Mombasa and Kisumu and urban areas as designed by law.



5 Ministry of Education, (2009). Policy for Alternative Provision Of Basic Education & Training.

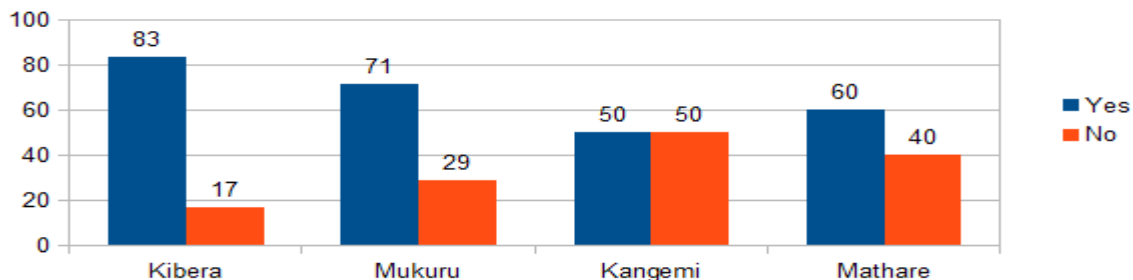
3. KEY FINDINGS OF THE STUDY

The 2015 Guidelines provides for the basic standard requirements for registration of non-formal schools. It further provides for the registration procedure of non-formal schools, re-registration procedure as well as de-registration procedure. It also provides for how the schools should be managed as well as the standard requirements for the welfare of learners and the standard requirements for physical facilities. The survey sought to find out how much in compliance the non-formal schools are with the Policy and Guidelines.

3.1 Knowledge on Existence of APBET Policy and APBET Guidelines

Across the settlements, 83% of the enumerated schools in Kibera submitted to being aware of the existence of the policy. In *Mukuru* informal settlements, 71% of the respondents submitted to having heard of the policy with 60% of the respondents in *Mathare* and 50% in *Kangemi* affirming this. In the context of absence of knowledge on the provisions of the policy, *Kangemi* informal settlements had the highest number at 50%, followed by *Mathare* informal settlement at 40%, *Mukuru* at 29% and *Kibra* at 17%. Contextually, knowledge on the provisions of the

APBET Policy awareness



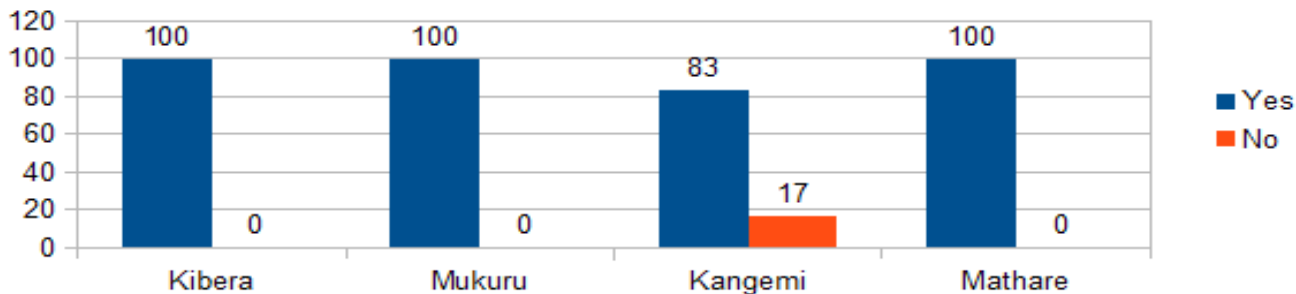
policy should enhance compliance and impact on the quality of education offered within these facilities.

It is quite evident that a majority of the individuals do not know what the Policy stipulates in its provisions thus creating a need for sensitization of the same. The unawareness leads to schools not complying with provisions of the law and being at risk of closure leading to lack of access to education for the urban poor.

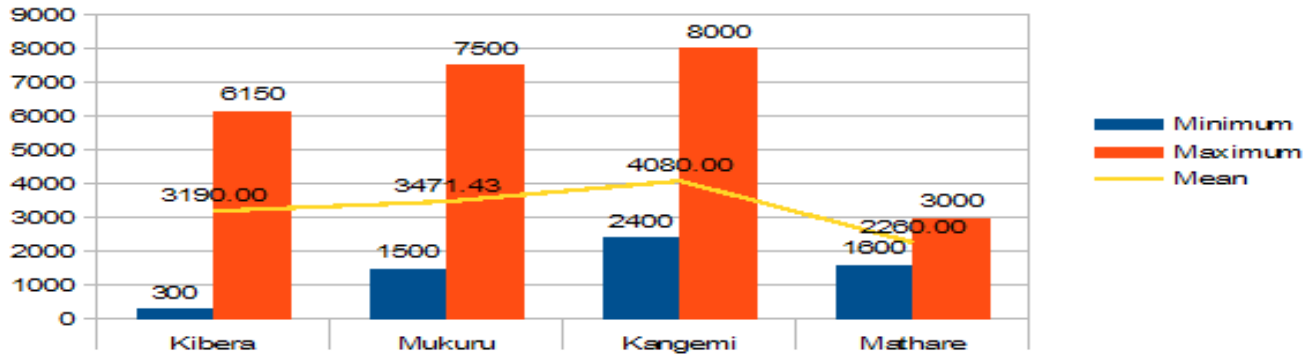
3.2 School Fees Charged

Data collected showed that all the schools are not-for profit however 100% of the schools in *Kibra*, *Mukuru* and *Mathare* levy fees on the pupils with *Kangemi* having 83% of the schools charging fees and 17% not levying any fees. 58% of the schools raise their funding from school fees with 21% raise their funding from well-wishers. Further to this, donors support 8% of the schools while the church and Constitutional Development Fund are sponsoring cumulatively 8% of the schools.

Does school charge school fees?



Amount of school fees paid



The average amount of fees paid in *Kibera* is Kshs 3,190, with the highest schools charging Kshs 6,150 while the lowest school charging Kshs 300 per term. In *Mukuru* informal settlement, the average fees paid by the residents is Kshs 3,471.43 with the highest amount charged being Kshs 7,500 and the lowest fees charged being Kshs 1,500. Further to this, in *Kangemi* the highest fees charged is Kshs 8,000 lowest being 2,400 and the average being Kshs 4,080. Across the settlements, it is *Mathare* informal settlement which charges the lowest fees with

the estimated average being Kshs 2,260 while the highest being Kshs 3,000 and lowest being Kshs 1,600.

The highest basic minimum wage in Nairobi is Kshs. 19,831.⁶ The impact of charging fees on a basic right such as education has a negative impact in terms of lack of access for those who cannot afford, high dropout rates, low enrolment rates and leading to commercialization of education. Basic education is compulsory in Kenya

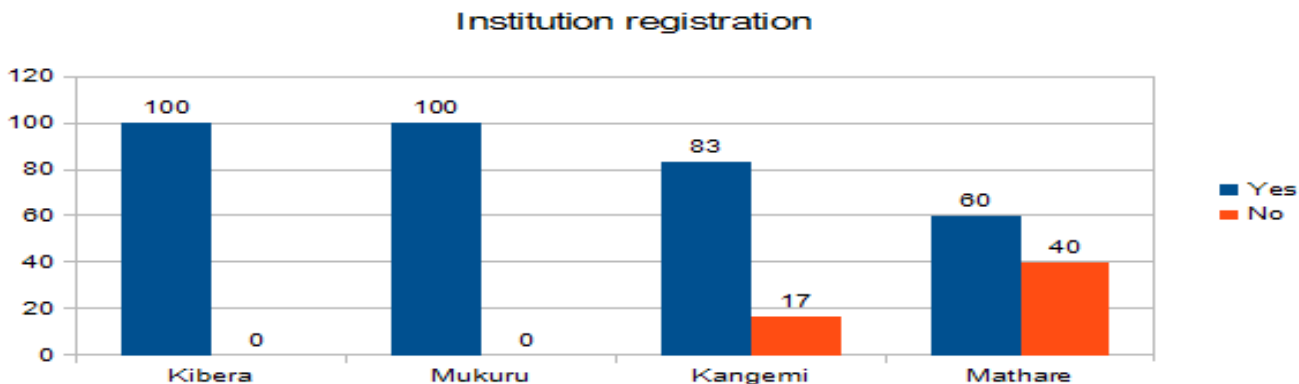
6 Economic Survey 2018 p. 51

as Section 30 (1) of the Basic Education Act provides that every parent whose child is a Kenyan or resides in Kenya shall ensure the child attends regularly as a pupil at a school or such other institution as may be authorized and prescribed by the Cabinet Secretary for purposes of physical, mental, intellectual or social development of the child. Section 30 (2) of the Act further provides that a parent who fails to take his or her child to school as required under subsection (1) commits an offence. It is thus important for the Government to fund these schools so that no schools fees are levied in compliance with Section 29 of the Basic Education Act which provides that no public school shall charge or cause any parent

or, guardian to pay tuition fees for or on behalf of any pupil in the school and Section 32 which provides that no person shall while admitting a child to a public school or a basic education institution collect any admission fee.

3.3 Registration of Schools

Majority of the schools were established in the year 2005. The study established that all non-formal schools that were enumerated during this study in *Kibra* and *Mukuru* informal settlements are registered. In *Kangemi*, 17% of the institutions are not registered while in *Mathare*





non registered non formal schools constituted 40%. The reason reported for not registering were parents not submitting birth certificate, not hearing from the sub-county education office and some school registered under the church.

The APBET Guidelines provides that the receiving sub-county education office shall acknowledge receipt of the application for registration in writing within 30 days and the County Education Board shall inform the applicants within 14 days reason for deferring or rejecting the registration and the applicant shall be accorded an opportunity to conform with the minimum registration requirement. It is thus important for the Sub-County Education Office to always communicate to the institutions once it receives the application in compliance with the law.

3.4 Board of Management

The APBET Policy provides that institutions will require skilled managers with ability to conceptualize, plan, coordinate, fundraise, implement, motivate, control and budget. The Guidelines further provides that APBET institutions shall be managed by a Board of Management who shall be nominated by the proprietor. The functions of the Board include administering and managing the resources of the institution, receiving, collecting and accounting for any funds accruing to the institution as well as recruiting, employing and remunerating non-teaching staff.

The study evidenced that 100% of the schools in *Kibra* and *Mathare* informal settlements have Boards of Management whereas 86% and 83% of non-formal schools in *Mukuru* and *Kangemi* have Boards of Management

Having the Board will thus assist in running the institution smoothly and it is important for the schools that do not have the Board to set up one.

3.5 Visit by the Quality Assurance and Standard Officers

The Quality Assurance and Standard Officers shall facilitate compliance with standards. They have a right to enter at any time any basic education institution with or without notice to ensure compliance with education. The Officers also have power to recommend temporary suspension of operations of the institutions to the County Education Board for a specific period until the basic standards are met.

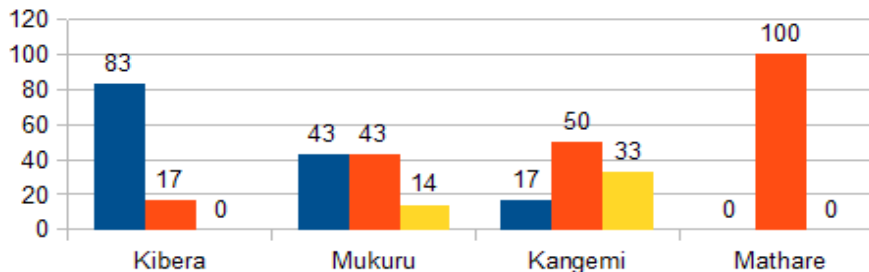
83% of schools in *Kibra* are visited once a term with those being visited once a year constituting 17%. In

Mukuru informal settlements, 43% of the schools are visited once a term, the other 43% of schools are visited once a year with 14% unsure of the visits. In *Kangemi* informal settlement, majority 50% of the schools are visited once a year with those visited once a term constituting 17%, those which are unsure about the visits constitute 33%. In *Mathare* informal settlement 100% of

the schools are visited once a term. In *Kangemi*, some schools stated that Quality Assurance and Standard Officers has never visited while in *Mukuru* some schools reported to have been visited twice in a term.

The Education and Quality Assurance Officers may fail to visit a school because the same is not registered and thus not in their records. Further to this, shortage of staff could be another factor as to why the officers do not visit schools. For example Westlands Sub-County has only two officers in charge of over 100 schools. It is paramount for the Officers to visit the school often to ensure compliance with the law by the schools which leads to providing of quality education.

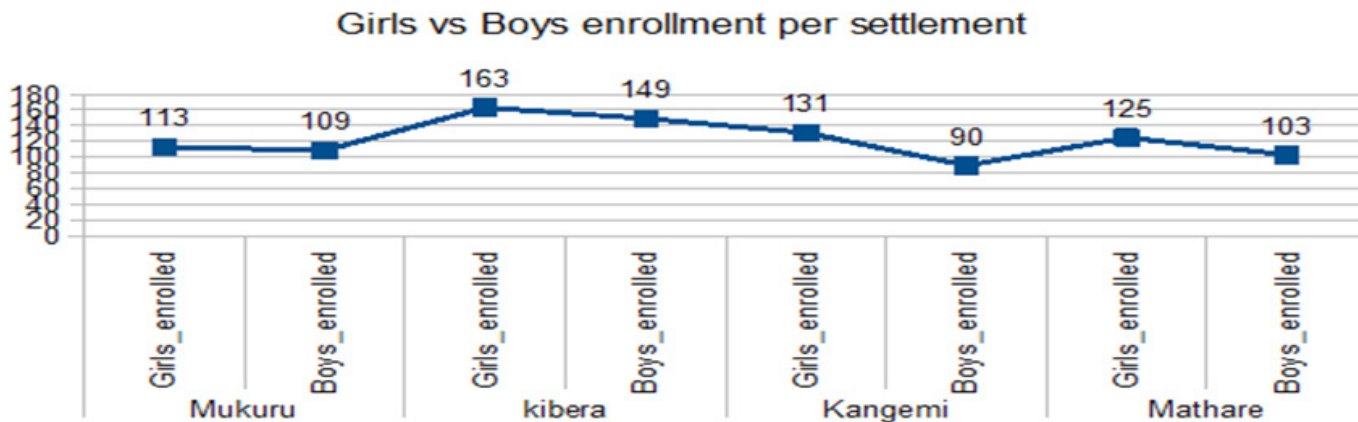
ESQAO Visit to school



3.6 Enrolment by Gender

In the context of enrollment of pupils per settlement, the study evidenced the high number of girls against boys. Specifically, in *Mukuru* informal settlement, the number of girls enrolled against boys are 113 against 109. Further to this, the number of girls enrolled in *Kibra* are 163 against 149 boys. In *Kangemi* informal settlement, the number of girls enrolled against boys is 131 against 90. Finally, in *Mathare* informal settlements, the number of girls against boys stood at 125 girls against 103 boys.

It can therefore be inferred that non formal schools in informal settlements have majority of girls. This can be attributed to the fact that the girl child has been marginalized for a long time and these institutions exist to cure the social injustices existing. The Kenyan Laws are very clear on discrimination as the Basic Education Act under Section 34 (2) provides that a school or person responsible for admission shall not discriminate against any child seeking admission on any ground, including ethnicity, gender, sex, religion, race, colour or social origin, age, disability, language or culture. The Constitution of



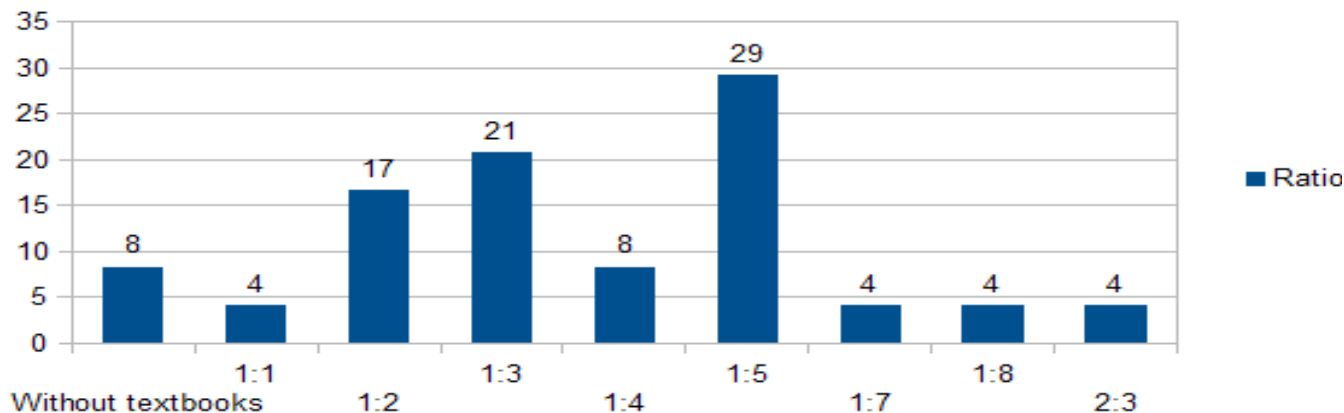
Kenya under Article 27 (4) provides that the State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth and goes further in sub-article (5) to provide that a person shall not discriminate directly or indirectly against another person on any of the grounds specified or contemplated in clause (4). Finally, the Children's Act under Section 5 provides that no child shall be subjected to discrimination on the ground of origin, sex, religion,

creed, custom, language, opinion, conscience, colour, birth, social, political, economic or other status, race, disability, tribe, residence or local connection.

3.7 Textbook-Pupil Ratio

The text book pupil ratio varies from school to school. 29% of the schools have 1 text book to 5 pupils. Schools which have 1 text book to 3 pupils constitute 21%, while those with 1 text book to 2 pupils ratio being 17%.

Textbook:Pupil ratio



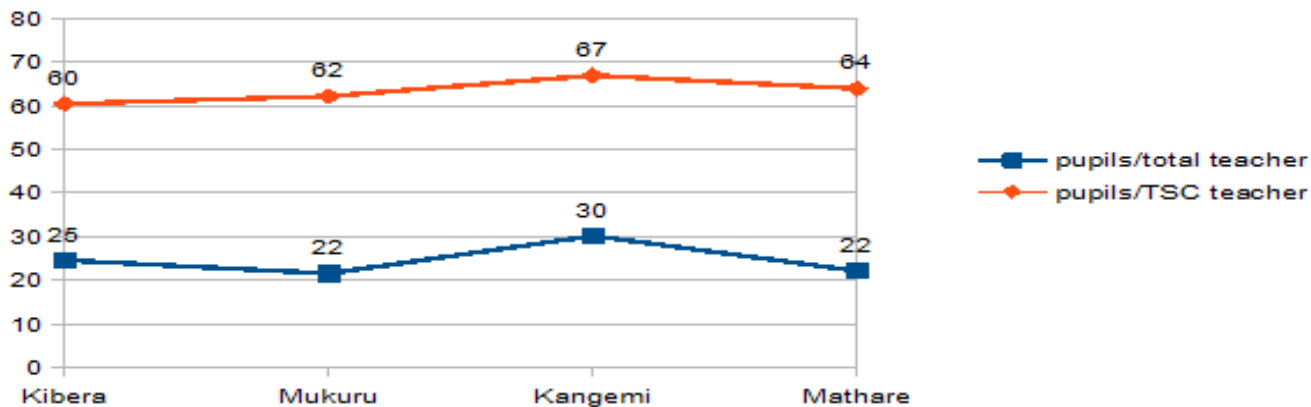
Schools with 1 pupil to 1 text book constitute a paltry 4% of the schools enumerated. This impacts on the ability of the learners outcomes.

The APBET Guidelines provides that the minimum Pupil-Textbook Ratio in lower primary shall be 3:1 whereas in upper primary and secondary schools shall be a minimum of 2:1. It is quite evident that many of these schools do not meet this requirement due to financial constraints thus impacting on the quality of learning.

3.8 Pupil-Teacher Ratio

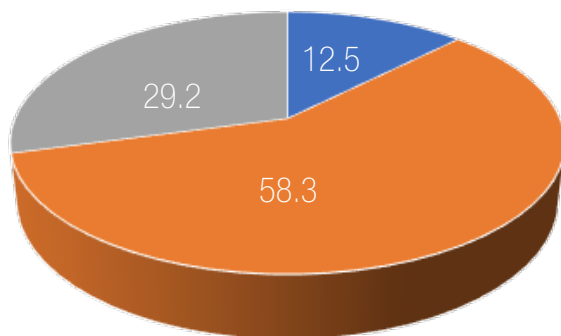
In the context of the ratio of pupils to teacher, the study established that in *Kibra* Informal Settlement, the teacher pupil ratio is 1 teacher to 25 pupils, in the context of TSC registered teachers, the study established that it is 1 TSC teacher against 60 pupils. In *Mukuru* informal settlements, the ratio of teachers to pupils is 1 teacher to 22 pupils while on the other hand 1 TSC teacher against 62 pupils. In *Kangemi*, its 1 teacher against 30 pupils while 1 TSC

Ratio of pupils per teacher



teacher against 67 pupils, on the other hand *Mathare* informal settlement is 1 teacher against 22 pupils while 1 TSC teacher against 64 pupils.

The APBET Guidelines provides that the pupil teacher ratio in a primary or secondary school shall not exceed 55:1 and 45:1 respectively or as approved by the Ministry of Education. The schools clearly have a lack of teachers and this will have a negative impact on the learning of the children.



3.9 Curriculum

The APBET Guidelines provides that the syllabus and timetable in use at any institution shall be as stated in standard requirements for curriculum organization and management. It further provides that APBET institutions shall ensure effective teaching of all subjects including non-examinable subjects as per the approved curriculum.

The survey established that 58.3 % of the non-formal schools are implementing the 2-6-3-3 curriculum up to

- 2-6-3-3
- 8-4-4
- 2-6-3-3 upto grade 3 and upper primary 8-4-4

grade 3 while the upper primary is implementing the 8-4-4 system. 29.2% of the schools are still implementing the 8-4-4 curriculum in grade 1 to 8. Some non-formal schools which constituted 12.5% of the schools surveyed claimed to be implementing 2-6-3-3 curriculum from grade 1 to 8.

The Kenyan Curriculum is being changed from 8-4-4 system to the 2-6-6-3 which is a competency based curriculum. It begins with a national piloting this year that culminates in the actual implementation in January 2019. The pilot is ongoing and covers pre-school and standards One and Two. It will also be done in Standard Three in a few schools. The non-formal schools claiming to implement the same up to grade 8 are misinformed and need to be sensitized on the same by the Kenya Institute of Curriculum Development.

3.10 Extra-Curricular Activities

The APBET Guidelines provides that the institutions shall strive to identify and develop individual learner's talents and gifts as required. This clearly means that the schools should offer extra-curricular activities. From the survey, it was noted that all schools have some form of



Co-curriculum activities and entertainments. Some of these activities include:

- Television watching
- Dancing
- Sports
- Clubs (Debate, science, scouting, drama and poetry)
- Music

The Guidelines further provides that institutions shall make arrangements with neighboring institutions for the use of their learning facilities including playgrounds

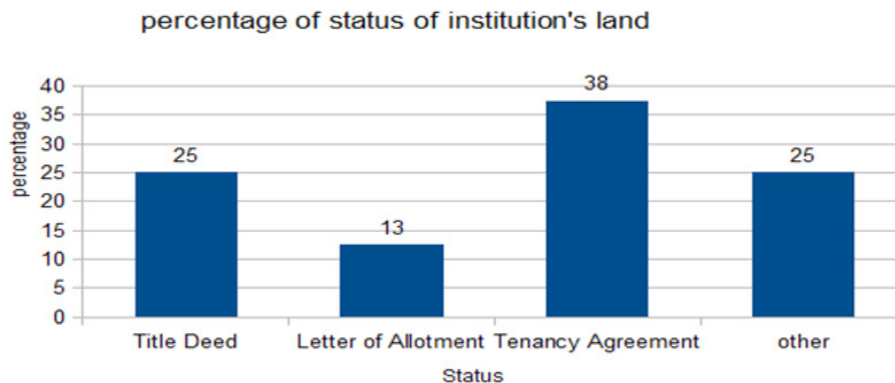
for co-curricular activities. This basically means that the schools that do not have a playground must offer extra-curricular activities by entering into other arrangements. It is commendable that the institutions have extracurricular activities as this ensures the education of the child be directed to the development of the child's personality, talents and mental and physical abilities to their fullest potential.

3.11 Status of the Institutions' Land

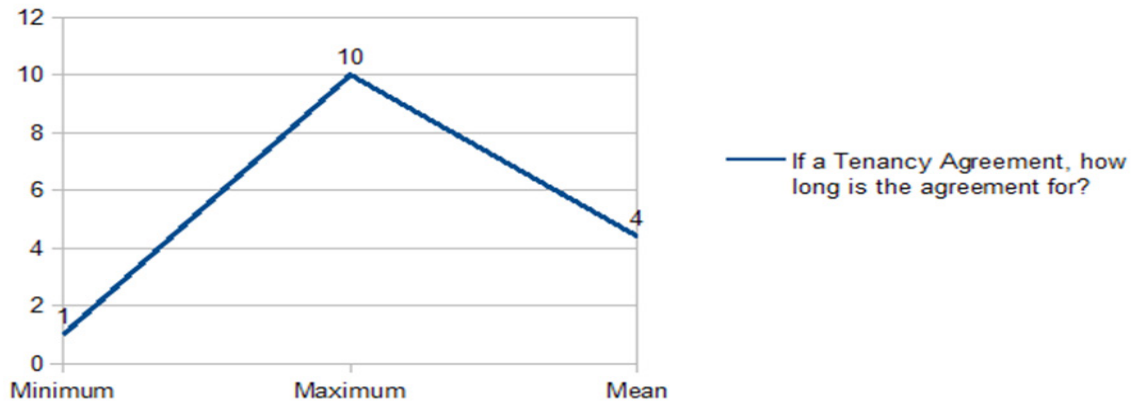
The APBET Guidelines provides that institutions shall have at least a title deed/ a letter of allotment in the institution's name or a tenancy agreement that provides for smooth transition in case of change of use. The APBET Policy further provides that, to enhance security of tenure, a lease agreement or memorandum of understanding shall be entered into for at least 5 years. Significant 38% of the non-formal schools have tenancy agreements while those having certificate of titles constitute 25% of the schools. Majority

of those with agreements stated the agreements last for a maximum of 10 years and a minimum of one year. Further to this, schools with allotment letters constitute 13% with those having other arrangements being 25%. These arrangements include verbal arrangements, operation in good faith, consent from the local administrators like chiefs. In *Kibra* some schools do not have ownership documents since they belong to structure owners, some others pays rent to church without tenancy agreement and others own documents from a housing trust while others operate without any documentation.

Majority of the land in informal settlements are public land thus lack title deeds and letters of allotment. The



Length of tenancy agreement (years)



residents of these precarious settlements lack secure land subjecting them to squatting or engaging with informal renting of housing units causing them to be victims of forced evictions which interrupts learning.

3.12 Teachers Trained

The APBET Policy provides that all alternative provisions shall be staffed with trained teachers who shall have

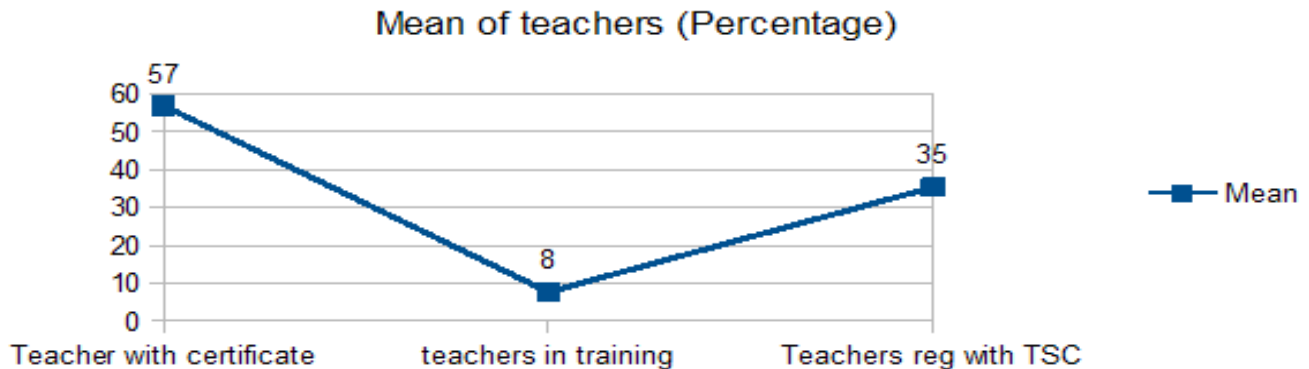
received pedagogical training from a technical training college. The Guidelines further provides that APBET teachers shall meet the minimum entry requirements in terms of teacher training for the level they will be teaching. It further provides that a minimum 30% of teachers at an institution of APBET shall have obtained a relevant teacher training certificate from a recognized teacher training institution at registration whereas the rest must be undertaking in-service and management of the institution shall progressively ensure that all their teachers

are registered with TSC by the third year of registration of the institution.

The survey revealed that 57% of teachers of non-formal schools have certificates with 35% of the teachers being duly registered with the Teachers Service Commission. Teachers undertaking in service training constitute 8%.

It is thus important for 100% of the teachers in an institution to be appropriately trained as functioning educational institutions require numerous factors to function including

trained teachers. The APBET Policy states that teacher training shall be planned for and provided by the Ministry of Education as a national programme. It is also paramount for the teachers to register with TSC as the Commission has a code of conduct and ethics governing teachers. The same will ensure the teachers adhere to professionalism as they deal with nurturing growth of persons and imparting knowledge necessary for the growth of the country.



4. CONCLUSION

The Non-Formal Schools have played a major role in providing access to education for the poor and marginalized in Kenya. This is commendable and a great step towards the global goal of education for all which goal cannot be achieved through formal education alone. However it is paramount that education offered by any institution to be of quality. The starting point to issuing quality education by the non-formal schools is thus to implement the recommendations given in this report.

5. RECOMMENDATIONS

The recommendations given are targeted to the National Government, County Government, Civil Society Organizations, Non-Formal Schools Officials and community members as explained below:

- 1) The Quality Assurance and Standard Officers should visit all schools whether registered or unregistered at least once a year as they all offer education regardless of their status. This will ensure they offer quality education.
- 2) The Education Standards and Quality Assurance Council should appoint more Quality Assurance and Standard Officers.
- 3) The National Government to establish more public primary and secondary schools in informal settlements which move will ensure no more mushrooming of non-formal schools.
- 4) The Kenya Institute of Curriculum Development should train the APBET institutions on the new 2-6-6-3 curriculum.

- 5) Civil Society Organizations should have consultative forums with the Kenya Institute of Curriculum Development with regards to the new 2-6-6-3 curriculum to understand more on the same as it is at the pilot phase yet it is being implemented in all public schools. This is forcing schools particularly non-formal ones that have not been trained on it to implement the same so as not to be left behind.
- 6) Civil Society Organization should lobby the government to issue non-formal schools with the same services they are issuing formal schools such as capitation fund.
- 7) The Government to upgrade some of the non-formal schools that are compliant with the APBET Policy and Guidelines to formal public schools. This will prevent the non-formal schools from being too many and will ensure access to education for the poor as for instance in *Mathare* informal settlement; public schools are more expensive than APBET schools making parents choose to take their children to the APBET schools.
- 8) Civil Society Organization should conduct sensitization forums on the APBET Policy and Guidelines to community members as well as teachers and officials of the non-formal schools thus enabling them comply with requirements under the law.
- 9) The Ministry of Education should enumerate and keep a database of all non-formal schools. This will assist in planning processes in the education sector.
- 10) The Government and Civil Society Organizations should strengthen the management systems in the non-formal schools by training the Boards of Management which action will ensure the Boards of Management of these schools perform as well as their contemporaries of private schools.



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