



MINISTRY OF EDUCATION

State Department of Early Learning and Basic Education

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Ref: No. MOE.HQS/3/6/112/(1)

Date: 9th August, 2021

All Regional Directors of Education

All County Directors of Education

RE: CHARGING OF ILLEGAL LEVIES BY PUBLIC SCHOOLS

The Ministry of Education issued new guidelines on fees payable by parents on 16th June 2021 Vide circular Ref: MOE.HQS/3/13/3. However, it has been reported that some schools continue to charge fees outside the guidelines leading to dissatisfaction from the parents and guardians.

The Ministry has received numerous complaints from parents, sponsors of needy students and the general public regarding schools charging illegal levies.

It is noted that schools recover these levies upfront before crediting money paid as fees into the students' fees accounts. This makes students have false fees arrears leading to them being sent home.

Where lunch program is in place, the same should be made optional and be reasonable taking into consideration the reduced term or academic year.

Your attention is drawn to the **Basic Education Regulations 2015, Section 44, 45 and 46** on free and compulsory education which states as follows:

- Section (44): No public school or institution shall issue alternative fees structures other than those approved by the Cabinet Secretary.
- Section (45): No person or Board of Management in a public institution of basic education and training shall alter or increase fees without written authority from the Cabinet Secretary.

Section (46) The members of the Board of Management of an institution which contravenes regulation 44 or 45 shall jointly and severally be guilty of an offence under the Act.

You are notified that any unreported case(s) of a school(s) charging illegal levies will attract sanction on the responsible officer. Your reports should be submitted to director secondary vide email address: directorsecondary2018@gmail.com for compiling and further processing.

Any school that desires to charge amounts above the stipulated fees must make a formal request to the Cabinet Secretary and will only charge after written authorization has been granted. No child will be sent away for non-payment of such fees. Schools are ordered to display their fees structure prominently on their notice boards. Any fees collected above the revised guidelines be refunded or treated as prepayment of fees for continuing students.

In view of the above, all the County and Sub County Directors of Education are directed to report to the Principal Secretary any Board of Management whose institution is charging illegal levies with immediate effect.



Paul Kibet, OGW

For: PRINCIPAL SECRETARY

Copy to:

1. Cabinet Secretary
2. Administrative Secretaries
3. CEO Teachers Service Commission
4. Chair, National Parents Association