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by Hon. David Koech,
Chair, Departmental
Committee on Education,
Research and Technology
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TENTH PARLIAMENT-FOURTH SESSION, 2012

REPORT OF
THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND
TECHNOLOGY
ON
THE CANCELLATION OF 2011 KCSE RESULTS IN GARISSA, WAJIR AND
MANDERA COUNTIES

CLERK'S CHAMBERS
PARLIAMENT BUILDINGS
NAIROBI

AUGUST, 2012

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LIST OF ACRONYMS

BOG	- Board of Governors
DC	- District Commissioner
DEB	- District Education Board
KNEC	- Kenya National Examinations Council
KPSA	- Kenya Private Schools Association
MOE	- Ministry of Education
NSIS	- National Security Intelligence Service
PS	- Permanent Secretary
TOR	- Terms of Reference

PREFACE

Mr. Speaker Sir,

The Departmental Committee on Education, Research and Technology is established under the **Standing Order No. 198 (3)**, and has the following functions:

- i) To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and Departments;
- ii) To study the programme and policy objectives of the Ministries and Departments and the effectiveness of the implementation;
- iii) To study and review all legislations referred to it;
- iv) To study, assess and analyse the relative success of the Ministries and Departments as measured by the results obtained as compared with their stated objectives;
- v) To investigate and inquire into all matters relating to the assigned Ministries and Departments as they may deem necessary, and as may be referred to them by the House or a Minister; and
- vi) To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation'.

The provisions of the Standing Order 198 state the Terms of Reference (TOR) for the Departmental Committee of Education, Research and Technology as-

- i. Education;
- ii. Training;
- iii. Research; and
- iv. Technological Advancement.

The Standing Order also empowers the Committee to make its own selection of the subjects regarding the policy, management, administration, etc of the Ministries and Departments falling under its jurisdiction.

Committee's Membership

The committee comprises of the following members:-

The Hon. David K. Koech, MP	-	Chairperson
The Hon. Francis T. Nyammo, MP	-	Vice-Chairperson
The Hon. B. C. Muturi Mwangi, MP	-	Member
The Hon. David Njuguna, MP	-	Member
The Hon. Dr. Joyce Laboso, MP	-	Member
The Hon. Mohammed Sirat, MP	-	Member
The Hon. Dr. Wilber Ottichilo K, MP	-	Member
The Hon. Alfred Odhiambo, MP	-	Member
The Hon. Dache John Pesa, MP	-	Member
The Hon. Shakila Abdalla, MP	-	Member

Mr. Speaker Sir,

On Thursday 15TH March 2012, the Hon. Aden Duale, M.P presented a petition by private notice to Parliament concerning the cancellation of 2011 KCSE results in Garissa, Wajir and Mandera counties. Following debate on the matter by the House, the Speaker made the following communication from the Chair;

“...The Petition be committed to the Committee on Education...”

Subsequent to this ruling, the Departmental Committee on Education, Research and Technology, met with the Minister for Education, Permanent Secretary Ministry of Education, Kenya National Examinations Council, the Commissioner of Police, Hon. Aden Duale, MP and National Intelligence Security Service. The Committee also visited Garissa County and met the PC, DEBs school principals, teachers and the affected candidates to deliberate on the matter.

Committee's Findings and Observations

The Committee observed that:

- i. KNEC had limited powers on actions it could take against those found guilty of examination irregularities. There was need to amend the Kenya National examination Act to enhance punitive measures on those found guilty of examination irregularities and the fraudsters involved in examination cheating racket.
- ii. There were instances where KNEC issued different sets of results to some schools and candidates.
- iii. There were no mechanisms for punishing the teachers in the private sector involved in examination malpractices.
- iv. There is need to fast-track the Teachers Service Commission Bill and other legislation in the Ministry.
- v. There is need for improvement of the quality of education.
- vi. The indiscipline amongst the students coupled with inadequate coverage of syllabus resulted in unnecessary pressure/fear of failure which in turn leads to students seeking alternatives to performing well including exam malpractices.
- vii. The exam cancellation may have been warranted since reports from the Provincial administration and DEB's alluded that examination papers were in circulation before exams.
- viii. There were clear indications that some examination materials were in circulation prior to the time of sitting the papers.
- ix. There were cartels within KNEC that perpetuated examination malpractices.

- x. There was evidence that exam leakage occurred in the affected areas and other parts of the country. KNEC was implicated in the leakage as the leaked papers were identical to those from KNEC.
- xi. KNEC as an institution has many questions to answer on exam leakage and failure to curb the malpractice as well as errors associated with the double or triple results for certain schools; grading of the deceased; and related issues.
- xii. The affected students and those that had registered for the 2012 KCSE exams were demoralized and had lost trust with KNEC.
- xiii. There was no adequate preparation of students in the examination. Many students are not adequately prepared to sit for the examination.
- xiv. There were many fraudsters out there who made a lot of money out of examination malpractices.
- xv. The KNEC operates from three different locations in Nairobi. This becomes a challenge to the management of the examination.

Committee's Recommendations

- i. The Kenya National Examinations Act should be reviewed to enhance punitive measures on those found guilty of examination irregularities and the fraudsters involved in examination cheating racket.
- ii. The government agencies should act promptly to the information provided by the National Security Intelligence Service.
- iii. The KNEC must tighten all loopholes that might lead to examination malpractices.
- iv. In the event of established examination leakage, KNEC should withdraw the leaked paper and replace with an alternative paper to avoid punishing the innocent children.
- v. KNEC should be overhauled to safeguard against the deteriorating image of the body managing the examination in the country as a result of examination malpractices especially examination leakage.
- vi. The government should fast-track the completion of Mitihani House to help solve the challenge of examination management.
- vii. All the students whose results have been cancelled should be informed about the cancellation at an appropriate time and be informed of their right to appeal.
- viii. The affected students in the three counties and other parts of the county who are found to be innocent of exam malpractices should be given their results immediately.
- ix. KNEC should remark the papers of the affected students in the three counties and those found innocent of exam malpractices should be given their results immediately.
- x. KNEC should procure containers to be used for storage of examination materials in all centres. The education officer managing the distribution centre

will keep the key to the container while police will ensure security of the container.

- xi. The Kenya National Examination Council should always utilize the services of NSIS during the examination period.

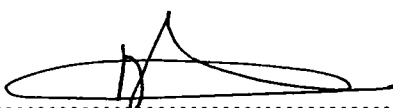
Acknowledgements

The Committee wishes to thank the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate. The Committee also appreciates the Secretariat for the preparation of this report.

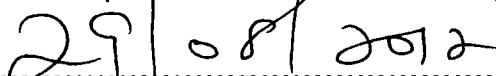
Finally, I wish to express my appreciation to the Honourable Members of the Committee who sacrificed their time to participate in the activities of the Committee and preparation of this report.

Mr. Speaker Sir,

It is my pleasant duty and privilege, on behalf of the departmental committee of education, research and technology, to present this report on the cancellation of KCSE results in Garissa, Wajir and Mandera Counties following a petition to the House by the Hon. Aden Duale, M.P, and commend it to the house for debate and adoption pursuant to provisions of Standing Order 181.

Signed 

CHAIRPERSON (HON. DAVID KOECH, MP)

Date: 

CHAPTER ONE

1.0 INTRODUCTION

The Kenya National Examinations Council (KNEC) was established by the Government of Kenya in 1980 through an Act of Parliament (CAP 225A) as a non-profit making institution to conduct school and post-school national examinations except university examinations and award certificates to successful candidates.

The mandate of the examinations Council includes:

- a. To conduct such academic, technical and other Examinations within Kenya as it may consider desirable in the public interest;
- b. To award certificates or diplomas to successful candidates in such examinations;
- c. To invite any body or bodies outside Kenya, as it may find fit to conduct academic, technical and other examinations within Kenya or to conduct these examinations jointly with the Council and to award certificates or diplomas to successful candidates in these examinations;
- d. To advice any body or bodies invited from outside Kenya, upon the adaptation of examinations necessary for the requirements of Kenya and to assist any such bodies to conduct such examinations;
- e. To make rules regulating the conduct of examinations and for all purposes incidental thereto.

In line with its mandate to conduct examinations the Council develops, moderates, proofreads prints, distributes, and administers, marks, processes examinations and awards certificates to successful candidates in the following examinations:

- (a) Kenya Certificate of Primary Education (KCPE) examination offered once every year.

(b) Kenya Certificate of Secondary Education (KCSE) examination offered once every year.

(c) Private and qualifying test candidates in KCSE examinations among other examinations.

In the 2011 Kenya Certificate Secondary Education Examinations, a total of 2,927 candidates out of the total of 411,783 who sat for the examination had their results cancelled by the Kenya National Examination Council (KNEC) due to examination irregularities. 1,694 candidates out of a population of 4,303 in Wajir, Mandera and Garissa counties were involved in examination irregularities in 40 out of 60 schools and their results were cancelled. This indicates that over 60 per cent of the candidates in North Eastern Province got their results but 39.37 per cent who were involved in examination malpractices had their results cancelled. The nature of these irregularities was mainly collusion which involved 1,686 candidates while eight candidates were caught in possession of unauthorized materials when the examination was in progress.

The Departmental committee on Education began an investigation into the cancellation of examination results in the quest to find sustainable recommendations to the elimination of examination malpractices so that the credibility of National examinations is upheld and also to find a way of mitigating the problems faced by the petitioning students due to the cancellation of the KCSE results.

CHAPTER TWO

2.0 COMMITTEE MEETINGS AT PARLIAMENT

The Committee held sittings within Parliament buildings on various dates to deliberate on the matter. The Committee then proceeded to summon various stakeholders for the purposes of making presentations on the matter at the sittings and hearings in Parliament.

The Committee first held sittings with the Minister for Education, the PS and Senior Officials of Ministry for Education, Kenya Private Schools Association, the f KNEC, NSIS and the Commissioner of Police.

2.1 Meeting with the Minister for Education and the Kenya National Examinations Council

The Committee met with the Minister for Education who was accompanied by the Permanent Secretary and other Ministry officials and Kenya National Examination Council CEO. The Minister in his briefing to the Committee explained various forms of examination irregularities and demonstrated to the Committee what lead to the conclusion that the examination irregularities were committed by the students who received the “Y” grade. The Minister in doing so tabled a report titled *“Report to the Parliamentary Committee on Education, Research and Technology”* dated 28th March 2012 (APPENDIX 1). In this report the Minister stated that:

- i. The cancellation of the results of the 1,600 students was warranted because all the affected students were involved in the examination irregularities. Evidence to that effect was availed to the Committee.
- ii. Powers of the Kenya National Examination Council in handling examination irregularities are conferred by section 10 of the KNEC Act, 225A of the Laws of Kenya.
- iii. Collusion had been investigated and re-examined by KNEC and established beyond reasonable doubt that the affected candidates indeed colluded in

the affected papers. The Minister equally demonstrated the various types of collusions and pointed out areas where collusion occurred.

- iv. Investigations conducted by KNEC have established that no KNEC official was behind the examination irregularities that occurred in the year 2011 KCSE examinations in Garissa, Wajir and Mandera counties. This submission was refuted by the Committee
- v. Cases of examination irregularities were rampant in the three counties (Mandera, Wajir and Garissa) in the last five years. Statistics were provided to support this claim.

2.2 Meeting with the Commissioner of Police

The Commissioner of Police informed the Committee that:

- i. The Police escort papers to various destinations in the country where exams are sat; in doing so ensure safety of papers on transit, storage and transportation back to Kenya National Examination Council. Police also witness the opening of papers in the examination centres.
- ii. Police officers taking part in the administration of examination are well briefed prior to the examination and are de-briefed after the examination. This was through consultative meetings usually organized by KNEC where directors of education, Provincial Police Officers and other stakeholders came together to plan on the examination administration.
- iii. Criminal Investigation Department seconds officers to KNEC during the examination period to assist in detection, investigation and arrest of individuals found guilty or suspected to have participated in examination leakage.
- iv. It was true examination irregularities do occur through exam leakage, impersonation, collusion, transmitting questions through mobile phones and internet, candidates smuggling illegal materials into examination rooms

but investigation into the 2011 KCSE irregularities were yet to be concluded.

- v. At the police stations examination papers are stored in strong rooms or armories; papers collected are recorded in occurrence book
- vi. Police officers do not enter examination rooms but assist in frisking of students before entering examination rooms
- vii. Police officers are not paid any allowance when deployed to provide security during the examination period but his office would welcome any move to motivate officers on such duties
- viii. Officers deployed on examination administration and monitoring report to the Commissioner. However, this mode of communication was through normal police channels that include report of important occurrences in all areas of the country.

2.2.1 Recommendations by the Commissioner of Police

The Commissioner of Police also made the following recommendations to the Committee:

- i. Police should be involved in the vetting of invigilators, supervisors and examination monitors.
- ii. Integrity of examination administrators including examination setters, supervisors, invigilators and monitors should be beyond reproach.
- iii. There should be a reshuffle or internal transfer of KNEC staff, this should be done within the Ministry to avoid cases where a few officers who have been in the Council for a long time forming cartels to leak examinations.
- iv. All SIM cards should be registered to curb examination cheating through the mobile phones. The legislation is in place but not operationalized.
- v. A joint Report by KNEC, Police and NSIS will form the basis for actionable areas
- vi. KNEC should review its examination management systems.

- vii. All cases of examination irregularities should be investigated before release of examination results.
- viii. KNEC should review its legal and administrative laws and regulations governing the examination
- ix. KNEC should procure containers to be used for storage of examination materials in all centres. The education officer managing the distribution centre will keep the key to the container while police will ensure security of the container. This has already been implemented on pilot basis in Eastern, Nairobi, Western and Nyanza Provinces.

2.3 Meeting with the Director National Security Intelligence Service

A representative of the Director General of NSIS informed the Committee that:

- i. The mandate of National Security Intelligence Service as per section 5(1) of the National Security Intelligence Service Act was to investigate, gather, evaluate, correlate, interpret, disseminate and store information, whether inside or outside Kenya, for the purposes of detecting and identifying any threat or potential threat to the security of Kenya; advising the President and the Government of any threat or potential threat to the security of Kenya; taking steps to protect the security interests of Kenya whether political, military or economic; gather ministerial intelligence at the request of any Government Ministry, Department or agency and without delay, to evaluate and transmit as appropriate to that Ministry, Department or agency such intelligence and any other intelligence at the disposal of the Service and which constitutes ministerial intelligence.
- ii. Its mandate is to collect the information and pass it over to the requesting ministry or government body and that they cannot take any action beyond this unless the NSIS Act is amended.
- iii. In 2010 Kenya National Examinations Council (KNEC) through the Permanent Secretary Ministry of Education requested NSIS to attach officers to the Ministry and KNEC because of the examination malpractices that had occurred

in the previous years. Due to the recommendations NSIS attached Ministry and KNEC. There were minimal reports of malpractices in the country during the 2010 KCSE examinations.

- iv. In 2011 the Ministry of education did not request the services of NSIS thus no officers were attached as it is only on request that NSIS can attach officers to Ministries or Government bodies. However NSIS was still in the system.
- v. The District Security Intelligence Committee meets once a month however if there is a serious issue that raises concern they may meet more than once. They were informed about the leaked papers in North Eastern.
- vi. There were cartels within Teachers Service commission (TSC) and KNEC which facilitates examination malpractices.

2.3.1 Recommendations by the Director of NSIS

The Director made the following recommendations:

- i. Examination rules should be revised and those engaging in examination malpractices should be criminally liable and the punishment should be revised as the current fine of kshs.5000 and imprisonment of not more than 12months was too lenient thus did not deter people.
- ii. Teachers who collude with students to allow phones in the examination room should be punished by TSC. The parents and students should be sensitized on effects of cheating.
- iii. Local leaders particularly in reference to North Eastern Province should condemn the vice of cheating.
- iv. KNEC should create firewalls in their website. As someone from North Eastern managed to hack the Council's website.
- v. KNEC should seal loopholes that allow exams to be leaked in advance. The social studies and religious education was in circulation a week before the exam in North Eastern Province and was available for Kshs.350. That paper should have been automatically withdrawn. CRE paper 2 leaked in Nyanza, Western, Central and Garissa. Kiswahili leaked in Ijara, Garissa,

Nyanza and Central. The leakage must have occurred at the Head quarters of the Kenya National Examination Council.

- vi. Any school found to have infringed examination rules should be penalized heavily.
- vii. The quality assurance system should be restructured. The purpose of quality assurance is to ensure credibility of examinations.
- viii. Knowledgeable Board of Governors should be put in place in schools and the appointment of teachers and heads of schools should be on merit as lack of this contributes to temptation to engage in examination malpractices. There should also be stern punishment on those who instigate conflict in schools.

CHAPTER THREE

3.0 REPORT ON THE COMMITTEE VISITS AND INSPECTIONS

3.1 Meeting with the Provincial Commissioner North Eastern Province

The PC and his team informed the Committee that:

- i. The history of examination irregularities started in the province with the coming of refugees who enrolled for examination in order to get certificates and later use the certificates to get Identification Cards. Refugees therefore, registered for exams and did not attend classes and owing to their unpreparedness, resorted to engaging in examination irregularities. The habit gradually spread to the neighbouring areas including Mombasa, Hola and Bura and later to Garissa.
- ii. The schools management system was wanting in the province owing to the clanism rivalry. Many head teachers cannot be transferred or punished due to their political as well as clan inclinations. Many head teachers were corrupt and bought their way into those positions. Some head teachers getting into active politics without resigning from their positions
- iii. Indiscipline cases were rampant and many students were involved in unnecessary and protracted fights; a case of students from a school in the area who left their school and attacked fellow students from another school in their neighbourhood; some students leave schools without permission.
- iv. Students attitude was wanting whereby students did not want to read or learn but wanted to pass in their exams.
- v. Parents not supporting efforts to manage the indiscipline cases amongst the students
- vi. Several papers were leaked and were in circulation several days and weeks before exams were sat; the Islamic Religious Examination paper was leaked one week to examinations dates
- vii. In 2010, rumours of exams leaks were reported and investigations confirmed the reports and the mode of committing irregularity then was transmitting questions through mobile phones.

- viii. The KNEC should account for the leakage in exams because it is responsible for setting, banking, printing and administration of exams; it should be in a position to identify where the leaks emanate from
- ix. Security personnel can help in frisking the students prior to entering examination rooms but may not help in curbing collusion inside the classroom since they are not allowed into the exam room
- x. Many students register for examinations and disappear and only turn up to sit the examinations. This justifies the propensity towards exam cheating.
- xi. There were many cases of teachers' absenteeism especially in the schools in the remote areas. This indicates that students may not be properly prepared for exams
- xii. The Social Studies and Religious Education paper was leaked and this allegation was confirmed by security apparatus, further there were rumours that the English paper for KCPE was in circulation a day before the examination.

3.2 Public Hearing at the Conference Room, Nomad Hotel, Garissa County

3.2.1 Public views

The Committee was informed that:

- i. There were rumours examination papers were in circulation in Garissa prior and during the KCSE examination period, in some instances particular papers were actually found in circulation a few hours before their specified sitting hours.
- ii. Kenya National Examination Council was solely to blame for the leakage of examination because papers found in the public were identical to those sat by students during the 2011 KCSE. Invigilators, supervisors, head teachers and monitors must also bear responsibility of examination irregularities especially in instances where collusion was the mode of irregularity.

- iii. There were very grave errors committed by KNEC officials especially in issuance of varied results to schools and students. There were instances where certain schools received two sets of results and students who did not sit for examination (deceased) were given 'Y' results implying that they committed examination irregularity.
- iv. The word collusion was vague and should be properly defined by KNEC
- v. The KNEC should be overhauled to mitigate on exam malpractices especially examination leakage.
- vi. There was a general feeling that teachers who wanted external transfers could be trying to site insecurity as the reason behind their exodus.
- vii. Some head teachers were made to sign blank forms by the examination monitors and supervisors. The head teachers were told to sign blank forms in future.
- viii. The grading of the deceased student was inhuman and KNEC owes the public an apology
- ix. KNEC was coercing schools to give students index numbers using form three mocks results. A random method where students picked numbers from a pool of choices could be used.
- x. The Chief Executive officer of KNEC should resign for failure to stop or curb examination leakage and irregularities.
- xi. The KNEC should be strict in identification of examination setters, invigilators, supervisors, monitors and those responsible for the question banking and printing of the examination.
- xii. There should be proper vetting of examination officials including exam setters, supervisors, monitors, invigilators and all examination handlers.
- xiii. The process of exam setting, question banking, printing was not water tight and hence the rampant leakages. There should be checks and balances in all the stages.
- xiv. Students affected should re-sit papers where cheating was detected.

- xv. The students were not well prepared for the examinations and hence the tendency to commit examination irregularities
- xvi. Parents should encourage their children to work hard and avoid committing examination irregularities.
- xvii. The registration for 2012 KCSE should be extended to enable the students affected to register.
- xviii. There should be proper training of invigilators and supervisors as well as proper vetting of the KNEC officers.
- xix. KNEC should communicate cancellation of results to the affected schools before releasing the examination results.
- xx. In the event that a school was found to have committed exam irregularity, the head teacher should be sacked and barred from holding any public office.
- xxi. Stiff penalties should be netted against those found to be involved in examination leakage and selling of exam papers

3.2.2 Submissions by head teachers

Written and oral submissions from all head teachers in the region tended to refute claims that their schools committed examination irregularities except in instances where students were caught by supervisors using prohibited materials in the examination rooms. The head teachers also alleged that KNEC did not specify which Biology paper had its results cancelled. The head teacher NEP girls secondary reported that the five students who had received their results had not received their results slips.

3.2.3 Submissions by the District Education Boards

Written and oral submissions from the DEB's alluded that there were wide spread rumours that examination papers were in circulation prior to the actual examination sitting. Their investigations also corroborated the allegations where a substantial number of students, teachers and parents interviewed alleged that

examination irregularities were committed. There was also poor preparation for students. Examination invigilators/supervisors were compromised due to poor remuneration by KNEC. The department of quality assurance should ensure syllabus coverage in good time. Students should be properly sensitized on the effects of engaging in examinations malpractices.

3.2.4 Submissions by the Students

Written and oral submissions from all the students refuted claims that examination irregularities were committed in the schools whose results were cancelled. All alleged that they were innocent and blamed KNEC for the cancellation of their results. Students were demoralized by the cancellation of the results of the previous exams and were afraid the same fate could befall them. The students requested for remarking of their papers.

3.2.5 Submissions by the Exam markers and supervisors

The exam markers and supervisors absolved themselves from blame and claimed that KNEC was solely to blame for the examination leakages and mismanagement. They reported that prior access to exam papers could not have been stopped by the supervisors and invigilators since this offence was committed before the beginning of examinations. They wondered why KNEC had consistently failed to mitigate the examination leakage through appropriate mechanisms that focus on question setting, storage and delivery to the examination centres. They also alleged that the criteria for appointment of supervisors and invigilators remained unclear and some inexperienced officers were recruited for the job

CHAPTER FOUR

4.0 COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

4.1 COMMITTEE OBSERVATIONS

The Committee observed that:

- i. KNEC had limited powers on actions it could take against those found guilty of examination irregularities. There was need to amend the Kenya National examination Act to enhance punitive measures on those found guilty of examination irregularities and the fraudsters involved in examination cheating racket.
- ii. There were instances where KNEC issued different sets of results to some schools and candidates.
- iii. There were no mechanisms for punishing the teachers in the private sector involved in examination malpractices.
- iv. There is need to fast-track the Teachers Service Commission Bill and other legislation in the Ministry.
- v. There is need for improvement of the quality of education.
- vi. The indiscipline amongst the students coupled with inadequate coverage of syllabus resulted in unnecessary pressure/fear of failure which in turn leads to students seeking alternatives to performing well including exam malpractices.
- vii. The exam cancellation may have been warranted since reports from the Provincial administration and DEB's alluded that examination papers were in circulation before exams.
- viii. There were clear indications that some examination materials were in circulation prior to the time of sitting the papers.
- ix. There were cartels within KNEC that perpetuated examination malpractices.

- x. There was evidence that exam leakage occurred in the affected areas and other parts of the country. KNEC was implicated in the leakage as the leaked papers were identical to those from KNEC.
- xi. KNEC as an institution has many questions to answer on exam leakage and failure to curb the malpractice as well as errors associated with the double or triple results for certain schools; grading of the deceased; and related issues.
- xii. The affected students and those that had registered for the 2012 KCSE exams were demoralized and had lost trust with KNEC.
- xiii. There was no adequate preparation of students in the examination. Many students are not adequately prepared to sit for the examination.
- xiv. There were many fraudsters out there who made a lot of money out of examination malpractices.
- xv. The KNEC operates from three different locations in Nairobi. This becomes a challenge to the management of the examination.
- xvi. KNEC processes have been manual hence prone to human error. Efforts must be done to automate the systems in order to reduce errors associated with the manual system.
- xvii. KNEC had not taken any effort to prosecute the culprits perpetuating the examination malpractices. This was clearly evident in its failure to seek assistance from the office of the public prosecution, the Police Commissioner and the National Security Intelligence Service.

4.2 COMMITTEE RECOMMENDATIONS

- i. The Kenya National Examinations Act should be reviewed to enhance punitive measures on those found guilty of examination irregularities and the fraudsters involved in examination cheating racket.
- ii. The government agencies including KNEC should always act promptly to the information provided by the National Security Intelligence Service.
- iii. The KNEC must tighten all loopholes that might lead to examination malpractices.
- iv. In the event of established examination leakage, KNEC should withdraw the leaked paper and replace with an alternative paper to avoid punishing the innocent children.
- v. KNEC Management should be overhauled to safeguard against the deteriorating image of the body managing the examination in the country as a result of examination malpractices especially examination leakage.
- vi. The government should fast-track the completion of Mitihani House to help solve the challenge of examination management.
- vii. All the students whose results have been cancelled should be informed about the cancellation at an appropriate time and be informed of their right to appeal.
- viii. KNEC should remark the papers of the affected students in the three counties and those found innocent of exam malpractices should be given their results immediately.
- ix. The affected students in the three counties and other parts of the county who are found to be innocent of exam malpractices should be given their results immediately.
- x. KNEC should procure containers to be used for storage of examination materials in all centres. The education officer managing the distribution

centre will keep the key to the container while police will ensure security of the container.

- xi. The Kenya National Examination Council should always utilize the services of NSIS during the examination period.
- xii. KNEC should computerize all its systems in order to reduce errors associated with the manual system of managing the examinations.

MINUTES OF THE 43RD SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON THURSDAY, AUGUST 23RD, 2012 AT SMALL DINING, MAIN PARLIAMENT BUILDING AT 10.00 A.M.

PRESENT

Hon. David Koech, M.P. - Chairperson
Hon. (Dr.) Wilbur Ottichilo, M.P.
Hon. John D. Pesa, M.P.
Hon. Alfred Bwire Odhiambo, M.P.

ABSENT WITH APOLOGY

Hon. F. T. Nyammo, M. P. - Vice-chairperson
Hon. Shakilla Abdalla, M.P.
Hon. (Dr.) Joyce Laboso, M.P.
Hon. David Njuguna, M.P.
Hon. Mohammed Sirat, M.P.
Hon. B. Muturi Mwangi, M.P.

IN ATTENDANCE

Mr. Derick Koli
Mr. George Otieno
Ms. Lynette Otieno

KENYA NATIONAL ASSEMBLY

- Third Clerk Assistant
- Third Clerk Assistant
- Parliamentary Intern

MIN.NO. 193/2012: PRELIMINARIES

The Chairman called the meeting to order at ten minutes to eleven o'clock in the morning and the meeting started with a word of prayer.

MIN. NO.194/2012: CONFIRMATION OF PREVIOUS MINUTES

Minutes of the following sittings were confirmed by the Members present and signed by the Chairperson.

- i. Minutes of the Thirteenth Sitting held on 13th April 2012 were proposed by Hon. Ottichilo and seconded by Hon. Koech.

- ii. Minutes of the Fourteenth Sitting held on 13th April 2012 were proposed by Hon. Ottichilo and seconded by Hon. Koech.
- iii. Minutes of the Fifteenth Sitting held on 17th April 2012 were proposed by Hon. Pesa and seconded by Hon. Koech.
- iv. Minutes of the Sixteenth Sitting held on 18th April 2012 were proposed by Hon. Pesa and seconded by Hon. Koech.
- v. Minutes of the Twentieth Sitting held on 23rd April 2012 were proposed by Hon. Ottichilo and seconded by Hon. Koech.
- vi. Minutes of the Thirty First Sitting held on 23rd June 2012 were proposed by Hon. Odhiambo and seconded by Hon. Ottichilo.
- vii. Minutes of the Thirty Second Sitting held on 23rd June 2012 were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.
- viii. Minutes of the Thirty Third Sitting held on 24th June 2012 were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.
- ix. Minutes of the Thirty Fourth Sitting held on 24th June 2012 were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.

MIN. NO.195/2012: **ADOPTION OF THE REPORTS ON: CHEPKOILEL UNIVERSITY COLLEGE (2011); NON-FORMAL SCHOOLS (2010); NON- ACCREDITATION OF ENGINEERING GRADUATES FROM MASINDE MULIRO UNIVERSITY AND KENYATTA UNIVERSITIES AND CANCELLATION OF KCSE 2011 RESULTS**

The Committee considered and adopted the following reports for subsequent tabling and debate in the House. The Committee further resolved that the reports be tabled immediately.

- i. The report on the transfer of Moi University school of environmental studies from Main Campus to Chepkoilel University College (A constituent college of Moi University) 2011 were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.
- ii. The report on Non-formal Schools in Kenya were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.
- iii. The report on the Non-accreditation of Engineering students of Masinde Muliro University of Science and Technology and Kenyatta University were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.
- iv. The report on the cancellation of 2011 KCSE results in Mandera and Garissa County were proposed by Hon. Ottichilo and seconded by Hon. Odhiambo.

MIN. NO.196/2012: CONSIDERATION OF THE PROGRAMME OF ACTIVITIES (AUGUST–DECEMBER 2012)

- i. The committee agreed to schedule a meeting to discuss the programme of activities for August – December 2012 at a later date. The Secretariat was directed to come up with a draft programme to be considered by the Committee.

MIN. NO.197/2012: ANY OTHER BUSINESS

- i. The Committee raised the issue concerning proper vetting of students identification at the examination registration level by KNEC in order to ensure the refugee students were registered as refugees and not Kenyans.
- ii. The Committee also discussed the question raised by Hon. Odhiambo on the floor of the house concerning the quality of education that was being offered by institutions of higher learning in Kenya. The Committee resolved to carry

out an inquiry into the matter and visit Universities across the country and have meetings with the relevant stakeholders. It was noted that there was need to protect the interest of Kenyans on access to quality education in order to ensure the degrees offered by Kenyan Universities meet international standards. In this regard, the Committee agreed to invite the Minister for Higher Education, Science and Technology, the Members of Parliament,, CHE, University VC's, and other relevant stakeholders before embarking on the inspection tours of various Universities.

- iii. The issue of National Schools being inaccessible to poor students was raised. The Committee noted that some National Schools still required students to pay development fees that were highly inflated, yet the Committee and the Ministry of Education had approved a higher budgetary allocation to these institutions while reviewing the Education sector budget.

MIN.NO. 198/2012: DATE OF THE NEXT MEETING

The next meeting was to be Tuesday, 28th August 2012 at 10.00am.

MIN. NO.199/2012: ADJOURNMENT

There being no other business, the Committee adjourned the sitting at thirty minutes past twelve o'clock.

SIGNED.....

(CHAIRMAN)

DATE.....

MINUTES OF THE 40TH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY, 8TH AUGUST, 2012 AT COMMITTEE ROOM 07, MAIN PARLIAMENT BUILDING AT 10.00 A.M.
PRESENT

Hon. David Koech, M.P. - Chairperson
Hon. F. T. Nyammo, M. P. - Vice-chairperson
Hon. (Dr.) Wilbur Ottichilo, M.P.
Hon. B. Muturi Mwangi, M.P.
Hon. Shakilla Abdalla, M.P.
Hon. Alfred Bwire Odhiambo, M.P.
Hon. Adan Duale, M. P.

ABSENT WITH APOLOGY

Hon. Mohammed Sirat, M.P.
Hon. (Dr.) Joyce Laboso, M.P.
Hon. John D. Pesa, M.P.
Hon. David Njuguna, M.P.

IN ATTENDANCE

KENYA NATIONAL EXAMINATION COUNCIL

Ms. Eddah M. Muiruri - Senior Deputy Secretary, Examination Administration
Mr. Maundu Matanzawa - Deputy Secretary, Planning
Ms. Woki Wachira - Deputy Secretary, Research
Mr. Geoffrey K. Litogo - Senior Deputy Secretary, ICT
Ms. Joyce Sabari- Karanu - Head of Section, School Examination, Research Division

IN ATTENDANCE

KENYA NATIONAL ASSEMBLY

Mr. Derick Koli - Third Clerk Assistant
Mr. George Otieno - Third Clerk Assistant
Mr. Dennis Abisai - Legal Council
Ms. Lynette Otieno - Parliamentary Intern

MIN.NO. 180/2012:

PRELIMINARIES

The Chairman called the meeting to order at twenty minutes past ten o'clock in the morning and the meeting started with a word of prayer. The Chairman thanked the team from the Kenya National Examination Council present for attending the meeting. He further informed them that the Committee has been investigating the cancellation of results in last year's examinations which came to Parliament through a petition by the

people and major stakeholders in the North Eastern Province. He asked the Kenya National Examination Council to address the following issues:

- a) The causes of issuance of multiple results slips to schools and students and the measures put in place to mitigate such occurrences.
- b) The loopholes that lead to examination leakages.
- c) The preparedness of the ICT department in the management and administration of the examination this year.
- d) The role of ICT department in the storage , handling and safe keeping of examination questions
- e) The status of the implementation of the Consultancy report by Osano and associates on the improvement of ICT within KNEC and whether the implementation of the same could curb cheating.
- f) The status of the pilot project by KNEC to have their own storage facility.
- g) Why KNEC did not involve the National Security Intelligence Service in the management of the examination as they had done the previous year.

MIN. NO.181/2012:

SUBMISSIONS BY THE KENYA NATIONAL EXAMINATION COUNCIL

The Council made its submissions as follows:-

- a) KNEC issues result slips awaiting the issuance of certificates. However, the results slips are just provisional and can change when one applies for a remark or when the Council discovers an anomaly that needs to be rectified. In this particular case, the Council discovered some discrepancies after the results had been released and immediately issued notices in the local dailies to the affected students. Besides, the Council dispatched its officers to the institutions that were affected with a view of retrieving the result slips with the anomalies and replacing them with the correct ones. However, some students did not heed the advice hence the different results for the same students.

- b) KNEC processes have been manual hence prone to human error. They are now moving away from the manual processes to automated ones hence reduced incidences of human error as was the case last year. For instance, the Kerugoya School for the deaf got marks for Kiswahili instead of sign language they had registered for due to human error made by KNEC officers when they entered the sign language marks in the column for Kiswahili. The Council took action against the officers who made the mistake and they were given warning letters.
- c) Over 90% of the recommendations of the Consultancy report have been implemented. They said that they have a work plan on the implementation process except for the recommendation that they install digital printing press in all the Constituencies due to inadequate funds. It would cost the Council 25 billion Kenya Shillings to roll out the programme within five years. The Council stated that they have implemented the following;
- i. Automated the registration of students, capturing of marks and processing the results.
 - ii. Have undertaken training of officers to build their capacity and hired additional personnel.
 - iii. Constructed a modern data and recovery centres.
 - iv. Engaged the Directorate of Personnel management which has advised on the structure that should drive the ICT department which they have adopted for implementation.
 - v. Have installed one integrated system that now connects their five offices in Nairobi.
 - vi. Have improved the digital printing press in Nairobi.
- d) KNEC is planning to have their own storage facilities for examinations in the Counties.
- e) Areas identified as prone to leakages will have strict supervision by senior exams officers. Besides, there will be tracking and trailing the examination papers as they leave the KNEC premises, records of who has handled the exams will be kept; and

in future KNEC plans to use biometrics to track who gets access to the KNEC premises.

Committee Observations

The Committee noted the following:

- a) That the KNEC did not invite the NSIS to work with them during last year's examinations as they had done the previous year.
- b) That the Police Commissioner's proposal that the KNEC to have their containers carrying exams under lock and key by their officers has not been implemented.
- c) That the person arrested in Malindi in the year 2008 with leaked examination papers is still walking a free man and has not been made to account for his actions.
- d) That the police officer, Corporal Dominic Njiru who was on duty at the time the examination papers were suspected to have been tampered with at the Bura East police station has not been prosecuted.
- e) That the District Examinations Officer, Mr. Nur Suri, who was in charge of the examinations papers at the time the alleged tampering took place has not been interdicted and made to account for his actions as recommended by the Police Commissioner.
- f) That the KNEC has never involved the Police Commissioner and the Director of Public Prosecution on this particular case.
- g) That the status of the contract of employment of the CEO is shrouded in mystery. Further concerns were raised about alleged letter written by the CEO to the consultant, Osano and Associates saying that his report could not be implemented.

MIN. NO.182/2012 :

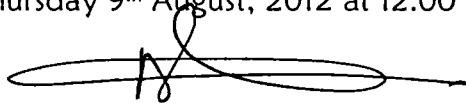
ANY OTHER BUSINESS

There were concerns about the fee that KNEC was charging the teachers to train them as examiners. The Committee noted that Ksh. 10800/= charged was too high and that most teachers could not afford it.

After deliberations, the KNEC promised to look into the cost with a view of reducing the same. It was also agreed that the skills the teachers acquire during the training was important and that all teachers need to be trained to be markers.

MIN. NO.183/2012 : ADJOURNMENT AND DATE OF NEXT MEETING

There being no other business and the time fifteen minutes past one, the meeting was adjourned until Thursday 9th August, 2012 at 12.00 noon.



SIGNED.....

(CHAIRMAN)

DATE..... 23/08/2012

MINUTES OF THE THIRTY FOURTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON SUNDAY, JUNE 24TH, 2012 AT KIBOKO CONFERENCE HALL, LAKE NAIVASHA SOPA LODGE AT 2.00 P.M.

PRESENT

Hon. David Koech, M.P. -Chairperson
Hon. David Njuguna, M.P.
Hon. B. Muturi Mwangi, M.P.
Hon. Alfred Bwire Odhiambo, M.P.
Hon. (Dr.) Wilbur Ottichilo, M.P.

ABSENT WITH APOLOGY

Hon. F. T. Nyammo, M. P. -Vice-chairperson
Hon. Mohammed Sirat, M.P.
Hon. Shakilla Abdalla, M.P.
Hon. (Dr.) Joyce Laboso, M.P.
Hon. John D. Pesa, M.P.

IN ATTENDANCE

KENYA NATIONAL ASSEMBLY

Mr. Derick Koli - Third Clerk Assistant
Mr. Stephen Gikonyo - Personal Secretary
Ms. Lynette Otieno - Parliamentary Intern

MIN.NO. 151 /2012: PRELIMINARIES

The Chairman called the meeting to order at two o'clock in the afternoon and started with a word of prayer.

MIN.NO. 152/2012: MEETING TO CONSIDER THE DRAFT REPORT ON THE CANCELLATION OF 2011 KCSE RESULTS IN GARISSA, WAJIR AND MANDERA COUNTIES

The Committee made the following observations and recommendations. The observations and recommendations were based on both the oral and written submissions received by the Committee during its sittings and field visits.

- i. KNEC had limited powers on actions it could take against those found guilty of examination irregularities. There was need to amend the Kenya

- National examination Act to enhance punitive measures on those found guilty of examination irregularities and the fraudsters involved in examination cheating racket.
- ii. There were instances where KNEC issued different sets of results to some schools and candidates.
 - iii. There were no mechanisms for punishing the teachers in the private sector involved in examination malpractices.
 - iv. There is need to fast-track the Teachers Service Commission Bill and other legislation in the Ministry.
 - v. There is need for improvement of the quality of education.
 - vi. The indiscipline amongst the students coupled with inadequate coverage of syllabus resulted in unnecessary pressure/fear of failure which in turn leads to students seeking alternatives to performing well including exam malpractices.
 - vii. The exam cancellation may have been warranted since reports from the Provincial administration and DEB's alluded that examination papers were in circulation before exams.
 - viii. There were clear indications that some examination materials were in circulation prior to the time of sitting the papers.
 - ix. There were cartels within KNEC that perpetuated examination malpractices.
 - x. There was evidence that exam leakage occurred in the affected areas and other parts of the country. KNEC was implicated in the leakage as the leaked papers were identical to those from KNEC.
 - xi. KNEC as an institution has many questions to answer on exam leakage and failure to curb the malpractice as well as errors associated with the double or triple results for certain schools; grading of the deceased; and related issues.
 - xii. The affected students and those that had registered for the 2012 KCSE exams were demoralized and had lost trust with KNEC.
 - xiii. There was no adequate preparation of students in the examination. Many students are not adequately prepared to sit for the examination.
 - xiv. There were many fraudsters out there who made a lot of money out of examination malpractices.
 - xv. The KNEC operates from three different locations in Nairobi. This becomes a challenge to the management of the examination.

The Committee made the following recommendations:

- i. The Kenya National Examinations Act should be reviewed to enhance punitive measures on those found guilty of examination irregularities and the fraudsters involved in the examination cheating racket.
- ii. The government agencies should act promptly to the information provided by the National Security Intelligence Service.
- iii. The KNEC must tighten all loopholes that might lead to examination malpractices.
- iv. In the event of established examination leakage, KNEC should withdraw the leaked paper and replace it with an alternative paper to avoid punishing the innocent children.
- v. KNEC management should be overhauled to safeguard against the deteriorating image of the body managing the examination in the country as a result of examination malpractices especially examination leakage.
- vi. The government should fast-track the completion of Mtihani House to help solve the challenge of examination management.
- vii. All the students whose results have been cancelled should be informed about the cancellation at an appropriate time and be informed of their right to appeal.
- viii. The affected students in the three counties and other parts of the county who are found to be innocent of examination malpractices should be given their results immediately.
- ix. KNEC should remark the papers of the affected students in the three counties and those found innocent of examination malpractices should be given their results immediately.
- x. KNEC should procure containers to be used for storage of examination materials in all centres. The education officer managing the distribution centre will keep the key to the container while police will ensure security of the container.
- xi. The Kenya National Examination Council should always utilize the services of NSIS during the examination period.

MIN.NO. 153/2012:


DATE OF THE NEXT MEETING

The next meeting was to be called by notice.

MIN.NO. 154/2012:

ADJOURNMENT

There being no other business, the Committee adjourned the sitting at five o'clock.

Signed: 
 (Chairperson)

Date: 23/09/2012

MINUTES OF THE FIFTEENTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON TUESDAY, 17TH APRIL, 2012 AT COMMITTEE ROOM 9, MAIN PARLIAMENT BUILDING AT 3:30 PM.

PRESENT

The Hon. David Koech, MP - Chairperson
The Hon. F.T. Nyammo, MP - Vice Chairperson
The Hon. John Dache Pesa, MP
The Hon. David Njuguna, MP
The Hon. B.C. Muturi Mwangi, MP
The Hon. (Dr.) Wilbur Ottichilo, MP
The Hon. Muhamed Sirat, MP
The Hon. Shakila Abdalla, MP

ABSENT WITH APOLOGY

The Hon. (Dr.) Joyce Laboso, MP
The Hon. Alfred B. Odhiambo, MP

IN ATTENDANCE - **KENYA NATIONAL ASSEMBLY**

Ms. Mary Chesire - First Clerk Assistant
Mrs. Rebecca Tonkei - Research Officer 1

MIN.NO. 57/2012 - **PRELIMINARIES**

The Chairperson called the meeting to order at 3.30pm and opened with a word of prayer.

MIN.NO.58/2012 - **CONFIRMATION OF PREVIOUS MINUTES**

Minutes of the following sittings were confirmed by the Members present and signed by the Chairperson

- i) Minutes of the Second Sitting held 21st February 2012 were proposed by the Hon. Pesa and seconded by Hon. Shakila.
- ii) Minutes of the Third Sitting held 23st February 2012 were proposed by the Hon. Shakila and seconded by Hon. Ottichilo.
- iii) Minutes of the Fourth Sitting held 1st March 2012 were proposed by the Hon. Ottichilo and seconded by Hon. Pesa.
- iv) Minutes of the Fifth Sitting held 7th March 2012 were proposed by the Hon. Ottichilo and seconded by Hon. Pesa.

- v) Minutes of the Sixth Sitting held 15th March 2012 were proposed by the Hon. Nyammo and seconded by Hon. Pesa.
- vi) Minutes of the Seventh Sitting held 21st March 2012 were proposed by the Hon. Nyammo and seconded by Hon. Pesa.
- vii) Minutes of the Eighth Sitting held 22nd March 2012 were proposed by the Hon. Pesa and seconded by Hon. Nyammo.
- viii) Minutes of the Ninth Sitting held 28th March 2012 were proposed by the Hon. Nyammo and seconded by Hon. Njuguna.
- ix) Minutes of the Tenth Sitting held 29th March 2012 were proposed by the Hon. Nyammo and seconded by Hon. Njuguna.
- x) Minutes of the Eleventh Sitting held 10th April 2012 at 10.00am were proposed by the Hon. Njuguna and seconded by Hon. Nyammo.
- xi) Minutes of the Twelfth Sitting held 10th March 2012 at 2.30pm were proposed by the Hon. Njuguna and seconded by Hon. Nyammo.

MIN.NO. 59/2012

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MATTERS ARISING


- i) The issue of foreign trips was revisited and the Committee was concerned that all its proposals to undertake any foreign have not been successful for the last three years. The Chairperson undertook to see the Clerk of the National Assembly on the way forward on the same and report back to the Committee in the next meeting.
- ii) The Committee also discussed the issue regarding its proposed visit to Chepkoilel University College which had been deferred in 2011 and agreed to visit the institution on Monday, 23rd April 2012 before tabling its report in the House.

MIN.NO. 60/2011

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ADJOURNMENT

There being no other business, the meeting was adjourned at 4.30pm.

SIGNED: 

(CHAIRPERSON)

DATE: 23/08/2012

MINUTES OF THE 14TH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON FRIDAY, 13TH APRIL, 2012 AT THE CONFERENCE ROOM, NOMAD HOTEL, GARISSA COUNTY AT 2.30 PM

PRESENT

The Hon. David Koech, MP	- Chairman
The Hon. F. T. Nyamu, MP	- Vice Chairman
The Hon. B. C. Muturi Mwangi, MP	
The Hon. Wibur Ottichillo, MP	

IN ATTENDANCE - **KENYA NATIONAL ASSEMBLY**

Mr. Derick Epae Koli	- Third Clerk Assistant
Mrs. Rebecca Tonkei	- Research Officer 1

MIN. NO.54 /2011 - **PRELIMINARIES**

The meeting was called to order and started with a word of prayer. The chair introduced the team from Nairobi and outlined the purpose of the meeting which was to hear the views of the public on the cancellation of the 2011 KCSE results and make recommendations on how such incidences could be mitigated in future.

MIN.NO.55/2011 - **PUBLIC VIEWS**

The Committee was informed that:

- i. There were rumours examination papers were in circulation in Garissa prior and during the KCSE examination period, in some instances particular papers were actually found in circulation a few hours before their specified sitting hours.
- ii. Kenya National Examination Council was solely to blame for the leakage of examination because papers found in the public were identical to those sat by students during the 2011 KCSE.
- iii. Invigilators, supervisors, head teachers and monitors must also bear responsibility of examination irregularities especially in instances where collusion was the mode of irregularity.
- iv. There were very grave errors committed by KNEC officials especially in issuance of varied results to schools and students; there were instances where certain schools received two sets of results and students who did not sit for examination (deceased) were given 'Y' results implying that they committed exam irregularity.
- v. The word collusion was vague and should be properly defined by KNEC
- vi. The KNEC should be overhauled to mitigate on exam malpractices especially examination leakage.
- vii. There was a general feeling; teachers who wanted external transfers could be trying to site insecurity as the reason behind their exodus.

- viii. Some head teachers were made to sign blank forms by the examination monitors and supervisors. The head teachers were told to not such forms in future
- ix. The communication of the cancelled results was done through letters dated 29th February 2012 and not earlier as alleged by the Minister while announcing the results
- x. The grading of the deceased was inhuman and KNEC owes the public an apology
- xi. KNEC coercing schools to give students index numbers using form three mocks results or through a random method where students picked numbers from a pool of choices.
- xii. The Chief Executive officer of KNEC should resign for failure to stop or curb examination leakage and irregularities
- xiii. The KNEC should be strict in identification of examination setters, invigilators, supervisors, monitors and those responsible for the question banking and printing of the examination.
- xiv. There should be proper vetting of examination officials including exam setters, supervisors, monitors, invigilators and all exam handlers.
- xv. The process of exam setting, question banking, printing was not water tight and hence the rampant leakages. There should be checks and balances in all the stages
- xvi. Students affected should re-sit papers where cheating was detected
- xvii. The students were not well prepared for the examinations and hence the tendency to commit exam irregularities
- xviii. Parents should encourage their children to work hard and avoid committing examination irregularities
- xix. The registration for 2012 KCSE should be extended to enable the students affected to register
- xx. Training of invigilators and supervisors as well as proper vetting of the KNEC officers should be a must.
- xxi. KNEC should communicate cancellation of results to the affected schools before releasing the examination results
- xxii. In the event that a school was found to have committed exam irregularity, the head teacher should be sacked and barred from holding any public office
- xxiii. Stiff penalties should be netted against those found to be involved in exam leakage and selling of exam papers

Reports/submissions from various groups were as follows:

- i. **Head teachers:** Written and oral submissions from all head teachers in the region tended to refute claims that their schools committed examination irregularities except in instances where students were caught by supervisors using prohibited materials in the examination rooms. The head teachers also alleged that KNEC did not specify which Biology paper had its results cancelled. The head teacher NEP girls secondary reported that the five students who had received their results had not been given results slips.
- ii. **District Education Boards:** Written and oral submissions from the DEB's alluded that there were wide spread rumours that examination papers were in circulation prior to the actual examination sitting. There investigations also

corroborated the allegations where a substantial number of students, teachers and parents interviewed alleged that examination irregularities were committed. There was also poor preparation for students. Examination invigilators/supervisors were compromised due to poor remuneration by KNEC. The department of quality assurance should ensure syllabus coverage in good time. Students should be properly sensitized on the effects of engaging in exam malpractices.

- iii. **Students:** Written and oral submissions from all the students refuted claims that examination irregularities were committed in the schools whose results were cancelled; all alleged that they were innocent and blamed KNEC for their woes. Students were demoralized by the cancellation of the results of the last exams and were afraid the same fate could befall them.
- iv. **Exam markers and supervisors:** Submitted that KNEC should be blamed for exam leakage

Committee's Observations

- i. Records of the visitors books indicate that examination monitors, supervisors, and invigilators were present in the schools visited. It was however, unclear how examination irregularities occurred in the presence of these teams
- ii. The rampant indiscipline amongst the students coupled with inadequate coverage of syllabus resulted in unnecessary pressure/fear of failure which in turn resulted in students seeking alternatives to performing well including exam malpractices
- iii. The exam cancellation may have been warranted since reports from the PC and DEB's alluded that examination papers were in circulation before exams.
- iv. Exam leakage was rampant and entrenched in the area and KNEC was involved since papers leaked contained identical questions to those contained in the exams sat.
- v. KNEC as an institution has many questions to answer on exam leakage and failure to curb the malpractice as well as errors associated with the double or triple results for certain schools; grading of the deceased; and related issues.

MIN.NO. 56/2011

- ADJOURNEMENT

There being no other business, the Committee adjourned the sitting at forty minutes past five o'clock.

SIGNED:
(CHAIRPERSON)

DATE:
23/08/2012

MINUTES OF THE 13TH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON FRIDAY, 13TH APRIL, 2012 AT THE PROVINCIAL COMMISSIONER'S OFFICE, GARISSA COUNTY AT 9.00 AM

PRESENT

The Hon. David Koech, MP	- Chairman
The Hon. F. T. Nyamu, MP	- Vice Chairman
The Hon. B. C. Muturi Mwangi, MP	
The Hon. Wibur Ottichillo, MP	

IN ATTENDANCE - KENYA NATIONAL ASSEMBLY

Mr. Derick Epae Koli	- Third Clerk Assistant
Mrs. Rebecca Tonkei	- Research Officer 1

MIN. NO.51 /2011 - PRELIMINARIES

The meeting was called to order and started with a word of prayer. The chair introduced the team from Parliament and outlined the purpose of the meeting which was to hear the views of the Provincial Commissioner and the Provincial team on the cancellation of the 2011 KCSE results and make recommendations on how such incidences could be mitigated in future. The Meeting was attended by the following among others:

Mr. James Ole Seriani	- Provincial Commissioner
Mr. L.K Karuntimi	- D/PDE
Mr. Maryan Hussein	- DEB Garissa
Ms. Sahara Hassan A	- DEB Garissa
Mr. Nur I. Abdi	- DEO Garissa
Mr. Samuel Macharia N.	- DQASO
Mr. Omar Abdullahi H.	- Chairman Garissa County Council
Mr. B.M.Abdullahi	- DEB Garissa
Mr. Ismael Mohammed	- Mayor Garissa Municipality
Mr. Abdi Ibrahim	- NSIS

MIN.NO. 52/2011 - VIEWS OF THE PROVINCIAL COMMISSIONER

The PC and his team informed the Committee that:


- i. It was unfortunate a big number of students did not receive their results due to examination irregularities.
- ii. The history of examination irregularities started in the province with the coming of refugees who enrolled for examination in order to get certificates and later use the certificates to get Identification Cards. Refugees therefore, registered for exams and did not attend classes and owing to their unpreparedness, resorted to engaging in examination irregularities; the habit gradually spread to the neighbouring areas including Mombasa, Hola and Bura and later to Garissa.

- iii. The schools management system was wanting in the province owing to the clanism rivalry; many head teachers cannot be transferred or punished due to their political as well as clan inclinations; many head teachers were corrupt and bought their way into those positions; some head teachers getting into active politics without resigning from their positions
- iv. Indiscipline cases were rampant and many students were involved in unnecessary and protracted fights; a case of students from a school in the area who left their school and attacked fellow students from another school in their neighbourhood; some students leave schools without permission
- v. Students attitude was wanting whereby students did not want to read or learn but wanted to pass in their exams
- vi. Parents not supporting efforts to manage the indiscipline cases amongst the students
- vii. Several papers were leaked and were in circulation several days and weeks before exams were sat; the IRE paper was leaked one week to exams dates
- viii. In 2010, rumours of exams leaks were reported and investigations confirmed the reports and the mode of committing irregularity then was transmitting questions through mobile phones.
- ix. The KNEC should account for the leakage in exams because it is responsible for setting, banking, printing and administration of exams; it should be in a position to identify where the rots emanates from
- x. Security personnel can help in frisking the students prior to entering exam rooms but may not help in curbing collusion inside the classroom since they are not allowed into the exam room
- xi. Many students register for exams and disappeared and only turned up for the exams; this justifies the propensity towards exam cheating
- xii. There were many cases of teachers absenteeism especially in the schools in the remote areas; this indicates that students may not be properly prepared for exams
- xiii. The SSRE paper was leaked and this allegation was confirmed by security apparatus
- xiv. There was rummours English paper for KCPE was in circulation a day before the examination.

MIN.NO. 53/2011

- ADJOURNEMENT

There being no other business, the Committee adjourned the sitting at twenty minutes past ten o'clock.



SIGNED:
(CHAIRPERSON)

DATE: 23/08/2012

MINUTES OF THE TWELFTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON TUESDAY, 10TH APRIL, 2012 AT COMMITTEE ROOM 9, MAIN PARLIAMENT BUILDING AT 2:30 PM.

PRESENT

The Hon. David Koech, MP - Chairperson
The Hon. F.T. Nyammo, MP - Vice Chairperson
The Hon. David Njuguna, MP
The Hon. B.C. Muturi Mwangi, MP
The Hon. Bare Aden Duale, MP - In Attendance

ABSENT WITH APOLOGY

The Hon. (Dr.) Joyce Laboso, MP
The Hon. Shakila Abdalla, MP
The Hon. (Dr.) Wilbur Ottichilo, MP
The Hon. Alfred B. Odhiambo, MP
The Hon. Muhamed Sirat, MP
The Hon. John Dache Pesa, MP

IN ATTENDANCE

- KENYA NATIONAL ASSEMBLY

Ms. Mary Chesire - First Clerk Assistant
Ms. Rebecca Tonkei - Research Officer 1
Ms. Lynette Otieno - Parliamentary Intern

- NATIONAL SECURITY INTELIIGENCE SERVICE (NSIS)

Mr. Francis Mwongo - Director, Internal Division, NSIS
Mr. Juma Mafubo - Internal Division
Mr. Juma Radhan - Internal Division
Ms. Agnes Matunda - Internal Division

MIN.NO. 47/2012

- PRELIMINARIES

The Chairman called the meeting to order at 2.30pm opened with prayer. After around of introductions he invited the Director of Internal Division of National Security Intelligence Service, Mr. Francis Mwongo to make his presentation to the Committee regarding the cancellation of KCSE results in Garissa, Mandera and Wajir counties.

The Director of Internal Division National Security Intelligence Service apologized on behalf of the Director General of NSIS who was unable to attend the meeting. He thereupon informed the Committee that:

- i. The mandate of National Security Intelligence Service as per section 5(1) of the National Security Intelligence Service Act was to investigate, gather, evaluate, correlate, interpret, disseminate and store information, whether inside or outside Kenya, for the purposes of detecting and identifying any threat or potential threat to the security of Kenya; advising the President and the Government of any threat or potential threat to the security of Kenya; taking steps to protect the security interests of Kenya whether political, military or economic; gather ministerial intelligence at the request of any Government Ministry, Department or agency and without delay, to evaluate and transmit as appropriate to that Ministry, Department or agency such intelligence and any other intelligence at the disposal of the Service and which constitutes ministerial intelligence.
- ii. Its mandate is to collect the information and pass it over to the requesting ministry or government body. They cannot take any action beyond this unless the NSIS Act is amended.
- iii. In 2010 Kenya National Examinations Council (KNEC) through the Permanent Secretary Ministry of Education requested NSIS to attach officers to the Ministry and KNEC because of the examination malpractices that had occurred in the previous years. Due to the recommendations NSIS had given the Ministry and KNEC there were minimal reports of malpractices in the country during the 2010 KCSE examinations.
- iv. In 2011 the Ministry of education did not request the services of NSIS thus no officers were attached as it is only on request that NSIS can attach officers to Ministries or Government bodies. However NSIS was still in the system.
- v. The District Security Intelligence Committee meets once a month however if there is a serious issue that raises concern they may meet more than once. They were informed about the leaked papers in North Eastern.

He recommended as follows:

- i. There were cartels within Teachers Service commission (TSC) and KNEC which facilitates examination malpractices and should be dealt with.
- ii. Examination rules should be revised and those engaging in examination malpractices should be criminally liable and the punishment should be revised as

the current fine of kshs.5000 and imprisonment of not more than 12months was too lenient thus did not deter people.

- iii. Teachers who collude with student to allow phones in the examination room should be punished by TSC.
- iv. Local leaders particularly in reference to North Eastern Province should condemn the vice of cheating.
- v. KNEC should create firewalls in their website. As someone from North Eastern managed to hack the Council's website.
- vi. KNEC should seal loopholes that allow exams to be leaked in advance. The social studies and religious education was in circulation a week before the exam in North Eastern Province and was available for kshs.350. That paper should have been automatically withdrawn. CRE paper 2 leaked in Nyanza, Western, Central and Garissa. Kiswahili leaked in Ijara, Garissa, Nyanza and Central. The leak must have occurred at the Head quarters of the Examination Council.
- vii. Any school found to have infringed examination rules should be penalized heavily.
- viii. Parents and students should be sensitized on effect of cheating.
- ix. The quality assurance system should be restructured. The purpose of quality assurance is to ensure credibility of examinations.
- x. Knowledgeable Board of Governors should be put in place in schools.
- xi. Appointment of teachers and heads of schools should be on merit as lack of this contributes to temptation to engage in examination malpractices. There should also be stern punishment on those who instigate conflict in schools.

He undertook to prepare a comprehensive report on the cancellation of KCSE 2011 results and present to the Committee by Wednesday, 18th April 2012

MIN.NO. 49/2012 - DATE OF THE NEXT MEETING

The next meeting was to be called by notice.

MIN.NO.50/2011 - ADJOURNMENT

There being no other business, the meeting was adjourned at 4.40pm.

SIGNED:
(CHAIRPERSON)

DATE:
27/04/2012

MINUTES OF THE ELEVENTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON TUESDAY, 10TH APRIL, 2012 AT COMMITTEE ROOM 09, MAIN BUILDING, PARLIAMENT BUILDINGS AT 10:00 AM.

PRESENT

The Hon. David Koech, MP - Chairperson
The Hon. F.T. Nyammo, MP - Vice Chair
The Hon. B.C. Muturi Mwangi, MP
The Hon. David Njuguna, MP
The Hon. John Dache Pesa, MP
The Hon. Muhamed Sirat, MP
The Hon. Alfred B. Odhiambo, MP

ABSENT WITH APOLOGY

The Hon. (Dr.) Joyce Laboso, MP
The Hon. Shakila Abdalla, MP
The Hon. (Dr.) Wilbur Ottichilo, MP

KENYA NATIONAL ASSEMBLY

Ms. Mary Chesire - First Clerk Assistant
Mr. Derick Epae Koli - Third Clerk Assistant
Ms. Rebecca Tonkei - Research Officer 1
Ms. Linet Atieno - Parliamentary Intern

IN ATTENDANCE

Mr. Mathew K. Iteere, MGH, CBS, OGW - Commissioner of Police
Mr. Edward Muhoro - Director, Criminal Investigation Department

KENYA POLICE

MIN.NO.44/2012

PRELIMINARIES

The Chairman called the meeting to order twenty five Minutes past eleven o'clock and after around of introductions invited the Commissioner of Police Mr. Mathew K. Iteere, MGH CBS, OGW to make his presentation to the Committee.

MIN.NO. 45/2012:

MEETING WITH THE COMMISSIONER OF POLICE TO DISCUSS THE CANCELLATION OF 2011 KCSE RESULTS IN MANDERA, WAJIR AND GARISSA COUNTIES

The Commissioner of Police informed the Committee that:

- i. Police escort papers to various destinations in the country where exams are sat; in doing so ensure safety of papers on transit, storage and transportation back to Kenya National Examination Council. Police also witness the opening of papers in the examination centres.

- ii. Police officers taking part in the administration of examination are well briefed prior to the examination and are de-briefed after the examination. This was through consultative meetings usually organized by KNEC where directors of education, Provincial Police Officers and other stakeholders came together to plan on the examination administration.
- iii. Criminal Investigation Department seconded officers to KNEC during the examination period to assist in detection, investigation and arrest of individuals found guilty or suspected to have participated in examination leakage.
- iv. It was true examination irregularities do occur through exam leakage, impersonation, collusion, transmitting questions through mobile phones and internet, candidates smuggling illegal materials into examination rooms but investigation into the 2011 KCSE irregularities were yet to be concluded
- v. At the police stations examination papers are stored in strong rooms or armories; papers collected are recorded in occurrence book
- vi. Police officers do not enter examination rooms but assist in frisking of students before entering examination rooms
- vii. Police officers were not paid any allowance when deployed to provide security during the examination period but his office would welcome any move to motivate officers on such duties
- viii. Officers deployed on examination administration and monitoring report to the Commissioner. However, this mode of communication was through normal police channels that include report of important occurrences in all areas of the country.

The Commissioner of Police in his briefing to the Committee made the following recommendations:

- i. Police should be involved in the vetting of invigilators, supervisors and examination monitors
- ii. Integrity of examination administrators including exam setters, supervisors, invigilators and monitors should be beyond reproach
- iii. Reshuffle or internal transfer of KNEC staff, this should be done within the Ministry to avoid cases where a few officers who have been in the Council for a long time forming cartels to leak exams
- iv. Registration of SIM cards to curb examination cheating through the mobile phones. The legislation is in place but not operationalized.
- v. A joint Report by KNEC, Police and NSIS will form the basis for actionable areas
- vi. KNEC should review its examination management systems.
- vii. All cases of examination irregularities should be investigated before release of examination results.
- viii. KNEC should review its legal and administrative laws and regulations governing the examination
- ix. KNEC should procure containers to be used for storage of examination materials in all centres. The education officer managing the distribution centre will keep the key to the container while police will ensure security of the container. This had already been implemented on pilot basis in Eastern, Nairobi, Western and Nyanza Provinces.

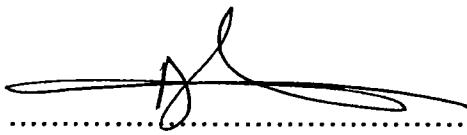
The Committee directed the Police Commissioner to furnish it with more information on the following:

- i. The number of individuals prosecuted in connection with examination leakage and any other report on the involvement of KNEC officials in examination irregularities

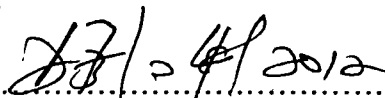
MIN.NO. 46/2011

- ADJOURNMENT

There being no other business, the meeting was adjourned at twenty minutes past one o'clock.

SIGNED: 

(CHAIRPERSON)

DATE: 

MINUTES OF THE 9TH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON WEDNESDAY, 28TH MARCH, 2012 AT COMMITTEE ROOM, SECOND FLOOR, CONTINENTAL HOUSE AT 10:00 AM.

PRESENT

The Hon. David Koech, MP - Chairperson
The Hon. F.T. Nyammo, MP - Vice Chair
The Hon. David Njuguna, MP
The Hon. John Dache Pesa, MP
The Hon. Muhamed Sirat, MP
The Hon. Alfred B. Odhiambo, MP

ABSENT WITH APOLOGY

The Hon. (Dr.) Joyce Laboso, MP
The Hon. Shakila Abdalla, MP
The Hon. B.C. Muturi Mwangi, MP
The Hon. (Dr.) Wilbur Ottichilo, MP

IN ATTENDANCE

Ms. Mary Chesire
Mr. Derick Epae Koli
Ms. Rebecca Tonkei

KENYA NATIONAL ASSEMBLY

- First Clerk Assistant
- Third Clerk Assistant
- Research Officer 1

MINISTRY OF EDUCATION, KNEC AND OTHERS

The Hon. Mutula Kilonzo, MP - Minister for Education (MOE)
Prof. James Ole Kiyapi, - Permanent Secretary, Ministry of Education
Prof. George Godia - Education Secretary
Robert Masese - Director, Secondary Education, MOE
Mr. Elias Wanjala - Senior Assistant Director, Quality Assurance & Standards (QAS), MOE
Ms. Susan Wanjohi - Assistant Director, (QAS), MOE
Mr. Paul Wasanga - CEO, Kenya National Examinations Council
Ms. Ambia Noor - Kenya National Examinations Council
Ms. Joyce Sabari - Kenya National Examinations Council
Mr. Jonh Kabui Mwai - Chair, Kenya Private Schools Association
Ms. Betty Kimani - Kenya Private Schools Association
Mr. Peter Ndoro - Kenya Private Schools Association

The Chairman called the meeting to order at 10.20am and opened with a word of prayer. He welcomed the Minister to the Committee and congratulated him on his new appointment as the Minister for Education. He thanked him for appearing before the Committee within a short period after his appointment. After a round of introductions he invited the Minister to make his presentation to the Committee on the petition on cancellation of 2011 KCSE results in Garissa, Wajir and Mandera counties.

MIN.NO. 37/2012

MEETING WITH THE MINISTER FOR
EDUCATION TO DISCUSS CANCELLATION OF
2011 KCSE RESULTS IN MANDERA, WAJIR
AND GARISSA COUNTIES

The Minister thanked the Committee for the invitation and pointed out that though he was new in the Ministry, the matter at hand was an important one and needed immediate attention. Thereafter, the Minister tabled a document entitled "Report to the Parliamentary Committee on Education, Research and Technology" dated 28th March 2012 and took the Committee through the document page by page. In this report the Minister stated that:

- i. The cancellation of the results of the 1,600 students was warranted because all the affected students were involved in the examination irregularities. Evidence to that effect was availed to the Committee.
- ii. Powers of the Kenya National Examination Council in handling examination irregularities are conferred by section 10 of the KNEC Act, 225A of the Laws of Kenya.
- iii. Collusion had been investigated and re-examined by KNEC and established beyond reasonable doubt that the affected candidates indeed colluded in the affected papers. The Minister equally demonstrated the various types of collusions and pointed out areas where collusion occurred.
- iv. Investigations conducted by KNEC have established that no KNEC official was behind the examination irregularities that occurred in the year 2011 KCSE examinations in Garissa, Wajir and Mandera counties. This submission was refuted by the Committee

- v. Cases of examination irregularities were rampant in the three counties (Mandera, Wajir and Garissa) in the last five years. Statistics were provided to support this claim.

The document was accepted by the Committee subject to the following amendments and deletions:

- i. Amendment of item 2.3.2(a) in page 13 by inserting the words *picked out of a sample* immediately after the word **teachers** in the second paragraph
- ii. Deletion of item 2.3.2(f) on page 15 and item 2.3.7 on page 21
- iii. Amendment of item 2.3.14 by substituting the word 'for' with 'following' in the 8th paragraph on that item on page 27

The Committee sought clarifications from the Minister on the following:

- i. How students get into examination rooms with unauthorized materials
- ii. The role of Head teachers in the examination centres
- iii. The punishment for those found abating cheating
- iv. The punitive measures against all head teachers found guilty of condoning examination irregularity
- v. The examination leakages emanating from KNEC and action taken against the perpetrators of the leakages
- vi. The process of question setting
- vii. How deceased candidates and those that never sat for examinations end up getting results or 'Y' results

The Hon. Aden Duale asked the Minister/Ministry/KNEC to provide the following information:

- i. The list of individuals sacked over exam irregularities in the KNEC, Police, and the Ministry of Education
- ii. The report of 2010 Mathematics paper leakage and the role of a Mr. Ngala of the Kenya National Examination Council
- iii. How exams are set, who sets, the criteria of selecting the setters, how the setters and moderators are paid and records of payments
- iv. How fair is the selection process of exam setters
- v. How long the KNEC CEO had been in office and when was his contract last renewed
- vi. The NSIS report on the KNEC, CEO
- vii. The supervisors reports on North Eastern Province
- viii. The report of the task force headed by Prof. Kabiru Kinyanjui after 2007 results computer error
- ix. The report by Mr. Osano Kute on ICT Audit of KNEC systems in 2010

During the meeting the Committee observed that:

- i. The KNEC had limited powers on actions it could take against those found guilty of examination irregularities offences. There was need to amend the Kenya National examination Act to enhance punitive measures on those found guilty of examination irregularities and the fraudsters involved in examination cheating racket.
- ii. The KNEC should be obligated to forward its annual reports on management of the examinations to Kenya National Assembly
- iii. It was necessary that all the affected students should be informed about the cancellation of their results in good time
- iv. The right of appeal by the students should be clearly stipulated in the law
- v. All students/candidates should be continuously informed of the ethics issues pertaining the examination process, irregularities and the consequences of cheating in the examinations
- vi. There were cases of multiple results for students and schools
- vii. There was need to invite the director Criminal Investigation Department to shed more light on various cases related to examination malpractices
- viii. There were no clear mechanisms of punishing the teachers in the private sector who were involved in examination malpractices
- ix. There was need to fast-track the Teachers Service Commission Bill and other legislation in the Ministry in order to institute the necessary reforms in the management of examinations and teachers.
- x. Improvement of the quality of education was a priority and examination management was an important segment of quality assurance.

The Committee directed the Minister to furnish the Committee with more information on the following:

- i. Evidence to link smuggled materials and questions sat by the candidates disqualified
- ii. The cases where KNEC officials were involved in examination leakages, cheating and malpractices, accurate details on what disciplinary action was taken against each officer

MIN.NO. 38/2012

DATE OF THE NEXT MEETING

The next meeting was to be held on Thursday, 29th March 2012 at 10:00am

MIN.NO.39/2011

ADJOURNMENT

There being no other business, the meeting was adjourned at 5.20pm.

SIGNED:
(CHAIRPERSON)

DATE: 17/04/2012

MINUTES OF THE SEVENTH SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD IN THE COMMITTEE ROOM 5TH FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS ON WEDNESDAY, 21ST MARCH, 2012 AT 10.00 A.M

PRESENT:

Hon. David K. Koech, M.P. - Chairperson
Hon. F.T. Nyammo, M.P. - Vice-Chairperson
Hon. John D. Pesa, M.P.
Hon. Bare Aden Duale, M. P (in attendance)

ABSENT

Hon. (Dr.) Joyce Laboso, M.P.
Hon. (Dr.) Wilbur Ottichilo, M.P
Hon. Alfred Bwire Odhiambo, M.P.
Hon. David Njuguna, M.P.
Hon. Barnabas Muturi Mwangi, M.P.
Hon. Shakila Abdalla, M.P.
Hon. Muhamed Sirat, MP

IN ATTENDANCE

Ms.Mary chesire
Ms. Rebecca Tonkei
Ms. Lynette Otieno

NATIONAL ASSEMBLY

- Clerk Assistant
- Research Officer I
- Parliamentary Intern

KENYA SECONDARY SCHOOLS HEADS ASSOCIATION (KESSHA)

Mr. Cleophas Tirop - Chairperson, KESSHA

MIN. NO. 28/2012

PRELIMINARIES

The Chairperson called the meeting to order at 11.00am and opened with word of prayer.

He welcomed to the Member of Parliament for Dujis Hon. Bare Aden Duale, M. P who presented the petition to Parliament on behalf of the petitioners on the cancellation of KCSE results. Hon. Duale in turn informed the Committee that he would be attending its sittings whenever the deliberations were on the matter in question.

MIN. NO. 029/2012

MEETING WITH MINISTER FOR EDUCATION

The Chairman informed the Committee the agenda of the meeting was to meet with the Minister for Education to discuss the following:

- i) Petition on the cancellation of KCSE results;
- ii) Form one admission; and
- iii) Reforms in the Ministry to be in line with the Constitution.

The Minister had failed to appear before the Committee as invited. It was unfortunate that a letter from the Ministry requesting for rescheduling of the meeting was received by the Committee when it was already in session. The Committee was concerned that the Minister seemed not to take seriously the Committee's invitations as it was the second time that he had failed to honour the invitation.

The Committee therefore agreed to give him the last chance to appear before the Committee on Wednesday, 28th March 2012. The Committee will consider options provided in the Powers and Privileges Act if the Minister fails to appear before the Committee.

MIN. NO. 030/2012

DELIBERATIONS

The Committee agreed as follows:

- i) The Committee will come up with recommendations on the best way to ensure that all the students whose results were cancelled would receive them without compromising the credibility of the Certification. The committee was informed that only 11 counties received all their results.

- ii) Cancellation of examinations results was a matter of national importance and there was need to seal all loopholes in order to deal with the issue of cheating with finality.
- iii) The Committee resolved to invite the following: Ministry of Education, the Kenya National Examinations Council, the Director General, National Intelligence Security Service (NSIS), Police Commissioner, Kenya Secondary School Heads Association, Kenya Primary School Heads Association, Kenya Private Schools Association
- iv) The Committee resolved to visit affected schools in Garissa, Wajir and Kajiado counties and any other centres in other parts of the country.
- v) The Ministry should formulate clear guidelines on form one selection and admission
- vi) The Committee resolved to carry out an audit of county representation in the student population in the National Schools. The Chairman undertook to follow up with the Kenya Secondary Schools Heads Association.

MIN. NO. 031/2012

ANY OTHER BUSINESS

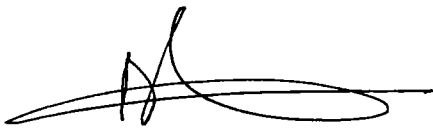
The Committee was informed as follows:


- i) **Visit to India:** The Committee was informed the Kenya Mission in India is yet to communicate on the exact dates when the programme should commence
- ii) **Visit to China:** The Committee was informed that the proposed visit to China 8th and 16th April 2012 was still on. The secretariat was asked to commence logistical preparations.

MIN. NO. 032/2012

ADJOURNMENT

The Chairperson adjourned the sitting at 12.10pm until Wednesday 28, March, 2012 at 10.00am.

SIGNED.....
 (CHAIRPERSON)

DATE.....

THE KENYA NATIONAL

P.O.Box 73598 - 00200 CITY

Telephone (+254-20) 341098/50/71, 317419

E-mail: exams@kneec.ac.ke

Website: www.examsCouncil.or.ke

Fax: (+254-20) 2226032

In reply please quote our Ref.



Council Secretary/Chief Executive
National Housing Corporation Building,
Aga Khan Walk, P O Box 73598 – 00200 City
Square, NAIROBI, KENYA

All official correspondence should be addressed
The Council Secretary/Chief Executive

KNEC/CONF/RS/SE/KCSE/IRR/2012/155

29th February 2012

Mr. Gabriel Lengoi boni
Secretary/Chief Executive
Teachers Service Commission
Private Bag
NAIROBI

Dear *Gabriel*

RE: DETAILS OF SCHOOL PRINCIPALS, SUPERVISORS AND INVIGILATORS FROM SCHOOLS IN GARISSA, WAJIR AND MANDERA COUNTIES WHERE CANDIDATES COLLUDED DURING THE 2011 KCSE EXAMINATION

- 1.0 During the year 2011 KCSE examination, the Kenya National Examinations Council (KNEC) received reports from **Supervisors, Invigilators, Candidates, Chief Examiners, Monitoring Officers** and **the General Public** on suspected cases of examination irregularities in schools in **Garissa, Wajir and Mandera counties**.
- 2.0 After thorough investigations were carried out by KNEC, it was established that **one thousand, six hundred and thirty seven (1,637)** candidates in **thirty eight (38)** examination centres in **Garissa, Wajir and Mandera counties** had been involved in collusion. Results for all candidates who were involved in collusion were cancelled. However, action needs to be taken against Supervisors, Invigilators and School Principals who may have abetted / been involved in the examination irregularities.
- 3.0 In this regard, KNEC wishes to forward to you details of School Principals, Supervisors and Invigilators of schools where candidates colluded during the 2011 KCSE examination, which have been summarized as per the attached

Page 1 of 2

table. KNEC is recommending that disciplinary action be taken against all School Principals, Supervisors and Invigilators who were directly involved in abetting / assisting candidates to cheat in the examination.

- 4.0 We thank you for the support we have received and continue to receive from the Teachers Service Commission as we continue to make efforts to curb the vice of cheating in examinations.
- 5.0 For further information or clarification, please do not hesitate to get in touch with us.

Yours faithfully,



PAUL M. WASANGA, MBS

COUNCIL SECRETARY/CHIEF EXECUTIVE

- cc. 1) Prof. Sam Onger, M.P, EGH
The Minister for Education
Ministry of Education
P. O. Box 30040 - 00100
NAIROBI
- 2) Prof. James Ole Kiyiapi
Permanent Secretary
Ministry of Education
P. O. Box 30040 - 00100
NAIROBI
- 3) Prof. George Godia
Education Secretary
Ministry of Education
P. O. Box 30040 - 00100
NAIROBI

THE KENYA NATIONAL EXAMINATIONS COUNCIL



NORTH EASTERN PROVINCE DETAILS OF HEADTEACHERS, INVIGILATORS AND SUPERVISORS OF EXAMINATION CENTRES INVOLVED IN COLLUSION

CENTRE CODE	CENTER NAME	HEADTEACHERS NAME AND TSC NUMBER	SUPERVISOR NAME AND TSC NUMBER	INVIGILATOR NAME AND TSC NUMBER
301101	GARISSA HIGH SCHOOL	DAUD A. BIRIYE(397760)	OSMAN ADAN OSMAN(228990)	SAMUEL B ASOGA(524559) HARIET YUSUF(442201) ABDIHARIM MATHAR(494185) AWALE HUSSEIN (458404) HASSAN SHEIK(375657)
301102	N.E.P GIRLS SECONDARY SCHOOL	EBIA H. ADEN (352081)	HASHIM IBRAHIM DAKANE (518689)	ESTHER OREMBE OLUTOLA(536270) AHMED DEKOW GUHAD(230742) NURIA AHMED OSMAN (413137) ABDULLAH HASSIN HAMUD(497483)
801103	COUNTY HIGH SCHOOL	ABDI M. ABDI (240816)	GEOFFERY EKONYA OTWERO(501883)	MUNYEKE MULI(477891) AHMED MOHAMED(256587) FRANCIS M. MWONGA(536278) ADEN ABDI H(474195) HASSAN ADENY(447195) ABASS DAUDI (293038)
801104	SANKURI SEC SCHOOL	IBRAHIM ABDULLAHI(379925)	MOHAMUD MOHAMED ABDI(233061)	MOHAMMED ALI(274028) YUSUF M. HASSAN(499690)
801106	YOUNG MUSLIM HIGH SCHOOL	IBRAHIM SURAW ADAN(386946)	IBRAHIM D. SAHAL(467926)	ABDIRASHID IBRAHIM(379719) HALIMA GURE(288026)
801107	IORA HIGH SCHOOL	KONCHORA GALGALLO(NO TSC NUMBER)	YAKUB BUTHUL SHURIE (472629)	MOHAMED SUGOW AHMED(196698) MSIBA S. CONSTABLE(512417)

CENTRE CODE	CENTER NAME	HEADTEACHERS NAME AND TSC NUMBER	SUPERVISOR NAME AND TSC NUMBER	INVIGILATOR NAME AND TSC NUMBER
801108	KHADIJA GIRLS' SEC SCHOOL	ALFRED NYAMACHE(N/A)	AGNES KANINI MUTUNGA(361156)	AMINA WAKARO (486957)
801109	BOYSTOWN SEC. SCHOOL	JORAM KAMENCIS (426503)	-	-
801112	IKHLAS INTERGRATED	MOHAMED ABDI TSC NO. 3979764	AHMED DEKOW KOSAR (319298)	OMAR ADAN (332149) MARION RUKUNGA (427246)
801113	AL IMAN HIGH	GAYLORD AMALEMBA TOSSI(480314)	MOHAMED IBRAHIM (262579)	M ABDI(364391) BISHARA M. ISSACK(457536) HUSSEIN HASSAN(299410)
802104	FURAHA DAY MIX SEC SCH	ADAN KASSIM FARAH(255873)	SUSAN G MOSETI(311151)	YUSUF HASSAN(386214) RASHID M HUSSEIN (329435) ABDULAH FARAH (398288) SAADIA ALI(449657) KALTUM ATSASS (355330) IBRAHIM A MURSAL(339026) ADEY A ABDI (340919)
802105	WASO MIXED	PETER M MUSYOKA(532821/Y)	ARDIKADIR NIIR ALI(188090)	HALIMA M SIRANE (341700) MOHAMUD A MUHUD(489427) ASLI HASSAN (233059) ABDI HASSAN (266011) GEDI SAMOW(492311)
802106	WABERI MIXED DAY SEC SCHOOL	MOHAMED SHEIKH HASSAN(375544)	ADAN NOOR ADAN(426082)	MUSA MURSAL MOHAMED(419838) HALIMA ADAN ABDI(340915) ABDINAHID HUSSEIN BARE(499550) DEYNABA HUSSEIN AHMED(250476)

CENTRE CODE	CENTER NAME	HEADTEACHERS NAME AND TSC NUMBER	SUPERVISOR NAME AND TSC NUMBER	INVIGILATOR NAME AND TSC NUMBER
803101	MANDERA SEC SCHOOL	MOHAMAD ALI(233414)	IBRAHIM O. ABDI(421279)	MOHAMED MUKTAR(466736) DISHON MWANGI(456253) GODFREY NDUNGU(435670) MOHAMED A ABDI(453229) ALI SHEIKH(430970) HASSAN D MOHO(448025) IBRAHIM S HAMUD(370822)
803102	MOI GIRLS MANDERA	ALI HASSAN ALI(429999)	ABURAS ALI FARAH(442229)	ABDILADIF SHEIK (466612) BARWADA ISSACK HASSAN(474008) QAMAR A ALI(421274) MARIAM SHEIKH ADAN(421285) KAMILA A SHEIKH(456484) ABDIKADIR MOHAMED(211200) MOHAMED MADEY (314408) NAJMA O ABDULLA(293073)
803103	BORDER POINT SECONDARY SCHOOL	NICHOLAS KAMURU NJAGI(322334)	BARRE MOHAMED SHABURE(366837)	ZAINAB H.MAMO (160064) ABDIKARIM E. ALI (344711) ABDIAZIZ MAALIM IMAN(425230)
803104	MANDERA INTERGRATED	NATHAN OMBAKI MAKORI	SAMUEL M. WAHOME (446530)	FATUMA BASH (458575) PAUL M. MWANGI (440554) MOHAMED ISSAK (0014336) HASSAN S. AN (2114909)
803105	JOHAR SECONDARY SCHOOL	JUSTUS MAINA (N/A)	AHMED ALI (N/A)	HAWA MOLU (457535) M. A. HUSSEIN (202594) SAHARA SH. MUKTAR (8760014)

CENTRE CODE	CENTER NAME	HEADTEACHERS NAME AND TSC NUMBER	SUPERVISOR NAME AND TSC NUMBER	INVIGILATOR NAME AND TSC NUMBER
803106	TOWFIQ SECONDARY SCHOOL	D. WAMBUGU (N/A)	YAKUB MOHAMED (489828)	ABDIMALIK M. ALI (476391) M. A. HALLOW (230706) ANAB MOHAMED (421272) HALIMA IBRAHIM (449233) ABDIAZIZ H. ELMI ((430966) AHMED AFTIN ALI (425317)
803201	ARABIA BOYS SECONDARY SCHOOL	MOHAMED OMAR ABSIYE (203263)	STEPHEN MUTINDA WATHOME (454452)	MUKTAR M. ISSACK (233686) MOHAMED SALAH ADAW (457565) HASSAN DAHIR NOOF (499635)
803202	ARABIA GIRLS SEC SCHOOL	MUHAMMED IBRAHIM ADAM(285784)	AMINA SHEIKH IBRAHIM(430964)	MUHAMMED M. IBRAHIM(489826)
804101	SHURIE SEC SCHOOL	HARUN MUKTAR (310880)	KHALIF YUSSUF MURSAL(340721)	ABDULLAHI YUSSUF(458388) HAMISIM MUSA(479070) ALI YUSSUF(458391) AHMED SAID(4583392)
804102	YUSSUF HAJI GIRLS SCHOOL	MARIAM A. OLIEVA (322427)	ABDI HASSAN AHMED (314146)	MARYAN M. OVOW(441852) ANAB ABDI M. (397664)
806101	BURA SECONDARY SCHOOL	ABDULLAHI O. IBRAHIM (429996)	ROBERT MURIITHI NJIRU (367654)	AMONDE BERNARD (528707) MUGOR ISMAIL (421202)
807102	BUTE GIRLS SECONDARY	AHMED MAALIM YUSSUF (315852)	ALI HUSSEIN ALI (167517)	NASTEHA ALI (458638) HASSAN ALASOW (448814)
808101	GRIFTU SECONDARY	A. M. ROBLE (293071)	ABDI HASSAN ABDULLAHI (280252)	MOHAMED M. JELLOV. (480400) KHALIF Y. ALI (345757) ABDIRAHMAN W. IBRAHIM (457328)
812103	RHAMU SECONDARY SCHOOL	FEISAL KERROW AHMED (N/A)	DAVID MOHAMED HUSSEIN (293064)	KALTOMA A. BULLE (331030) ALI HUSSEIN ADAN (267963) ANAB ASSACK HAJI (459257)

CENTRE CODE	CENTER NAME	HEADTEACHERS NAME AND TSC NUMBER	SUPERVISOR NAME AND TSC NUMBER	INVIGILATOR NAME AND TSC NUMBER
812102	RHAMU GIRLS	ZAHARA BASHIR SHEIKH (365698)	KERROW KULLOW DUBE (368262)	HABIBA A. ALI (331029) ALI HAJI SHABULE (370611)
812201	ASHABITO SECONDARY	AHMED MOHAMED ABDI (234298)	WARIO D. GUYO (489418)	JOHN M. NJUE (445337) JOHN G. KING'ORI (457134) ISSACK SHEIH (382970) ABDIKADIR M. ALI (470918) HOTHAN S. ABDI (474014) IBRAHIM H. ABDI (512887)
814101	LAFEY BOYS SECONDARY	VIKEDI MUTALI (463488)	ADOW DIIS YARROW (499637)	MOHAMED HASSAN (499634) KULA D. ABDI (343538) SIYAT A. ALI (519421)
816101	BALAMBALA SECONDARY	FARAH A. IBRAHIM (416458)	ABDI AHMED IBRAHIM (397744)	AHMED ABDI ADEN (477288) MOHAMED ADEN DUBE (518903)
817101	WAYAM SEC SCHOOL	ADAN HUSSEIN IBRAHIM(375221)	ABDULLAHI I IBRAHIM(205879)	MOHAMED H SHARIF(489824) ALI NOR IBRAHIM(441998)
819101	BUNA SEC SCHOOL	ABDI HAJI (416457)	ABDISALAN NURKEY OSMAN(397888)	ABDINOOR G HASSAN(255868)
820101	HABASWEN BOYS SEC SCHOOL	HUSSEIN A ABDI(307081)	ISSACK MUKTAR HUSSEIN(4777303)	ADEN HILIYE(453336) HUSSEIN OMAN(370590) ABDIRAHMAN HARET(398331)
820103	HABASWEN MIXED SCHOOL	HARET ABDI HUSSEIN(375178)	ERIC WAWERU MACHARIA(470070)	ABDIKADIRA JAMA(447108)

CENTRE CODE	CENTER NAME	HEADTEACHERS NAME AND TSC NUMBER	SUPERVISOR NAME AND TSC NUMBER	INVIGILATOR NAME AND TSC NUMBER
980503	TOWFIQ SEC SCHOOL	HASSAN ABDI SANEY	WANG'ANYA M SHADRACK(513081)	ABDULLAHI JAMA(452949) HASSAN SALAU ABDI(471293) AMIN ABDI DIGALE(522929) GIBERT MUNGA(450609) MERCY CHEBE(506582) AHMED SHEIK (474070) ABDIRASHID (458398)
980100	GARISSA PRIVATE1	DAUD BIRIYE(397760)	ALI MADHBE (37916)	ADAM ABDULAH(339051) FARHIYA J ALI(413139)

THE KENYA NATIONAL EXAMINATIONS COUNCIL

P.O.Box 73598 – 00200 City Square, NAIROBI, KENYA.

Telephone (+254-20) 249178 / 247344 / 2226884

E-mail: exams@africaonline.co.ke

Website: www.examsCouncil.or.ke

Fax: (+254-20) 2226032

In reply please quote our Ref.



Council Secretary/Chief Executive
National Housing Corporation Building,
Aga Khan Walk, P O Box 73598 – 00200 City
Square, NAIROBI, KENYA

All official correspondence should be addressed
The Council Secretary/Chief Executive

KNEC/CONF/RS/SE/KCSE/IRR/2010/151

2nd September 2010

Mr. Gabriel Lengoiboni
Secretary/Chief Executive
Teachers Service Commission
Private Bag
NAIROBI

Dear *Gabriel,*

RE: EVIDENCE ON TEACHERS, SCHOOL PRINCIPALS, SUPERVISORS AND INVIGILATORS WHO ABETTED CHEATING DURING THE 2009 KCSE EXAMINATION

Reference is made to our letter referenced *KNEC/CONF/RS/SE/KCSE/IRR/2010/137* dated 3rd May 2010 and your letter referenced *TSC/CONF/264/VOL.VII/12* and dated 7th July 2010 in regard to the above mentioned matter.

Enclosed, please find evidence on each of the cases in the table below as per your letter:

NAME, ADDRESS & TSC NUMBER OF OFFICER TO BE DISCIPLINED	DESIGNATION OF OFFICER	NATURE OF IRREGULARITY	EVIDENCE ENCLOSED
1.0 <i>Tresphone O. Obunge</i> TSC No. 199790	Supervisor, Ongalo Mixed Secondary School (701024)	Massive collusion	<ul style="list-style-type: none"> Copy of letter to school on cancellation of results; Copy of Investigative report by the District Education Officer, Kisumu East district, which includes statements from the Supervisor, Invigilators, Deputy Principal among others.
2.0 <i>Joel M. Omino</i> TSC No. 452170	Invigilators, Ongalo Mixed Secondary School (701024)		
3.0 <i>Charles G. Okeya</i> TSC No. 116636			
4.0 <i>Charles Aokoh</i> TSC No. 437958			
5.0 <i>Erica Ogana</i> TSC No. 145663	Supervisor, Ombogo Girls Academy (704309)	Massive collusion	<ul style="list-style-type: none"> Copy of letter to school on cancellation of results.
6.0 <i>Oluoch C. Brenda</i> TSC No. 475944	Invigilators, Ombogo Girls Academy (704309)		
7.0 <i>Sylvester Otiemo</i> TSC No. 451396			
8.0 <i>Risper A. Ogwa</i> TSC No. 260147			

NAME, ADDRESS & TSC NUMBER OF OFFICER TO BE DISCIPLINED		DESIGNATION OF OFFICER	NATURE OF IRREGULARITY	EVIDENCE ENCLOSED
9.0	Omondi Lucas Lando TSC No. 219777	Supervisor, Koderobara Secondary School (717102) Invigilators, Koderobara Secondary School (717102)	Massive collusion	<ul style="list-style-type: none"> ▪ Copy of letter to school on cancellation of results.
10.0	Otieno George TSC No. 270584			
11.0	Gladys Agolla TSC No. 140193			
12.0	George Omundo TSC No. 400265			
13.0	Benson O. Owuor TSC No. 110873			
14.0	John O. Otaye TSC No. 340399			
15.0	Cleopas A. Abuoro TSC No. 205722			
16.0	Sam Mananga TSC No. 335229	Supervisor, Mutuini High School (401029)	Negligence of duty	<ul style="list-style-type: none"> ▪ Copy of Report by KNEC Monitoring officer.
17.0	Bosire N. Laban TSC No. 233776	Principal, Nyakome Friends Secondary School (703214)	Impersonation	<ul style="list-style-type: none"> ▪ Copy of letter to school on cancellation of results; ▪ Copy of Report and Certificate of Supervision; ▪ Copy of Report by Provincial Director of Education, Nyanza province; ▪ Copy of Report by District Education Officer, Marani district.
18.0	George K. Ogaga TSC No. 138834	Principal, Lake View Secondary School (704210)	Impersonation	<ul style="list-style-type: none"> ▪ Copy of letter to school on cancellation of results; ▪ Copy of Report by District Education Officer, Homa Bay district ▪ Copy of Report by Provincial Director of Education, Nyanza province; ▪ Copy of Report and Certificate of Supervision; ▪ Copy of letter by the School Principal on the case.
19.0	Josiah S. Getenga	Principal, Blue light Township Secondary School (711127)	Impersonation	<ul style="list-style-type: none"> ▪ Copy of letter to school on cancellation of results; ▪ Copy of Report and Certificate of Supervision; ▪ Copy of Report by Provincial Director of Education, Nyanza province.
20.0	Shem Okinda TSC No. 492870	Teacher, Magena Secondary School (711204)	Widespread examination irregularities	<ul style="list-style-type: none"> ▪ Copy of letter to school on cancellation of results; ▪ Copy of Report by KNEC Monitoring officer; ▪ Copy of anonymous letter from "Concerned parents"; ▪ Copy of letter from former school driver.
21.0	Hezekiah A. K. Oseko TSC No. 211685	Supervisor, Magena Secondary School (711204)		
22.0	Daniel Nyekwenye TSC No. 171619	Invigilators, Magena Secondary School (711204)		
23.0	James O. Nyambane TSC No. 235098			
24.0	Alice K. Ontansi TSC No. 361629			

NAME, ADDRESS & TSC NUMBER OF OFFICER TO BE DISCIPLINED		DESIGNATION OF OFFICER	NATURE OF IRREGULARITY	EVIDENCE ENCLOSED
25.0	<i>Mwiti Isiri</i> , TSC No. 503741	Teacher, Wangirabose Mixed Secondary School (718105)	Collusion	<ul style="list-style-type: none"> ▪ Copy of letter to school on cancellation of results; ▪ Copy of letter and report by the School Principal; ▪ Copy of letter from the <i>Ntimaru Police Station, Kehancha</i>; ▪ Copy of report by Provincial Director of Education, Nyanza province on cheating in the school. ▪ Copy of letter from candidate involved in the examination irregularity.
26.0	<i>Charles Chacha</i> TSC No. 474317	Teacher, Kegonga Mixed Secondary School (718201)	Collusion	<ul style="list-style-type: none"> ▪ Copy of report by Provincial Director of Education, Nyanza province ▪ Copy of letter and report by the School Principal, <i>Wangirabose Mixed Sec. Sch (718105)</i>; ▪ Copy of letter from <i>Ntimaru Police Station, Kehancha</i>.
27.0	<i>Giriama Busunkwi</i> TSC No. 352199	Principal, Maeta Mixed Secondary School (718205)	Impersonation	<ul style="list-style-type: none"> ▪ Copy of letter to school on cancellation of results; ▪ Copy of Report and Certificate of Supervision; ▪ Copy of report by Provincial Director of Education, Nyanza province on cheating in the school. ▪ Copy of Report by KNEC Monitoring officer.
28.0	<i>Omote K. N. Osoro</i> TSC No. 324707	Principal, Kiabigoria Secondary School (719108)	Impersonation	<ul style="list-style-type: none"> ▪ Copy of letter to school on cancellation of results; ▪ Copy of KNEC's letter to TSC requesting for transfer of teachers who reported cheating in the school to KNEC; ▪ Copies of letters to TSC and reports by teachers who reported cheating in the school to KNEC; ▪ Newspaper clippings on cheating in the school; ▪ Copy of report by Provincial Director of Education, Nyanza province on cheating in the school.

Please note that evidence for *Kaplong Secondary School (533104)* has not been attached as investigations into the involvement of *Anna Mutai, the Deputy Principal* in examination irregularities in the examination centre during the year 2009 KCSE examination are still ongoing. We will keep your office updated on the findings of the investigations once the investigations are concluded.

In regard to the cases presented to the Teachers Service Commission by KNEC, we wish to note the following:

- 1.0 Collusion by candidates during an examination in most cases occurs as a result of lapses in supervision and invigilation and as such in situations where there is massive collusion, supervisors and invigilators must be held accountable.

For examination centers where candidates were involved in massive collusion during the year 2009 KCSE examination, we have only attached letters to the schools communicating the decision by KNEC to cancel the candidates' results. This is because in cases of collusion, KNEC does not need any written reports from any source to cancel candidates' results. This is due to the fact that KNEC has very comprehensive mechanisms for detecting collusion which have proved to be effective in the past. However, in cases where such reports exist, they have been enclosed as further evidence.

- 2.0 Further investigations conducted by the *District Education Officer, Kisumu East district* as per the report attached under 1.0 to 4.0 in the table above reveal that apart from the Supervisor and Invigilators of *Ongalo Mixed Secondary School (701024)*, the School Principal (*Doreen Andele, TSC Number: 240426*) played a role in abetting examination irregularities in the school during the year 2009 KCSE examination and as such disciplinary action should also be taken against her.
- 3.0 Most of the documents enclosed are confidential and as such should be treated with confidentiality.

We thank you for the support we have received and continue to receive from the Teachers Service Commission as we continue to make efforts to curb the vice of examination irregularities.

Yours faithfully,



PAUL M. WASANGA, MBS
COUNCIL SECRETARY/CHIEF EXECUTIVE

MINISTRY OF EDUCATION

Telegrams: "EDUCATION", GARISSA
Telephone: 046-2358/2511
Fax: 046-2358
When replying please quote
Ref: No. EDG/CON/I/VOL II/170



DISTRICT EDUCATION OFFICER
P. O. BOX 42
GARISSA

Date 10TH November 2011

THE PROVINCIAL DIRECTOR OF EDUCATION
NORTH EASTERN PROVINCE
P.O. BOX 8
GARISSA

RE: KCPE AND KCSE INCIDENCES

On November 10th 2011 the following incidences occurred;

(i) BOYSTOWN SECONDARY SCHOOL

A candidate by the name Osman Gedi Mohamed, index 80110066, Random No. 488367066 was caught by the supervisor with a history text book, titled Precise, during the history paper two examinations. Immediately the supervisor informed the DEO who advised the supervisor to write a report and enclose the confiscated material together with the answer sheets. This was done and was witnessed by a KNEC exam monitor who was present.

(ii) SSR LEAKAGE

In the morning of 10th November 2011, an officer from National Security Intelligence Service (NSIS) Garissa called me and inquired whether I had any information on the alleged leakage in SSR KCPE examination. I informed them that I was not aware but requested the officer and his team to do all they could in order to obtain the papers.

At around 11am the NSIS officer called me while I was monitoring exams in the field and informed me that they had acquired the Social Studies and Religious Education (SSR) Paper, 2011. I requested them to bring the paper to me at Bulla Iftin Primary where I was and at around 11:30 am they did so. On comparison of the paper and the SSR paper which had just been done and had ended we found that the questions were similar. What we noted was that the serial number for the confiscated paper was 001051632, but the Code Number for SSR papers for Garissa District all started with 00001.....

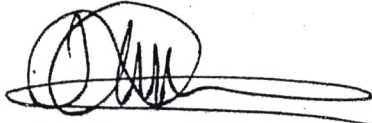
(iii) BULLA IFTIN PRIMARY SCHOOL.

The supervisor reported that a KNFC monitor managed to confiscate shirts of two candidates Index No: 801111046 which had answers written on them. One boy's shirt who was in the 3rd class had numbers 46-90 written on his shirt while the 2nd boy who was in the 5th class had numbers 1-45 written on his shirt.

The supervisor recorded the full details of the two boys in the return supervisor declaration on exam irregularities/dishonest table.

Attached herewith find copies of the SSR KCPE paper from the NSIS officer Serial No.001051632, SSR KCPE Paper from Garissa District Serial No.000012890. and Bulla Iftin supervisor report.

Thank you.



NUR I. ABDI
DISTRICT EDUCATION OFFICER
GARISSA

C.C
The Permanent Secretary
Ministry of Education
NAIROBI.
Attn: Director Field and other Services

**MINUTES OF THE DEB MEETING HELD ON 17/11/2011 AT THE DC'S
BOARDROOM STARTING AT 10:00 AM**

Members Present

1. Paul Lokol	-	DO	Ag Chairman
2. Nur I. Abdi	-	DEO	Secretary
3. Abdi M. Abdi	-	KESSHA	Chairman Member
4. Hassan O. Shurie	-	CDF Dujis	"
5. Zeinab Ali Idow	-		"
6. Zahra Hassan Ahmed	-		"
7. Maryan Hussein	-		"
8. Abdullahi B.M.	-		"
9. Cllr. Ismail M.Garat	-	Mayor	"
10. Ibrahim Atosh	-	KNUT Ex. Sec.	"

In Attendance

1. Samwel Macharia Ng'ang'a - DQASO -Taking minutes

Agenda

- 1) Preliminaries
- 2) Matters arising
- 3) Secondary schools fees structures for 2012
- 4) Infrastructure grants for primary/secondary school for 2011/2012
- 5) Registration of schools
- 6) ICT for schools
- 7) Boarding grants
- 8) A.O.B.

Min 1/17/11/2011: Preliminaries

The meeting started with a word of prayer from Sheikh Ismail Issack at 10:00 am. ~~The chairman welcomed all the members to the meeting and urged them to~~ deliberate freely and openly the issues at hand in order to come up with resolution which would help improve education standards in the district.

The secretary then read the minutes of the previous meeting. The minutes were proposed as true copy by Maryan Hussein and seconded by Hassan Osman Shurie.

Min 2/17/11/2011: Matters Arising

The secretary reported that the KCSE and the KCPE examination had ended well. He however noted that a few irregularities were reported in several schools during the examination period. These included:- A student by the name Osman Gedi Mohamed Index No. 80110066 from Boystown was caught with a History textbook during History Paper 2 examination by the supervisors;

At NEP Girls an external monitor reported that a girl had a paper which she swallowed on spotting the monitor, but there was no proof of the same; a girl at Hyuga girls Primary was caught with a mobile phone which later was found to have contained answers from questions 1-50; Two boys at Bulla Iftin primary school were caught with answers written on their shirts during the SSR papers; there were also complains by supervisors and invigilators over an external monitor namely Mr. Iraya for intimidating candidates by walking inside the exam room with a security officer as the examination was going on; and finally on the last day of KCPE, the DEO had received a call from NSIS over an alleged SSR paper which was in circulation in town. At around 11:30 am after the SSR paper was over the NSIS officer brought the SSR paper and upon comparison with the one which had just been done, the questions were found to be similar. However, the serial number for the confiscated paper was 001051632 while the serial number for SSR papers for Garissa District all started with 00001..... This incident was immediately reported to the secretary KNEC and the Permanent Secretary, MOE. The DEO also visited in person and reported the incident to the two officers in Nairobi. He was assured this will only affect the candidates who had been involved in the irregularities.

The chairman noted that it was important for the examination rules and regulations to be adhered to as stipulated. He also noted that those involved in irregularities should be dealt with as individuals and innocent candidates should not be victimized for other person's mistakes.

Min 3/17/11/2011: Secondary Schools fees structures

The secretary represented four secondary schools fee structures for deliberation and approved by the DEB. These were County High, NEP girls secondary, Sankuri secondary and Boystown secondary schools. The KESSHA chairman took the members through the budgets for both the boarding and day schools fees structure for 2012.

The boarding schools had proposed an increase in the fees from Kshs. 20,927 for 2011 to ksh. 26,127 for 2012 apart from county High whose fee had been proposed to be Kshs. 29,127 due to the bus levy amounting to Kshs. 3000 per annum.

The DEO proposed for amendment of the fees structures by reducing B.E.S by Kshs. 1000 and Personal Emoluments by kshs. 1000 to give a total of kshs. 24,127 for boarding schools.

After a lengthy deliberation, the DEO was overruled by other members and the fees structures for the three boarding schools were approved as presented by the schools without any amendments, i.e County- kshs 29,127, NEP Girls- ksh. 26,127 and Sankuri Kshs. 26,127

For Boystown Secondary School which is a day school , the proposed fee was Ksh. 15,385 for 2012 from Kshs. 10,633 for 2011.

After lengthy deliberation, members resolved that the school should increase the current fees by only Kshs. 2000 to give a total of Kshs. 12, 633 for 2012. This amounts were to be an increase in PTA vote head Kshs.1000, lunch 400, Computer maintenance Kshs.300 and Activity Kshs.300.

The initial amount of Kshs. 15,385 was rejected by member because day schools were meant to caution parents who were unable to take their children to boarding school hence should be affordable, considering that the same school had increase fee in 2011 based on understaffing. All these changes in fees structure for all the schools were subject to fees guideline from the Ministry of Education in 2012.

Min 4/17/11/2011: Infrastructure grants for primary/secondary schools for 2011/2012

The following schools were approved for infrastructure grants in order of priority:

Primary schools

	School	Priority Need	Reasons	Unit Cost Kshs.	Total Kshs.
1	Najah Primary	School fencing 4 toilets	-Land grabbing -Increasing enrolment against available sanitation facilities	2.2m 80,000	2.2m 320,000
2	ADC Primary	4 classrooms 5 toilets	-Large enrolment with few classes -High enrolment, no enough facilities	700,000 80,000	2,800,000 400,000
3	Shabah	3 classrooms 2 toilets	-Large enrolment with few classes -Increasing enrolment, few sanitation facilities	700,000 80,000	2,100,000 160,000
4	Bulla Iftin Primary	Fencing	-Land grabbing	2.2m	2.2m
5	Hyuga Girls	Fencing	-Land grabbing & Girls security	2.2m	2.2m
6	Nasiib	Fencing	-Land grabbing	2.2m	2.2m
7	Abdi Samit	2 Classrooms 2 toilets	-Large enrolment -Increased enrolment, no sanitation facilities	700,000 80,000	1,400,000 160,000

Secondary schools

	School	Priority need	Reasons	Unit cost Kshs.	Total Kshs
1	Tetu Secondary	Laboratory	-Increased enrolment with only one small laboratory	3m	3m
2	Sankuri	Laboratory	-Increased enrolment	3m	3m
3	Boystown	Laboratory	-Increased enrolment (3streams) and has one small laboratory	3m	3m
4	Umu -Salama	2 classrooms	-Increased enrolment	700,000	1,400,000
5	NEP Girls	2 Classrooms	-Increase enrolment	700,000	1,400,000

Min 5/7/11/2011: Registration of schools

The following schools was approved for registration:

Secondary school

- 1) Sankuri Secondary School – 3rd stream

Primary schools

- 1) Lago Primary School
- 2) Bulla Nur Primary School
- 3) Nunow Primary School

Min 6/17/11/2011: ICT for schools

The DEB identified and approved Sankuri Secondary School for ICT for schools for Garissa district, for the year 2011/2012.

Min 7/17/11/2011: Boarding Grants

The secretary presented a request from two organizations namely Alfaroque and Najah Orphanage Centres, for boarding grants from the MOE.

After a lengthy deliberation a sub-committee was constituted to meet the management of the two centres by the end of the term or early next term in order to discuss on how to harmonize the operations of the primary schools and the centres once the grants are granted by the MOE. Hence the sub-committee would table its finding for the DEB in the next meeting on whether the grant should be approved or not.

The members were:-

- | | | |
|------------------------|---|-------|
| 1. NURI ABDI | - | DEO |
| 2. ABDI I. ABDI | - | KESHA |
| 3. BISHAR MAALIM | - | DCO |
| 4. SAHARA HASSAN AHMED | | |
| 5. IBRAHIM ATOSH | - | KNUT |
| 6. MARYAN HUSSEIN | | |

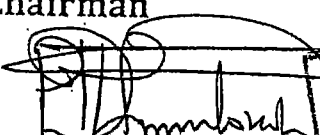
Min 8/17/11/2011: AOB

- The DEB members proposed a visit to Boystown Secondary School on 23rd November 2011, to talk to the students and the school management.
- Secondary schools appealed for consideration in 2012 by the DSG during food allocation.
- The DEB members resolved that names of all scholarship beneficiaries should be published and the list presented to the DEB.


There being no any other business, the chairman thanked members for attending the meeting and for their deliberations.

The meeting ended at 12:38 pm.

Chairman


DISTRICT COMMISSIONER
GARISSA

Secretary


DISTRICT EDUCATION OFFICER
GARISSA
18/11/2011

GARISSA DEB EXAM CANCELLATION FACT FINDING TEAM

DATA ANALYSIS INTERPRETATION AND PRESENTATION

1. Introduction

The study had sampled 90 respondents out of which 90 participated giving a response of 100%

2. Respondent type

Data was collected from a sample of students, parents and teachers and shown in the table 1.1.

Table 1.1 respondent type

Respondent	Frequency	%
Students	30	33.33
Teachers	30	33.33
Parents	30	33.33
Total	90	100

3. Name of schools covered

Respondents to the study were drawn from various schools in the district. This was summarized in table 1.2

Table 1.2 : Schools covered

Respondents	Frequency(no. of respondents)	%	Cumulative %
Sankuri Secondary	9	10	10
Umusalama Girls	9	19	20
Jaribu Primary	9	10	30
NEP Girls	9	10	40
Iklas High	9	10	50
Boystown Secondary	9	10	60
Garissa High	9	10	70
Khadija Girls	9	10	80

Mnara Academy	9	10	90
County High	9	10	100

4. Percentage of sample of respondents by gender

	Frequency	Percentage	Cumulative %
Male	61	68	68
Female	29	32	100
Total	90	100	

5. Exam leakages

Students, teachers and parents were asked whether there were exam leakage/cheating in KCSIE and KCPE examinations. Their responses were given as shown below;

	Yes	No
Students	6	24
%	25	75

6. The following were some of the methods leaked materials reached students as sighted by students;

- ✓ Face book/phones
- ✓ KNEC officials selling papers to students
- ✓ Corrupt supervisors
- ✓ Business people selling paper to students
- ✓ Signals by students in the exam room and books and prepared notes
- ✓ Collusion between teachers and students
- ✓ Accessing papers/questions in advance by students
- ✓ Invigilators collusion with students
- ✓ Writing on cloths and sandals

7. Some of the reasons for cheating were noted by students as;

- ✓ Fear of failure
- ✓ Anxiety /stress
- ✓ Fear of parent/ parental pressure
- ✓ Poor preparation
- ✓ Need for success in examination
- ✓ Lack of confidence
- ✓ Poor syllabus coverage
- ✓ Indiscipline
- ✓ Peer influence
- ✓ Leakage of exam by KNEC
- ✓ Shortage of staff
- ✓ Truancy

8. Students were asked whether supervisors/invigilators were involved in examination irregularities. Their response was noted on the table below;

	Yes	No
Students	6	24
%	25%	75%

9. Some of the ways to curb irregularities as noted by students were;

- ✓ Strict supervision/invigilation
- ✓ Arrest of people spreading leakage
- ✓ Proper preparation by the students
- ✓ Overhauling KNEC
- ✓ Completion of syllabus on time
- ✓ Strict monitoring of examination by KNEC
- ✓ To have continuous assessment test included in examination
- ✓ Hiring invigilators/supervisors from other ministries other than teachers.
- ✓ Avoid phones in exam centers
- ✓ Vigorous surveillance by the police
- ✓ Improve staffing
- ✓ Guidance and counseling for students
- ✓ Parental involvement in exam administration

10. Parents were asked whether there was cheating during 2011 KCSE exam. Their responses were recorded as below;

	Frequency	Percent
I strongly agree	4	13.3%
I agree	4	13.3%
Indifferent	3	10%
I disagree	6	20%
I strongly disagree	13	43.3%

11. Parents' response on people responsible for cheating. Their responses were recorded as below;

	Frequency	Percent
Parents	2	6.7%
Students	7	23%
Teachers	2	6.7%
Business people	6	25%
Others	13	43%
Total	30	100%

NB: Others included KNEC and students from national schools as indicated by parents.

12. Teachers were asked reasons for exam leakages. Their responses were as follows;

- ✓ Unpreparedness of students
- ✓ Improve ones performance
- ✓ Collusion among candidates
- ✓ Competition among schools/students
- ✓ Poor syllabus coverage
- ✓ Corrupt exam handlers e.g. KNEC
- ✓ Insecure exam storage
- ✓ Students indiscipline
- ✓ Need for headteacher to perform
- ✓ Presence of cartels selling genuine and fake exam materials
- ✓ Poor supervision/invigilation

13. Teacher’s response on whether there was leakage. Their responses were as follows;

	Yes	No	Indifference
Teachers	18	8	4
%	60%	27%	13%

14. Teachers’ response of examination leakages;

(i) Who are involved;

- ✓ KNEC officials
- ✓ Students
- ✓ Supervisors/invigilators/teachers
- ✓ Security officers
- ✓ School heads/principals

(ii) How it is done

- ✓ Teachers answer questions for students
- ✓ Accessing exam papers before time from KNEC
- ✓ Exam materials leaked in exam rooms
- ✓ Students’ cooperation in cheating
- ✓ Parents provide funds for cheating
- ✓ Teachers intimidated/compromised
- ✓ Security officer compromised

15. (i) On whether teachers thought leakages were genuine. Their responses were as below;

	Yes	No	Indifferent
Teachers	11	13	6
%	37%	43%	20%

(ii) Reasons why they thought leakage was genuine

- ✓ Circulation of genuine papers in advance
- ✓ Photocopies of examination papers available before exam is done
- ✓ Candidates confession after the exam that the question in papers same as they had seen before.
- ✓ Students bringing questions to teachers which turn out to be the same with those in exam papers.
- ✓ In 2007 some people arrested with exam papers.

16. Whether KNEC was justified to cancel exam. Teachers response;

	Yes	No	Indifferent
Teachers	6	20	4
	20%	67%	13%

17. Their Responses on alternative approaches which can be used by KNEC in addressing irregularities;

- ✓ Raise pass marks to curb the situation
- ✓ Penalize the subject in question only
- ✓ Give emergency papers
- ✓ Re-sit for the subject affected only.

18. Steps which KNEC can employ to stop cheating

- ✓ Guidance and counseling of learner
- ✓ KNEC employ supervisors and invigilators who are not teachers.
- ✓ Educate students on importance of honesty
- ✓ Exam to be done when all other students are away
- ✓ Strengthen KNEC to curb leakage
- ✓ Tight security for examination
- ✓ South Sudan to be banned from doing the same exam as it may be the source of the leakage.
- ✓ Outsource exams from outside the country.
- ✓ Exam body to be put under performance contract.
- ✓ Proper and strict supervision
- ✓ KNEC overhaul
- ✓ Use of electronic detector to curb mobile phones.

OTHER INFORMATION ON IRREGULARITIES AS PROVIDED BY THE RESPONDENTS

- ✓ There was material leaked in exam rooms
- ✓ The KCSE and KCPE material for 2007 were readily available before hand.
- ✓ There was discrimination in punishing irregularities where certain regions e.g. NIEP were targeted
- ✓ Innocent students punished for a mistake which was beyond their control
- ✓ KNEC officials were liable for the leakages.
- ✓ Schools from the rest of the county had exams before hand and distributed the same through phones and emails.
- ✓ Candidates had carried books and written materials in the exam rooms
- ✓ Students were copying from each other in the exam rooms
- ✓ There were threats to invigilators when they tried to be strict or when they wanted to report irregularities.

CONCLUSION

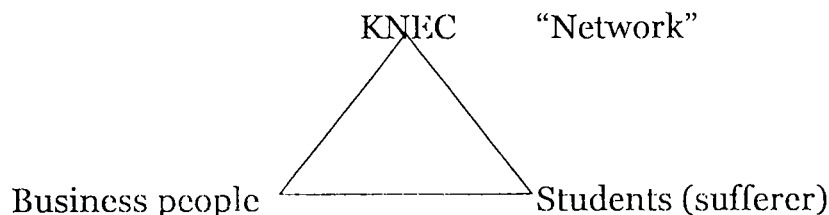
While majority of the respondents felt there was no leakage, a certain percentage agreed that there was leakage in the National examination. 25% of students, 27% of parent and 60% of teachers felt there was leakage/irregularities in the national examination in our schools.

The respondents also agreed that the leakage methods used were varied and different players were involved in the same.

43% of parents specifically felt that KNEC was responsible while 23% felt the students were responsible and 20% felt business people were responsible.

It emerged that the examination irregularities involved a network of people which included KNEC officials, business people and students

From the network only one of the players i.e. the students suffered.



RECOMMENDATIONS

1. There was need for general overhaul of KNEC in terms of management and legislation as it was the major culprit in examination leakage and was the sole body responsible for setting, storage and distribution of examination.
2. The team recommended a ranking system that recognizes the efforts of everyone. This was because one of the motivating factors for leakage/irregularities was rewarding of schools and students. This puts pressure on schools heads and students to use all means to be at the top.
3. Where there is suspicion of leakage/irregularities, KNEC should use (discretely) the previous mock results for moderation or moderate the national exam by raising pass mark. Alternatively, KNEC should give a re-sit of the affected paper.
4. KNEC can use the remaining papers for ranking and let the candidates forfeit the paper in question.
5. There is need for campaign to sensitize the students on the effects of cheating. All stakeholders should spearhead the campaign to eradicate cheating/irregularities in the region.
6. The head of institutions should completely desist from the cheating temptation in their institution. In case of cheating in an institution the head should bear the responsibility and face the consequences.
7. Stiff penalty should be meted on the people selling/dealing with the distribution of leaked materials.
8. The department of quality assurance should ensure that thorough curriculum supervision to ensure syllabus is covered on time and students are adequately prepared.
9. The committee found out that there was poor student preparation for examination. Therefore there was need for a further research to investigate on students preparedness, teacher/pupil ratio and syllabus coverage in our schools.
10. It noted that supervisors/invigilators were being comprised. This could be due to poor remuneration. Therefore there was need for proper remuneration including lunch allowance for the officers by KNEC. ✕
11. There was need for all stakeholders to work together towards improving discipline, honesty and integrity in schools.

M. Anokhi

MARYAN

HUSSEIN

DEB

GARISSA



THE KENYA NATIONAL EXAMINATIONS COUNCIL

RESPONSE ON ISSUES RAISED IN PETITION SUBMITTED TO THE PARLIAMENT BY HONORABLE ADEN DUALE, M.P FOR DUJIS ON THE CANCELLATION OF THE YEAR 2011 KCSE EXAMINATION RESULTS IN GARISSA, WAJIR AND MANDERA COUNTIES

1.0 BACKGROUND ON EXAMINATION IRREGULARITIES

Mr. Chairman before I respond to the petitions made by *Hon. Aden Duale*, I wish to provide some back ground information on examination irregularities as follows:-

1.1 In Kenya, examination results are the major determinant of access into the job market and into institutions of higher learning. Given the stiff competition for places, it is imperative that objectivity and fairness be the overriding concerns in the allocation of these limited places. Any practice that threatens fairness and objectivity in examinations must never be allowed.

1.2 Cheating in examinations is one such practice and can be defined as ***“any action or practice that contravenes the laid out examination rules and regulations”***. This refers to a situation where a candidate tries to gain unfair advantage in the **examination** over the other candidates by ***cheating during an examination***.

1.3 Cheating in examinations can, if unpunished undermine one of the major functions of examinations which is to grade candidates according to their abilities. ***Secondly***, cheating in examinations can very quickly erode the

confidence the public has in examinations and the entire education system if "**false**" **grades** are awarded by the system. Cheating can also undermine the values of honest candidates if it appears that dishonest candidates are the ones who are being allocated places on the basis of grades attained through cheating.

2.0 PETITIONS MADE BY HON. ADEN DUALE, M.P, DUJIS

With respect to the petitions made by Hon. Aden Duale, the MP for Dujis Constituency, **Mr. Chairman**, we would like to respond as follows:-

2.1 Petition Number 1: To investigate whether the cancellation of the results of the 1,600 was warranted.

Response:

2.1.1 The cancellation of the year 2011 KCSE examination results for the **one thousand six hundred and forty nine (1,649) candidates** in **Garissa, Wajir and Mandera counties** was warranted. This is because the candidates were involved in examination irregularities during the examination and the Kenya National Examinations Council (KNEC) is mandated by law to cancel results for any candidates who are found to have been involved in examination irregularities as exemplified here below.

2.1.2 The mandate of the Kenya National Examinations Council in the handling of Examination Irregularities is as explained here below:

a) In exercising the powers conferred by Section 10 of the Kenya National Examinations Council Act, 225A of the Laws of Kenya, the Council has

made rules and regulations governing the conduct of public examinations (**Appendix A: KNEC Act**). (**Clause 10 (e) states that “the Council shall have for the furtherance of its objects and purposes, powers and duties to make rules regulating the conduct of examinations and for all purposes incidental thereto”**). Rule 23 of these regulations states that: (**Appendix B: 2010 – 2011 KCSE Examination Regulations and Syllabuses**):-

- i)** The Council reserves the right to cancel results of the examination for any candidate or centre that it proves to have been involved in any form of examination irregularity or malpractice;
- ii)** Any candidate whose results in any of the subjects is cancelled will be awarded a subject grade “Y” and an overall result “Y” in the entire examination;
- iii)** Any candidate whose results are cancelled may be barred from sitting any Council examination for a subsequent period of two (02) years. If such a candidate wishes to resit the examination after the two (02) years, they shall take the entire examination;
- iv)** Any examination centre whose results are cancelled may be removed from the roll of the Council’s approved examination centres;
- v)** The Council reserves the right to withhold the results of the examination for any candidate or examination centre suspected of having been involved in an examination irregularity or misconduct pending completion of investigations and the final disposal of any consequent disciplinary or other proceeding;
- vi)** If the Council, on investigation, is satisfied that candidates or centres have been involved in any examination irregularity or

misconduct, it will cancel the results of such candidates/ examination centres;

vii) The Council shall release the results of candidates and centre, if, on investigation, it is satisfied that there were no irregularities or misconduct in the centre;

viii) If the Council is satisfied that the examination at any centre has not been conducted in accordance with its regulations or that there have been widespread irregularities at an examination centre, it may at its sole discretion cancel the results of candidates for the entire centre;

b) Candidates or schools whose results are withheld or cancelled are informed in writing through the District Education Officers and Municipal Education Officers as soon as the examination results have been issued.

c) The Council has no powers to punish any party involved in assisting the candidate(s) to commit examination irregularities but recommends to the relevant authority or authorities (Teachers Service Commission, Ministry of Education) for appropriate disciplinary action/punishment.

2.1.3 The Kenya National Examinations Council has therefore been exercising its powers as ***stipulated by its Act*** in the cancellation of results of candidates who are found to have been involved in examination irregularities;

2.1.4 Further to the above, the KNEC has laid down procedures for identifying and handling cases of examination irregularities which are based on international standards and which are benchmarked against other Examination Boards in the world.

2.1.5 Subsequently, the regulations governing the cancellation of candidates' results were followed to the letter in the identification and handling of the examination irregularities for the **1,649** candidates in the **40** examination centres whose results were cancelled in **Garissa, Wajir and Mandera counties**.

2.2 *Petition Number 2: To investigate the alleged collusion of the students viz a viz the copies of the confiscated materials from the students so as to ascertain the credibility of the cancellation.*

Mr. Chairman, for petition number 2, we would like to respond as follows:-

2.2.1 The alleged collusion by candidates was investigated and has further been re-examined by KNEC. The investigations and re-examination by KNEC has established beyond any reasonable doubt that the affected candidates indeed colluded in the affected papers. It should be noted by the Honorable Members that cases of the **eight (08) candidates** who were caught with unauthorized materials during the examination in the region have no correlation with the cases of collusion by the **1,641 candidates** as the two forms of examination irregularities are totally different. There is therefore no way that the materials confiscated from the **eight (08) candidates** could have been used to influence the **1,641** cases of collusion as petitioned by the Honorable Member of Parliament for Dujis, Hon. Aden Duale. This is exemplified by the information given under 2.2.2 below:-

2.2.2 During the field administration and processing of the year **2011 KCSE examination**, the Kenya National examinations Council was able to identify and handle the following types of examination irregularities in examination centres in **Garissa, Wajir and Mandera counties**:

a) Smuggling of Written Unauthorized Information into the Examination Room

- i) This involved candidates taking into the examination room written notes or books with the aim of using them to respond to questions in the examination for example, **eight (08)** candidates in **five (05)** examination centres in the region were caught with such unauthorized materials during the 2011 KCSE examination and thus the results for the **eight (08)** candidates were cancelled in the affected subjects;
- ii) The details of the **five (05) examination centres** in the region where candidates were caught with unauthorized materials during the examination are as shown in the table below:

Table I: 2011 KCSE Examination Details of Examination Centres with Candidates who were caught with Unauthorized Materials during the Examination

COUNTY CODE & NAME, DISTRICT CODE & NAME		CENTRE CODE & NAME		TOTAL CANDIDATES INVOLVED	SUBJECT CODE & NAME
1.0	45 Garissa County 801 Garissa District	1.	801101 (383084) Garissa High Sch.	1 out of 150	IRE (314)
				1 out of 150	Biology (231)
		2.	801109 (488367) Boys Town Sec. Sch.	2 out of 101	History & Government (311)
	3.	801112 (284892) Ikhlas Integrated High Sch.	1 out of 45	Biology (231)	
	815 Daadab District	4.	815101 (466644) Dadaab Sec. Sch.	1 out of 96	Kiswahili (102)
5.		981503 (981503) Towfiq Sec. Sch.	2 out of 119	Kiswahili (102)	

b) Collusion: Collusion in the context of examinations is defined as any action that involves candidates being assisted by another party or candidate to attempt questions in an examination, in which case candidates produce identical responses which would otherwise not be possible if the candidates had worked independently. Collusion takes different forms as indicated below:-

- i) Candidates being assisted by an external agent (**third party**) to perform tasks during the examination. The agent may be a teacher, supervisor, invigilator, student(s) in a lower class or an outsider;
- ii) Candidates copying from each other/from external sources or exposing their work intentionally or unintentionally with the resultant effect of other candidates copying the same;
- iii) Smuggling of question papers out of the examination room for other people to work out the responses and then circulating the worked out responses among candidates;
- iv) Swapping of answer scripts and index numbers between candidates for the purpose of assisting each other;
- v) In the science related practicals, teachers exposing the confidential advance instructions to unauthorized persons including candidates with the aim of using the materials listed in the instructions to practice what is anticipated to appear in the examination;
- vi) Teachers exposing their results obtained from science practical examinations to candidates to copy.

2.2.3 Evidence of cheating in cases of collusion is exemplified by the following examples:

a) Identical errors in calculations – common in Mathematics and

Science subjects: For example: A group of **ten (10) candidates** had an identical incorrect working leading to an identical incorrect response to a Physics question as shown below under (i)

$$(i) \quad F = Ma$$

$$a = \frac{800^2}{2 \times 0.15} = 2.667 \times 0.6$$

$$= 160 \text{ N}$$

(ii) The expected response should have been:

$$F = Ma$$

$$V^2 = U^2 + 2aS$$

$$a = \frac{-640000}{0.3}$$

$$F = \frac{0.06 \times -640000}{3}$$

$$F = 128,000 \text{ J}$$

This is not possible if the **ten (10)** candidates had worked independently.

b) Correct responses after incorrect working – common in

Mathematics and Science subjects: For example: A group of **seventeen (17)** candidates used incorrect working $15 - 5x = 30x - 20$ to obtain the correct response $x = 1$. The candidates gave an incorrect expression $35 + 35x$, whereas $5x + 5x$ cannot give $35x$ to finally get:-

$$= \frac{35}{35} = \frac{35x}{35} \quad x = 1$$

(5x + 5x = 10x and not 35x)

c) Identical readings to those of Science teachers in science

practicals: For example: A group of **twenty one (21)** candidates used

identical values in a table in the Chemistry practical paper (233/3) which **were also the Chemistry teacher's values** as shown below:

	I	II
Final burette reading	13.00	13.00
Initial burette reading	0.00	0.00
Titre (cm ³)	13.00	13.00

d) A group of candidates having identical readings in science practicals: For example: A group of candidates used identical values in a table in the Chemistry practical paper (233/3). Burette readings should read a maximum of **50.00** on the final burette reading, but these candidates have readings as high as **69.00**. The candidates have also identically subtracted **37.00** from **65.00** to arrive at an incorrect response **34.00** under column II. The correct response for this calculation should be **28.00**.

	I	II	III
Final burette reading	35.00	65.00	69.00
Initial burette reading	0.00	37.00	34.00
Volume of solution A used (cm ³)	35.00	34.00	35.00

All the above is not possible if these candidates worked independently.

2.2.4 In the 2011 KCSE examination as per KNEC examination rules and regulations, results for the affected **one thousand six hundred and forty one (1,641) candidates** were cancelled in the affected subjects as a result of collusion as detailed in **table II**:

Table II: 2011 KCSE Examination Details of Examination Centres with Candidates involved in Collusion

	COUNTY CODE & NAME, DISTRICT CODE & NAME		CENTRE CODE & NAME	TOTAL CANDIDATES INVOLVED	SUBJECT CODE & NAME
1.0	45 Garissa County 801 Garissa District	1.	801101 (383084) Garissa High Sch.	75 out of 150	Chemistry (233)
		2.	801102 (457037) NEP Girls Sec. Sch.	80 out of 85	Biology (231)
		3.	801103 (295330) County High Sch	45 out of 157	Biology (231)
		4.	801104 (476511) Sankuri Sec. Sch.	5 out of 57	Biology (231)
		5.	801105 (445312) Umusalama Girls Sec. Sch.	75 out of 86	Biology (231)
		6.	801106 (425478) Young Muslim High Sch.	4 out of 50	Biology (231)
		7.	801107 (392090) Iqra High Sch.	13 out of 29	Biology (231)
		8.	801108 (437698) Khadija Girls Sec. Sch.	15 out of 16	Biology (231)
		9.	801109 (488367) Boys Town Sec. Sch.	9 out of 101	Biology (231)
		10.	801112 (284892) Ikhlas Integrated High Sch.	32 out of 45	Chemistry (233)
		11.	801113 (289851) Al-Iman High Sch.	38 out of 46	Chemistry (233)
		12.	980100 (980100) Garissa Private	4 out of 4	Business Studies (565)
	804 Ijara District	13.	804101 (489769) Shurie Sec. Sch.	52 out of 104	Mathematics Alternative A (121)
				90 out of 104	IRE (314)
	14.	804102 (491806) Yusuf Haji Girls Sec. Sch.	13 out of 32	IRE (314)	

Response on Issues Raised in Petition submitted to the Parliament by Honorable Aden Duale, M.P For Dujis on the Cancellation of the Year 2011 KCSE Examination Results in Garissa, Wajir and Mandera Counties

	COUNTY CODE & NAME, DISTRICT CODE & NAME		CENTRE CODE & NAME	TOTAL CANDIDATES INVOLVED	SUBJECT CODE & NAME
	806 Fafi District	15.	806101 (467505) Bura Sec. Sch.	30 out of 38	IRE (314)
	816 Balambala District	16.	816101 (493398) Balambala Sec. Sch.	31 out of 61	Kiswahili (102)
2.0	46 Wajir County	17.	802104 (299655) Furaha Mixed Boys Sec. Sch.	118 out of 156	Kiswahili (102)
	802 Wajir East District			103 out of 155	Kiswahili (102)
				66 out of 155	Biology (231)
				24 out of 27	Business Studies (565)
				14 out of 27	Business Studies (565)
		18.	802105 (276531) Waso Mixed Sec. Sch.	4 out of 141	English (101)
				65 out of 129	Chemistry (233)
		19.	802106 (290116) Waberi Mixed Day Sec. Sch.	2 out of 82	Chemistry (233)
	807 Wajir North District	20.	807102 (450185) Bute Girls Sec. Sch.	23 out of 30	IRE (314)
	808 Wajir West District	21.	808101 (493086) Griftu Sec. Sch.	61 out of 62	IRE (314)
	819 Buna District	22.	819101 (293412) Buna Sec. Sch.	28 out of 43	Kiswahili (102)
	820 Habaswein District	23.	820101 (468728) Habaswein Boy's Sec. Sch.	55 out of 71	Kiswahili (102)
		24.	820103 (477277) Habaswein Mixed Day Sec. Sch.	7 out of 41	Kiswahili (102)
3.0	47 Mandera County	25.	803101 (293270) Mandera Sec. Sch.	4 out of 157	Chemistry (233)
	803 Mandera East District			103 out of 157	Mathematics Alternative A (121)
				27 out of 150	Mathematics Alternative A (121)

	COUNTY CODE & NAME, DISTRICT CODE & NAME		CENTRE CODE & NAME	TOTAL CANDIDATES INVOLVED	SUBJECT CODE & NAME
		26.	803102 (437084) Moi Girls Sec. Sch.	66 out of 198	Mathematics Alternative A (121)
				164 out of 199	Mathematics Alternative A (121)
				24 out of 199	Chemistry (233)
				107 out of 199	Chemistry (233)
		27.	803103 (441422) Border Point Sec. Sch.	3 out of 86	Mathematics (121)
				14 out of 85	Chemistry (233)
		28.	803104 (424165) Mandera Integrated Academy	29 out of 70	Mathematics Alternative A (121)
				52 out of 70	Mathematics Alternative A (121)
				11 out of 70	Chemistry (233)
		29.	803105 (474757) Jowhar Al-Islam Sec. Sch.	2 out of 51	Chemistry (233)
		30.	803106 (439239) Towfiq Sec. Sch.	41 out of 83	Mathematics Alternative A (121)
		31.	803201 (290824) Arabia Boys Sec. Sch.	10 out of 57	Mathematics Alternative A (121)
		32.	803202 (276997) Lafey Boys Sec. Sch.	24 out of 25	Mathematics Alternative A (121)
4.0	811 Mandera Central District	33.	811104 (276983) Chief Mohammed Jari Sec. Sch.	15 out of 36	Mathematics Alternative A (121)
	812 Mandera North District	34.	812102 (445025) Rhamu Girls' Sec. Sch.	7 out of 7	Business Studies (565)
		35.	812103 (436086) Rhamu Sec. Sch.	6 out of 7	Business Studies (565)
				61 out of 64	Mathematics Alternative A (121)
		36.	812201 (424061) Ashabito Sec. Sch.	96 out of 146	Kiswahili (102)

Response on Issues Raised in Petition submitted to the Parliament by Honorable Aden Duale, M.P For Dujis on the Cancellation of the Year 2011 KCSE Examination Results in Garissa, Wajir and Mandera Counties

	COUNTY CODE & NAME, DISTRICT CODE & NAME		CENTRE CODE & NAME	TOTAL CANDIDATES INVOLVED	SUBJECT CODE & NAME
				143 out of 146	Mathematics Alternative A (121)
				61 out of 146	Biology (231)
				49 out of 146	Chemistry (233)
				8 out of 146	Chemistry (233)
				91 out of 146	History and Government (311)
				25 out of 146	IRE (314)
	814 Lafey District	37.	814101 (497921) Lafey Boys Sec. Sch.	7 out of 63	Kiswahili (102)
	817 Banisa District	38.	817101 (431709) Wayam Sec. Sch.	22 out of 41	Kiswahili (102)

2.3 Petition Number 3: To investigate the Kenya National Examinations Council, with a view to establishing the Officials behind the alleged examination cheating.

Mr. Chairman, with respect to the 3rd petition from Hon. Duale we wish to respond as follows:-

2.3.1 Investigations conducted by KNEC have established that no KNEC Official was behind the examination irregularities that occurred in the year 2011 KCSE examination in **Garissa, Wajir and Mandera counties.**

2.3.2 While KNEC acknowledges that it is possible for a leakage to originate from KNEC, it would be extremely difficult for this to happen due to the following reasons:

- a) KNEC sets items through Item Writing workshops, which involve teachers sampled from all districts in all parts of Kenya. These teachers come up with thousands upon thousands of questions during the workshops which they develop in teams. No teacher is allowed to

leave the item writing rooms with any written information and no teacher knows if and when the question he or she has set will ever appear in a question paper;

- b) The thousands upon thousands of questions developed during the Item Writing workshops are normally in a very raw state and undergo various stages of moderation by KNEC Subject Specialists and KNEC appointed Moderators after the setting and before they can be declared as **“good questions”** that can be used in an examination. The items may therefore not be recognizable as those that were set by the teachers during the Item Writing workshops after they have been moderated and are ready for use to compile a question paper. It is also important to note that many items developed during the workshops are discarded after it is established that they are not “good” items for various reasons;
- c) KNEC stores all items that have passed the setting and moderation stage in an item bank that categorizes items into subjects, topics and sub topics among other criteria. As such one sub topic may have very many items for the Subject Specialists who compile the question papers to choose from. It is therefore not possible for a Setter or Moderator to predict when a question will be used in an examination as it may take years to use some of the questions in the item bank;
- d) The process involved in the development of a question paper is extremely intricate with accountability checks to establish the KNEC officers who handle live question papers. Indeed the number of persons handling the contents of live question papers is largely reduced to decrease chances of its exposure. Since the entire process is carefully documented showing who did what when, it would therefore be very difficult to leak examination papers without being detected;

- e) If leakage was to originate from KNEC, it would not be restricted to some regions of the country but would be manifest in every part of Kenya;
- f) The process of developing, printing and packing of question papers for the KCSE examination begins many months prior to the sitting of the examination by candidates. As such, if leakage was to emanate from a KNEC Officer, this would happen months to the examination. All the cases where candidates have been found to have accessed contents of question papers prior to the examination being sat, when investigated have been found to have occurred after KNEC has released examination materials to the Field;

2.3.3

- a) It is important for the Honorable Members to note that once examination materials are delivered to distribution centres (Police Armouries, Chief Camps and District Officers Strong Rooms) across the country, they are in the hands of District Education Officers and Police Officers and as such KNEC cannot vouch for their total security at this stage.
- b) For example: In the year **2008**, Police officers in Bura East Police station, which is in North Eastern province were compromised and gave some question papers to **Mohamed Ahmed Abdulrahman alias Albeity** who passed on the same to candidates in Coast province before they were all apprehended with the assistance of the KNEC Security Monitoring team as exemplified by the photograph in my report below:



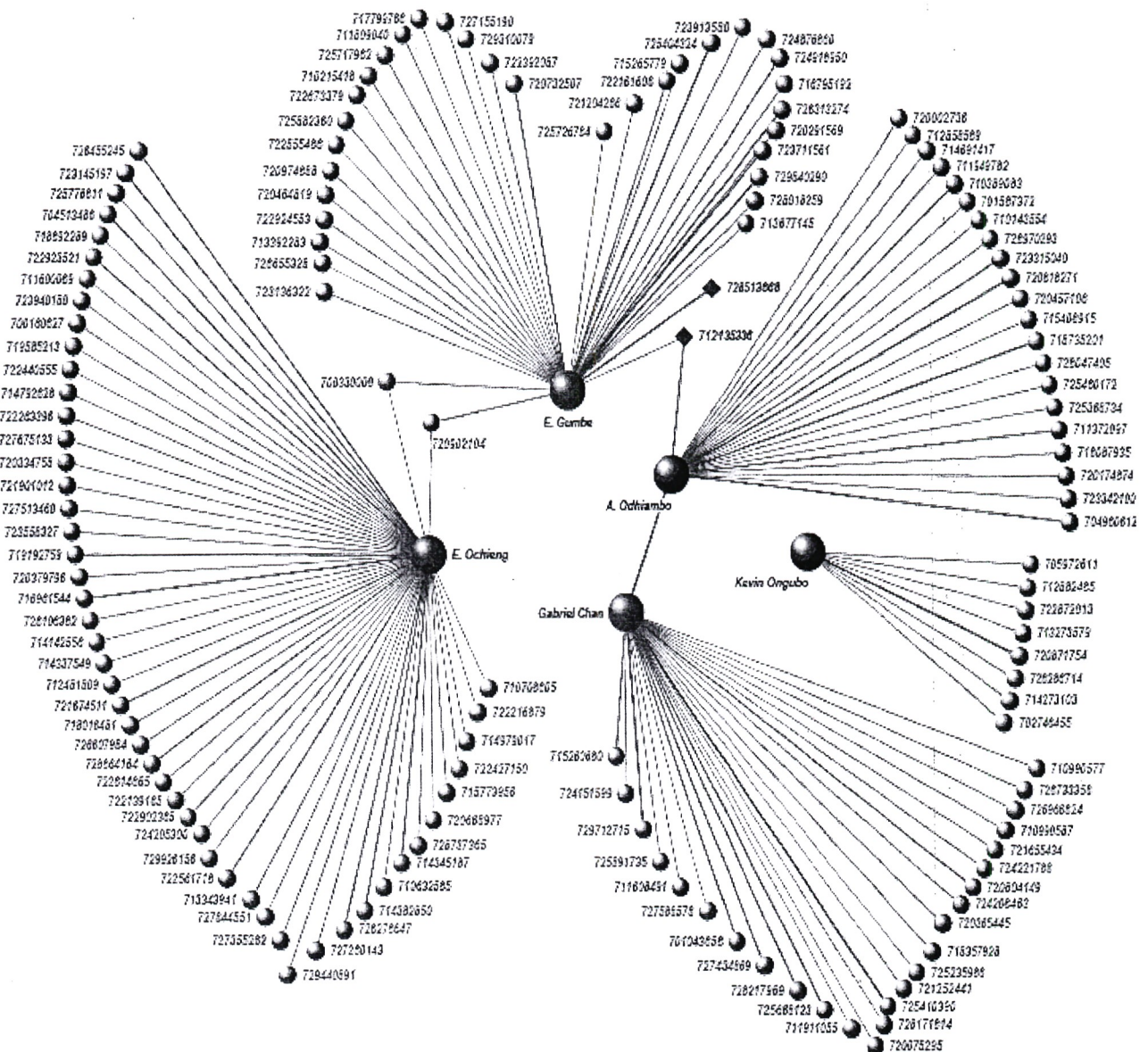
Recovered polythene bag tampered with at Bura East – Oct 2008

2.3.4 Advancements in mobile technology has brought about numerous challenges in the management of examinations. These advancements have led to an increase in the number of candidates using mobile phones and other electronic devices to commit examination malpractices, as indicated by the following examples:

- a)** During the year **2011 KCSE** examination **ninety three (93)** candidates from **twenty five (25)** examination centres were caught with mobile phones and other electronic communication devices in examination centres during the examination period.

- b)** Another example is that of a group of candidates who were caught with unauthorized materials in the form of written notes during an examination in an examination centre in Rongo during the **2011 KCSE** examination. The notes had questions similar to those in the genuine examination paper. Upon investigation, it was established that the candidates had received the extracts of questions from **fraudsters** who were running a syndicate of accessing examination question papers at about 6.00 am before the scheduled time which was 8.30 am and sending the extracts via **text messages** to teachers and candidates.

c) The fraudsters were paid via the money transfer service, **M-pesa**. The mobile phone communication and **M-pesa** transactions of the fraudsters were tracked by KNEC and Security Personnel from the Criminal Investigations Department and found to have had a network through which money was transferred. The illustration given below in my report exemplifies this:



- d) Most of those who were involved were arrested and charged in a Court of law. The cases for five of them are still pending in Court while that of one of them has been heard and determined with the offender sentenced to a **one (01) year jail term**.

2.3.5 Mr. Chairman, it is evident from this illustration that KNEC and the Ministry of Education are not just watching, but have gone out of their way to investigate and follow up on persons alleged to be perpetuating examination irregularities and even ensuring that they face the full wrath of the law.

2.3.6 It is important for the **Honorable Members** to also note that KNEC has adopted stringent procedures in the identification and handling of examination irregularities, as evidenced by the following, which I have already been briefed on:

- a) The Research division of the Kenya National Examinations Council is responsible for handling of examination irregularity cases. At the start of the KCSE examination processing exercise, the Research division constitutes a processing team made up of Subject Specialists who have the required expertise to handle the content of the various subjects offered in the examination;
- b) After receipt of all reports on examination irregularities and during the processing of the KCSE examination, the Research processing team convenes a meeting to discuss all the irregularity cases reported from the various sources during the examination. The main purpose of the meeting is to discuss all the reported examination irregularity cases **(All cases reported by Provincial Directors of Education, District Education Officers, Monitoring Officers, Supervisors, Invigilators, School Principals, Teachers, Candidates, Members**

of the Public) with a view of coming up with recommendations on how to handle the cases and as such present recommendations for the KNEC Management to consider on how the cases should be handled;

- c) One of the major activities that arises out of the meeting held by the Research processing team is the scanning of candidates' answer scripts by the teams made up of the various Subject specialists in the various subjects;
- d) The Processing Officers involved in scanning of candidates' answer scripts are trained to identify collusion by candidates;
- e) To ensure the accuracy of the charges made on the examination irregularities committed by candidates in the various examination centres, the officers in the Research processing team verify all the cases severally with the aim of reaching the same decision as had been reached by the team that had initially been involved in the scanning of the candidates' scripts/investigations conducted. In cases where the team vetting the examination irregularity cases is of the opinion that the evidence presented is not adequate, the charges against the candidates may be dropped or the team that processed the cases may be asked to gather further evidence;
- f) When the Research processing team has finalized all the irregularity cases and prepared the required evidence, the Council Secretary/Chief Executive then convenes a meeting of the KNEC Management to discuss the KCSE examination irregularity cases as presented by the Research division. During the meeting, the Research division presents to the KNEC Management all the cases of examination irregularities which had been identified and investigated by the Research processing team;

- g) The cases are discussed by the KNEC Management with a view of approving/amending/validating the cases and recommendations made by the Research Division for approval in readiness for presentation to the KNEC Examinations Security Committee;
- h) On approval of the examination irregularity cases, the KNEC Management then convenes a meeting of the KNEC Examinations Security Committee to discuss the examination irregularity cases as presented by the KNEC Management. This committee includes the Chairman of the KNEC Board, Permanent Secretary, MoE, Education Secretary, MoE, Director, Quality Assurance and Standards, MoE, Secretary, TSC, Secretary, KASNEB, Secretary, CHE, Director, Technical Education (MoHEST) and Director, KIE and is responsible for the regulation and conduct of national examinations.
- i) During the meeting, all the examination irregularity cases presented by the KNEC Management to the Examinations Security Committee are discussed at length with a view of approving/amending/validating the cases and recommendations made. Based on the approvals provided by the KNEC Examinations Security Committee, the Research division makes any amendments as recommended by the KNEC Examinations Security Committee;
- j) The examination irregularity cases are then forwarded to the ICT Department of KNEC for suppression of affected candidates' results after approval by the Examinations Security Committee;
- k) The ICT Department produce printouts, which give details of the candidates' results to be cancelled and subjects involved. The Research division verifies the accuracy of the capture of the examination irregularity cases and gives the ICT Department a go ahead to produce dummy results. The Research processing team then

verifies the accuracy of the capture of the examination irregularity cases in the dummy results before giving the ICT Department a go ahead to produce the final candidates' results;

- 1) On completion of suppression of results, the Council writes letters to inform the affected candidates through their respective schools that their results have been cancelled giving the reasons for the cancellations.

2.3.7 Mr. Chairman, this procedure which I have explained indicates that there is almost no chance for any error or victimization of any candidate. Indeed I am informed that when uncertain about a candidate's involvement in an examination irregularity, the candidate is always given the benefit of doubt.

2.3.8 Mr. Chairman, we also wish to inform this Committee that:

a) KNEC avails a number of documents to all Field Officers (Provincial Directors of Education, District Education Officers, District Examination Officers, Security Officers, Headteachers, Supervisors, Invigilators) and candidates to provide guidance on the conduct of the KCSE examination. In addition, the documents caution against involvement in examination irregularities and specify the consequences of involvement in the same. These documents include:

- i) *Instructions on the Conduct of the KCSE Examination:*** give guidelines to all Field Officers on the roles they are expected to play during the examination so as to ensure that the KCSE examination is conducted in conditions that are similar in every examination centre across the country, which guarantees the reliability of candidates' results (**Appendix C**);

- ii) Examination Timetable:** The KCSE examination timetable is provided to every candidate sitting for the KCSE examination and spells out what is expected of candidates during the examination. It also cautions candidates against involvement in examination irregularities and spells out the penalties to be meted out on candidates who involve themselves in the same **(Appendix D)**;
- iii) Circulars to Headteachers:** KNEC issues circulars to all Headteachers of KCSE examination centres on Examination ethics and use of mobile phones during the KCSE examination at the start of every examination period **(Appendix E₁, E₂ and E₃)**;
- iv) Circular to Candidates on cheating during the Examination:** This circular is issued to all candidates who sit for the KCSE examination urging them not to involve themselves in examination irregularities **(Appendix F)**;
- v) Posters on Examination Do's and Don'ts:** KNEC circulates these posters to all schools offering the KCSE examination so as to enlighten candidates on the examination do's and don'ts, with the hope that this will serve as crucial information to candidates that will deter them from cheating in the examination **(Appendix G)**.

2.3.9 Mr. Chairman, further to the above, KNEC has clearly specified in the **“Instructions on the conduct of the KCSE examination”** that supervisors and invigilators must ensure that candidates are frisked at the start of every examination session. Under the role of the Supervisor, under clause **6.4.2** it is clearly stated that **“They supervise the frisking of candidates as they enter the examination room for every**

examination session.....” and under the role of the Invigilator, under clause 7.9, it is stated that **“ensuring candidates are frisked (searched) each time they enter the examination room so that they do not smuggle in unauthorized materials”**. Sometimes, such regulations are not followed as required, for example:

- a) During the year 2011 KCSE examination, KNEC Monitoring officers caught **eight (08)** candidates in **five (05)** examination centres in the region with unauthorized materials during the examination. This is a clear indication that the candidates had not been frisked at the start of the examination session, a fact that goes to show that the Supervisor and Invigilator were solely responsible for the examination irregularities that occurred in the **five (05)** examination centres.

- b) In other cases, other Field officers were also found to have abetted examination irregularities, for example: during the 2011 KCSE examination, a KNEC Monitoring officer caught **two (02)** candidates with unauthorized materials during the examination in **Boys Town Sec. Sch (801109)**, which he asked the supervisor to ensure were reported to KNEC following the prescribed channel. The Supervisor later reported to KNEC that the **District Education Officer, Garissa District, District Examinations Officer, Garissa District** and the **Headteacher, Boystown Secondary School** had attempted to coerce him to conceal the examination irregularities that occurred in the examination centre during the 2011 KCSE examination (**Appendix P**)

2.3.10 Mr. Chairman:

- a) The collusion cases detected in the **thirty eight (38)** examination centres involving **one thousand six hundred and forty one (1,641) candidates** were detected at the marking and processing stages. It is important for Honourable Members to note that collusion cannot occur if supervision and invigilation is carried out as per the guidelines provided by KNEC in the **“Instructions on the conduct of the KCSE examination”**.
- b) Supervisors and Invigilators and in some cases Headteachers of the **thirty eight (38) examination centres** where collusion occurred are responsible for the examination irregularities that occurred in the affected schools. For example: In one of the examination centres (**Ashabito Secondary School: 812201**) where results were cancelled as a result of massive collusion, KNEC had received information from a teacher in the school that the School Administration had compromised the Supervision and Invigilation team to allow candidates to enter into the examination rooms with notebooks, textbooks and other reference materials to assist them respond to questions during the examination (**Appendix O**).
- c) **Mr. Chairman**, since KNEC only received this report in the last week of the examination and was not able to get to the school in time to arrest the situation due to the heavy rains that pounded the area and the Al – Shabaab scare, investigations to determine the authenticity of the information received from the teacher were conducted This involved scrutinizing the candidates’ answer scripts by subject specialists in the various subjects. The KNEC team of subject specialists that conducted these investigations

established that the candidates had colluded in most of the papers offered during the 2011 KCSE examination. This points to the fact that the Supervisor and Invigilators did not conduct the examination as per the laid down procedures, hence the massive collusion by candidates.

2.3.11 Honorable Members, in the recent past, KNEC has had to deal with cases of officers from the District Education offices in the North Eastern region abetting examination irregularities by colluding with Headteachers and Supervisors to conceal cases of examination irregularities. KNEC has also had to handle cases where Supervisors have been coerced not to report cases of examination irregularities to KNEC;

2.3.12 The **table below** gives details of cases reported during the **year 2011** KCPE and KCSE examinations in which Headteachers, Supervisors and District Education Officials attempted to cover up examination irregularities that had taken place in schools within the region:

Table III : Details of Headteachers, Supervisors and District Education Officials who attempted to conceal Examination Irregularities in the recent Past

District Code & Name & School Code & Name		Officer's Name	Designation	How Cheating was Abetted / Concealed
1.	802 Wajir East District 802103 Wajir Township Pry. Sch.	Abdi A. Goto Ahmed M. Hussein	Former District Education Officer, Wajir East district District Examinations Officer, Wajir East district	These two officers interfered with the submission of evidence on examination irregularity cases to KNEC as evidenced by: 1.1 Approximately ten (10) mobile phones and a shirt containing pre-prepared responses that were confiscated during the first day of the 2011 KCPE examination and which were handed over to the District

District Code & Name & School Code & Name	Officer's Name	Designation	How Cheating was Abetted / Concealed
			<p>Examinations Officer, Wajir East district were not forwarded to KNEC at the end of the examination. (The details of candidates who were caught with the mobile phones and the shirt containing pre-prepared responses were only forwarded after KNEC threatened to take disciplinary action against the DXO after the official release of the KCPE examination);</p> <p>1.2 The District Education Officer and District Examinations Officer, Wajir East district coerced the Supervisor of this examination centre to write a "favourable report" on the examination centre.</p>
2.	<p>802105</p> <p>Waberi Pry. Sch.</p>	<p>Hussein Issack Mohamed</p> <p>Headteacher, Waberi Pry. Sch.</p> <p>Hasssan Musa</p> <p>Supervisor, Waberi Pry. Sch.</p>	<p>The Headteacher of this school, Hussein Issack Mohamed and the Supervisor, Hasssan Musa knew that examination irregularities were taking place in the school during the 2011 KCPE examination, but instead of reporting the same and taking steps to prevent further cheating, they conspired to hide and destroy evidence on examination irregularities as evidenced by the following:-</p> <p>2.1 On the first day of the 2011 KCPE examination, some candidates were caught with mobile phones and pre-prepared notes during the examination, which were handed over to the Supervisor who passed them over to the School Headteacher. The Headteacher returned the mobile phones to the candidates and destroyed the pre-prepared notes. As such no reports / evidence on cheating was forwarded to KNEC at the end of the examination.</p> <p>2.2 (The details of candidates who were caught with the mobile phones and the pre-prepared responses were only forwarded after KNEC threatened to take disciplinary action against the DXO after the official release of the 2011 KCPE examination results).</p>

District Code & Name & School Code & Name		Officer's Name	Designation	How Cheating was Abetted / Concealed
3.	801109 Boys Town Sec. Sch.	Noor Ibrahim	District Education Officer, Garissa District	The Supervisor of this examination centre, Michzedack Igunza reported that the District Education Officer, Garissa District, Noor Ibrahim and District Examinations Officer, Garissa District, Ibrahim Sheikh Omar and the Headteacher, Boystown Secondary School attempted to coerce him to conceal the examination irregularities that occurred during the 2011 KCSE examination.
		Ibrahim Sheikh Omar	District Examinations Officer, Garissa District	
		M. A Issack	Headteacher, Boys Town Secondary School	

2.3.13 Over the years, a number of Supervisors and Invigilators appointed to supervise and invigilate KNEC examinations in the **Garissa, Wajir and Mandera counties** have reported to KNEC that they have been threatened by candidates, headteachers and the local community for either being too strict as a result of following the laid down rules and regulations that govern the conduct of examinations and/or for reporting cases of examination irregularities to KNEC;

2.3.14 Most of the examination irregularity cases reported by Supervisors, Invigilators and even teachers have been investigated by KNEC and found to be true. As such, KNEC has on many occasions liaised with the Teachers Service Commission and the Ministry of Education to have Supervisors, Invigilators and teachers who report cases of examination irregularities transferred after they have received death threats. It should be remembered that in 1998, a teacher in Garissa High School, **Mr. Samuel King'ori** was killed in the region for reporting examination malpractices to KNEC;

2.3.15 It is of interest for the Committee to note the information in the **table below** which gives details of teachers, supervisors and invigilators who have had to be transferred from the region in the recent past. The reasons they were transferred are also provided:

Table IV: Teachers, Supervisors and Invigilators who have been transferred from the Region in the recent Past

	Name of Teacher	TSC Number	Designation	Reason for Transfer	Action Taken by KNEC on the Reports of Cheating
1.	Dominic Murimi Makunyi	452915	Former teacher, NEP Girls Sec. Sch.	Invigilated the year 2011 KCSE examination at Boys Town Sec. Sch. (801109) where he refused candidates to cheat during the examination. As such, the candidates threatened to deal with him should their results be cancelled.	Scrutiny of the candidates answer scripts by KNEC revealed that candidates had colluded in the Biology (231) and as such results for nine(09) out of the one hundred and one (101) registered candidates in the examination centre were cancelled in Biology (231) . Results for another two (02) candidates who were caught with unauthorised materials during the examination were also cancelled in History & Government (311) .
2.	Peter Mugambi	502593	Former teacher, Khorof Harar Sec. Sch.	Supervised the 2011 KCPE examination at Khorof Harar Pry. Sch. (802202) where he detected and reported cases of cheating by candidates in the school. As a result he was threatened by the local community with dire consequences should he report the cases to KNEC.	Results for seventeen (17) out of the thirty nine (39) registered candidates in the examination centre were cancelled as a result of the candidates being in possession of unauthorised materials during the examination.
3.	Mary Ann Njeri Nyaga	440458	Former teacher, Furaha Pry. Sch.	Invigilated the year 2011 KCPE examination at Waberi Pry. Sch (802105) where she caught candidates with mobile phones and unauthorised materials during the examination. She was threatened by the Headteacher of the school, the Supervisor, candidates and the local community with dire consequences should she report the cases to KNEC. As a	Results for fifteen (15) candidates out of the sixty one (61) registered candidates in the examination centre were cancelled as a result of the candidates being in possession of unauthorised materials and mobile phones during the examination

Response on Issues Raised in Petition submitted to the Parliament by Honorable Aden Duale, M.P For Dujis on the Cancellation of the Year 2011 KCSE Examination Results in Garissa, Wajir and Mandera Counties

Name of Teacher	TSC Number	Designation	Reason for Transfer	Action Taken by KNEC on the Reports of Cheating	
			result, she and her family had to spend some nights at the Kenya Airports Police Unit before she could be able to be secretly moved out of Wajir.		
4.	Isaack Muktar Hussein	477303	Former teacher, Senior Chief Ogle Girls Sec. Sch.	Was appointed as a Supervisor, Habaswein Boys Sec. Sch (820101) during the 2011 KCSE examination. The teacher reported that he had been threatened by the Headteacher and candidates because of his strictness during the supervision of the examination.	Scrutiny of the candidates answer scripts by KNEC revealed that candidates had colluded in the Kiswahili (102) and as such results for fifty five (55) out of the seventy one (71) registered candidates in the examination centre were cancelled in Kiswahili (102) .
5.	Kamau Susan Nyambura	497146	Former teacher, Furaha Mixed Sec. Sch.	Supervised the 2011 KCPE examination at Wajir Township Pry. Sch. (802103) . The teacher forwarded information to KNEC on examination irregularities that were taking place in the school during the examination	Results for twenty nine (29) candidates out of the one hundred and twenty one (121) registered candidates in the examination centre were cancelled as a result of the candidates being in possession of unauthorised materials and mobile phones during the examination
6.	John Githinji Kamau	512131	Former teacher, Ashabito Boys Sec. Sch.	The teacher called the KNEC hotlines during the 2011 KCSE examination to report that massive examination irregularities were taking place in Ashabito Boys Sec. Sch (812201) . In particular, he reported that the Supervision and Invigilation team had been compromised by the school administration to allow the candidates to cheat during the examination.	Scrutiny of the candidates answer scripts by KNEC revealed that candidates had colluded in the Kiswahili (102) , Mathematics Alternative A (121) , Biology (231) , Chemistry (233) , Chemistry (233) , History & Government (311) and IRE (314) and as such results for all the one hundred and forty six (146) candidates in the examination centre were cancelled in the entire examination.

	Name of Teacher	TSC Number	Designation	Reason for Transfer	Action Taken by KNEC on the Reports of Cheating
7.	Wilson Wabwille Mutong'wa	481008	Former teacher, Khorof Harar Sec. Sch.	The teacher called KNEC during the 2010 KCSE examination to report that Candidates had been assisted to cheat in the Mathematics paper.	Scrutiny of the candidates answer scripts in the paper by KNEC revealed that candidates had colluded and as such result for twenty one (21) out of the twenty nine (29) registered candidates in the examination centre were cancelled in Mathematics.
8.	Doreen Gacheri Joel	439729	Former teacher, Al Teibi Pry. Sch.	The teacher was threatened by the local community for reporting the occurrence of examination irregularities in Elhache Mixed Sec. Sch. (811102) during the 2010 KCSE examination.	Results for five (05) candidates out of the twenty six (26) registered candidates in the examination centre were cancelled as a result of the candidates being in possession of unauthorised materials during the examination.

2.4 Petition Number 4: To investigate the cancellation and cheating of KCPE and KCSE examinations in the three (03) Counties in the last 5 years.

Mr. Chairman, turning to petition number 4, we would like to respond as follows:-

2.4.1 Before KNEC reaches a decision to cancel any candidate's results, in depth investigations are conducted and strict procedures followed in the handling of any cases of suspected cheating. In cases where KNEC feels more time is needed to finalize investigations at the time of release of results, KNEC pends/withholds the affected candidates' results to give room for investigations to be finalized. By the time KNEC reaches a decision to cancel candidates' results investigations have been concluded and there is no doubt that an examination irregularity was committed. The cancellation of affected candidates' results in the **three counties** is not unique as in depth investigations

were conducted and strict procedures followed in the handling of the cases as well as those from other regions in the country;

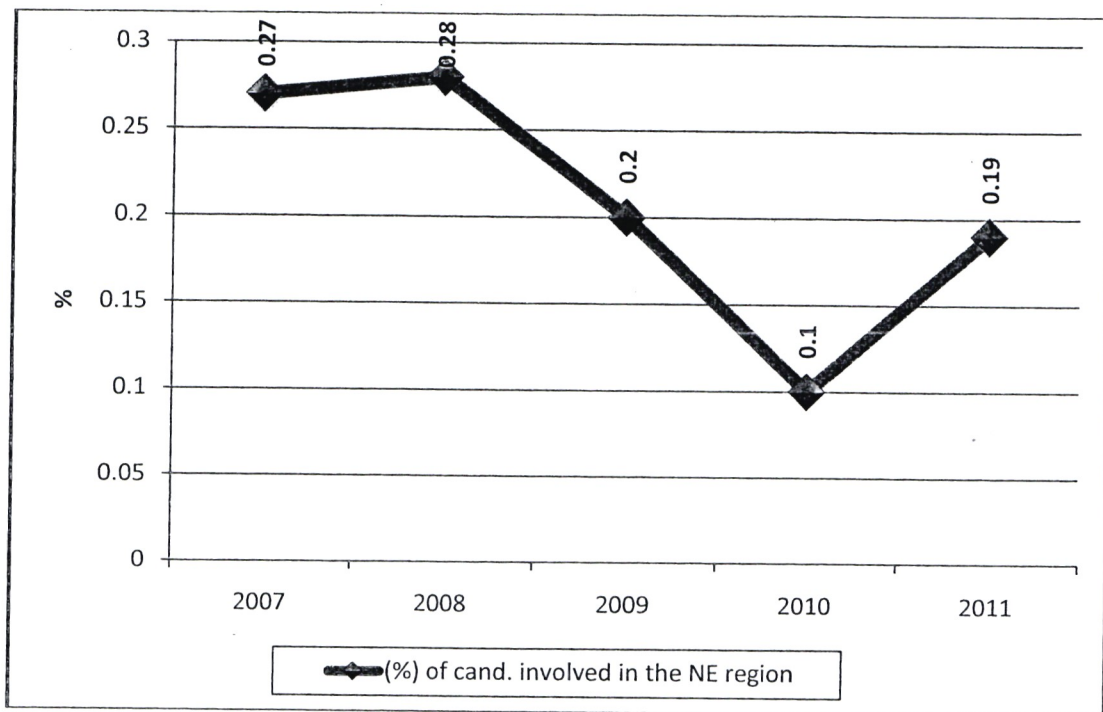
2.4.2 KNEC has also put mechanisms in place for schools that feel dissatisfied with its decision to cancel candidates' results to appeal within **thirty (30) days of the date of release of the examination results**. This is provided for in the KNEC examination regulations which are enshrined in the KNEC Act;

2.4.3 **Mr. Chairman**, for the information of the Honorable Members, **table V** and **graph 1** give a summary of the number of candidates that have been involved in examination irregularities in the KCPE examination in **Garissa, Wajir** and **Mandera** counties for the last **five (05) years**. Similar data for the entire country is also provided for comparison purposes:

Table V: Number of Candidates involved in Examination Irregularities in the KCPE Examination in Garissa, Wajir and Mandera Counties by Nature of Irregularity against Totals in the Country

YEAR	NUMBER OF CANDIDATES INVOLVED IN CHEATING IN THE GARISSA, WAJIR AND MANDERA COUNTIES				TOTAL INVOLVED IN THE COUNTRY (NATIONAL)
	COLLUSION	UNAUTHORIZED MATERIALS	MOBILE PHONES/ IMPERSONATION	TOTAL INVOLVED IN REGION	
2011	687	58	16	761 (0.19)	7,974 (1.99)
2010	387	-	09	396 (0.10)	1,103 (0.28)
2009	732	06	10	748 (0.20)	1,904 (0.50)
2008	1,045	-	-	1,045 (0.28)	1,892 (0.52)
2007	1,018	-	-	1,018 (0.27)	1,728 (0.46)

Graph 1: Number of Candidates involved in Examination Irregularities in the KCPE Examination in Garissa, Wajir and Mandera Counties in the last 5 years



2.4.4 Mr. Chairman, from the table and graph showing summaries of the KCPE examination irregularity cases in **Garissa, Wajir and Mandera counties** for the last five years, may I please draw the attention of the Honorable Members to the following:

- a) In the years **2007** and **2008** KCPE examination, **Garissa, Wajir** and **Mandera** counties had **58.91%** and **55.23%** candidates involved in examination irregularities respectively out of the total number of candidates involved in examination irregularities in the country;
- b) From the year **2008** to **2010** there was a consistent decline in the percentage of candidates involved in examination irregularities in **Garissa, Wajir** and **Mandera** counties;

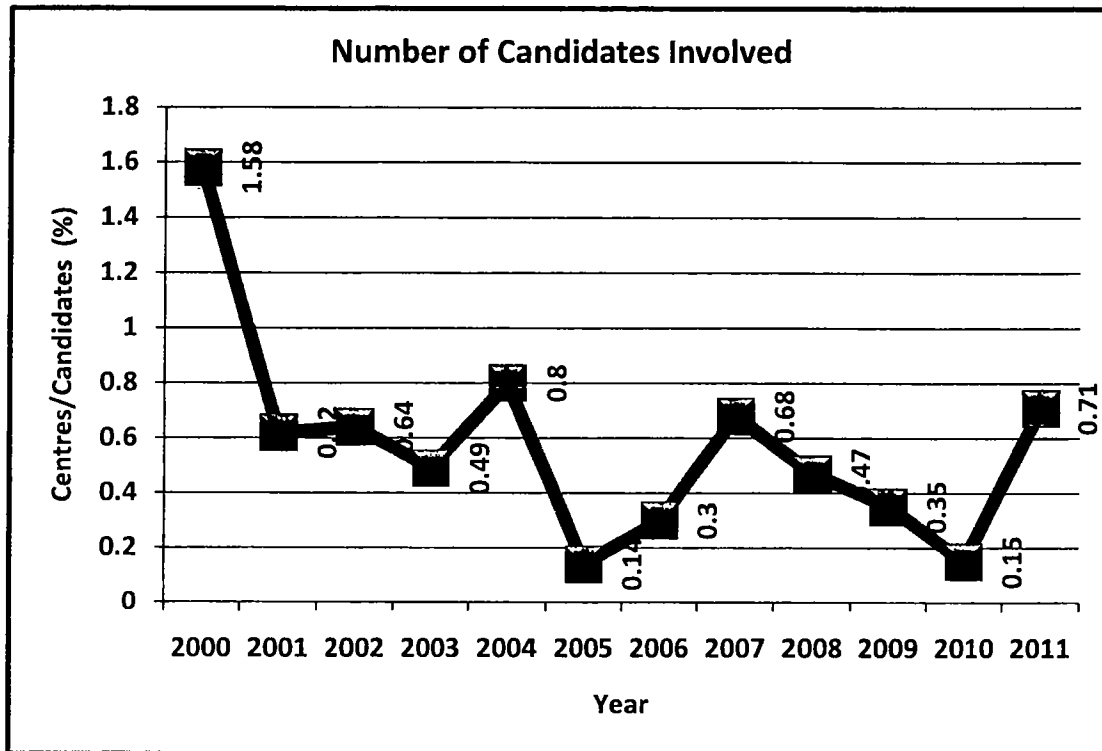
- c) There were more candidates involved in examination irregularities in **Garissa, Wajir** and **Mandera** counties in the years **2007 (1,018 candidates)** and **2008 (1,045 candidates)** in the KCPE examination than in the year **2011** when **761 candidates** were involved in examination irregularities.

2.4.5 Mr. Chairman, for the KCSE examination, **table IV** and **graph 2** give a summary of the number of candidates and examination centres that have been involved in examination irregularities in the KCSE examination in entire country for the last **twelve (12) years**:

Table VI: Summary of Candidates and Examination Centers, involved in Examination Irregularities in the KCSE Examination for the last 12 years

YEAR	Number & % of Centres and Candidates Involved			
	Total Number of Centres in the Country	Number of Centres Involved (%)	Total Number of Candidates in the Country	Number of Candidates Involved (%)
2011	6,448	154 (2.39)	411,783	2,927 (0.71)
2010	6,004	69 (1.15)	357,488	539 (0.15)
2009	5,600	146 (2.61)	337,404	1,171 (0.35)
2008	5,183	119 (2.30)	305,015	1,419 (0.47)
2007	4,833	243 (5.03)	276,239	1,875 (0.68)
2006	4,506	108 (2.40)	243,453	741 (0.30)
2005	4,257	73 (1.71)	260,665	375 (0.14)
2004	3,966	107 (2.70)	222,676	1,771 (0.80)
2003	3,731	95 (2.55)	207,730	1,022 (0.49)
2002	3,609	76 (2.11)	198,356	1,265 (0.64)
2001	3,430	72 (2.10)	194,883	1,208 (0.62)
2000	3,319	100 (3.01)	181,966	2,880 (1.58)

Graph 2: Percentage of Candidates Involved in Examination Irregularities in the KCSE Examination from 2000 to 2011



2.4.6 Mr. Chairman, from the table and graph showing summaries of the KCSE examination irregularity cases in the entire country for the last twelve years, I would wish to point out to the Honorable Members that:

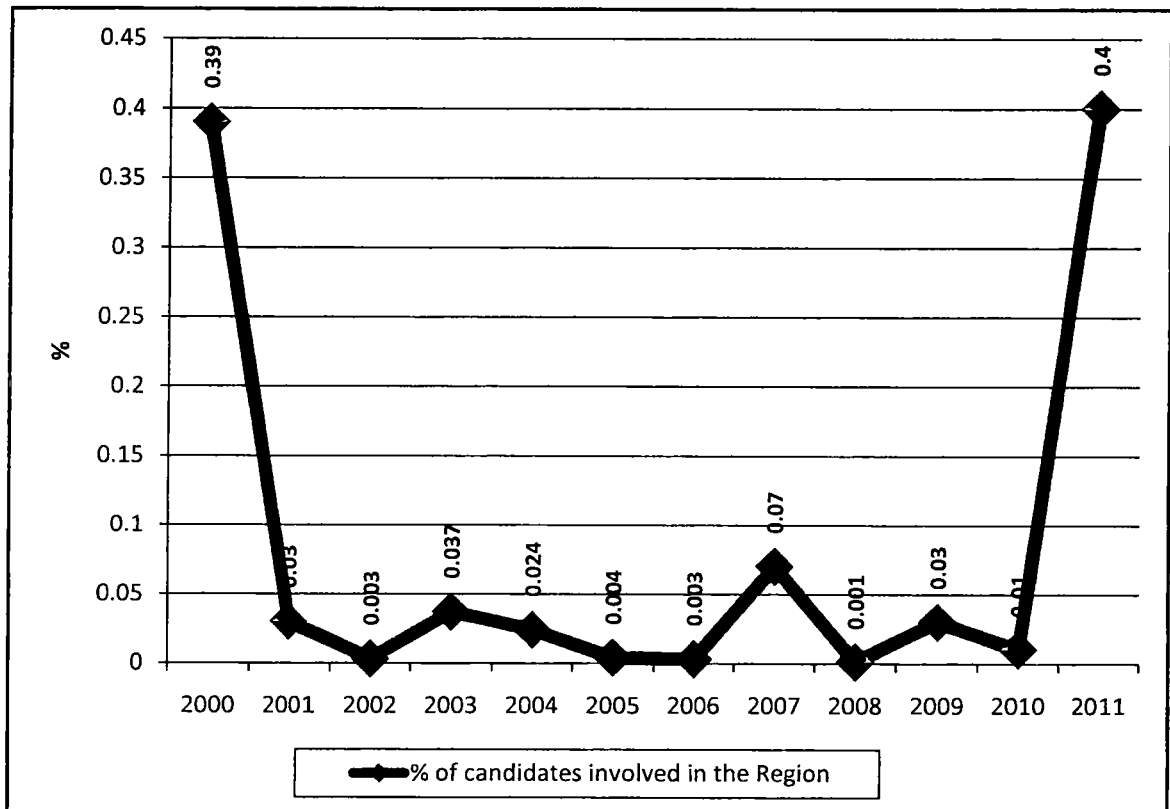
- a)** There has been a constant decline in the percentage of candidates involved in examination irregularities in the Country from the years **2007 to 2010**;
- b)** In the twelve year period, the year when the highest percentage of candidates taking the KCSE examination were involved in examination irregularities was the year **2000** when **1.58%** of the total candidates who sat for the examination had their results cancelled.

2.4.7 Mr. Chairman, I wish to further avail to you a summary of the number of candidates that have been involved in examination irregularities in the KCSE examination in **Garissa, Wajir and Mandera counties** for the last **twelve (12) years**.

Table VII: Number of Candidates involved in Examination Irregularities in the KCSE Examination in Garissa, Wajir and Mandera Counties against Totals in the Country

YEAR	NUMBER OF CANDIDATES INVOLVED IN CHEATING IN GARISSA, WAJIR AND MANDERA COUNTIES				TOTAL INVOLVED IN THE COUNTRY (NATIONAL) (%)
	COLLUSION	UNAUTHORIZED MATERIALS	MOBILE PHONES/ IMPERSONATION	TOTAL INVOLVED IN REGION (%)	
2011	1,641	08	-	1,649 (0.40)	2,927 (0.71)
2010	20	13	02	35 (0.01)	539 (0.15)
2009	96	05	-	101 (0.03)	1,171 (0.35)
2008	-	03	-	03 (0.001)	1,419 (0.47)
2007	194	-	-	194 (0.07)	1,875 (0.68)
2006	05	01	01	07 (0.003)	741 (0.30)
2005	-	11	-	11 (0.004)	375 (0.14)
2004	46	08	-	54 (0.024)	1,771 (0.80)
2003	72	04	-	76 (0.037)	1,022 (0.49)
2002	-	07	-	07 (0.003)	1,265 (0.64)
2001	36	16	-	52 (0.03)	1,208 (0.62)
2000	697	05	-	702 (0.39)	2,880 (1.58)

Graph 3: Number of Candidates involved in Examination Irregularities in the KCSE Examination in Garissa, Wajir and Mandera Counties against Totals in the Country



2.4.8 Mr. Chairman, I wish to draw the attention of the Honorable Members the following highlights from the tables and graphs above:

- a) There have been cases of examination irregularities and/or cheating in examination centres within **Garissa, Wajir** and **Mandera** counties in the last five (05) years for both the KCSE and KCSE examinations;
- b) KNEC has in the five year period cancelled results for all candidates who were found to have been involved in examination irregularities in the region;

- c) The cases of examination irregularities in the region have been fluctuating over the last five years, for example: after the cancellation of results for **seven hundred and two (702) candidates** in the year **2000 KCSE examination**, the years that followed witnessed a decrease in the number of examination irregularities in the region;

2.4.9 With regard to cases of cancelled results for the KCPE and KCSE examinations for the period **2007 to 2010**, very few appeals if any from the affected examination centres were received by KNEC and those that were received were handled appropriately. In regard to the 2011 KCSE examination, KNEC has not officially received any appeal from the affected schools in the region to date despite having a laid out channel for appeals.

2.4.10 Mr. Chairman, it is curious that Hon. Aden Duale in his petition is questioning the cancellation of candidates' results for the last five (05) years, whereas the regulations that are obtaining clearly indicate that appeals/queries for any released examination results can only be forwarded to KNEC within **thirty (30) days of the date of release of the examination results**.

3.0 MEASURES PUT IN PLACE TO CURB EXAMINATION IRREGULARITIES

Mr. Chairman, KNEC and the Ministry of Education are equally concerned about the menace of cheating in examinations and have put the following measures in place to curb examination irregularities:

3.1 Enhanced Monitoring of the KCSE Examination

KNEC sends officers to monitor the conduct of the examination all over Kenya during the examination period. Monitoring of

examinations by KNEC is important because it enables the presence of the Council to be felt in the field as examinations are going on. It also enables KNEC to assess compliance to KNEC examination rules and regulations by Field Officers who are involved in the field administration of examinations and helps to deter the occurrence of examination irregularities.

3.2 *Enhanced Briefing and Sensitization of Stakeholders on Examination Irregularities*

KNEC organizes programmes to brief and sensitize all Provincial Directors of Education, District Education Officers, District Examination Officers, Headteachers, Supervisors and Invigilators before the start of examinations.

3.3 *Posting of Qualified Teachers to Supervise & Invigilate the Examination*

KNEC sends Supervisors and Invigilators to supervise/invigilate KNEC examinations with a view of ensuring that examinations are conducted in accordance with the laid out rules and regulations;

3.4 *Implementation of an Examination Season in the year 2012*

The Ministry of Education has revised the calendar of school activities from the year 2012 so as to ensure that there is a period exclusively reserved for examinations. This means that all human and other resources will be concentrated on the examinations leaving little or no room for examination irregularities to occur *(Appendix J)*;

3.5 *Disciplinary Action against all District Education Officers, District Examination Officers, Headteachers, Supervisors and Invigilators who assist candidates to cheat / abet examination irregularities*

KNEC forwards details of District Education Officers, District Examination Officers, Headteachers, Supervisors and Invigilators who assist candidates to cheat/abet examination irregularities to the Ministry of Education/Teachers Service Commission so that disciplinary action can be taken against officers who are found to have been involved in assisting candidates to cheat/abetting examination irregularities during the examination (**Appendix L**);

3.6 *Circulars and Timetables to Candidates warning them of Consequences of Cheating in the Examination*

Before the start of the examination season, KNEC sends circulars and timetables to candidates informing them of what constitutes an examination irregularity and the consequences of involvement in examination malpractices. The provision of this information to candidates is important as it enables them to know and understand the examination do's and don'ts well before the examination begins, which is hoped to serve as a deterrent to cheating during the examination (**Appendix D: 2011 KCSE Examination Timetable & Appendix F: Circular to all Candidates who sat for the 2011 KCPE / KCSE Examinations**);.

3.7 *Posters to sensitize Candidates on Cheating sent to Schools by KNEC at the start of the Examination Season*

Before the start of the examination season, KNEC sends posters to all schools offering the KCPE and KCSE examinations informing them of the examination do's and don'ts. This it is also hoped

should serve as a deterrent to cheating during the examination (**Appendix G**).

3.8 Instructions on the Conduct of the KCPE and KCSE Examinations

KNEC provides instructions on the conduct of the KCPE and KCSE examination to all persons involved in the examination administration process. These persons include Provincial Directors of Education, District Education Officers, Headteachers, Supervisors, Invigilators and Security Officers. The instructions give a detailed account of the role that each of these Field Officers is expected to play during the examination administration process, so as to ensure that the examinations are administered as per the laid down rules and regulations across every examination centre in the country (**Appendix C: Instructions on the conduct of the 2011 KCPE and KCSE examinations**).

3.9 Inspection of Distribution Centres

KNEC annually inspects distribution centres where examination materials are stored during the examination period so as to ensure for their security. In cases where KNEC finds that distribution centres are not secure enough for the storage of examination materials, an alternate storage facility in the vicinity of the examination centres to be served by the distribution centre is sought or the available facilities are reinforced to meet the required standards of security.

3.10 Security Sealing of Question paper packets

All question paper packets used by KNEC have security features to safeguard the question papers from being tampered with. In the event that a question paper packet is tampered with, it can easily

be identified as the word "VOID" is clearly displayed as an indication of the tampering.

3.11 Strengthening of the KNEC Act

The KNEC Act is currently being revised in a bid to strengthen it so as to ensure that stiffer penalties are meted out to candidates and any other persons who commit/abet examination irregularities. When the act is enacted, it will serve as a deterrent to involvement in examination irregularities.

4.0 CONCLUSION

Mr. Chairman, in conclusion, it is crucial for the Honorable Members of this Committee to take the following into cognizance:

- 4.1** KNEC is mandated by law to cancel results of candidates who are involved in examination irregularities;
- 4.2** The year 2011 KCSE examination is not the first time cancellation of many candidates' results is being witnessed. In the year 2000 when KNEC cancelled KCSE examination results for **2,880 candidates**, the then **Minister for Education, Hon. Kalonzo Musyoka**, commissioned a committee to carry out a forensic audit on the massive cancellation of results in Western province. The committee of professionals which conducted a thorough investigation of the same was chaired by **Ambassador Benjamin K. Kisilu**. Their report vindicated KNEC and found that KNEC Officers were not involved in perpetuating examination irregularities. The report came up with far reaching recommendations, some of which I think Honourable Members need to hear. These are:-

a) Recommendation 4:

- i) The Council should continue to cancel the results of all the candidates who are found to have colluded;**
- ii) Disciplinary action needed to be taken against all the agents who are found to have assisted candidates to cheat or have committed examination irregularities;**
- iii) Supervisors and Invigilators should be held accountable for all collusion cases that take place within their jurisdiction.**

b) Recommendation 5:

- i) All candidates be thoroughly frisked in all centres without exception before they enter examination rooms;**
- ii) Candidates who are found with smuggled materials must have their results cancelled;**
- i) The Examination Supervisors and invigilators and any other agents be held accountable where there are cases of smuggled materials and disciplinary action be taken against them.**

c) Recommendation 7:

In view of these findings and in order for KNEC to convey a clear message that no amount of cheating in any form will be tolerated, the Committee recommends that:

- i) The KNEC be required to cancel results and issue results "Y" (Examination Irregularity) to all candidates who are found to have cheated in any paper regardless of entry requirements and awards regulations;*
- ii) Any Headteacher who is proved to have facilitated cheating in any examination conducted under KNEC be disciplined by Ministry of Education/Teachers Service Commission and never be allowed to head any institution whether public or private in the Republic of Kenya.*

d) Recommendation 22:

In view of the importance of National Examinations as determinants of quality education and certification, the Committee strongly recommended that the Ministry of Education continues to safeguard and where possible improve examination standards that the country has attained since independence by using the Legal Instruments it is empowered with to deal with any examination irregularities.

4.3 It is important for the Honorable Members to take note that examinations are of immense importance and sensitivity and as such sobriety and candid discourse in the handling of the matters of the same are called for;

4.4 In previous years, schools in Kisii and Nyamira counties have been affected adversely by examination irregularities than in any other region of the country. The Leaders in the counties dialogued with KNEC, the outcome of which has led to stringent measures being adopted for the management and administration of examinations in the counties so as to ensure that the vice of cheating in examinations is curbed. This has

borne fruits as evidenced by the reduction in involvement in examination irregularities by candidates in schools in the region. The North Eastern Region may wish to borrow a leaf from this initiative.

- 4.5** Finally, the Honorable Members of this Committee are implored to bear in mind that issues related to high stakes examinations such as the KCPE and KCSE examinations must be dealt with a lot of caution. If not handled with caution they can very quickly destroy our entire education system.

HON MUTULA KILONZO E.G.H., E.B.S, M.P.

MINISTER FOR EDUCATION

WEDNESDAY, 28TH MARCH 2012