

UNIT 3: ROLE OF EDUCATION MANAGERS, BODIES AND INSTITUTIONS

Introduction

This unit presents the role of education managers, bodies and institutions. We start by looking at the role of education managers. Next, we examine the legal mandate of education bodies. We then study the legal mandate of national education institutions. Finally, we focus on the legal mandate of national education stakeholders.

Roles of Education Managers

The role of the Cabinet Secretary

The Cabinet Secretary shall be responsible for the overall governance and management of Early Learning and Basic Education

1. Responsible for Education Policy Management;
2. Management of Continuing Education; Administration of Early Childhood Education, education; Standards and Norms;
3. Management of Education Standards;
4. Management of National Examinations and Certification;
5. Management of Curriculum Development;
6. Quality Assurance in Education; Primary and Secondary Education Institutions
7. Management of Teacher Education

12. Management of School Administration and Programmes;
13. Registration of Basic Education and Training Institutions;
14. Special Needs Education Management;
15. Representation of Kenya in UNESCO
16. Management of Adult Education
17. University Education Policy Management;
18. Management of Public Universities and Tertiary Institutions; Science technology innovation policy;
19. Management of Technical Training Institutes including Youth Polytechnics;
20. Management of Institutes of Science and Technology;
21. Management of National Polytechnics; National Council for Sciences and Technology.

Role of the County Directors of Education

1. Implement education policies;
2. Co-ordinate and supervise all education officers and support staff at the County level;
3. Manage basic education, adult continuing education, non-formal, special needs education, tertiary and other educational programs;
4. Initiate educational policies at County level;
5. Liaise with Kenya National Examination Council on management of national examinations;
6. Ensure quality education and high standards in the County;
7. Management and monitoring the implementation of educational programs;
8. Advise and facilitate the establishment and registration of learning institutions by the County government;
9. Administers education management information system and related information and communication technology at the County level;
10. Facilitates auditing of all basic education institutions in the County;

11. Advises the County Education Board on selection and appointment of Boards of Management (BOMs), School Management Committees and Parents Associations;
12. Co-ordinates capacity building and development for officers, school managers, Boards of Management and curriculum implementers;
13. Co-ordinates admissions, transfers and discipline of students;
14. Co-ordinates partners and education providers in the county including links with Government Departments on all education matters;
15. Supervises handing and taking over in schools and educational institutions in consultation with the Teacher Service Commission;
16. Oversee the proper management and maintenance of school buildings, property and infrastructure development;
17. Monitors and leads evaluation of education programmes;
18. Manages co-curricular activities, sports education and talent development in basic education institutions in the County;
19. Performs any other duties assigned by the Cabinet Secretary.

Roles of commission secretary TSC

1. Execute the decisions of the Commission.
2. Be the head of the Secretariat.
3. Facilitate, coordinate and ensure execution of the Commission's mandate.
4. Advise the Commission on teacher projections to facilitate staffing of learning institutions.
5. Advise and make recommendations to the Commission on optimum utilization of available teachers.
6. Make recommendations to the Commission on appointment and deployment to administrative posts in educational institutions.
7. Ensure maintenance of the register of teachers and be custodian of all records of the Commission.
8. Be the Accounting officer of the Commission and ensure proper and diligent implementation of Part IV of the TSC Act and any other written law.
9. Ensure staff compliance with the constitution and other laws.
10. Be responsible for administration and management of the secretariat resources.
11. Promote professionalism in the teaching service.
12. Advise the Commission on suitability of persons entering the teaching service.

Role of the TSC County Directors of Education

1. Provide leadership and oversight in the TSC County offices for effective service delivery.
2. Facilitate the processing of teacher's registration.
3. Manage the deployment of teachers in consultation with the Headquarters.
4. Co-ordinate teacher recruitment and ensure that the guiding policies are adhered to.
5. Undertake intra-county deployments to ensure staff balance.
6. Maintain a database of all the vacancies for both teachers and secretariat staff.
7. Co-ordinate the remuneration of all staff and teachers working at the County by ensuring that the payroll is professionally managed.
8. Handle all discipline matters as per guidelines provided by TSC.
9. Ensure compliance with the set teaching standards.
10. Prepare the budget and oversee its utilization.
11. Supervise, monitor and evaluate performance of teachers and secretariat.
12. Set performance targets and submit quarterly reports to TSC headquarters.
13. Prepare and submit annual reports.
14. Handle promotions as per the guidelines provided by TSC.

Role of the Heads of Institutions

As per the TSC code of regulations for teachers – Revised edition (2014) the role of the heads of institutions is as follows

1. Responsible for education policy and professional practice at the institutional level;
2. Management and implementation of the institutional curriculum;
3. Assignment of teaching and non-teaching duties to teachers;
4. Undertake a reasonable teaching load;
5. Performance of the roles of the Secretary to the Board of Management;
6. Management and control of finances and all institutional assets entrusted to him by virtue of his office to ensure strict adherence to the public finance and management guidelines;
7. Procurement of goods and services within the public procurement guidelines for institutional use;
8. Provide direction for effective teaching and a conducive learning environment;
9. Appraise the government and other stakeholders on institutional performance;

10. Develop the institutional strategic plan and ensure that institutional targets and objectives are met;
11. Custodian of the records of the institution;
12. Ensure proper management and maintenance of the financial human and physical resources of the institution;
13. Offer technical advice to the Board of Management and other stakeholders within the institution to enable the institution meet its objective;
14. Ensure maintenance of teaching standards and professional records, maintained by a teacher including schemes of work, lesson notes records of work and pupils' exercise books;
15. Pay regular visits to classrooms to evaluate delivery of curriculum;
16. Inspect the institution's classroom, laboratories, workshops, dormitories, dining area, play grounds, ablution blocks and such other areas within the institution to ensure safety and security of the learners and other occupants; and
17. Perform such other roles as may be assigned by the Commission

In relation to free and compulsory education, the Basic Education Act (2013) outlines the role of the school head as follows:

1. Where a pupil fails to attend school, the head teacher shall investigate the circumstances of the child's absence from school;
2. Where the Head teacher finds there are no reasonable grounds for the child's failure to attend school, the head teacher shall issue a written notice to the parent of the child requiring that parent to comply with the provisions of this Act; then submit a report on the child to the County Education Board.

Role of the sponsor

The person or institution is one who makes a significant contribution and impact on the academic, financial, infrastructural and spiritual development of an institution of basic education. The role of the Sponsor shall be –

1. To participate and make recommendations of review of syllabus, curriculum, books and other teaching aids;
2. Representation in the School Management Committees and Board of Management;
3. To provide supervisory and advisory services in matters regarding spiritual development in schools including the appointment of chaplains at their own expense;
4. Maintenance of spiritual development while safeguarding the denomination or religious adherence of others; to offer financial and infrastructural support.

Role of Quality Assurance and Standards Officers (QASOs)

1. Regular reporting to the Ministry of Education, Science and Technology on the general quality of education in Kenya at national, county, district and school levels with reports on specific aspects of education as required.
2. Monitor the performance of teachers and educational institutions in accordance with all-round standard performance indicators.
3. Ensure the equitable distribution of teachers by working out the curriculum based establishment (secondary/college) and class- based staffing (primary).
4. Carry out regular and full panel quality assurance and standards assessment of all education institutions on a regular basis.
5. Advise on the provision of proper and adequate physical facilities in all educational institutions.
6. Ensure that the appropriate curriculum is operational in institutions.
7. Organize and administer co-curricular activities with a view to developing an all-round child.

Legal mandates of education bodies

National Education Board (NEB)

The functions of the National Education Board(NEB) as per the Education Act are as follows:

1. Collaboration with the Quality Assurance and Standards Council, Teachers Service Commission and other stakeholders to promote standards in basic education and training;
2. Working with all relevant authorities and agencies to ensure that all the barriers to the right quality education are removed and that the National and Countystates facilitate the realization of the right to education by all Kenyans;
3. The setting of guidelines for approval by the Cabinet Secretary on the establishment of basic education institutions;
4. Putting measures in place to ensure all children attend and remain in school to complete basic education requirements;
5. Putting measures to ensure, where applicable, transition to the next level of education, especially for the vulnerable and marginalized children;
6. Any other matter as shall be from time to time be referred to the Board by the Cabinet Secretary.

County Education Boards (CEB)

The functions of the County Education Board (CEB) shall be to:

1. Oversee in consultation with the county government, the operation and management of youth polytechnics, pre-primary education including early childhood care and education programmes in the county;
 2. Coordinate and monitor education and training in the County on behalf of the national government and the county government;
 3. Interpret national policies in education based on the county's needs;
 4. Initiate proposals for policy reforms;
 5. 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;
 6. Collaborate with the Board of Management, the Principal, the Head Teacher, and other appropriate authorities in the management of basic schools;
 7. Register and maintain a data bank of all education and training institutions within the county;
- Monitor curriculum implementation in basic education in the county;

8. 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;
9. Collaborate with the Teachers Service Commission on teacher management within the county;
10. Prepare and submit a comprehensive school termly annual report including Educational Management Information System data to the Cabinet Secretary on all areas of its mandate including education and training services, curriculum, policy implementation and school based audit report within the County;
11. Coordinate 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;
12. 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.
13. 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.

Boards of Management (BOMs)

1. Promote the best interests of the institution and ensure its development;
2. Promote quality education for all pupils in accordance with the standards set under the Act or other written laws;
3. Ensure and assure the provision of proper and adequate physical facilities for the institution;
4. Manage the institution's affairs in accordance with the rules and regulations governing the occupational safety and health;
5. Advise the County Education Board on the staffing needs of the institution;
6. Determine cases of pupils' discipline and make reports to the County Education Board;
7. Prepare a comprehensive termly report on all areas of its mandate and submit the report to the County Education Board;
8. Facilitate and ensure the provision of guidance and counselling to all learners;
9. Provide for the welfare and observe the human rights and ensure safety of the pupils, teachers and non-teaching staff at the institution;
10. Encourage a culture of dialogue and participatory democratic governance at the institution,

11. Promote the spirit of cohesion, integration, peace, tolerance, inclusion, elimination of hate speech, and elimination of tribalism at the institution;
12. Encourage the learners, teachers and non-teaching staff, parents, community, and other stakeholders to render voluntary services to the institution;
13. Allow reasonable use of the facilities of the institution for community, social and other lawful purposes, subject to such reasonable and equitable conditions as it may determine including the charging of a fee;
14. Administer and manage the resources of the institution;
15. Receive, collect and account for any funds accruing to the institution;
16. Recruit, employ and remunerate such number of non-teaching staff as may be required by the institution in accordance with the Act; and
17. Perform any other function to facilitate the implementation of its functions under this Act or any other written law.

Management Committee of a pre-primary institution

This committee shall:

1. Promote the best interests of the institution and ensure the institution's development;
2. Develop a strategic plan for the institution;
3. Promote quality care, nutritional and health status of the children;
4. 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;
5. Provide a secure physical and psycho-Social setting for the children;
6. Facilitate the development of children's affective, cognitive, psychomotor and physical attributes in an integrated manner including the development of talented and gifted pupils;
7. Perform any other function that may be provided for under the Act or any other written laws
8. Protect human rights of and promote the best interest of the child.

The Parents Association

There shall be a Parents Association for every public or private secondary school consisting of every parent with a pupil in the school and a representative of the teachers in the school. The functions of the Parents Association shall be to—

1. Promote quality care, nutritional and health status of the pupils;
2. Maintain good working relationship between teachers and parents;
3. Discuss, explore and advise the parents on ways to raise funds for the physical development and maintenance;
4. Explore ways to motivate the teachers and pupils to improve their performance in academic and co-curricular
5. Discuss and recommend charges to be levied on pupils or parents;
6. Undertake and oversee development projects on behalf of the whole Parents Association.
7. Assist the school management in the monitoring, guidance, counselling and disciplining of pupils;
8. Discuss and recommend measures for the welfare of staff and pupils.

Legal Mandate of National Education Institutions

Kenya National Examination Council

- ▶ The Kenya National Examinations Council was established by the Government of Kenya in 1980 through an Act of Parliament (Cap 225A) as a non-profit making institution to administer school and post-school examinations, except University examinations and issue certificates to successful candidates. The Kenya National Examination Council is mandated to manage examinations in the education sector. The functions of the Kenya National Examination Council under the KNEC Act of 2012 include:
 1. To conduct such academic, technical and other examinations within Kenya as it may consider desirable in the public interest
 2. To award certificates or diplomas to successful candidates in such examinations.
 3. To invite anybody or bodies outside Kenya to conduct academic, technical and any other examinations within Kenya or to conduct them together with the council and to award certificates or Diplomas to successful candidates .
 4. To make rules regulating the conduct of the examinations and for all purposes incidental thereto.
 5. To advice bodies mentioned above upon the adaptations necessary for the requirements of Kenya and assist such bodies.

The Kenya Institute of Curriculum Development

The Kenya Institute of Education was established as a Government Corporation through Legal Notice No. 120 of 2010 under the Government Corporations Act, Cap 446 of the Laws of Kenya. The Institute is mandated to conduct research and develop curricula and curriculum support materials for all levels of basic and tertiary education and training, except the university. The functions of the Kenya Institute of Curriculum Development under the new (KICD) Act, 2012 include:

1. Advise the Government on matters pertaining to curriculum development
2. 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.
3. Implement the policies relating to curriculum development in basic and tertiary education and training;
4. 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.

5. Initiate and conduct research to inform curriculum policies, review and development.
6. 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
7. Print, publish and disseminate information relating to curricula for basic and tertiary education and training.
8. 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.
9. 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.
10. Promote equity and access to quality curricula and curriculum support materials.
11. Promote appropriate utilization of technology to enhance innovations and achievement of a knowledge based economy.
12. Offer consultancy services in basic and tertiary education and training.
13. Incorporate national values, talent development and leadership values in curriculum development.
14. Receive, consider, develop and review curriculum proposals.
15. Perform other function as may be assigned to it under the KICD Act No.4 of 2013 or any other written law.

Kenya Education Management Institute (KEMI)

KEMI is mandated under Legal Notice No. 19/2010 to undertake the following functions:

1. Provide, directly or in collaboration with other institutions of learning, management training, research and consultancy services in the education sector on a commercial basis to the public and private sector and to any other persons, local or foreign, who may request for such services from it;
2. Provide training programs, seminars and workshops and produce publication aimed at promoting managerial competence and integrity in the education sector, while utilizing diverse learning methods including open and distance learning approaches;
3. Produce, maintain, disseminate, document and provide information services and equipment relating to administrative management, technical and educational reform issues;

4. Serve as a management advisory, consultancy and resource centre for personnel involved in educational work;
5. Undertake research in relation to training needs assessments, quality assurance processes, training impact assessments, policy, management and emerging issues for the purpose of designing appropriate management training programs and ensuring the integrity of these programs;
6. Provide a forum for effective collaboration between the public and private sectors and other interested parties for capacity building in the education sector;
7. Conduct examination and award diplomas, certificates and other awards to successful candidates;
8. Undertake resource generative services in a cost effective manner to build self-sufficiency;
9. Generally promote and carry out the work of a management development institute.

Kenya Institute of Special Education (KISE)

Kenya Institute of Special Education (KISE) is a semi- autonomous government agency of the Ministry of Education, Kenya. It was established through a Legal Notice No. 17 of 14th February 1986. The Institute has been mandated to carry out the following core functions:

1. Conduct teacher training courses for teachers of children with special needs and disabilities.
2. Conduct in-service courses for personnel working in all fields of special needs education.
3. Prepare and conduct correspondence courses for personnel in the field of special needs education.
4. Run an educational and psychological assessment centre for the training of teachers of children with special needs and disabilities.
5. Run an orientation and mobility centre for training and demonstration purposes.

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6. Run a model training unit for the integration and inclusion of children with special needs and disabilities into the regular schools.
7. Run a pre-school department where training and the stimulation of young children with special needs and disabilities can be carried out for the purpose of teacher training.
8. Function as a resource centre for the production and dissemination of information to the general public on special needs and disabilities.
9. Run a documentation and resource centre on special needs and disabilities.
10. Conduct research in special needs education.
11. Maintain, repair, design, produce and assemble special materials and equipment for persons with special needs and disabilities.

Legal mandates of the education stakeholders

Kenya Secondary School Heads Association(KSSHA):

This is a professional organization comprising of principals in the public and private sector. It was established in the late sixties with the sole purpose of providing professional advice to its members. The role of KESSHA includes the following:

1. Promote the rights and responsibilities of Principals, their professional organizations and the material and ethical interests of the education profession
2. Promote the exchange of people and professional publications among the constituent groups, and encourage participation in meetings and conferences across national boundaries.
3. Foster school curricula, which encourage international understanding, goodwill, respect for human rights and dignity across all races and cultures.
4. Promote and encourage equal opportunities for all young persons to develop to their fullest potential in achieving a respectable and productive quality life.
5. Assist members to give effective and well directed service to their own schools and communities.

6. Establish sound, co-operative liaison with the Ministry of Education, Teachers Service Commission (TSC), Kenya National Union of Teachers (KNUT), Kenya Union of Post Primary Education Teachers (KUPPET), including other professional bodies within and without the country, as well as with employers interested in recruiting the services of the students leaving schools.
7. Formulate and publicize agreed policies concerning administrative and educational problems with which heads of schools may from time to time be concerned.
8. Organize regular exchange of opinion and experience on all matters concerning the teaching profession, nationally and internationally.
9. Enable members to assist one another in their dealings with the stakeholders.
10. Participate in making education policies in liaison with the Ministry of Education and Teachers Service Commission.

Kenya Primary Schools Heads Association (KEPSHA)

This is an organization representing the diverse views of primary school head teachers; KEPSHA cares about a lot of issues pertaining to quality education in Kenya. KEPSHA exists :

1. To unite all primary school head teachers in Kenya to promote and further the interests of the members by voicing their collective opinions in matters pertaining to education.
 2. To promote the education and social advancement of its members, maintain high standards of ethical conduct, professional integrity, professional efficiency and to cooperate with other organizations, local and international, on education.
 3. To coordinate educational activities with educational officers in all counties and administrative units, plan educational changes, development and conduct research in educational matters.
 4. To promote full realization of the right to education and universal access to education.
 5. To establish affirmative action programs to ensure equal participation of both genders.
 6. To establish and manage scheme funds to provide welfare to its members.
 7. To build and enhance members' capacities.
 8. To work in consultation with all change agents for the improvement of academic standards and enhancement of quality in line with EFA goals and UPE charter.
 9. To cooperate and form alliances with associations and local, regional, and international organizations with similar objectives.
- To acquire and manage assets of KEPSHA to achieve its objectives

Kenya National Union of Teachers (KNUT)

The KNUT is a trade union registered under the trade unions act Cap 233 of the laws of Kenya. The functions of KNUT include the following:

1. To bring together and unite teachers of all grades and qualifications in Kenya and provide a forum for co-operation.
2. To fight for improved terms and conditions of service for teachers and protecting teachers interests.
3. Promoting programmes aimed at improving teachers' welfare or socio-economic status.
4. To offer assistance to individual members in professional as well as legal matters.
5. To settle disputes between members of the union or between its members and their employers through collective and constitutional means.
6. To co-operate with other societies, bodies, unions or organisations within or outside Kenya with similar objectives.
7. To promote matters leading to the improvement of education and the establishment of a common system of education.
8. To secure effective representation of the teaching profession on the government, public and private bodies or organisations where such representation may be necessary.

Kenya Unions of Post Primary School Teachers(KUPPET)

- ▶ Kenya Union of Post Primary **School** Teachers (**KUPPET**) represents an attempt by teachers to make their concerns known.
- ▶ The Union was formed to respond to specific challenges of representation of teachers in post primary institutions in the employment of Teachers Service Commission (TSC).
- ▶ It aims at influencing **educational** policies and practices in the direction that is acceptable by its members.
- ▶ Specifically aims at the following:

1. To advocate for the establishment of Sound Ethical and Professional policies that guarantees job security and fair solution to the members' grievances.
2. To make every endeavour to organise all the teachers in the post primary institutions and to ensure absolute unity of the members for effective and efficient representation.
3. To promote, improve and develop ethical principles to inculcate responsibility among the teachers to guarantee their health, professional, social and economic well-being.
4. To develop the capacity of members through seminars, symposiums and workshops locally and internationally.
5. To organise lawful processions or demonstrations to promote the members' freedom of expression and collective rights.
6. To participate in all matters aimed at providing quality education and formulation of sound policies towards common system of education.
7. To make every endeavour to promote effective representation locally, nationally and internationally in collaboration with such other related organizations and/or agencies to protect the teachers' interest and education generally.

8. To negotiate with the government of Kenya / its agencies, any public or private institutions offering education or related services better terms and conditions of employment and thereby formulate clear representation and negotiating procedures including promotion and its packages.
9. To join or to be joined in any research by the government of Kenya (its agency/ department/Ministry) any public or private organization/institution on matters related to teaching as a profession.
10. To co-operate in or take part in research together with other societies, bodies, associations, unions or organizations within or outside the country having similar aims and objectives.
11. To promote and protect the rights of teachers serving in education industry.
12. To articulate the members' interests in the formulation of education ordinances, policies and propagate the same to the members for smooth administration and dispensation of education.
13. To offer assistance and encourage teachers to form saving and credit societies, Burial and Benevolent Funds, academic institutions, land buying companies and/ or any amenities

Conclusion

- ▶ In this Unit, we have looked at the various bodies and institutions charged with the responsibility of managing education in our country.
- ▶ We have also looked at institutions that perform education functions.
- ▶ We have ended the Unit by looking at teachers associations and trade unions and functions they perform in the education sector.