NATIONAL COUNCIL FOR
LAW REPORTING

LEGAL NOTICE NO. 196

THE TEACHERS SERVICE COMMISSION ACT

(*No.* 20 *of* 2012)

THE TEACHERS SERVICE COMMISSION CODE OF REGULATIONS FOR TEACHERS, 2015

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THE TEACHERS SERVICE COMMISSION ACT

(*No.* 20 *of* 2012)

IN EXERCISE of the powers conferred by section 47 (2) of the Teachers Service Commission Act the Commission makes the following Code of Regulations:—

THE TEACHERS SERVICE COMMISSION CODE OF REGULATIONS FOR TEACHERS, 2015

PART I—PRELIMINARY

1. These Regulations may be cited as the Teachers Service Commission Code of Regulations for Teachers, 2015. Citation.

2. This Code except as otherwise provided shall apply to all registered teachers and every teacher will be deemed to have read, understood and accepted the provisions of this code. Application.

3. In these Regulations, unless the context otherwise requires— Interpretation.

"absenteeism" means where a teacher is absent from duty or from a place of work without leave or other lawful cause;

"Act" means the Teachers Service Commission Act ;

"agent" means any person or body appointed by the Commission in accordance with section 20 of the Act; No 20 of 2012.

"allowance" means a monetary compensation paid to a teacher, in addition to the salary;

"appointment" means the power conferred by the Commission on a registered teacher to perform teaching duties in any public educational institution; No. 14 of 2013.

"basic salary" means the amount of money paid to a teacher on a monthly basis and excludes the allowances;

"Board of Management" means a board of management established under section 55 of the Basic Education Act;

"Cabinet Secretary" means the Cabinet Secretary for the time being responsible for matters related to education and training;

"Chairperson'' means the Chairperson of the commission appointed under Section 8 of the Act;

"Commission" means the Teachers Service Commission as established under Article 237(1) of the Constitution;

"common cadre promotion" means promotion of a teacher from one grade to the next upon completion of a specified period of service subject to meeting specified qualifications and upon satisfactory performance of duty;

"competitive promotion" means the promotion of a teacher following a successful evaluation process;

"contract" means an agreement between the Commission and a teacher on the terms and conditions of service;

"County Director" means the officer appointed by the Commission to be in charge of the performance of its functions at the county level;

"deployment" means appointment of a teacher to an administrative position, a higher administrative position, to the Secretariat of the Commission, in an acting capacity and includes posting from a primary institution to a post primary institution and withdrawal of administrative duties;

"desertion" means being absent from duty continuously for a period of fourteen days or more without written authority;

"dismissal" means the decision by the Commission to terminate the services of a teacher;

"Disciplinary Panel" means a Committee of the Commission constituted to hear and determine a teacher's discipline case;

"disciplinary offence" means an act or omission that contravenes provisions of the Act and this Code;

"educational institution" refers to both private and public learning institutions in Kenya registered under the Basic Education Act;

"education exchange programme" means a teacher exchange programme recognised or undertaken with the approval of the Commission;

"embezzlement" means the fraudulent conversion of public funds and property entrusted to a teacher to personal use;

"Entry and Performance Standards for Teachers" means the entry criteria and performance competencies a teacher is required to possess and maintain to effectively implement the curriculum;

"Form GP 69" means the form obtained from a Registered Government Medical Officer following a medical examination;

"head of institution" means the lead educator or administrator in a public educational institution appointed by the Commission as such and responsible for the implementation of the educational policy and professional practices;

"incitement" means any act, utterance, attempt or omission on the part of a teacher directed towards learners, teachers, workers or parents in an educational institution leading to or likely to lead to breach of peace, destruction of property, bodily harm, loss of life or disruption of learning of any kind;

"insubordination" means failure or refusal by a teacher to obey a lawful instruction issued by the Commission or a person placed in authority by the Commission;

"interdiction: means the temporary prohibition of a teacher from exercising the powers and functions of the teacher's office pending determination of the teacher's disciplinary case;

"investigation panel" means a team of officers of the Commission, agents or any other body tasked by the Commission to make inquiries into allegations made against a teacher;

"learner" shall have the meaning assigned to it under the Act;

"log book" means an official book maintained in an educational institution in which a series of events taking place within the institution are recorded by date of their occurrence;

"misappropriation" means use of public funds for unauthorized purposes by a teacher;

"mismanagement" means handling of public funds or property in an inefficient, irregular or in any manner likely to cause loss to the institution;

"negligence of duty" means instances where a teacher wilfully neglects to perform any work which was his duty to have performed, or if he carelessly or improperly performs any work for which from its nature it was his duty to have performed carefully and properly;

"next of kin" means a person related to the teacher by blood, marriage or adoption and to whom the teacher has identified as such;

"open performance appraisal system" means a process of evaluation of a teacher's performance over a period of time based on agreed performance standards in a consultative manner;

"pecuniary embarrassment" means a situation of high indebtedness that a teacher would find himself after failing to live within his means occasioning financial liability that he cannot satisfy thus rendering himself unproductive at the work place;

"promotion" means the conferment of a higher grade on a teacher;

"Public Educational Institution" means a public learning institution funded by the exchequer to which the Commission is mandated under law to assign teachers. It shall include a primary and post primary learning institution registered under the Basic Education Act; No. 14 of 2013

"private educational institution" means a learning institution established, owned or operated by private individuals, entrepreneurs and institutions and shall include primary and post primary learning institutions registered under the Basic Education Act; No. 14 of 2013.

"recruitment" means the process of hiring a registered teacher;

"redundancy" means the loss of employment, occupation, job or career by involuntary means through no fault of an employee, involving termination of employment at the initiative of the employer, where the services of an employee are superfluous and the practices commonly known as abolition of office, job or occupation and loss of employment;

"Register" means the register of teachers kept in accordance with section 24 of the Act;

"release" means allowing a teacher who has been offered employment by public institution, teachers unions, county government and public educational institution to leave the teaching service to take up the appointment, without loss of pension benefits;

"secondment" means releasing a teacher to a public institution for a specific assignment and definite period, upon request by such

institution and during the secondment period, the teacher is regarded as an employee of the Commission;

"secretary" shall have the meaning assigned to it under the Act;

"sexual harassment" means an act by a teacher who makes any sexual advances or requests including sexual gestures, cat calls, jokes or comments including innuendos to a learner and fellow employees;

"sexual intercourse" includes carnal knowledge of whatever nature with a learner;

"sexual offences" means offences prescribed under the Sexual Offences Act;

"staffing norms" means the standards developed by the Commission from time to time to determine teaching staff establishment of an educational institution;

"Sub-County Director" means the officer appointed by the Commission to perform its functions at the sub-county level;

"suspension" means the removal of a teacher from duty in accordance with Regulation 153 of this Code;

"teacher" shall have the meaning assigned to it under the Act;

"teaching certificate" shall have the meaning assigned to it under the Act"

"teaching service" shall have the meaning assigned to it under the Act;

"tertiary institution" means a post-secondary institution excluding a university;

"trade union" means a union recognised by the Commission as representing the interests of teachers;

"transfer" means reassigning a teacher or head of institution to perform teaching or administrative duties in a different institution.

PART II—GENERAL PROVISIONS

(This part provides for the various offices or institutions mandated under the law with the execution of the functions of the Commission, and the manner in which and to whom certain functions may be delegated. It also provides for the obligation to perform assigned duty and channels of communication).

The Commission.

4. The Commission is established under Article 237(1) of the Constitution.

Composition of the Commission.

5. The Commission consists of a Chairperson and eight other members appointed in accordance with Article 250(2) of the Constitution and provisions of section 8 of the Act.

Functions and Powers of the Commission.

6. The functions of the Commission shall be to -

(a) register trained teachers;

(b) recruit and employ registered teachers;

(c) assign teachers employed by the Commission for service in any public school or institution;

(d) promote and transfer teachers;

(e) exercise disciplinary control over teachers;

(f) terminate the employment of teachers;

(g) formulate policies to achieve its mandate;

(h) ensure that teachers comply with the teaching standards prescribed by the Commission under the Act;

(i) manage the payroll of teachers in its employment;

(j) facilitate career progression and professional development of teachers in the teaching service including the appointment of head teachers and principals; and

(k) monitor the conduct and performance of teachers in the teaching service.

Role of the Commission.

7. The Commission shall have the role of-

(a) reviewing the standards of education and training of persons entering the teaching service;

(b) reviewing the demand for and supply of teachers;

(c) advising the national government on matters relating to the teaching profession; and

(d) establishing and maintaining a teaching service adequate to the needs of public learning institutions in Kenya.

The Secretary to the Commission.

8. (1) The Secretary to the Commission shall be appointed in accordance with section 16 of the Act.

(2) The Secretary shall be the Chief Executive Officer and shall be responsible for the discharge of functions as assigned under regulation 9.

Responsibilities of the Secretary.

9. The Secretary shall-

(a) be the head of the secretariat;

(b) be the accounting officer of the Commission;

(c) be the custodian of all records of the Commission;

(d) execute the decisions of the Commission;

(e) assign duties to and supervise the staff of the Commission;

(f) facilitate, coordinate and ensure the execution of the Commission's mandate;

(g) ensure staff compliance with public ethics and values;

(h) general administration of the Commission; and

(i) perform any other duties as may be assigned by the Commission.

Decentralization of the functions of the Commission.

10. The Commission may decentralize the performance of any of its functions to county or any other level and delegate its powers and functions to appointed agents in accordance with section 20 of the Act.

Administration of the county office

11. The office of the Commission established at the county level shall be administered by a county director.

Duties of a County Director

12. (1) A county director shall-

(a) facilitate the processing of teacher registration and enforcement of the requirements for teacher registration;

(b) coordinate teacher recruitment at the county and ensure that the Commission's recruitment guidelines in force are adhered to;

(c) maintain a data base of registered teachers including the unemployed teachers within the county;

(d) manage aspects of teacher management as per the existing policy and guidelines within the county through-

(i) recruitment;

(ii) transfers;

(iii) posting;

(iv) receiving and recommending teachers' study leave;

(v) handling disciplinary matters as directed by the Secretary; and

(vi) identifying through a competitive process and recommending to the Secretary, teachers to be deployed to administrative positions;

(e) implement guidelines issued by the Commission from time to time;

(f) maintain a data base for all administrative posts in the county;

(g) maintain a data bank of all teacher vacancies available at the county;

(h) coordinate identification and selection of candidates for Teacher Professional Development Courses within the county as per the guidelines issued by the Commission from time to time;

(i) coordinate teacher promotions under the common cadre establishment within the county;

(j) ensure that teachers comply with the teaching standards prescribed by the Commission;

(k) monitor the conduct and performance of teachers at the county level;

(l) oversee performance appraisal of teachers at the county level;

(m) submit other reports related to performance of teachers as the Commission may require from time to time;

(n) transmit reports from heads of institutions to the Commission;

(o) supervise teachers within the county;

(p) advise the respective county governments on matters relating to the teaching profession;

(q) receive and transmit teachers' documents for processing of pension and related dues; and

(r) perform any other duty as may be assigned by the Commission from time to time.

(2) Liaise with the Secretary and stakeholders in resource mobilisation.

(3) In discharging the functions spelt out under this Code, the county director shall at all times be answerable to, and work under the direction of the Secretary.

Duties of sub-county Director.

13. (1) The duties of the sub county director shall be to—

(a) facilitate the processing of teacher registration;

(b) update and submit data on staffing levels to the county office;

(c) assign teachers employed by the Commission to public institutions within the sub-county;

(d) co-ordinate teacher performance management activities within the sub-county;

(e) investigate allegations of professional misconduct within the sub-county;

(f) receive applications for transfer of service of teachers to public institutions for submission to the county office;

(g) receive applications for release of teachers to other institutions for submission to the county office;

(h) receive retirement documents for processing of pension and related dues and submit to the county office;

(i) supervise staff within the sub county office; and

(j) perform any other duty as may be assigned by the county director.

(2) The sub county director shall in discharging the functions spelt out under this Code, be answerable to the county director.

Delegation by the Commission.

14. The Commission may generally or in particular delegate to the Board of Management or any other agent the role of—

(a) recruitment of teachers as per the guidelines issued by the Commission from time to time;

(b) exercising disciplinary control over teachers; and

(c) performing any other duty as may be delegated by the Commission.

Conditions of delegation of functions.

15. (1)The Commission shall in delegating functions to an agent—

(a) appoint the agent in writing;

(b) retain the discretion of exercising any power delegated to the agent; or

(c) revoke the delegation to an agent in writing.

(2) Any act done or any document executed by an agent in the proper exercise of any function delegated to the agent shall have effect and validity as if it were an act done, or a document executed by the Commission.

Non discrimination.

16. The Commission shall not discriminate on any ground against any person in respect to employment.

Performance of duty

17. (1) A teacher shall perform such teaching, administrative and supervisory duties in the teaching service, and any other related duties assigned or approved by the Commission to promote education and the Teaching Service.

(2) A teacher shall perform assigned duties in paragraph (1) unless the teacher has leave to be absent from such duties in accordance with regulations in Part X of this Code.

(3) A teacher shall be required to obey the directions given by the Commission, its agents, the head of institution or any other person under whose supervision the teacher is placed by the Commission.

(4) A teacher shall be required at all times to perform his duties and to conduct himself in a responsible and professional manner at the place of work and in his relationship with fellow teachers, pupils and members of the public.

Communication with the Commission.

18. (1) The contact of the Commission shall be; The Secretary, Teachers Service Commission, TSC House Upper Hill, Kilimanjaro Road, off Mara Road, Private Bag - 00100, Nairobi, Kenya or email address at info@tsc.go.ke.

(2) All communication to the Commission in respect of a teacher shall where possible include the full name, registration number, address or any other relevant detail of the teacher.

(3) The Commission may communicate with the teacher by-

(a) contacting the supervisor or head of institution of the last station of work of the teacher;

(b) writing to the last known address provided by the teacher;

(c) writing to the permanent address provided by the teacher at the time of employment;

(d) the teacher's next of kin contacts in the records of the Commission;

(e) making a telephone call to the teacher;

(f) sending an email to the teacher's e-mail address;

(g) sending short text messages to the teacher's mobile phone or phones known to the Commission;

(h) posting the information on the Commission's website; or

(i) any other mode that the Commission may from time to time approve.

(4) Any communication between a teacher and the Commission shall be addressed to the Secretary, Teachers Service Commission through the head of institution or the county director as the case may be, who shall make such appropriate remarks where necessary.

(5) The head of the institution shall have the obligation to forward, with the appropriate remarks, any written communication from the teacher to the Commission and from the Commission to the teacher.

(6) Where appropriate, the Commission shall in making any communication with teachers or stakeholders employ relevant information and communication technology.

(7) No official information or documents shall be released to any person without the authority of the Secretary.

PART III—REGISTRATION OF TEACHERS

(This part provides for the conditions and procedure for registration of trained teachers and non-citizens. The part further provides the procedure for revocation of Certificate of Registration, re-admission to the Register and the review mechanism for an application whose registration has been denied. It also provides for offences relating to registration, penalties thereof and steps to be undertaken in the event of loss of the Certificate of Registration).

Compliance with registration.

19. No person shall be qualified to practice as a teacher unless the person holds a Certificate of Registration issued by the Commission.

Conditions for registration.

20. A person shall be eligible to be registered as a teacher if the person—

(a) is of good moral character;

(b) holds relevant academic and professional qualification from a training institution recognized in Kenya; and

(c) meets the requirements for registration set by the Commission from time to time.

Registration of non citizen teachers.

21. Any person who is not a citizen of Kenya who wishes to be registered as a teacher in accordance with the Act, shall be required to submit to the Commission authenticated copies of the following documents—

(a) academic and professional certificates and other evidence for registration as a teacher obtained in Kenya or the country of origin;

(b) the academic and professional certificates in (a) must have been awarded by an accredited foreign institution and equated by the relevant public body in Kenya;

(c) certificate of registration as a teacher or authority to teach in the country of origin;

(d) a valid work permit issued by the department for the time being responsible for immigration; and

(e) a valid certificate of good conduct issued by the relevant law enforcement agency in the country of origin.

Application for registration.

22. A person who qualifies to be registered as a teacher under the Act, may apply to the Commission.

Particulars for application for registration.

23. (1)An application for registration shall be in the manner set out in Form A under the First Schedule and shall provide—

(a) full name;

(b) gender;

(c) date of birth;

(d) physical address;

(e) postal address;

(f) email address;

(g) telephone number;

(h) national identification or passport number;

(i) Kenya Revenue Authority Personal Identification Number

(j) academic qualifications;

(k) duly filled GP 69 Form;

(l) professional qualifications; and

(m) any other particulars or information that the Commission may require in compliance with existing laws.

(2) An application under paragraph (1) shall be accompanied by -

(a) Certificate of Good Conduct;

(b) reference from the most recent educational institutions attended by the applicant;

(c) certified copy of a degree, a diploma or a certificate from a recognized institution;

(d) the prescribed fee;

(e) certified copy of identity card or passport; and

(f) any other documents as the Commission may prescribe.

(3) A person must have pedagogical training to be registered as a teacher.

(4) The Commission may prescribe or review the particulars under this regulation.

Medical examination.

24. (1) The Commission may upon receiving Form GP. 69 require any person applying to be registered as a teacher, or any registered teacher, to attend a further medical examination before a qualified medical practitioner as may be referred by the Commission.

(2) The Commission may upon receiving the medical report deny or decline registration on the grounds stipulated under Section 27(f) of the Act, or revoke such registration.

(3) The Commission shall bear the cost of the medical examination in paragraph (1).

(4) Any person aggrieved by the decision of the Commission in this regard may apply for review of the decision in accordance with section 46 of the Act.

Issuance of the Certificate of Registration.

25. The Commission shall upon registration of a teacher issue a certificate of registration to a teacher in the form prescribed under Second Schedule.

Denial of registration

26. The Commission shall where it declines to register an applicant—

(a) communicate its decision in writing within thirty days of making the decision; and

(b) shall state the grounds for the decision.

Temporary Teacher Registration Certificate

27. (1)The Commission may issue a Temporary Teacher Registration Certificate to a person who-

(a) is in Kenya on recognized education exchange programmes or other international bilateral arrangements; or

(b) not having trained as a teacher but holds a relevant certificate issued to him under any law relating to education and training or as directed by the Commission.

(2) The Commission shall upon being satisfied that an applicant under this regulation meets the requirements of registration, issue a Temporary Teacher Registration Certificate in the manner set out in the Third Schedule .

(3) A person who has been issued with a certificate under this regulation shall apply for its renewal after a period of two years from the date of issue.

Commission's discretion to issue certificates.

28. (1) Where a person holds a certificate from a foreign learning institution accredited by a recognized accreditation body, the Commission shall have the discretion to register or refuse to register the person.

(2) Where the Commission declines to issue a Certificate of Registration, the Commission shall-

(a) communicate in writing within thirty days; and

(b) provide reasons for its refusal.

Verification by the Commission.

29. (1) The Commission may for purposes of verification, at any time require an applicant or a person who has been registered to provide the Commission with proof of—

(a) date of birth;

(b) nationality;

(c) academic qualifications;

(d) professional qualifications; or

(e) any other certificate that the Commission may require from time to time.

(2) The Commission may after due process refuse to register the applicant or revoke the registration of a registered teacher who fails to provide information required under this regulation.

Revocation of Certificate of Registration

30. (1) The Commission may—

(a) revoke a Certificate of Registration, where it has reason to believe that the certificate was obtained through fraud, misrepresentation, forgery or other unlawful means; or

(b) recall or revoke a Certificate of Registration issued as a result of mistake.

(2) A person whose Certificate of Registration is revoked or recalled by the Commission shall be informed in the manner set out in the Fourth Schedule .

(3) A person whose name has been removed from the Register and who has not lodged an appeal against such decision, shall surrender the Certificate of Registration to the Commission within ninety days.

(4) A person whose appeal has been heard and dismissed shall surrender the Certificate of Registration forthwith.

Publication of names.

31. The Commission shall annually publish in the Gazette and in the Commission's website, names of persons—

(a) duly registered as teachers as specified in section 32 of the Act; and

(b) removed from the register of teachers in accordance with section 30 of the Act.

Issuance of a Duplicate Certificate.

32. (1) The Commission may on application, issue a Duplicate Certificate of Registration to a person whose certificate of registration is lost, destroyed or misplaced upon payment of a non-refundable fee specified in the Fifth Schedule .

(2) A Duplicate Certificate of Registration under this regulation shall be issued in the manner prescribed under the Sixth Schedule .

Particulars of the Register.

33. (1) The Commission shall keep a Register of teachers which shall contain—

(a) full names, physical, postal and email address;

(b) National Identity Card or passport number;

(c) Kenya Revenue Authority Personal Identification Number;

(d) date of birth;

(e) gender;

(f) nationality;

(g) academic and professional qualification;

(h) serial numbers of both academic and professional certificates;

(i) year of qualification and institution;

(j) teaching subjects where applicable;

(k) registration number;

(l) serial number of the Certificate of Registration; and

(m) the current registration status.

(2) For the purposes of this regulation, the Commission may require a teacher to provide such information as may be required from time to time.

Removal from the Register of Teachers.

34. (1) The Commission may, after due process, remove from the Register the name of a teacher in accordance with section 30 of the Act.

(2) The Commission may constitute a panel to hear and determine whether a teacher employed in a private institution is guilty of professional misconduct which warrants removal from the Register.

(3) A teacher whose name is removed from the Register following a disciplinary process shall be notified in the manner specified in the Seventh Schedule.

Review by the Commission.

35. (1) The Commission shall have the power to review its decision on removal of a teacher from the register or refusal to register a teacher.

(2) A teacher aggrieved by the decision of the Commission may apply to the Commission for a review of the decision within ninety days from the date of the letter communicating the decision.

Reinstatement to the Register.

36. (1) The Commission may on its own motion or upon application by a teacher in the manner Specified in Form B under the Eighth Schedule direct that—

(a) the removal of the name of the teacher from the Register be confirmed; or

(b) the name of the teacher be reinstated to the Register.

(2) A teacher whose name has been removed from the Register shall only be eligible to apply for reinstatement to the Register after a period of eighteen months from the date of such removal.

Review of decision torefuse to register.

37. A teacher whose application for registration has been denied may apply for review of the decision to the Commission.

Registration fee.

38. (1)A non-refundable fee prescribed under the Fifth Schedule shall be paid by a teacher on application for registration.

(2) The Commission may review the fee payable from time to time.

Offences relating to registration.

39. Any Person who—

(a) procures or attempts to procure the entry of any name on the Register by wilfully making or producing or causing to be made or produced, either orally or in writing, any declaration, certificate or representation which he knows to be false or fraudulent;

(b) falsely or fraudulently holds himself out to be a registered teacher;

(c) not being a registered teacher, or a person exempted under any written law, teaches or assists in teaching in any school;

(d) wilfully aids, perpetuates or in any way assists another person to obtain registration by false pretence;

(e) causes, permits or employs to teach in any school a person not being a registered teacher or a person exempted by any written law;

(f) applies for employment as a teacher in any name other than the full name as entered in the Register; or

(g) commits any other act or omission relating to registration which constitutes an illegal act under the Act or any other written law;

commits an offence and is liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding twelve months, or both.

Other offences.

40. Any person—

(a) who defaces, amends or erases any entry in the Certificate of Registration;

(b) who defaces, amends, alters, erases or in any way interferes with an entry in the Register of Teachers;

(c) whose name has been removed from the Register in accordance with the provisions of the Act and has not subsequently been readmitted in the Register but continues to teach;

(d) who having been removed from the Register continues to hold and use the Certificate of Registration for teaching or any other purpose;

(e) not being the person whose full name, address and registration number appears in a Certificate of Registration, uses such certificate for any purpose; or

(f) performs any other act relating to Certificate of Registration or the Register of teachers which constitutes an illegal act under the Act or any other written law;

commits an offence and is liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding twelve months, or both.

PART IV—DEVELOPMENT, REVIEW AND MAINTENANCE OF ENTRY AND PERFORMANCE STANDARDS

(This part spells out the process for development, review and maintenance of the entry and performance standards of persons in the teaching service. It provides for the procedures of quality assessment of teachers, continuous professional development, the performance appraisal and outlines offences and penalties for non-compliance with the entry and performance standards).

Entry and performance standards.

41. (1) A person entering the teaching service shall comply with the required entry standards which shall include—

(a) obtaining a valid Certificate of Registration;

(b) possessing the relevant qualifications prescribed by the Commission;

(c) possessing a Certificate of Good Conduct from the Criminal Investigations Department; and

(d) meeting the requirements of Chapter six of the Constitution.

(2) A person shall not qualify for registration if the person-

(a) has been convicted of a sexual offence or an offence committed against a learner; or

(b) has been convicted of a criminal offence which renders the person unfit to be a teacher.

(3) A teacher shall comply with the following performance standards—

(a) take out a Teaching Certificate from the Commission;

(b) undertake Professional Teacher Development Programme prescribed by the Commission;

(c) possess the professional documents stipulated in regulation 42(1)(a);

(d) use the appropriate teaching and learning resources where available;

(e) be proficient and possess mastery of the subject content;

(f) have mastery of appropriate pedagogical skills;

(g) be able to plan and effectively implement each teaching and learning activity, including the objectives, scope, timing, and teaching resources;

(h) be able to assess, provide feedback and report to learners' about their achievements in learning;

(i) be professional and adhere to ethical practice; and

(j) be prudent in the management of resources.

Compliance with performance standards

42. (1) Every teacher shall comply with the performance standards specified under the Act and this Code and shall in the course of the teacher duty—

(a) possess a—

(i) Certificate of Registration;

(ii) syllabi for the relevant cycle of education approved by Kenya Institute of Curriculum Development;

(iii) schemes of work;

(iv) lesson plans;

(v) lesson notes;

(vi) records of work;

(vii) learners' progress records;

(viii) learners' value added records;

(ix) class attendance register; and

(x) any other necessary legal documents pertaining to education.

(b) undertake Teacher Professional Development Programme on curriculum interpretation and implementation as may be required from to time;

(c) use the appropriate teaching and learning resources; and

(d) comply with the Act, these Regulations, the Teachers Service Commission Code of Conduct and Ethics for Teachers and other relevant legal instruments.

(2) Every head of institution shall in performing the role of quality assurance within the institution-

(a) teach;

(b) supervise and ensure quality implementation of the curriculum;

(c) verify teachers' professional documents;

(d) supervise the actual coverage of syllabus;

(e) ensure that teachers attend classes;

(f) ensure that adequate teaching and learning materials approved by Kenya Institute of Curriculum Development are available for the implementation of the curriculum;

(g) advise the Commission on the optimum curriculum based establishment in the institution;

(h) ensure a conducive teaching and learning environment in the institution;

(i) induct new teachers and ensure mentoring programmes are in place on the professional requirements as outlined in this Code;

(j) offer guidance and be a role model to teachers;

(k) implement the co-curricular programme developed by the Cabinet Secretary responsible for the time being for matters of education;

(l) ensure that teachers under the head of Institutions supervision maintain all documents required under these Regulations;

(m) maintain all school registers and documents and submit returns to the Commission and approved agents as required;

(n) produce all the relevant records and documents for inspection upon request;

(o) appraise all teachers under their supervision; and

(p) perform any other role that may enhance teaching standards and professionalism among teachers.

Maintenance of performance standards

43. (1) The Commission shall in collaboration with relevant government agencies—

(a) develop and review the entry qualifications to various levels of teacher education, training programmes and advise the national government accordingly;

(b) vet the academic and professional certificates to ensure compliance with the requirements of persons entering the teaching service;

(c) establish linkages on matters related to quality teaching;

(d) partner with private schools for purposes of ensuring quality teaching standards and professionalism among teachers;

(e) partner with the institutions responsible for designing teacher education curriculum and provide appropriate guidance and support as the case may necessitate;

(f) undertake monitoring and evaluation programmes with a view to ensuring that teaching standards are maintained; and

(g) evaluate performance assessment in curriculum implementation to ensure effective teaching and learning.

(2) The Commission shall advise the national government on the entry and performance standards and the quality of teachers required in the teaching service and do all such other things as may be necessary to maintain standards in the teaching profession.

Teachers Service Commission Quality Assurance and Standards Officer.

44. The Commission may for purposes of maintaining the performance standards, designate a Quality Assurance and Standards Officer at the county and sub county level.

Role of the Teachers Service Commission Quality Assurance and Standards Officer.

45. The Quality Assurance and Standards Officer may-

(a) enter any educational institution to ensure performance standards are complied with;

(b) summon and interview teachers and any other person to provide information or material relating to standards assessment;

(c) request from any teacher the production of any teaching documents and materials referred to in regulation 42 (1) (a);

(d) carry out performance assessment and discuss the findings with the teacher concerned for purposes of corrective action and continuous improvement;

(e) examine and record any teaching material or document that will assist in compiling a report for purposes of preventive and corrective action;

(f) ensure maintenance of discipline and work ethics among teachers;

(g) compile reports in respect of the performance standards assessment carried out and submit the same to the Commission for appropriate action;

(h) verify other reports from relevant agencies before the Commission takes appropriate action;

(i) conduct joint standard assessment with other relevant government agencies;

(j) monitor performance of teachers in schools; and

(k) perform all other related duties as may be necessary to promote standards in the teaching profession.

Curriculum Support Officer.

46. (1) The Commission may for purposes of providing quality teaching and learning, establish a Curriculum Support Centre at the zonal level or any other level within the sub county.

(2) The Commission may for purposes of paragraph (1), designate an officer to be known as a Curriculum Support Officer.

Role of Curriculum Support Officer.

47.The Curriculum Support Officer may—

(a) identify the training needs of teachers and heads of institutions and advise the Commission accordingly;

(b) in liaison with the County Director and school administrators, provide support services to teachers and to continuously advise on teaching techniques, selection of appropriate text books, lesson demonstrations and the challenges noted during assessments;

(c) organize and conduct, in conjunction with the County Directors, courses on curriculum delivery and implementation through seminars, workshops, retreats and in-service programmes;

(d) acquire appropriate resources including resource books, consumables, audio-visual aids and other materials necessary for effective teaching and learning;

(e) assist teachers to develop teaching aids and other reference materials;

(f) update teachers on curriculum changes, pedagogy, content coverage and any other emerging issues in the teaching service;

(g) develop work programmes for the Curriculum Support Centre;

(h) visit schools, observe teaching techniques, give demonstrative lessons and advise teachers on the appropriate methods, techniques and resources needed for effective teaching and learning;

(i) assist teachers to develop and use appropriate teaching and learning materials;

(j) assist in the setting up and organisation of subject panels and examinations and assessments procedures in schools at the zonal level;

(k) provide professional guidance and counselling to teachers and disseminate information on curriculum, evaluation, textbook selection and training;

(l) collect and submit data on school enrollment, staff establishment, staff changes and other related information;

(m) participate in the organization and management of co-curricular activities;

(n) work with the Quality Assurance and Standards Officer to improve teaching and learning;

(o) enter an institution to perform demonstrative lessons to teachers for classroom practice;

(p) prepare regular progress reports for transmission to the County Director; and

(q) perform all other duties as may be necessary to promote standards in the teaching profession.

Professional teacher development programmes.

48. (1) Every teacher shall undertake the professional teacher development programmes prescribed or recommended by the Commission from time to time.

(2) The Commission shall approve training institutions to conduct teacher development programmes.

(3) The approved institutions shall issue certificates to teachers upon completion of the programme.

Teaching certificate.

49. (1) Every teacher who successfully completes a professional teacher development programme under regulation 48 shall be issued with a teaching certificate by the Commission in the manner prescribed under the Ninth Schedule .

(2) A certificate issued under this regulation shall indicate the effective date and shall be valid for five years or such other period as may be prescribed by the Commission.

(3) A teacher who fails to take out a teaching certificate under section 35 (2) (b) of the Act shall have the certificate of registration suspended until the teacher obtains the teaching certificate provided that the teacher shall take out the teaching certificate within two years in default of which the teacher will be terminated from service.

(4) All newly registered teachers will be issued with a Teaching Certificate which shall be valid for five years from the date of issue.

(5) Where the name of a person registered as a teacher is removed from the register, the teaching certificate of that person shall be invalid.

Offences relating to performance standards.

50. The commission shall take disciplinary action against a teacher who—

(a) knowingly procures or attempts to procure in a fraudulent manner, a teaching certificate by wilfully making, producing or causing to be made or produced, a teaching certificate which the teacher knows to be false or fraudulent;

(b) falsely or fraudulently holds out as a certified teacher; or

(c) performs the duties of a teacher in any educational institution without a teaching certificate.

Review of entry and performance standards.

51. The Commission in the exercise of its powers under the Act and these Regulations shall—

(a) develop and review guidelines on the qualifications of persons entering the teaching service;

(b) review the career progression for teachers and continuous professional teacher development programmes;

(c) facilitate professional teacher development programmes based on periodic national needs assessment;

(d) enter into agreement with such other bodies or organisations in Kenya or outside Kenya as it may consider appropriate to facilitate continuous professional teacher development programmes; and

(e) perform all such other things as may be necessary to review and promote the standards in the teaching profession.

Appraisal of teachers.

52. (1)The Commission shall develop an open performance appraisal system for teachers in its employment to strengthen supervision and to continuously monitor the performance of teachers in curriculum implementation at the institutional level.

(2) The Commission shall in administering the performance appraisal system—

(a) require heads of institutions to provide oversight role in the performance appraisal for the teachers in their respective institutions;

(b) use performance appraisal reports for purposes of promotion, deployment and other rewards as may be prescribed from time to time;

(c) identify training needs and taking corrective measures in cases of unsatisfactory performance; and

(d) develop and review criteria, guidelines and tools for performance appraisal from time to time, which shall be accessible in the Commission's website or as the Commission may advise.

(3) Every head of institution shall submit an annual staff appraisal report to the Commission.

(4) A teacher in a primary educational institution shall be appraised by the deputy head of institution and the appraisal report confirmed by the head of institution.

(5) A deputy head of institution in a primary educational institution shall be appraised by the head of institution and the appraisal report confirmed by the Sub County Director.

(6) A head of institution in a primary educational institution shall be appraised by the Sub County Director and the appraisal report confirmed by the County Director.

(7) A teacher, tutor or lecturer in a post-primary institution shall be appraised by the head of department or in the absence of the head of the institution, the deputy head of institution and the appraisal report confirmed by the head of institution.

(8) A head of department in a post-primary institution shall be appraised by the deputy head of institution and the appraisal report confirmed by the head of institution.

(9) A deputy head of institution in a post-primary institution shall be appraised by the head of institution and the appraisal report confirmed by an officer assigned by the Sub County Director.

(10) A head of institution in a post primary institution shall be appraised by the Sub County Director and the appraisal report confirmed by the County Director.

(11) The Commission shall determine the intervals at which appraisals at the educational institutions may be conducted.

(12) The appraisal instrument shall be jointly discussed, completed and signed by the appraiser and appraisee.

(13) An appraiser may, where an appraisee does not perform to the expected standards, recommend an appropriate corrective action.

(14) Every appraisal report shall at the end of the appraisal period be submitted to the Commission's headquarters.

(15) Notwithstanding the above provisions, the Commission may from time to time issue guidelines on the management of performance appraisal system.

Moderation procedures.

53. A disagreement between an appraiser and the appraisee on the performance appraisal report shall—

(a) where the designated counter signing officer is not the county director, be referred to the county director's office for moderation; and

(b) where the designated counter signing officer is the county director, be referred for moderation to the officer for the time being in charge of appraisal system at the Commission Headquarters.

Failure to comply with appraisal requirements.

54. (1) The Commission may take disciplinary action against a teacher who—

(a) fails to complete and submit an appraisal report to the supervisor; or

(b) refuses or neglects to discuss or sign the appraisal report with the supervisor.

(2) Any teacher who consistently displays poor performance or adverse appraisal ratings may after due process have his services terminated.

PART V—RECRUITMENT, APPOINTMENT, ASSIGNMENT, DEPLOYMENT AND OTHER CONDITIONS OF SERVICE FOR TEACHERS

(This part deals with recruitment, appointments, assignments, transfers and other matters that generally relate to conditions of employment of teachers in public service).

Teacher recruitment.

55. (1) The Commission shall recruit registered teachers in accordance with the recruitment guidelines issued from time to time.

(2) The Commission shall advertise available vacancies-

(a) based on the demand for and supply of teachers; and

(b) taking into consideration the existing establishments.

(3) A teacher who is recruited by the Commission may be deployed to serve in any part of the country based on the teaching service requirements.

Application for employment.

56. (1)An application for employment as a teacher shall be made to the Commission in the manner set out in Form C under the Tenth Schedule and shall be accompanied by a medical examination report in Form GP 69.

(2) The Commission shall issue—

(a) an Offer of Employment Letter on permanent and pensionable basis to a person employed to teach in a primary or a post-primary institution in the manner set out in the Eleventh Schedule (a) and (b) respectively;

(b) an Offer of Employment Letter on contractual terms to a teacher in the manner set out in the Twelveth Schedule ; or

(c) a Posting Letter to a teacher appointed on permanent and pensionable or contractual terms, to teach in a primary institution as set out in the Thirteenth Schedule .

Employment on permanent and pensionable terms.

57. (1) The Commission may employ a teacher on Permanent and Pensionable terms if the teacher is—

(a) a Kenyan citizen;

(b) registered as a trained teacher in accordance with the Act; and

(c) is below the age of forty five at the time of appointment.

(2) A teacher appointed on permanent and pensionable terms shall qualify for pension under the Pensions Act.

(3) A teacher recruited and employed by the Commission shall be appointed to a grade consistent with the qualifications held by the teacher in accordance with the existing schemes of service.

Employment of a teacher on contract

58. (1) The Commission may employ a teacher on contractual terms if the teacher is—

(a) a retired teacher eligible for re-employment by the Commission; or

(b) a person eligible for appointment as the Commission may deem fit.

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(2) A teacher appointed on contractual terms shall contribute to the National Social Security Fund in accordance with the National Social Security Fund Act.

(3) The Commission may upon application by a teacher employed on contractual basis extend or renew the contract of employment.

(4) A teacher appointed on contract shall be issued with an Employment Contract in the manner set out in the Fourteenth Schedule.

(5) Employment on contractual terms shall not guarantee a teacher employment on permanent and pensionable terms.

Effective date of appointment.

59. (1)An appointment made by the Commission shall be effective from the date the teacher reports for duty as shall be confirmed through an Entry and Exit Form in the manner set out in Form D under the Fifteenth Schedule issued by the head of institution;

(2) The date of appointment entered on the Entry and Exit Form shall not be earlier than the date specified in the Letter of Offer of Employment or the Posting Letter;

(3) An offer of employment specified in the Letter of Offer of Employment shall lapse if not taken within thirty days from the date of offer.

Next-of-Kin.

60. A teacher shall upon accepting an appointment—

(a) complete and submit a "Next-of-Kin" Form in the manner set out in Form E under the Sixteenth Schedule ; and

(b) notify the Commission of any subsequent changes.

Period of probation.

61. (1)A teacher appointed by the Commission to serve on permanent and pensionable terms shall be placed on probation for a

period stipulated in the Letter of Probationary Appointment set out in the Seventeenth Schedule which period shall not exceed six months.

(2) A teacher shall upon expiry of probation period apply to the Commission for confirmation of appointment as set out in the Eighteenth Schedule .

(3) The Commission may upon receipt of an application for confirmation of a teacher, and based on the recommendation of the head of institution, confirm the appointment of the teacher on permanent and pensionable terms or extend the probation for a period not exceeding six months.

(4) The Commission may, where the teacher completes a further period of probation confirm or terminate the appointment of the teacher.

(5) The Commission shall—

(a) on confirmation of the appointment issue a teacher with a Letter of Confirmation as set out in the Nineteenth Schedule or terminate the appointment.

(b) upon termination of appointment, give thirty days' notice in writing to the teacher or pay thirty day's salary in lieu of notice.

(6) A teacher who transfers service from the public service to the teaching service while on permanent and pensionable appointment shall not be subject to the probation period in accordance with this regulation.

Power of Commission to post teachers.

62. The Commission may post or assign a teacher to a public educational institution for the purpose of—

(a) providing qualified and competent service; and

(b) achieving equity in the distribution and optimal utilization of teachers.

Posting and assignment of teachers to public institutions.

63. (1)A teacher appointed by the Commission on first appointment to teach in a post primary institution shall be posted vide a Letter of Offer set out in the Eleventh Schedule (b).

(2) A teacher appointed by the Commission to serve in a primary institution shall be issued with a posting letter by the respective county director.

(3) The Commission may on appointing a teacher, post the teacher to serve in any educational institution in which it considers the teacher qualified to teach.

(4) The head of institution shall—

(a) notify the Commission of the date when the teacher reports on duty; and

(b) assign duties to the teacher in writing.

(5) The Commission shall post a teacher to any institution where a vacancy exists, when the teacher reports back—

(a) from a leave of absence exceeding six months;

(b) following release from other institutions; or

(c) after undergoing a disciplinary process.

(6) Where a teacher fails to report to the teaching station upon completion of a leave period within the time specified in the posting letter, the teacher may be subjected to appropriate disciplinary action.

(7) The Commission may, in addition to the teaching duties specified in the Letter of Offer or Posting Letter issued to a teacher, require the teacher to—

(a) participate in the implementation of academic programmes;

(b) supervise co-curricular activities;

(c) supervise and manage learners in the educational institutions; and

(d) carry out any other relevant duties as may be assigned by the Commission as part of the normal school or institutional routine or matters of national interest.

(8) A teacher who is posted to an educational institution shall be answerable to the head of institution or any other authorised officer for the day-to-day performance of duties.

(9) A head of institution shall not under any circumstances, exclude a teacher from the institutional teaching timetable unless such action has been authorised in writing by the Commission.

(10) A head of institution who excludes or removes a teacher from the institutional teaching timetable without authorization in writing by the Commission shall be subject to disciplinary action.

Conditions for transfer.

64. The Commission may transfer a teacher from one institution to another based on—

(a) the need for equitable distribution and optimal utilization of teachers;

(b) availability of vacancy in the proposed station;

(c) the need for replacement;

(d) existing staffing norms which may be reviewed from time to time;

(e) medical grounds, as certified by a registered medical practitioner; or

(f) such other grounds as the Commission may consider necessary.

Application for transfer.

65. (1) A teacher who wishes to be considered for transfer by the Commission from one station to another, shall make an application to the Commission in the manner set out in Form F under the Twentieth Schedule .

(2) A teacher on first appointment may not be considered for transfer until the teacher has served in a station for a period of not less than five years except under the following conditions—

(a) medical grounds, as certified by a registered medical practitioner; or

(b) other compelling circumstances as shall be determined by the Commission.

(3) The Commission shall constitute staffing panels at the headquarters and at the county level to consider and approve transfer requests.

Approval of transfer.

66. (1)Where an application is for transfer—

(a) from one county to another, the approval shall be made by the Secretary;

(b) within a county, the respective county directors shall consider and approve the transfer request as per the existing transfer policy.

(2) The Commission in processing an application for the transfer of a teacher shall consider the availability of a vacancy and a suitable replacement.

(3) A teacher whose transfer request is approved shall not proceed on transfer from one educational institution to another without a letter of transfer and a release letter from the head of institution.

(4) A teacher whose transfer request is approved and who fails to proceed on transfer, or leaves the station without a release letter by the head of institution shall be liable for disciplinary action.

(5) The head of institution shall release a teacher whose transfer request is approved within reasonable time but not later than thirty days from the date of the transfer and shall issue an entry and exit report in the manner set out in Form D under the Fifteenth Schedule.

Commission's discretion to transfer a teacher

67. Notwithstanding the provisions in regulations 64 and 65, the Commission shall have the discretion to transfer a teacher at any time whether or not the teacher has applied for a transfer or decline to transfer a teacher upon application.

Deployment of teachers

68. (1) The Commission may, for purposes of providing competent administrators for all educational institutions, deploy a teacher to any administrative position or in any other capacity through a transparent process.

(2) The Commission may deploy a teacher by—

(a) appointment to an administrative position;

(b) appointment to a higher administrative position;

(c) appointment to the Commission's secretariat;

(d) appointment to perform administrative duties;

(e) posting from a primary to a post primary institution; or

(f) withdrawal of administrative duties.

Administration of institutions.

69. The Commission may for purposes of administration of educational institutions deploy a teacher as a—

(a) Head of institution;

(b) Deputy head of institution;

(c) Registrar;

(d) Dean of Curriculum;

(e) Dean of Students;

(f) Head of Department;

(g) Senior Teacher;

(h) Head of Subject; or

(i) Any other post as may be established by the Commission from time to time.

Identification and deployment criteria.

70. (1) The manner of identification of institutional administrators shall be done by the Commission through a competitive process in accordance with the deployment policy in place at the time.

(2) The Commission shall only deploy teachers to registered public institutions except where there is an existing agreement between the Ministry of Education, Commission and the institution.

(3) The Commission may redeploy a teacher who has been deployed to any administrative position, within an educational institution to perform normal teaching duties where the teacher—

(a) is unable to perform the functions of the office so held;

(b) is incompetent or neglects administrative duties;

(c) continuously posts declining examination results;

(d) has poor financial management skills;

(e) neglects or fails to maintain proper records;

(f) is the subject of investigations for an offence under these Regulations; or

(g) performs any other act that in the opinion of the Commission justifies re-deployment.

(4) The Commission shall before redeploying a teacher from an administrative position, observe the rules of natural justice and shall accord the teacher an opportunity to respond to any adverse reports.

(5) A teacher who is deployed by the Commission and fails to take up the deployment shall be deemed to have forfeited the opportunity.

(6) A teacher deployed by the Commission to an administrative position, who applies for transfer to a station where an equivalent vacancy does not exist, shall relinquish the administrative position upon being transferred.

(7) A head of institution upon transfer shall—

(a) hand over the educational institution to the incoming head of institution in the presence of the county director, the county director of education and the chairperson of the Board of Management or their representatives; and

(b) be required to comply with the handing over or taking over instructions in accordance with the financial and accounting Regulations in force at the time.

(8) In undertaking deployment, the Commission shall endeavour to de-localise the administration of public educational institutions.

Role of Head of institution.

71. (1) The head of institution, in the case of a public institution shall be appointed by the Commission as the lead educator and administrator to perform any function assigned to him by the Commission or under any law.

(2) The responsibilities of the head of institution shall include but not limited to—

(a) being responsible for compliance with professional practice at the institutional level;

(b) supervision and evaluation of the implementation of the institutional curriculum;

(c) assignment of teaching and other official duties to teachers;

(d) undertaking a reasonable teaching load;

(e) providing direction for effective teaching and a conducive learning environment;

(f) updating the Commission and other stakeholders on institutional performance;

(g) offering technical advice to the Board of Management and other stakeholders within the institution to enable the institution meets its objective;

(h) ensuring maintenance of teaching standards and professional records, maintained by a teacher including schemes of work, lesson notes, records of work and pupils' exercise books;

(i) supporting implementation of the education policy developed by the Cabinet Secretary responsible for the time being of matters related to education and training;

(j) ensuring proper management and maintenance of the institutional resources;

(k) being the custodian of the institutional records;

(l) developing the institutional plan and ensuring that institutional academic targets and objectives are met;

(m) implement the resolutions of the board of management in his capacity as Secretary to the board of management;

(n) creating a conducive environment which is engaging and fulfilling for all teachers; and

(o) performing such other roles as may be assigned by the Commission.

(2) The deputy head of institution shall deputise the head of institution and shall be appointed by the Commission.

Re-employment of a teacher.

72. A teacher who exits service, may be re-employed by the Commission subject to—

(a) existing terms and conditions of service and;

(b) recruitment guidelines.

PART VI—PROMOTION OF TEACHERS

(This part provides for the criteria and procedure for promotion of teachers from one grade to another. Promotion is based on the schemes of service for teachers and shall be subject to available vacancies and budgetary provisions).

General guidelines for promotion.

73. The Commission shall in promoting a teacher consider the existing schemes of service and in particular—

(a) merit and ability as reflected in the teacher's work, performance and results;

(b) seniority and experience as set out in the scheme of service;

(c) existence of a vacancy;

(d) academic and professional qualification; and

(e) any other criteria the Commission may consider relevant.

Promotion of teachers

74. (1) The Commission shall promote teachers in accordance with the schemes of service which provide for—

(a) common cadre establishment promotion; and

(b) competitive promotion.

(2) The Commission shall in considering the promotion of a teacher under the common cadre establishment take into account—

(a) period of time served by the teacher in a given grade;

(b) validity of his teaching certificate; and

(c) teacher's performance of duty.

(3) The Commission shall conduct competitive promotion through interviews and the teacher professional development programmes.

Application and consideration for promotion

75. A teacher may be promoted under competitive terms by—

(a) making an Application under Form G as set out in the Twenty First Schedule or Form H as set out in the Twenty Second Schedule , where appropriate; and

(b) successfully completing the Teacher Proficiency Course or promotional interview administered by the Commission for that purpose.

76. The Commission shall in promoting a teacher, consider the appraisal reports submitted in accordance with regulation 52.

Use of appraisal report for promotion.

77. The Commission may refuse to consider a teacher for promotion if the teacher has not completed—

Denial of promotion by the Commission.

(a) two years from the date the teacher was found guilty following a disciplinary action; or

(b) one year from the date the teacher was issued with an administrative warning;

78. A teacher re-employed by the Commission shall complete at least three years of continuous service before the teacher is considered for promotion.

Promotion of teachers on re-employment.

79. (1) The Commission may promote a teacher who is on secondment or paid study leave—

Promotion of teachers on secondment or study leave.

(a) upon successful interview; or

(b) as set out in the schemes of service.

(2) The Commission shall determine the effective date of promotion of a teacher who is promoted while on paid study leave or secondment.

80. Except under special circumstances determined by the Commission, consideration for promotion shall be upon—

Consideration for promotion.

(a) the teacher's willingness to take up the post; and

(b) existence of a vacancy in the establishment.

81. An offer for promotion under this regulation shall lapse if not taken within thirty days, except for teachers on paid study leave or on secondment.

Lapse of offer for promotion.

PART VII—SALARY AND ANNUAL INCREMENTS

(This part provided for determination of effective date of appointment to a particular grade and the determination of salary on promotion of a teacher to a higher grade. The part also sets out the criteria for the grant of annual increments).

82. (1) The Commission shall upon the first appointment of a teacher, pay the teacher a salary in the scale appropriate to the specific grade of the teacher.

Salaries.

(2) The Commission shall from time to time determine the scale to which each teacher shall belong.

(3) Upon first appointment, the Commission shall pay a teacher the lowest salary in the scale.

(4) The Commission shall, from time to time and in consultation with the Salaries and Remuneration Commission, determine the salary scale appropriate to the grade of the teacher.

(5) The Commission shall where there is a salary review, accordingly adjust the salary of the teacher.

(6) Where the Commission erroneously pays salary or allowance or grants an undeserved benefit to the teacher, the teacher

shall reimburse the Commission to the extent of the erroneous payment.

(7) Any over payment or erroneous payment made to a teacher constitutes government liability and the Commission shall recover the amount to the extent of the liability.

(8) Where the Commission erroneously fails to pay salary or allowance or to grant any benefit to the teacher, the Commission shall pay the teacher to the extent of the amount due.

Determination of salary on promotion or upgrading.

83. (1)The Commission shall, upon promotion of a teacher from one grade to another, and where the current salary on the date of promotion is less than the minimum of the salary scale attached to the new grade, pay the teacher the minimum salary attached to the new grade on the date of promotion.

(2) Where on the date of promotion or upgrading a teacher is in a higher salary scale but has not attained the maximum point of the salary scale the teacher is in, immediately before promotion or upgrading, the teacher shall enter the salary scale next above the scale the teacher occupies on the date of the promotion or upgrading.

(3) The Commission shall, upon promotion or upgrading of a teacher, effect the payment of the adjusted salary with effect from the date the Commission formally approves the promotion or upgrade.

(4) The incremental date shall be in the following year on the first date of the month in which the teacher was promoted or upgraded.

Annual increments.

84. The Commission shall grant a teacher annual increments at regular intervals until the maximum salary point of the job group of the teacher is attained.

Re-engagement.

85. The Commission shall, when re-engaging a teacher from release—

(a) return the teacher to the same level in the salary scale that the teacher occupied before release; or

(b) place the teacher in the salary scale corresponding to the teacher's grade where the teacher is promoted or upgraded before re-engagement unless there has been a salary revision during the teacher's absence or the teacher has been promoted.

Payment of salary and allowances.

86. (1) The Commission shall pay salaries and allowances to a teacher—

(a) monthly in arrears through electronic funds transfer; or

(b) through a bank account provided by the teacher.

(2) A teacher shall submit pay-point particulars in Form I set out in the Twenty Third Schedule .

(3) The Commission may not pay a teacher salary or allowance where the teacher fails to submit particulars of his pay-point.

Taxation of salary and allowances.

87. (1)The Commission shall effect tax deductions on a teacher's salary and allowances in accordance with the prevailing Income Tax Regulations.

(2) The Commission shall not effect tax deductions on a teacher with disability -

(a) after considering assessment reports from the National Council of Persons with Disabilities; and

(b) upon the teacher submitting a Tax Exemption Certificate from the Kenya Revenue Authority to the Commission.

Private financial dealings.

88. (1) A teacher shall live within his means and shall avoid incurring any financial liability which may amount to pecuniary embarrassment.

(2) A teacher who commits more than two-thirds of the basic salary verifiable on the payroll or is declared bankrupt shall be in breach of this regulation and shall be subject to disciplinary action set out in this Code.

PART VIII—ALLOWANCES

(This part provides for allowances that may be granted to teachers in specified circumstances. The remunerative and reimbursable allowances are non-pensionable except responsibility allowance if earned up to and including the last date of retirement).

House allowance.

89. (1) The Commission shall pay house allowance to every teacher in its employment at a rate determined by the Commission from time to time.

(2) Where a teacher is on interdiction and is on half salary, the Commission shall pay the full house allowance until the case is determined.

Commuter allowance.

90. (1) The Commission shall determine and pay Commuter Allowance to a teacher under its employment.

(2) A teacher under interdiction or suspension shall not be entitled to payment of Commuter Allowance.

Hardship allowance.

91. The Commission shall at a determined rate, pay hardship allowance to a teacher assigned to teach in a school situated in a designated and gazetted hardship area.

Special duty allowance.

92. (1)The Commission shall, in the absence of qualified teachers, pay special duty allowance to teachers appointed to perform administrative duties which are not commensurate to the teachers' grades and who are stationed in arid and semi-arid lands.

(2) A teacher shall relinquish special duty allowance where the teacher—

(a) is transferred out of the arid and semi-arid lands;

(b) is relieved of administrative duties; or

(c) attains the grade for the post in which the teacher was acting.

(3) The Commission shall from time to time determine and review the payment of special duty allowance depending on the availability of qualified teachers to take up administrative posts in arid and semi-arid lands.

93. (1) The Commission shall pay Responsibility Allowance to a head of institution, deputy head of institution and senior teacher who are in job group 'K' and below. Responsibility allowance

(2) Responsibility allowance shall be pensionable only where a teacher receives the allowance on the day immediately before retirement.

(3) The Commission shall stop payment of Responsibility allowance to a teacher where the teacher ceases to perform administrative responsibilities.

(4) A teacher entitled to Responsibility allowance shall claim for the payment of the allowance as set out in Form J under the Twenty Fourth Schedule.

94. (1)The Commission shall from time to time determine— Special school allowance.

(a) pay special school allowance to a teacher who possess skills in special education and who is assigned to a special school or special unit; and

(b) determine the rate of payment of special school allowance under this regulation.

(2) A teacher entitled to special school allowance shall claim the payment of the allowance in writing through the head of institution.

(3) The Commission shall stop payment of special school allowance to a teacher who ceases to perform duties in a special school.

95. The Commission shall determine and pay a Reader's, facilitation or aid allowance to a teacher who is blind, deaf, dumb or with physical disabilities, as certified by the National Council of Persons with Disabilities indicating the extent of the disability or any written law. Reader's, facilitation or aid allowance.

96. The Commission shall pay annual leave allowance to all teachers on its payroll at rates to be determined by the Commission. lowance.

97. (1) The Commission shall— Transfer allowance.

(a) where at its discretion transfers a teacher from a sub county to another, pay transfer allowance to the teacher; or

(b) not pay transfer allowance to a teacher who initiates a transfer.

98. (1) The Commission shall reimburse travelling expenses at government rates, including the travelling of a spouse and up to four unmarried children who are dependent on the teacher up to their twenty second birthday which shall include the cost of transporting the personal effects incurred in travelling. Travelling expense

(2) The Commission shall reimburse a teacher travelling expenses where the teacher is-

(a) on first appointment posted or engaged to take up a new appointment in a County other than the teacher's home sub county;

(b) posted to a place designated and gazetted as arid and semi-arid lands provided that the teacher does not hail from the area and shall only be entitled to this allowance three times every financial year;

(c) on termination of appointment initiated by the Commission, where the school and his home area are not in the same county;

(d) found not guilty after a discipline process;

(e) on retirement from service and was working away from the home county.

(3) The Commission may at its discretion facilitate travelling expenses to persons formally invited or summoned to attend discipline or court cases as witnesses on its behalf, at rates to be determined by the Commission from time to time.

Mode of transport.

99. (1) A teacher travelling under regulation 97 (2) (a) to (e) shall travel by rail, road or both.

(2) Where transport by rail or road is not available or possible in the circumstances, the teacher shall seek permission from the Commission to use any other means of transport.

Transport of luggage.

100. The Commission shall permit a teacher who travels as provided under regulation 97(2) (a) to (e) to carry personal luggage and the Commission shall determine the rates of payment for ferrying the luggage.

Transport of luggage by private means.

101. (1) A teacher who is entitled to luggage allowance under this regulation, may hire private transport to convey the luggage.

(2) Where a teacher hires private transport, the teacher shall seek prior permission from the county director who shall certify by endorsing the claim forms that the hiring was justified and economical.

(3) The Commission shall determine the rates of payment under this regulation.

Travelling on official duty using personal motor vehicle.

102. (1)A teacher who travels on official duty using a personal vehicle shall apply for reimbursement of motor vehicle travelling allowance which shall be determined by the Commission.

(2) The Commission shall at a rate it may determine, pay an extra mileage allowance to a teacher travelling on official duty in areas designated as hardship areas.

(3) The Secretary to the Commission shall approve the use of a personal vehicle for official duty prior to the commencement of the travel.

Claim for reimbursement.

103. (1) A teacher who travels or ferries luggage in accordance with this regulation shall apply to the Commission through the county director for reimbursement of the expenses incurred and shall attach the necessary supporting documents.

(2) A claim for reimbursement under this regulation shall be made within thirty days from the date of travel and shall be made in the manner set out in Form K under the Twenty Fifth Schedule .

Subsistence allowance.

104. (1) The Commission shall pay subsistence allowance to a teacher, who attends a course, seminar, workshop or any official assignment outside the country.

(2) An allowance under this regulation shall only be payable to teachers authorised by the Commission to attend the seminar, workshop or course.

(3) The rates of subsistence allowance payable to a teacher shall be as stipulated by the government and shall be -

(a) quarter per diem where a teacher's course is fully sponsored; and

(b) full per diem where a teacher's course is not sponsored.

(4) An application for subsistence allowance shall be made in the manner set out in Form L under the Twenty Sixth Schedule and should be accompanied by the relevant documents authorizing and approving the course.

(5) The Commission may at its discretion facilitate subsistence allowance to persons formally invited or summoned to attend discipline or court cases as witnesses on its behalf, at rates to be determined by the Commission from time to time.

PART IX—MEDICAL BENEFITS

(The part provides for medical benefits granted by the Commission to teachers and are intended to assist a teacher and his family in times of illness in accordance with the provisions of the National Hospital Insurance Fund Act or any other medical insurance scheme that the Commission may adopt).

Medical allowance.

105. A teacher employed by the Commission may be eligible for a medical allowance at rates that the Commission may determine from time to time.

National Hospital Insurance Fund and other medical insurance cover.

106. (1) (a) The Commission shall remit monthly contributions on behalf of a teacher to the National Hospital Insurance Fund.

(b) The remittance in paragraph 1 (a) shall be a statutory deduction from the teacher's salary notwithstanding the existence of a medical insurance cover.

(2) The Commission may contract a medical insurance provider to offer a medial cover for teachers.

Claims for "Ex-Gratia" assistance for medical expenses incurred.

107. (1) The Commission may consider payment of ex-gratia for medical expenses incurred by a teacher in excess of the amount allocated to him under the following circumstances-

(a) Where a teacher, after meeting all medical expenses, requires further financial assistance from the Commission to offset additional medical costs, which would otherwise impose considerable hardship on the teacher.

(b) Where a teacher has been referred by a registered medical facility to obtain treatment from outside the country and a

registered medical practitioner considers such treatment as necessary, and where the medical allocation is not sufficient.

(2) The Commission shall determine the rates payable to a teacher as ex-gratia.

(5) An application for a claim for ex-gratia assistance shall be made in writing through the county director to the Commission.

PART X—LEAVE

(*This part provides for the various categories of leave that the Commission may grant to a teacher and outlines the conditions and procedure under which leave may be approved. The Commission may not grant leave to a teacher on account of exigencies of duty at the institution*).

Permission to be absent from duty

108. (1) A teacher who is unable to attend to the duties assigned by the Commission as required, shall apply in writing to the head of institution for permission to be absent from duty.

(2) Permission to be absent from duty may be granted by the head of institution in writing and may only be granted in accordance with the provisions of this Code.

(3) A head of institution shall apply for permission to be absent from duty to the sub county director.

(4) A teacher who is absent from duty without permission granted in writing as provided in this regulation shall have committed a gross breach of these Regulations and such absence may be without pay and may result in interdiction or any other administrative action.

Annual leave

109. (1) A teacher in the employment of the Commission shall be entitled to a maximum of thirty days leave with full pay in respect of each calendar year worked irrespective of the terms and conditions of service.

(2) Annual leave shall only-

(a) be taken during school holidays; and

(b) not be accumulated to be carried forward from year to year.

Application for annual leave

110. An application for annual leave shall be made-

(a) during school holidays; and

(b) in the manner set out in Form N under the Twenty Seventh Schedule ;

Sick leave

111. (1)A teacher who on account of illness, is unable to attend to the duties assigned by the Commission as required, shall apply for Sick leave to the Commission through the Head of institution in the manner set out in Form P under the Twenty Eighth Schedule .

(2) An application for sick leave shall be forwarded to the Commission not later than forty eight hours where the teacher attended hospital as an out-patient and not later than seven days where the teacher is an in-patient;

(3) A head of institution shall forward a teacher's application for sick leave with the relevant medical documents to the sub county director; and

(4) Where the teacher is unable to apply for sick leave in person due to the nature or extent of sickness, the head of institution shall inform the sub county director in writing within fourteen days from the date of receiving information of the sickness.

Application for sick leave by head of institution.

112. (1)A head of institution who on account of illness, is unable to attend to the duties assigned by the Commission as required, shall apply for sick leave to the Commission through the sub county director in the manner set out in Form P under the Twenty Eigth Schedule .

(2) An application for sick leave by a head of institution shall be forwarded to the Commission not later than forty eight hours where the head of institution attended hospital as an out-patient and not later than seven days where the head of institution is an in-patient.

(3) The sub county director shall forward a head of institution's application for sick leave with the relevant medical documents to the County Director.

(4) Where the head of institution is unable to apply for sick leave in person due to the nature or extent of sickness, the sub county director shall inform the county director in writing within fourteen days from the date of receiving information of the sickness.

Sick leave entitlement.

113. (1)The Commission may approve sick leave for a teacher in any period of twelve months continuously, which sick leave may be granted—

(a) for a maximum period of three months with full pay;

(b) on half pay for a further three months where the sickness extends beyond the third month; and

(c) without pay where the sickness extends beyond six months until the teacher resumes duties.

(2) The Commission shall, where a teacher applying for sick leave is serving on contractual terms for a period not exceeding one year, grant sick leave—

(a) for a maximum period of one month with full pay;

(b) on half pay for a further one month when the sickness extends beyond the first month; and

(c) without pay where the sickness extends beyond two months until the teacher resumes duty.

(3) Where the teacher is continuously on sick leave for a period exceeding one year, the Commission shall recommend to the Director of Medical Services to convene a Medical Board to determine whether or not such a teacher is fit to continue teaching.

(4) Where a teacher who has been on sick leave continuously for more than six months in a period of twelve months reports back for duty, the teacher shall report for posting in person to the county

director and shall produce a Certificate of Medical Fitness from a registered medical practitioner.

Application for sick leave.

114. (1) A registered Medical Practitioner may recommend that on account of illness, a teacher may—

(a) be admitted to a hospital for treatment;

(b) be granted off-duty to recuperate; or

(c) receive medical treatment at home.

(2) Where a registered medical practitioner recommends a leave of less than six months for a teacher or head of institution, the teacher or Head of institution shall apply for sick leave to the Commission and the leave may be granted by the county director.

(3) Where a teacher has continuously been on Sick leave for a period exceeding six months, the county director shall forward the teacher's application for Sick leave to the Secretary.

(4) The Commission shall, where a teacher fails to apply for Sick leave in accordance with these Regulations, consider the teacher to be absent from duty without permission and may take disciplinary action against the teacher.

(5) The Commission shall consider the recommendation for Sick leave from a registered Medical Practitioner-

(a) only where the leave authorized does not exceed a maximum of two weeks; and

(b) where a further medical report submitted to the Commission to the effect that the teacher requires to be absent from duty for a period exceeding two weeks.

(6) A teacher who donates an organ to a patient shall apply for Sick leave as per the registered Medical Practitioner's recommendation.

(7) A teacher who submits false medical documents to the Commission shall be subject to disciplinary action provided that such action shall not be a bar to criminal charge under any written law.

Sick leave outside the country.

115. (1) Where a teacher is referred by a registered medical practitioner to seek medical attention outside the country, the teacher shall be entitled to sick leave with pay.

(2) Where a teacher seeks medical attention outside the country without recommendation from a registered Medical Practitioner, the Commission may approve sick leave without pay upon verification of a medical report from the health institution which the teacher attended.

Maternity leave.

116. (1) A female teacher may apply to the sub county director through the head of institution for maternity leave in the manner set out in Form Q under the TwentyNineth Schedule .

(2) A female teacher shall give the head of institution at least three months written notification of the intention to proceed on

maternity leave which shall be accompanied by a letter from a registered medical practitioner indicating the expected date of delivery.

(3)The Commission may grant a female teacher maternity leave for ninety calendar days with full pay with effect from the date of delivery and the teacher shall not forfeit her annual leave on account of having taken maternity leave.

(4) A female head of institution may apply for maternity leave to the sub county director in the manner set out under paragraph (1).

Proceeding on maternity leave without approval.

117. The Commission shall take disciplinary action against a female teacher who proceeds on Maternity leave without written approval from the Commission.

Paternity leave.

118. (1)The Commission shall upon application, grant a male teacher fourteen calendar days Paternity Leave with full pay within the duration of the wife's maternity leave which leave maybe granted only once a year.

(2) An application for paternity leave shall be in the manner set out in Form R under the Thirtieth Schedule .

(3) The Commission may take disciplinary action against a teacher who proceeds on paternity leave without written approval from the Commission.

Study leave.

119. (1) A teacher who intends to proceed on study leave shall apply to the Commission through the head of institution by completing the application for Study leave in the manner set out in Form S under the Thirty First Schedule ;

(2) A teacher may only proceed on study leave with written approval from the Commission and after being released in writing by the Head of institution.

(3) A teacher who proceeds on study leave without the written approval from the Commission and before being formally released in writing by the head of institution shall be considered to have deserted duty and shall be liable for disciplinary action.

(4) The Commission may take disciplinary action against a head of institution who fails to release a teacher to proceed on study leave when the leave has been granted.

Conditions for approval of study leave.

120. (1) The Commission may grant study leave to a teacher who—

(a) has worked for the Commission for a minimum period of five years from the date of first appointment;

(b) seeks to undertake a postgraduate diploma or postgraduate degree; and

(c) has demonstrated a good record in performance.

(2) A teacher who intends to apply for a scholarship shall apply through the Commission if the teacher meets the conditions of the study leave policy stipulated and these Regulations.

(3) The Commission may grant study leave without pay to a teacher who—

(a) applies to study in an area that is not in the school's curricula or an area that is not covered by the study leave policy; or

(b) wishes to take study leave before completing three years upon resumption of duty from study leave irrespective of whether such leave was with or without pay.

(4) A teacher appointed or deployed by the Commission to an administrative position who takes study leave for a period exceeding six months shall relinquish the position.

(5) The Commission shall in approving an application for study leave by a teacher, take into consideration the staffing position of the institution at which the teacher is stationed

Bonding.

121. (1)A teacher who is granted study leave with pay shall execute a Bond in the manner set out in Form T under the Thirty Second Schedule .

(2) Where the Commission grants leave with pay to a teacher on a government scholarship or a Commission scholarship, the teacher shall be bound to the Commission to the extent of the amount equivalent to the value of the scholarship, salaries and allowances paid during the scholarship.

(3) Where the Commission grants leave with pay to a teacher on a self or private sponsorship, the teacher shall be bound to the Commission to the extent of the amount equivalent to the salaries and allowances paid during the study leave.

(4) A teacher who contravenes the conditions of a bond under these Regulations shall pay to the Commission the remainder of the total value of the Bond.

(5) Where a teacher transfers service from the Commission to a public body, the teacher shall be exempted from the provisions of bonding under these Regulations provided that the bond shall be transferred to the institution engaging the teacher.

(6) A teacher who exits service on account of mandatory retirement age, medical reasons or death shall be exempted from the provisions on bonding under these Regulations.

Change of area of study or institution.

122. (1) Where a teacher intends to change the area, programme or institution of study, the teacher shall notify the Commission within thirty days from the date of such change.

(2) Where a teacher intends to change the area, programme or institution of study after the Commission has approved the study leave, the teacher shall notify the Commission in writing and shall provide details of the new area of study or institution and shall attach relevant documentary evidence.

(3) A teacher shall not proceed with the new area of study or institution without a written approval from the Commission.

False information with regard to study leave.

123. The Commission shall take disciplinary action against a teacher who provides false information in regard to study leave, or who fails to comply with any regulation on study leave under this Code.

Reporting for duty after study leave.

124. (1)A teacher granted study leave for a period exceeding six months shall apply to the Commission for posting at least thirty days before the expiry of the study leave.

(2) The Commission shall take disciplinary action against a teacher who fails to apply for posting after the expiry of study leave and shall stop the salary of the teacher where the teacher was on paid study leave.

(3) A teacher who is granted study leave for a period less than six months shall report back to his former station on expiry of the study leave.

(4) Where a teacher fails to report back to his former station on expiry of the study leave, the Commission shall stop the teacher's salary and may take further disciplinary action against the teacher.

Extension or termination of study leave.

125. (1) The Commission may extend the study leave granted to a teacher provided that the extension shall be without pay.

(2) The Commission may on reasonable grounds, before the expiry period of a study leave, terminate a teacher's study leave.

Submission of progress reports and certificate.

126. (1)A teacher on study leave shall submit progress reports and result slips or transcripts after every semester to the Commission.

(2) The Commission shall cancel the study leave and recover any salaries and allowances paid to a teacher who fails to submit progress reports or result slip after every semester.

(3) Where a teacher is granted study leave with pay and is on a government scholarship the teacher shall submit a Certificate of Qualification in the area of study within one year of completion of the study leave.

(4) The Commission shall, where a teacher granted study leave with pay and is on a government scholarship, fails to submit a Certificate of Qualification, recover from the teacher an equivalent amount of salaries and allowances paid during the study leave period.

Study leave with Pay.

127. (1)The Commission may grant study leave with pay to a teacher on permanent and pensionable terms of service for purposes of attending a course, study or training which in the opinion of the Commission is of national interest and relevant to the teaching service.

(2) The Commission shall, when granting study leave with pay to a teacher, consider the demand for the skills in a subject area or area of specialization irrespective of the authority awarding the scholarship or the institution where studies are to be undertaken.

(3) The Commission may grant study leave with pay to—

(a) a teacher who applies through the Commission and is selected for training locally or abroad, by a recognised body including government bodies or sponsoring agent, subject to the conditions of the study leave Policy;

(b) an untrained graduate teacher, studying for Post Graduate Diploma in Education in a public university or an accredited private university;

(c) an untrained technical teacher undertaking professional training in pedagogy at the Kenya Technical Teachers College or any other accredited institution;

(d) a trained technical teacher, admitted to a national polytechnic for a Higher National Diploma provided the subject area is in demand in the teaching service;

(e) teachers admitted to a public university and other accredited private universities to study a postgraduate degree in any of the areas specified in the study leave policy; and

(f) a teacher on permanent and pensionable terms who proceeds for further education on private sponsorship or is admitted privately to an accredited private university, national polytechnic or institute of technology, if studying in an area of great need as specified in the study leave Policy.

(4) A teacher who is granted study leave with pay and is on Government or development partners sponsorship for a course of study undertaken outside the country for a period that exceeds thirty days shall contribute twenty per cent of the basic salary per month payable from the date of departure to undertake the studies to the day immediately before the expiry of the study leave.

(5) A teacher who is granted study leave with pay and is on Government or development partners sponsorship for a course of study undertaken within the country for a period that exceeds thirty days shall contribute ten per cent of the basic salary per month payable from the date of departure to undertake the studies to the day immediately before the expiry of the study leave.

(6) The Commission may in special circumstances, grant study leave with full pay to a teacher who is on government sponsorship for a course of study for a period exceeding thirty days.

(7) The Commission may grant study leave with Pay to a teacher who is on a self-sponsored course in an accredited university or institution.

Study leave without pay.

128. The Commission may grant study leave without pay to-

(a) a teacher on Permanent and Pensionable terms who proceeds for further education on private sponsorship or is admitted privately to a national polytechnic or institute of technology, if studying in areas other than those specified in the study leave Policy;

(b) teachers studying for a postgraduate degree in an area other than the areas specified in the study leave Policy; or

(c) a teacher studying privately for a doctorate degree.

Revision of study leave Policy

129. The Commission may from time to time revise the study leave policy.

Leave to conduct research or write a project paper.

130. (1) The Commission may upon application by a teacher studying on part time basis or holiday based mode, who intends to undertake research or project work, grant a three month leave with pay to the teacher.

(2) An application by a teacher to the Commission for leave to undertake research or write a project shall be in the manner set out in Form S under the Thirty First Schedule .

(3) Where the Commission grants leave to a teacher to undertake research or project work—

(a) the leave shall not be extended beyond the three months granted; and

(b) the area of study shall be relevant to the area of specialization and an area that would have qualified for study leave with pay in accordance with the study leave policy.

Compassionate leave.

131. (1) A teacher may be granted leave, of up to fifteen calendar days on compassionate grounds at the discretion of the sub-county director or head of institution.

(2) An application for compassionate leave shall be made in writing by the teacher to the head of institution for approval.

(3) An application for compassionate leave shall be made in writing by the head of institution to the sub-county director for approval.

Special leave.

132. (1) The Commission may grant special leave with pay to a teacher who has been selected and appointed to attend a meeting, conference, workshop, study tour or seminar for a duration not exceeding three months where in the opinion of the Commission, the participation of the teacher is of national or public interest or is relevant to education and the teaching service.

(2) An application for Special Leave shall be made to the Commission in writing and shall be accompanied by the relevant documentation.

Special leave for sports persons.

133. (1) The Commission may grant special leave with full pay to a teacher who is selected to represent Kenya in national, regional or international events for the necessary period of training and subsequent participation in the sport.

(2) An application for special leave for sports persons shall be made to the Commission in writing and shall be accompanied by the relevant documentation.

Leave of absence without pay.

134. (1)The Commission may upon application, and on its own discretion, grant leave of absence or compassionate leave without pay to a teacher where in the opinion of the Commission the teacher has a proven case of exceptional hardship.

(2) A leave of absence under this regulation—

(a) shall not exceed three months;

(b) shall be granted by the Secretary in person only once within a calendar year; and

(c) may be extended at the discretion of the Commission.

(3) An application for leave of absence on compassionate grounds or in exceptional hardship shall be made to the Commission in writing through the head of institution.

Leave to spouses of persons in diplomatic service.

135. (1) The Commission may grant unpaid leave to a teacher whose spouse is in diplomatic service during the period the spouse is on assignment of duty outside Kenya.

(2) An application for leave by a spouse of a person in diplomatic service shall be made to the Commission in writing and shall be accompanied by relevant documentation.

(3) A spouse of a person in diplomatic service shall apply to the Commission for posting one month before the end of assignment of duty.

Compulsory leave.

136. (1) The Secretary may in person, send a teacher on Compulsory leave with full pay to allow for investigations into allegations against the teacher.

(2) The leave under paragraph (1) shall be for a period of time not exceeding thirty days and shall state in writing the reasons for the leave.

(3) The Board of Management shall not have the power to send a teacher on compulsory leave.

Leave outside Kenya.

137. A teacher in the employment of the Commission shall not spend leave outside Kenya without written permission from the Commission.

Public Holidays.

138. (1) The Commission shall observe public holidays as stipulated in the Constitution, national legislation or any other day as may be gazzetted by the Government;

(2) *Idd-Ul-Fitr* holiday will be observed on the 30th day from the date of commencement of Ramadhan or the 1stday of the next month, which will be gazzetted by the Government;

(3) The Commission shall recognize as Public Holidays, *Idd-ul-Adha* and *Diwali* for teachers belonging to Islamic faith and Hindu faith respectively.

PART XI—DISCIPLINE

(This Part provides for offences for which teachers may be disciplined, establishes the mechanisms for effecting disciplinary action, the discipline procedure and decisions that may be arrived at in accordance with Article 237 (2) (e) of the Constitution and section 34 of the Act).

Guidelines in disciplinary proceedings.

139. (1) The Commission shall in determining each disciplinary case—

(a) presume a teacher innocent until proven guilty;

(b) inform the teacher concerned on the nature of the allegation made against the teacher and afford him reasonable time to present his defence;

(c) accord the teacher the opportunity of being heard in person unless his conduct or the nature of the offence makes it impossible for the proceedings to be conducted in his presence or at all;

(d) act on general evidence or statements relating to the character or conduct of the teacher concerned; provided, that the Commission shall not be bound to receive and consider evidence only admissible in a form and manner in a court of law; or be bound by the strict rules of evidence; and

(e) any disciplinary action or punishment under this regulation shall not be a bar to a criminal charge or process under any written law.

(2) The commission shall, where minors are involved as witnesses, take necessary safeguards to protect their rights in accordance with section 76(3) of the Children Act.

(3) The Commission may take disciplinary action against a teacher whose criminal proceedings are pending before a court of law or who has been acquitted by a court of law for an offence which the Commission is handling.

(4) The Commission shall in arriving at its decision regarding a teacher's disciplinary case, not be bound by the finding of any Court in criminal proceedings relating to the teacher's disciplinary case.

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(5) The Commission shall where the charge or allegations made against the teacher involve acts or omissions constituting an offence under any written law, liaise with other law enforcement agencies in that regard.

Offences that may lead to disciplinary action.

140. The Commission may take disciplinary action against a teacher who commits any of the following offences—

(a) Immoral behavior, including but not restricted to—

(i) sexual intercourse;

(ii) sodomy;

(iii) lesbianism; and

(iv) sexual harassment or flirtation;

(b) professional misconduct including but not restricted to—

(i) negligence of duty;

(ii) lateness to duty;

(iii) chronic absenteeism;

(iv) desertion;

(v) incitement; and

(vi) insubordination;

(c) Infamous conduct including but not restricted to—

(i) drunkenness;

(ii) fighting; and

(iii) conduct or behavior which in the opinion of the Commission

(iv) contradicts the sprit and tenor of Chapter six of the

(v) Constitution;

(d) forgery;

(e) mismanagement and embezzlement of public funds; and

(f) any other act or conduct that is incompatible with the teaching

(g) profession.

Offences that may lead to removal from the Register.

141. A teacher may be removed from the Register if the teacher commits or engages in any of the following—

(a) immoral behavior with or towards a learner which may include but not limited to—

(i) sexual intercourse or sexual abuse;

(ii) sodomy;

(iii) lesbianism; and

(iv) sexual harassment or flirtation.

(b) obtains registration or employment or promotion through fraudulent means;

(c) is convicted of any sexual offence or an any other offence against learner or a fellow member of staff;

(d) is convicted of a criminal offence which, in the opinion of the Commission, renders a person unfit to be a teacher;

(e) forgery, impersonation, presenting forged documents to the Commission;

(f) mismanagement, misappropriation and embezzlement of public funds;

(g) theft of property belonging to an educational institution;

(h) incitement; or

(i) any other offence which in the opinion of the Commission warrants removal form the Register.

Economic Crimes and Serious Offences

142. In this regulation,

"economic crime" include—

(a) fraudulent payment or excessive payment from public revenues for goods and services which are either rendered or not;

(b) willful failure to comply with any law or applicable procedures and guidelines relating to procurement,

allocation, sale or disposal of property or tendering of contracts;

(c) mismanagement of funds or incurring expenditure or engagement in institutional projects without planning; and

(d) any offence involving dishonesty under any written law providing for maintenance or protection of public revenue which constitute professional misconduct on the part of the teacher.

"serious offence" includes:—

(a) offences that attract capital punishment under the law; or

(b) other acts or omissions which in the opinion of the Commission grossly offend public policy and interest thereby making the concerned teacher unsuitable to continue serving in the Teaching Service.

Consequences of economic crimes and other serious offences.

143. (1) A teacher charged with an economic crime or serious offence shall be suspended from service and will be entitled to one half of the basic salary, with full house and medical allowances with effect from the date of the charge.

(2) Where a teacher who is under suspension in paragraph (1) is discharged or acquitted by a court of competent jurisdiction the Commission shall lift the suspension and pay to the teacher any benefits that may have been withheld during the period of suspension.

(3) A teacher who is held in lawful custody shall be suspended from service without pay for the period of the incarceration.

(4) A suspension under this regulation shall be distinguished from suspension following a full disciplinary hearing under Regulation 154 (2) (b) (iii).

(5) Where a teacher is charged with economic crimes and other serious offences the Commission shall notify the teacher of the suspension in Form U set out in the Thirty Third Schedule .

Reporting of allegations against a teacher.

144. A person having any allegations of misconduct against a teacher may report the allegation to—

(a) the Secretary;

(b) the County Director;

(c) the head of institution;

(d) the Secretary, Board of Management; or

(e) any government law enforcing agency.

(2) In addition to reporting any of the offices mentioned above, nothing stops any person from seeing the assistance of a non state agency in relation to the matter complained of.

Mode of reporting the allegations.

145. (1) Any person with information that a teacher has engaged in professional misconduct or any conduct contravening these Regulations may lodge a complaint in writing, clearly indicating the nature of the complaint.

(2) Where the person making the allegation lodges a verbal complaint, the person to whom the report is made shall cause the complainant to record and sign a statement of the complaint.

Investigation of allegations.

146. (1) The Commission shall upon receiving an allegation touching on a teacher's professional misconduct institute investigations either directly or through its agents.

(2) An investigation under this regulation shall where the allegation is made against a teacher other than a Head of the Institution be instituted by the—

(a) Board of Management of the respective educational institution, acting as an agent of the Commission;

(b) County Director in an institution where there is no functional Board of Management, by constituting a team of not less than three technical officers; or

(c) Heads of institution, in consultation with the boards of management as the case may be, and the county director, jointly where the allegations made relate to a teacher in an institution other than the one the teacher is stationed.

(3) Where an allegation is made against a head of institution—

(a) the county director shall institute investigations in liaison with the board of management; and

(b) the county director or his representative shall constitute a team of not less than three technical officers to institute investigations where there is no board of management or in the case of a primary educational institution.

(4) Where an allegation is made against a head of institution or a teacher in an institution other than the one the had of institution or a teacher is stationed—

(a) both boards of management, in consultation with the county director may jointly institute investigations; and

(b) the county director or board of management in whose jurisdiction the teacher in question is stationed shall lead the investigation process.

(5) The head of institution or the teacher under investigation shall not be a member of the Investigating Panel where the head of institution or teacher is the subject of investigation.

(6) The Investigating Panel shall, upon investigation, accord the head of institution or a teacher a fair hearing during the investigation process which shall include being—

(a) presumed innocent until proven that he has a case to answer;

(b) informed of the allegation, with sufficient details to answer it;

(c) given at least seven days to prepare a defence;

(d) given an opportunity to appear in person before the Investigation Panel, unless his conduct makes it impossible for the investigation to proceed in his presence;

(e) present when the witnesses are being interviewed by the Investigation Panel;

(f) warned that any incriminating evidence may be used against him during the disciplinary proceedings; and

(g) given an opportunity to adduce and challenge any adverse evidence.

(7) Where a minor is involved in the investigation, the panel shall take precaution to protect the rights of the minor.

(8) The Investigation Panel shall, upon completing the investigation compile a written report in regard to the teacher's disciplinary status and shall present the report to the Board, the County Director and the Secretary.

(9) The Board of Management or head of institution or any other agent shall, in conducting the investigations liaise with the county director's office for the purpose of offering technical advice.

(10) Where the report of the investigation panel discloses that an offence has been committed, the Board of Management or the county director or the Secretary shall—

(a) where necessary, issue an administrative warning in writing;

(b) where a teacher's misconduct is as result of a medical condition, recommend to the Commission Secretary for approval of any leave or further direction as the case may be; or

(c) interdict the teacher using the Letter of Interdiction set out in the Thirty Fourth Schedule .

(11) The Commission or an officer acting under its direction may undertake direct investigation into any allegation and may recommend the interdiction of a teacher in accordance with these Regulations.

(12) An officer who undertakes or participates in an investigation of an offence, shall neither preside nor sit as a member of the disciplinary panel determining the same.

Process of interdiction.

147. The Commission or the Board of Management shall—

(1) serve the teacher with a letter of interdiction specifying the actual allegations made against him;

(2) ensure that the interdicted teacher or head of institution clears and leaves the educational institution within forty eight hours upon receiving the letter of interdiction;

(3) where the Board of Management issues a letter of interdiction, it shall deliver two copies of the letter to the county director for onward transmission to the Commission's headquarters;

(4) the Commission may avail to the teacher upon application and at the teacher's cost, any documents that the Commission may use against him during the hearing of the discipline case; and

(5) The Commission shall reserve the right to amend the letter of interdiction constituting the charge.

Salary status during the period of interdiction.

148. (1)A teacher shall be paid half salary during the period of interdiction except in the following cases—

(a) chronic absenteeism;

(b) desertion of duty;

(c) having been jailed or held in legal custody;

(d) misappropriation or mismanagement of public funds;

(e) fraudulent claims and receipt of funds;

(f) use of false certificates;

(g) forgery, impersonation, collusion; and

(h) immoral behaviour.

(2) A teacher under interdiction shall be required to report to the Commission's nearest sub-county office once a month with a view to ascertain the progress of the teachers discipline case and to provide an updated contact address.

Mode of invitation to appear before a Disciplinary Panel

149. (1)A teacher on interdiction shall be invited in writing in the manner set out in the Thirty Fifth Schedule for the hearing of the discipline case at least one month before the date of hearing which shall be sent through—

(a) the teacher's last known address;

(b) the address of the teacher's next of kin; or

(c) hand delivery.

(2) In addition to the notification in paragraph (1) the Commission may send the invitation—

(a) at the last station of work through the head of institution;

(b) through the contact or last known address provided by the teacher;

(c) through the permanent address provided by the teacher at the time of employment;

(d) through a telephone call to the teacher;

(e) to the teacher's e-mail address;

(f) by a short text messages through the teacher's mobile phone known to the Commission;

(g) through the Commission's website; or

(h) any other mode that the Commission may use from time to time.

Disciplinary proceedings.

150. The Commission shall in accordance with section 33 of the Act, consider all the evidence, the investigation report and determine each case of interdiction whenever it is alleged that a registered teacher should be disciplined in accordance with these Regulations.

Composition of the Disciplinary Panel

151. (1) The discipline process will be administered at the Commission's headquarters and at the county level.

(2) The Commission may by way of an administrative circular determine the offences or category of offences to be heard at the Commission's headquarters and at the county level.

(3) The Discipline Panel at the headquarters shall comprise—

(a) at least one member of the Commission who shall be the chair of the panel;

(b) two directors or their representatives, appointed by the Commission Secretary; and in attendance;

(c) an officer representing the division dealing with matters touching on discipline; and

(d) any other technical officer whose attendance shall be deemed necessary.

(4) The Discipline Panel at the county level shall comprise—

(a) a member of the Commission , the respective county director or an officer appointed by the Commission who shall chair the panel;

(b) an officer appointed by the county director;

(c) the county director of education or a representative; and in attendance;

(d) an officer designated by the county director to deal with matters touching on discipline; and

(e) any other technical officer or person whose attendance shall be necessary.

(5) In the composition of the discipline panels, due regard shall be given to gender balance and regulation 146(12).

Powers of the Commission

152. The Commission shall, for the purpose of dealing with any disciplinary matter before it, have powers to—

(a) administer oaths; and

(b) invite any person in the manner set out in the Thirty Fifth Schedule to attend, give evidence and produce any relevant documents.

Procedure during disciplinary hearing

153. (1) The Commission shall in determining any disciplinary matter before it—

(a) require the teacher to produce identification and professional documents;

(b) require the teacher to take oath or affirm;

(c) inform the teacher of the professional offence alleged against him: require the teacher to respond to the allegations against him;

(d) accord the teacher an opportunity to present his defence; invite the person designated as a discipline officer for that purpose to present the case against the teacher; and

(e) accord the teacher an opportunity to mitigate where he admits the offence before the determination is rendered.

(2) Where the teacher denies the allegation, the discipline panel shall—

(a) examine the Commission's witnesses and allow the teacher to cross- examine the witnesses; and

(b) allow the teacher to give any statement or submission in mitigation.

(3) The Commission shall inform the teacher when the proceedings come to an end and that the decision shall be communicated to the teacher in writing within twenty eight days.

(4) Provide appropriate facilities or resources to a teacher with special needs.

Determinations

154. (1)The Commission shall within twenty eight days from the hearing date, inform the teacher of its decision regarding the teacher's disciplinary case and shall give reasons for its decision in the manner set out in the Thirty Seventh Schedule.

(2) The Commission may after hearing a teacher determine that -

(a) a teacher is not guilty of the offence and shall revoke the interdiction in the manner prescribed under the Thirty Eighth Schedule.

(b) a teacher has committed an offence that does not warrant removal from the Register and may -

(i) warn the teacher in writing;

(ii) surcharge the teacher;

(iii) suspend the teacher for such period not exceeding six months without payment of salary and allowances;

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(iv) retire the teacher in the public interest;

(v) retire the teacher under ten-fifty(10/50) year rule under the Pensions Act;

(vi) dismiss the teacher from the teaching service;

(vii) refer the teacher for medical evaluation by the Director of Medical Services with a view to determine his suitability to be retained in the teaching service; or

(viii) undertake any other action it may consider appropriate in the circumstances.

(c) a teacher is guilty of the offence and his name be removed from the Register.

(3) Removal of a teacher from the Register under this regulation shall be effected by the Commission in the manner set out in the Seventh Schedule .

Administrative warning.

155. (1) The Commission or a teacher's supervisor may issue a teacher with a Notice to Show Cause whenever an allegation is made against him for offences other than the ones listed under the Third Schedule of the Act provided that the teacher has not committed the offence habitually.

(2) A teacher who has been served with a Notice to Show Cause shall respond in writing within seven days.

(3) The Commission or a teacher's supervisor may, upon consideration of the teacher's response, issue the teacher with an administrative warning.

Teachers Service Review Committee.

156. (1) There is established an *adhoc* Committee of the Commission known as the Teachers Service Review Committee which shall consider and determine reviews arising from the discipline process under these Regulations.

(2)The Review Committee shall consist of—

(a) the Chairperson of the Commission or a representative;

(b) two other members of the Commission;

(c) the Secretary or his representative; and

(d) officer for the time being in charge of teacher discipline or a representative.

(3) The Review Committee shall regulate its own practice and procedure.

(4) Where a teacher is aggrieved by the decision of the Commission in a disciplinary process, the teacher may apply for review to the Teachers Service Review Committee within ninety days from the date of the letter communicating the decision.

(5) An application by a teacher for review under these Regulations shall be accompanied by the prescribed fee set out in the Fifth Schedule .

(6) An officer or member of the Commission who has participated in the hearing of the discipline case, shall not sit in the Review Committee over the same case.

(7) A teacher who applies to the Commission for the review of the decision of the Commission shall demonstrate that—

(a) there is discovery of new evidence or fact which at the time of hearing was not within the knowledge of the teacher;

(b) there was an error or mistake apparent on the face of the record or on the part of the Commission in arriving at the decision;

(c) there was fundamental flaw in the procedure by the Commission; or

(d) the decision was made in breach of any written law.

(8) The Review Committee shall upon receiving an application for review, consider the application and may—

(a) uphold the decision and subsequently dismiss the application for review;

(b) allow the review and set aside the decision; or

(c) vary the decision on such terms as it may deem fit.

(9) The decision of the review committee shall be final.

PART XII—EXIT FROM THE TEACHING SERVICE

(This Part provides for the various forms a teacher may exit from public service which includes resignation; termination; dismissal; retirement; redundancy; transfer of service and death. The part further outlines the procedure to be followed in the process of exit).

Resignation

157. (1) A teacher, whether on probation, or permanent and pensionable terms of service may resign from employment by giving seven days' or thirty days' notice respectively or shall in any event pay an equivalent of seven days' or one months' salary in lieu of notice, whichever is applicable.

(2) A teacher serving on contractual terms may resign from employment upon giving a thirty days' notice or shall pay an equivalent of one months' salary in lieu of notice.

(3) A female teacher may resign from service upon completion of five years continuous service, on account of marriage or with a view to marry in the manner prescribed under Schedule XXXIX.

(4) Where a teacher resigns from the Commission, the resignation letter shall—

(a) be addressed to the Secretary through the head of institution or the sub-county director; and

(b) shall take effect from the date the teacher stops teaching but not later than thirty days from the date of the letter of resignation.

(5) The Commission shall, upon receipt of the letter of resignation, acknowledge receipt in writing and shall require the Head of the Institution to issue a Clearance Certificate in the manner prescribed under the Fortheeth Schedule.

(6) Where a teacher has outstanding government liability, the Commission shall require the teacher to clear the liability within a period of three months failure to which the Commission will institute legal proceedings to recover the outstanding Government Liability.

(7) Any overpayment or payment for work not performed shall constitute a Government Liability under this regulation.

(8) A teacher who tenders a notice of resignation shall not be absent from duty without permission before the effective date of resignation.

(9) Where a teacher intends to withdraw the notice of resignation, the withdrawal shall be forwarded to the Commission before the effective date of resignation.

Termination by the Commission

158. The Commission may terminate the employment of a teacher serving on permanent and pensionable or contractual terms of service by—

(a) giving one months' notice in writing; or

(b) paying one months' salary in lieu of notice.

Dismissal.

159. The Commission may upon concluding disciplinary proceedings, dismiss a teacher on the grounds contemplated under Part XI which dismissal shall take effect from the date of the determination of the disciplinary proceedings.

Retirement.

160. (1) A teacher may retire from the teaching service on grounds of age, public interest or medical.

(2) A teacher on permanent and pensionable terms of service who retires on grounds of age, public interest or medical grounds shall be eligible for pension or gratuity in accordance with these Regulations and the Pensions Act.

(3) A teacher may upon completion of ten years continuous service and upon attainment of fifty years of age, apply for voluntary retirement in writing and which the Commission may approve in the manner prescribed under the Forty First Schedule.

(4) Where the Commission considers that a teacher should, upon completion of ten years continuous service and on attaining the age of fifty years retire, the Commission shall require the teacher to give a response on the intended compulsory retirement.

(5) The Commission shall upon considering the teacher's response, inform the teacher in writing of its decision to-

(a) compulsorily retire the teacher in the manner set out in the Forty SecondSchedule ; or

(b) not to retire the teacher.

Retirement on grounds of age limit

161. (1) A teacher shall retire compulsorily upon attaining the age of sixty years.

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(2) A teacher with disability shall retire on attaining the age of sixty five years in accordance with the Persons with Disabilities Act.

(3) The Commission shall notify a teacher of the date of retirement in the manner set out under the Forty Third Schedule .

Retirement on Medical Grounds

162. (1) The Commission may retire a teacher on medical grounds where—

(a) the teacher by reasons of any infirmity of mind or the teacher suffers from a medical condition which renders the

teacher permanently incapable of discharging professional duties and that such incapacity is likely to be permanent; or

(b) the teacher voluntarily applies to the Commission to be retired.

(2) Where a teacher is considered for retirement by the Commission on medical grounds, the Commission shall require the teacher to appear before the Medical Board constituted by the Director of Medical Services which shall issue a medical report.

(3) The Commission shall upon considering the medical report-

(a) retire the teacher on medical grounds in the manner set out under the Forty Fourth Schedule ; or

(b) not retire the teacher on medical grounds.

Retirement from in the Public Interest.

163. (1) The Commission may retire a teacher on grounds of public interest upon considering every available report with regard to the complaint against the teacher and upon considering that it will be undesirable to retain the teacher in the teaching service.

(2) When retiring a teacher under this regulation, the Commission shall—

(a) serve the teacher with a letter setting out the particulars of the complaints and require the teacher to respond within thirty days; and

(b) upon receipt of the response, the Commission may;

(i) carry out further inquiry into the complaint; or

(ii) retire the teacher on grounds of public interest.

(3) A complaint or report to justify the retirement of a teacher on grounds of public interest shall demonstrate that the teacher has engaged in acts or omissions that contravene public interest and public policy as provided under-

(a) the Constitution or any other written law;

(b) decision made by a competent court of law; or

(c) Government policy, regulation and practice.

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(4) A teacher who retires on grounds of public interest under this regulation will be entitled to pension in accordance with the Pensions Act.

(5) The Commission shall issue a teacher retired on grounds of public interest a notice in the manner set out under the Forty Fifth Schedule .

Period of notice to retire.

164. (1) A teacher who voluntarily retires from service shall except under circumstances deemed special by the Commission, give the Commission a three months' notice of the intention to retire.

(2) Where the Commission requires a teacher to retire, the Commission shall give the teacher notice of at least three months.

(3) Where no notice is issued by either party, the party initiating the voluntary retirement shall pay to the other the equivalent of one months' salary in lieu of notice.

Redundancy.

165. (1) Where, following a change in government policy or curriculum, the Commission considers the services of a teacher to be redundant in accordance with the provisions of the Employment Act, the Commission shall—

Act No. 11 of 2007.

(a) notify the teacher, the teacher's trade union where applicable and the Commissioner for Labour of the reasons for the redundancy not less than three months to the date of termination;

(b) have regard to the seniority in the teaching service, skills and competency of the teacher affected by the redundancy; and

(c) issue the teacher with one month notice in writing or pay an equivalent of one months' salary in lieu of notice.

(2) Subject to the provisions of the Employment Act, the Commission shall from time to time determine the terminal benefits payable to a teacher on account of redundancy.

Act No. 11 of 2007.

Transfer of service to the Public Service Commission.

166. (1) A teacher granted an offer of employment by the Public Service Commission may apply to the Commission for transfer of service.

(2) The Commission shall, where a teacher is offered employment by the Public Service Commission and upon application, transfer the services of the teacher to the Public Service Commission.

(3) An application under this regulation shall be in writing and shall be accompanied by a-

(a) copy of the appointment letter from the Public Service Commission; and

(b) Clearance Certificate from the educational institution where the teacher is stationed.

(4) The Commission shall process and submit to the relevant public institution the Transfer of Service in the manner set out under the Forty Sixth Schedule .

(5) A teacher shall upon obtaining a Last Pay Certificate and a formal release from the Commission proceed on transfer of service to the other public institution.

(6) The Commission may, where a person applies for a transfer of service from the Public Service Commission to the Commission approve the transfer subject to availability of a vacancy.

Release of a teacher to other organizations.

167. (1) The Commission may release without pay, a teacher appointed to a public institution, teachers' union, public educational institution, county government or a body registered under the State Corporations Act.

(2) A teacher seeking release under this regulation shall—

(a) submit an application to the Commission in writing through the head of institution which shall be accompanied with a copy of the appointment letter, a letter of acceptance of the offer and a Clearance Certificate from the head of institution;

(b) where the teacher joins another institution other than a public institution, the teacher shall forfeit all benefits under the public service.

(3) The Commission shall suspend the benefits of a teacher seeking release from the teaching service until retirement in accordance with government regulations.

(4) A teacher released to a teachers' union or to any institution and continues to contribute 31% of the basic salary towards the free government pension scheme, may retire voluntarily on attaining fifty years of age.

Report on teachers who exit service

168. A head of institution who fails to report a teacher's exit from service shall be liable to disciplinary action and shall be surcharged to the extent of any loss occasioned to the Commission.

Death

169. (1) A teacher's appointment shall terminate upon death.

(2) The Commission shall upon receiving the Entry and Exit Report issued by the head of institution to the effect that the teacher has died, stop the salary of the teacher.

Certificate of Service.

170. The Commission shall in accordance with the Employment Act issue a Certificate of Service to a teacher exiting the service of the Commission in the manner set out under the Fifty Seventh Schedule .

PART XIII—PENSIONS, GRATUITIES AND OTHER BENEFITS

(This part provides for circumstances under which pensions, gratuities, terminal benefits and other benefits may be granted under law).

Gratuity for qualifying service when the ten years is not completed.

171. (1) A teacher who retires in circumstances entitling him to a pension before completion of the necessary ten years' qualifying service and attainment of fifty years of age, is eligible for a gratuity at the rate of five times the annual amount of pension which, if there had been no qualifying period, might have been granted to him.

(2) A teacher who retires under circumstances contemplated in (1) above shall receive a pension calculated at $1/480^{th}$ of annual pensionable emoluments for each completed month of service.

(3) A teacher may opt to commute one-quarter of the pension and to receive in lieu thereof a gratuity equal to twenty times the amount of pension so commuted and such option must be exercised prior to the last day of retirement.

Marriage gratuity

172. (1) A female teacher who resigns from the teaching service after completion of five years continuous service on account of marriage, or with a view to marry is eligible for a marriage gratuity and shall avail to the Commission documentary evidence within six months from the date of resignation.

(2) A teacher who resigns on the ground of marriage shall be paid at the rate of one-twelfth (1/12th) of a month's pensionable emoluments for each completed month of pensionable service, subject to a maximum of one year's pensionable emoluments.

A Teacher confirmed on permanent and pensionable appointment.

173. A teacher confirmed on permanent and pensionable appointment shall be entitled to death gratuity which shall be payable to the legal representative or to the dependants.

Death in Service.

174. Where a teacher whose appointment is permanent and pensionable dies in service, the beneficiaries or legal representatives shall be entitled to a death gratuity of an amount not exceeding two years pensionable emoluments.

Death after retirement.

175. Where a teacher dies after retirement from service, the beneficiaries or legal representatives shall be entitled to a gratuity equivalent to the annual pensionable emoluments on which the pension has been calculated or the gratuity in lieu of maximum commuted pension, whichever is greater, where death gratuity would have been paid had the teacher died while in the service and the amount of the pension, gratuity or other allowance already paid to the teacher is deducted from such gratuity.

Death in the course duty.

176. Where a teacher dies in the course of duty as a result of injuries arising from the discharge of duties and on account of circumstances specifically attributable to the nature of the duty, the widow or widower and children of the teacher shall be paid a pension.

Computation of pension and gratuities.

177. Formulae for calculation of pension and gratuities shall be as set out under the Fifty Eighth Schedule.

Work Injury Benefits.

Act No. 13 of 2007

178. (1) The dependants of a teacher who dies as a result of injuries sustained in the course of duty shall be eligible for payment of Work Injury Benefits in accordance with the Work Injury Benefits Act.

(2) A teacher who is injured while on duty shall be eligible for payment of benefits in accordance with the Work Injury Benefits Act.

Procedure for claiming benefits under the Work Injury Benefits Act.

179. (1) A teacher who is injured while on duty shall apply for compensation to the Commission in the prescribed Director of Occupational Safety and Health forms specified in the Work Injury Benefits Act, and which shall be accompanied by a medical report.

(2) An application for compensation under this regulation shall be accompanied by a report from the head of institution giving the details of the accident and ascertained by the sub county director.

(3) Where a teacher is injured following a road accident or as a result of an assault, the teacher shall attach a police abstract to the claim.

(4) A teacher who claims compensation or to whom compensation has been paid shall when required by the Director of Occupational Safety and Health Services or the Commission after reasonable notice, appear for an examination by a registered Medical Practitioner designated by the Director or the Commission at the time and place mentioned in the notice.

(5) The Commission shall not pay Work Injury Benefits where injuries are occasioned due to a teacher's own negligence or where a teacher sustains self- inflicted injuries.

(6) Any claim for benefits from the Commission shall be made within twelve months from the date of injury.

Contribution and benefits payable.

180. (1) A male pensionable teacher who is a Kenyan citizen confirmed or on probation on appointment on or after 1st May, 1971 shall contribute 2% the basic pay to the Widows and Children's Pension Scheme.

(2) A female pensionable teacher who is a Kenyan citizen may join the Widow's and Children's Pension Scheme where she can prove that her husband is dependent on her.

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(3) Where a teacher dies, the benefits of the Widow's and Children's Pension Scheme shall be paid to the widow or widower and children of the deceased teacher in accordance with the Widows and Children's Pension Act.

Forfeiture of pension rights on resignation or dismissal.

181. (1) A teacher who resigns before attaining the retirement age, forfeits all retirement benefits except in the case of a female teacher who resigns on marriage grounds.

(2) A teacher who is dismissed from service shall forfeit all claims that relate to pension and gratuities.

(3) Notwithstanding paragraphs (1) and (2), a male teacher shall be eligible to claim for a refund of Widow's and Children's Pension Scheme benefits.

(4) A teacher shall not be entitled to pension for any period for which salary was not paid.

Statutory or Voluntary Contributions and Benefits.

Act No. 45 of 2013

182. (1) A teacher employed by the Commission shall register in accordance with the National Social Security Fund Act.

(2) The Commission shall effect monthly contributions from the teacher's salary and remit the same together with the Commission's equal contribution to the Fund.

(3) A teacher may make voluntary contributions towards National Social Security Fund in addition to the statutory deductions irrespective of the terms of service.

(4) The benefits payable under this regulation shall consist of the total sum standing to the credit of the teacher at the time, which may include the member's contributions, and employer's contributions together with interest accrued over the years of membership.

PART XIV—LEGAL PROCEEDINGS

(This Part provides for the conditions under which legal assistance is given to a teacher in case of legal proceedings arising out of discharge of duty and the procedures to be followed when seeking the assistance. The part also to provide for circumstances under which a teacher may qualify for legal assistance from the Commission).

Criminal Proceedings.

183. The Commission shall not be involved in any way in proceedings where a teacher is charged with a criminal offence.

Civil Proceedings.

184. (1) Where a civil suit is instituted against a teacher for an act or omission arising out of the discharge of the teacher's official duty, the teacher may apply to the Commission for legal assistance.

(2) An application under this regulation shall be accompanied with a report prepared by the county director which shall provide for details of the particulars of the case.

(3) The Commission shall in considering whether to undertake the defence for a teacher in civil proceedings, evaluate whether the subject of litigation falls within the mandate of the Commission and the financial risk involved.

(4) Where a teacher requires legal assistance from the Commission, the teacher shall make an application to the Commission immediately upon receiving summons, provided that the teacher shall not brief a private advocate.

(5) The Commission may where proper procedure is not followed, decline to pay any part of the cost of defence or any damages or costs which may be awarded against the teacher.

(6) Where upon the advice of the Attorney General, the Government undertakes the defence of a teacher, the Attorney General shall provide free legal representation, and shall instruct a State Counsel or a private advocate and the cost of such defence will be a charge on the vote of the Attorney General.

(7) Where the Attorney General appoints an advocate to represent a teacher, the Attorney General shall consult the Commission for any necessary instructions or directions.

(8) Any damages or costs awarded against a teacher in civil proceedings shall be met from the public funds where the action is nominal against the teacher and is, in substance and in fact, against the Commission.

(9) The Commission shall in indemnifying the teacher consult the Attorney General and the National Treasury.

(10) Where the Government accepts liability for damage and costs, the Commission shall meet the liability out of its vote.

Instituting Civil Proceedings.

185. (1) A teacher shall not institute civil proceedings arising out of any circumstances connected with the teacher's official position, or with any activity in which the teacher has been engaged in the course of official duties, without first obtaining the written consent of the Attorney General through the Commission, whether or not the teacher requires legal assistance.

(2) The Commission shall not be involved in any way in civil proceedings in regard to litigation unconnected with the official position or duty of a teacher.

PART XV—MISCELLANEOUS PROVISIONS

Code to be displayed in all Commissions' offices.

186. (a) Every office of the Commission, at every level, shall keep at least two copies of this Code.

(b) It shall be the responsibility of every Head of institution to ensure that at least two copies of this Code are available in the school and teachers can access the same electronically at www.tsc.go.ke.

(c) Any teacher who fails to comply with any part of these Regulations shall be in breach of the Code and liable to disciplinary action.

Participation in political activities.

Act No. 24 of 2011

187. (1) A teacher under the employment of the Commission who intends to contest for political office shall resign or retire from service in accordance with these Regulations, the Elections Act or any other written law.

(2) This regulation shall also apply to teachers released by the Commission to Trade Unions.

Disclosure and use of official information.

188. (1)A teacher shall not use any official information gained or conveyed through his employment in the teaching service or comment publicly or publish anything, which may be regarded as political in nature or for any purpose other than being for the discharge of official duties.

Cap 187

(2) A teacher shall on entering or on exiting from the service of the Commission be required to sign a declaration in accordance with the Official Secrets Act and as set out under the Forty Nineth and Fiftieth Schedules respectively.

Cap 187

(3) A teacher under the employment of the Commission or who has exited service, and contravenes this regulation shall be liable under the Official Secrets Act.

Right to service.

189. (1) The Commission shall, except where specifically provided under these Regulations, offer free services which may be accessed by a teacher in any county.

(2) Where a teacher is not satisfied with the services provided by an officer of the Commission the teacher may seek redress from the-

(a) officer's immediate supervisor;

(b) Sub County Director where the service is offered at the sub- county level.

(c) County Director where the service is offered at County level; or

(d) Commission's headquarters.

(3) To the extent possible and depending on the nature of service sought, a teacher shall first seek to be served at the Commission's office nearest to his work station before visiting the headquarters.

(4) A teacher travelling to the Commission's headquarters for any official matter must have written permission from the respective head of institution except during school holidays.

(5) A teacher who offers a bribe or any form of inducement in exchange of services to an officer of the Commission or agent shall be subjected to disciplinary action in accordance with these Regulations.

Participation in trade union activities.

190. (1) A teacher serving in an administrative capacity may be a member of a trade union provided that such membership shall not interfere or in any way conflict with the performance of the teacher's assigned duties.

(2) In the event of an industrial action or any other disturbances leading to stoppage of work, the administrator shall ensure the safety of all the learners, colleagues, members of the public and the property and facilities within the educational institution.

Conduct of teachers during industrial strike.

191. (1) Every teacher has a right to fair labour practices as enshrined in the Constitution.

(2) Where an industrial action or any other disturbance leading to stoppage of work occurs—

(a) the teacher shall ensure the safety of all the learners, colleagues, members of the public and the property and facilities within the educational institution; and

(b) the administrative staff shall continue to undertake such duties as are necessary to ensure the safety and security of school property and to safeguard the welfare of learners.

(c) a teacher is expected at all times during an industrial action to conduct himself in a manner that befits the dignity of the teaching profession and avoid behavior that may bring the profession into disrepute.

Influence from third parties

192. A teacher is not permitted to approach third parties or any other influence with a view to obtaining advancement in the service or intervention on their behalf in professional matters affecting them and which may be in dispute between them and the Commission.

Alternative Dispute Resolution Mechanisms

193. Except for acts or omissions pronounced as criminal offences under the penal system or offences that may lead to removal from the Register, nothing in these Regulations may be construed as precluding the Commission from adopting and implementing, on its own initiative any other appropriate means of alternative dispute resolution including arbitration, conciliation, mediation and administrative mechanisms.

FIRST SCHEDULE

FORM A (r 23)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website: http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

APPLICATION FOR REGISTRATION (ONLINE)

PART A

Important Notes for Applicants.

1. All sections of this registration application MUST be completed in full.
2. Please fill in all the required information.
3. It is an offence to willfully give false information to the Teachers Service Commission.
4. Note that Section 44(3) of the TSC Act, provides that any person who gives false information to the Commission shall be liable to a fine not exceeding the sum of KSh. 100,000 or imprisonment for a term not exceeding one year or to both.
5. Scan and attach the following documents:-
   (a) National Identity Card/Passport;
   (b) Academic and Professional certificates;
   (c) Bank Deposit slip;
   (d) Certificate of good conduct.
6. All documents must be Certified by the TSC County Director or TSC Sub County Director before scanning.
7. Expatriate Teachers must provide a valid work permit, academic and professional certificates validated by the Commission.
8. Deposit KShs.1,000/=(excluding bank/transaction charges) non-refundable registration fee at National Bank of Kenya, A/C No. 01001000905001 or through Safaricom Pay-bill no. 547700.

For mobile Banking click M-pesa user guide.
Fill in the following and Click Next Page Button to Continue

ID NO. /Passport [ ] Surname [ ]

PART B

APPLICANTS' BASIC DETAILS

Id No/Passport [ ] Surname [ ] First Name [ ]

Other Names [ ] Religion [ ]

Date Of Birth [ ] Gender M [ ] F [ ]

Permanent Address [ ]

P.O. Box [ ] Post Code [ ] Town/City [ ]

County [ ] Sub County [ ]

Email [ ]

Current Address [ ]

P.O. Box [ ] Post Code [ ] Town/City [ ]

Nationality [ ]

Telephone [ ]

PART C

ACADEMIC AND PROFESSIONAL QUALIFICATIONS

Education	Name of Institution	From	to	Specialization	Certificate	Certificate No.	Certificate Year
Primary							
Secondary/ Technical							
College/ University							

OTHER DETAILS

Teaching Subjects

1. .....

2. .....

3. .....

4. .....

5. .....

TSC No. If previously registered [ ]

Have you ever been dismissed from service? (Civil Service, Public Service, Teaching Service or

Private)

Yes [ ] No [ ]

If yes give dismissal details [ ]

Have you ever been convicted of any offence in a court of law Yes [ ] No [ ]

If yes give conviction details. [ ]

Do you suffer from any medical or physical condition? Yes [ ] No [ ]

If Yes select impairment [ ]

(a) Payment mode (Mandatory fee) Direct Banking [ ]

Mobile Banking [ ]

(b) Payment Ref. Number [ ]

SECOND SCHEDULE (r 25)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website: http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA

CERTIFICATE OF REGISTRATION

IT IS HEREBY CERTIFIED that: _____of P.O. Box _____and ID No./Passport No._____

_____having met the requirements for entry into the teaching service has been registered as a teacher and his name entered in the Register of Teachers established in accordance with Section 24 of the Teachers Service Commission Act No. 20 of 2012 and has been issued with Teacher Registration No _____.

(SIGNED) _____ DATE _____

SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

NOTES

1. This certificate is the property of the Commission and must be produced on demand.

2. In all correspondence to the Commission, the Registration Number should be quoted.

3. It is an offence to deface, amend or erase this certificate in any way, or to apply for employment as a teacher in any name other than the full name shown in this Certificate of Registration.

4. Where there is a change affecting particulars entered in the Register, for instance, change in address or marital status, this Certificate shall be returned to the Commission with the necessary explanations/declaration to explain the proposed change.

5. Where the full name is changed on account of marriage, the Commission shall require proof of marriage.

6. A teacher whose name has been removed from the Register must surrender this certificate to the Commission.

7. The possession or any use for any purpose by a person whose name has been removed from the Register shall be liable under Section 44(1) (b) of the Act.

THIRD SCHEDULE *(r 27 (2)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-
208-552
Email: info@tsc.go.ke
Website: http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

TEMPORARY TEACHER REGISTRATION CERTIFICATE

It is hereby certified that _____ of _____(nationality)_____ PASSPORT No. /ID No._____P.O. Box _____(local address)having met the requirements for entry into the teaching service is hereby issued with a Temporary Teacher Registration Certificate Number _____.

This certificate is renewable and is only valid for _____years from the date of issue.

SIGNED_____DATE_____

_____

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

FOURTH SCHEDULE *(r 30 (2)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-
208-552
Email: info@tsc.go.ke
Website: http/www.tsc.go.ke
When replying please quote
Ref. N°: TSC/

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA
Date:.....

To:
.....
.....
.....

RE: REVOCATION OF CERTIFICATE OF REGISTRATION

You are hereby notified that your Certificate of Registration Serial Number .....is hereby revoked for the following reasons: -

.....
.....
.....
.....

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to: -

1. TSC County Director.....
2. Sub County Director.....

FIFTH SCHEDULE (r 32 (1)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-
208-552
Email: info@tsc.go.ke
Website: http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

SCHEDULE OF FEES

Description	*Fee (KSh.)*
1. Registration	1,000
2. Application for duplicate certificate	2,000
3. Application for proceedings	100 per page
4. Application for witness statements	100 per page
5. Application for review of discipline decisions	2,000
6. Renewal of Teaching Certificate	500

NB: The fees prescribed above may be reviewed by the Commission from time to time.

SIXTH SCHEDULE (r 32 (2)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-
208-552
Email: info@tsc.go.ke
Website: http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

DUPLICATE

CERTIFICATE OF REGISTRATION

IT IS HEREBY CERTIFIED that: _____of P.O. Box _____and ID No. _____having met the requirements for entry into the teaching service has been registered as a teacher and his name entered in the Register of Teachers established in accordance with Section 24 of the Teachers Service Commission Act No. 20 of 2012 and has been issued with Teacher Registration No _____.

(SIGNED) _____DATE _____

SECTRETARY /CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

NOTES

1. This certificate is the property of the Commission and must be produced on demand.

2. In all correspondence to the Commission, the Registration Number should be quoted.

3. It is an offence to deface, amend or erase this certificate in any way, or to apply for employment as a teacher in any name other than the full name shown in this Certificate of Registration.

4. Where there is a change affecting particulars entered in the Register, for instance, change in address or marital status, this Certificate shall be returned to the Commission with the necessary explanations/declaration to explain the proposed change.

5. Where the full name is changed on account of marriage, the Commission shall require proof of marriage.

6. Any Teacher whose name has been removed from the register must surrender this certificate to the Commission.

7. The possession or any use for any purpose by a person whose name has been removed from the Register shall be liable under Section 44(1) (b) of the Act.

SEVENTH SCHEDULE (r 34 (3)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote
Ref. N°: TSC/

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA
Date:.....

TSC/DISC/NO.....

MR/MRS/MISS.....

RE: **NOTICE OF REMOVAL FROM THE REGISTER OF TEACHERS**

Pursuant to the hearing of your discipline case on.....,I am directed by the Teachers Service Commission to say that as a result of proceedings under Section 33 of the Teachers Service Commission Act, No. 20 of 2012, the Commission has determined that your name be removed from the Register of Teachers with effect from .....for the following reasons:

(insert reasons)

You have a right of Review against the decision which must be exercised within ninety (90) days of the date of this notice. Any application for Review must conform to the

provisions of Regulation 155 of the Code of Regulations for Teachers and should be submitted to the Secretary, Teachers Service Commission, Private Bag -00100, Nairobi.

If, on expiry of ninety (90) days from the date of this notice, no application has been made as aforesaid or if the application is withdrawn or dismissed, your name will forthwith be removed from the Register of Teachers.

I draw your attention to Section 23 (2) as read together with Section 30 (5) of the Act to the effect that *"a teacher whose name has been removed from the Register shall cease to be a teacher for the purposes of this Act with effect from the date of such removal and shall not engage in the teaching service"*.

Your attention is further drawn to Section 31 (2) of the Act, which provides that, an application for reinstatement to the Register of Teachers will only be considered by the Commission after eighteen (18) months from the date of removal.

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to: -

1. The T.S.C. County Director .....
2. Sub County Director.....
3. Head of institution.....

Form B EIGHTH SCHEDULE *(r 36 (1)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG
NAIROBI, KENYA

APPLICATION FOR RE-INSTATEMENT TO THE REGISTER

NOTES

1. Part A of this form should be completed by a person who has completed eighteen (18) months after removal from the Register of Teachers.
2. Three copies of the form should then be submitted to the TSC County Director, together with:
   (a) Certificate of Good Conduct;
   (b) Letters of recommendation from the area local administrator and any other officer in the education sector in the position of a Head of institution or above;
   (c) Certified copies of National Identity Card, academic and professional certificates;
3. The Commission will after due process either confirm the removal or reinstate the name into the Register.

PART A

Name of Applicant: .....Age: .....

Teaching Certificate No: ..... TSC/No: ..... Grade: .....

Address:.....

County: .....Sub County:.....Last Work Station.....

Date Of Interdiction:..... Discipline Case No.: .....

Reasons For Interdiction .....

Date of Determination of Discipline Case:..... .....

Commission's Decision:..... .....

Reasons/Mitigating Factors to Support Application in Relation to the Offence Committed *(You May Write A Separate Letter):*

.....

.....

Applicant's Signature: .....Date: .....

PART B

Recommendations/Remarks

1. Sub County Director

.....

.....

Name .....TSC NO:.....Signed:..... .....

Designation:.....Date:.....

2. T.S.C. County Director

.....

.....

Name:.....TSC/NO:.....Signed.....

Designation:.....Date:.....

NINETH SCHEDULE (r 49 (1)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

TEACHING CERTIFICATE Serial No.....

It is hereby certified that _____of P.O Box _____and ID No._____TSC No_____having met the requirements set out under Section 35(2) (b) of the Teachers Service Commission Act, No. 20 of 2012 is hereby issued with a Teaching Certificate.

This certificate is valid for five (5) years with effect from.....

SIGNED _____

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

DATE _____

Form C TENTH SCHEDULE *(r 56)(1)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

APPLICATION FOR EMPLOYMENT

Section A: Important Notes for Applicants

1. All sections of this form MUST be completed in full.
2. Only ONE copy of the form duly filled and singed should be submitted to the Secretary, Teachers Service Commission, Private Bag, 00100 Nairobi, Kenya.
3. Please forward the following:
   (a) Duly certified Photostat copies of—
      (i) National identification card (both sides) or passport.
      (ii) Academic and professional certificates and testimonials.
   (b) GP 69 form from a government doctor.

(c) Two recently taken passport size photographs from a studio (NOT PHOTO ME MACHINE).

(c) Personal Identification Number (PIN) No.

4. It is an offence for a person to falsely or fraudulently hold himself out to be a registered teacher or submit false or misleading information or make false misrepresentation to or knowingly mislead a member or staff of the Commission. Such an offence will be punishable upon conviction to a fine not exceeding Kshs. 100, 000/= or to imprisonment for a term not exceeding 12 months or both (Section 44 (1) (b) and 2 (b) and (c) of Teachers Service Commission Act No. 20 of 2012.

Section B: Applicant's Details

1. *(a)* Full Names MR/MRS/MISS.....

(BLOCK CAPITALS) SURNAME OTHER NAMES

Maiden name (for married women only)

.....

(b) TSC Number.....

(c) Position for which employment is made.....institution *(post primary teachers)*.....county *(primary teachers)*

(d) Teaching subjects.....

(e) Qualifications *(P1, Diploma, Graduate, Higher Diploma etc)*.....

(f) Religion

(g) Permanent Address .....Postal code

Contact Address

(h) Telephone Number(s).....e-mail address

(g) Date of Birth.....*(dd)*.....*(mm)*.....*(yy)*.....Age.....Years

(h) County of Birth.....Sub County of birth.....

*(i)*Home County Sub-County.....

2. Citizenship:

(a) By Birth .....(give ID./No.).....

(b) By Registration .....(give certificate No.).....

(c) If not a Kenyan Citizen, state nationality.....Alien/Passport No.....

3. Educational and professional qualifications:

EDUCATIONAL LEVEL	NAME OF INSTITUTION	DATE		CERTIFICATE, DIPLOMA OR DEGREE
		FROM	TO	
(a) Primary				
(b) Secondary				

EDUCATIONAL LEVEL	NAME OF INSTITUTION	DATE		CERTIFICATE, DIPLOMA OR DEGREE
		FROM	TO	
(c) College/University				

4. Additional qualifications *(state full details in respect of qualifications or courses attended, games, community work, etc).*

.....

.....

.....

.....

.....

5. Experience:

(a) Teaching experience–

NAME OF SCHOOL	COUNTY AND SUB-COUNTY	DUTIES	PERIOD OF SERVICE	
			FROM	TO

(b) Non-teaching experience–

NAME OF EMPLOYER	DUTIES	PERIOD OF SERVICE	
		FROM	TO

6 (a) Have you ever been dismissed/terminated or otherwise removed from Government, other Public Service or the Teaching Service?

.....

If so, give details.....

.....

(b) Have you ever been convicted on any charge in a court of law? Yes/No.

If the answer is "YES", give the following particulars:

(i) Offence for which convicted.....

(ii) Date and place of conviction.....

(iii) Sentence(s) imposed.....

Note—Conviction of an Applicant will not necessarily bar him from employment by the Teachers Service Commission.

7. Break in service, if any:

From.....To.....

Reasons for break in service (*e.g. resignation, further education, dismissal, imprisonment, retirement, etc.*)

.....

8. Do you have any form of permanent disability? Yes/No.

If so, state the nature of disability.....

.....

9. Referees:

Give the names, addresses and status of two persons (not related to you) to whom reference can be made:

(i) .....

.....

(ii) .....

.....

10. I hereby certify that:

The particulars provided in this form are correct to the best of my information, belief, and knowledge.

Date ....

Signature of Applicant

Section C: Recommendation by a Designated Officer and/or Agent of the Commission.

.....

.....

Date ....

Signature of Designated Officer/Agent

Address .....

ELEVENTH (a)SCHEDULE (r 56 (2)(a)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote
Ref. N°: TSC/

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA
Date:.....

Name of teacher

.....

OFFER OF EMPLOYMENT AS A TEACHER (PRIMARY)

1. I am pleased to inform you that your application for employment as a ...teacher has been successful and that you are posted to ..... County to teach.....subjects.

2. Subject to your acceptance of the terms of this offer, you are hereby appointed on probation in the Service of the Commission. You are required to report to the TSC County Director for posting not later than 30 days from the effective date of this letter.

3. Note that the effective date of your appointment will be the date you report for duty.

4. Your TSC/NO. is ..... in all your correspondence with the Commission, you should include your full name and TSC number.

5. Your salary will be Ksh ..... p.a. on the scale Ksh. .....p.a to Ksh. ..... p.a. You will also be entitled to Automatic House Allowance, Medical Allowance, Commuter Allowance and Hardship Allowance (where applicable).

6. The period of probation shall be six months but this may be extended in case of unsatisfactory performance. The appointment may be terminated before the completion of that period by either party giving to the other one month's notice in writing or by paying to the other an amount equal to one month's salary in lieu of notice.

7. At the end of the probation period, you should apply to the Teachers Service Commission through your Head of institution for confirmation of appointment.

8. Further, note that your employment is subject to the provisions of the Teachers Service Commission Act No. 20 of 2012, the Code of Regulations for Teachers, TSC Code of Conduct and Ethics and other administrative circulars issued by the Commission from time to time.

9. You should be ready to serve in any educational institution in Kenya where the Commission considers your services necessary. Further, you are required to serve at your initial station of posting for a minimum period of five (5) years.

10. Your Teaching Certificate No.....is attached and which shall be renewable after five years subject to undertaking a Teacher Professional Development Programme prescribed by the Commission.

.....

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to:

TSC County Director.....County

ELEVENTH (b) SCHEDULE

(r 56 (2)(a),(63(1)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA
Date:.....

Ref. N°: TSC/

Name of teacher.....

P.O. Box .....

OFFER OF EMPLOYMENT AS A TEACHER (POST-PRIMARY)

1. I am pleased to inform you that your application for employment as a ...teacher has been successful and that you are posted to ..... to teach .....

2. Subject to your acceptance of the terms of this offer, you are hereby appointed on probation in the service of the Commission. You are required to report to the Head of institution not later than 30 days from the effective date of this letter.

3. Note that the effective date of your appointment will be the date you report for duty.

4. Your TSC/NO is ..... In all your correspondence with the Commission, you should include your full name and TSC number.

5. Your salary will be Ksh ..... p.a. on the scale Ksh. .....p.a to Ksh. ..... p.a. You will also be entitled to Automatic House Allowance, Medical Allowance, Commuter Allowance and Hardship Allowance (where applicable).

6. The period of probation is six months but this may be extended in the case of unsatisfactory performance. The appointment may be terminated before the completion of that period by either party giving to the other one month's notice

in writing or by paying to the other an amount equal to one month's salary in lieu of notice.

7. At the end of the probation period, you should apply to the Teachers Service Commission through your Head of institution for confirmation of appointment.

8. Further, note that your employment is subject to the provisions of the TSC Act 2012, the Code of Regulations for Teachers, TSC Code of Conduct and Ethics and other administrative circulars issued by the Commission.

9. You should be ready serve in any educational institution in Kenya where the Commission considers your services necessary. Further, you are required to serve at your initial station of posting for a minimum period of five (5) years.

10. Your Teaching Certificate No.....is attached and which shall be renewable after five years subject to undertaking a Teacher Professional Development Programme prescribed by the Commission.

.....

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

1. The TSC County Director - ..... COUNTY

2. The Principal .....- *Please inform the TSC through an entry and exit report the date the teacher started teaching*

TWELFTH SCHEDULE (r 56 (2)(b)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote
Ref. N°: TSC/

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA
Date:.....

Name of teacher .....

P.O. Box .....

RE: OFFER OF EMPLOYMENT ON CONTRACTUAL TERMS

1. I am pleased to inform you that your application for employment as a teacher on contractual terms has been successful and that you are initially posted to .....(Institution/ County) to teach.....subjects.

2. Your TSC No is ..... . In all your correspondence to the Commission, you should include your full names and TSC number.

3. Your salary will be KSh.....p.a. on the scale KSh.....p.a to KSh.....p.a. You will also be entitled to Automatic House Allowance, Medical Allowance, Commuter Allowance and Hardship Allowance (where applicable).

4. Subject to your acceptance of the terms of this letter, you are hereby appointed on probation in the service of the Commission. You should report to the Head of institution/TSC County Director to be assigned duties on or before..... but not later than 30 days from the effective date of reporting.
5. Note that the effective date of your appointment will be the date you start teaching.
6. The period of probation is three months, but this may be extended in the case of unsatisfactory performance. The appointment may be terminated before the completion of that period by either party giving to the other one month's notice in writing or by paying to the other an amount equal to one month's salary in lieu of notice.
7. Upon taking up this offer, you will be issued with a Contract of Employment specifying the terms and conditions of service which should be executed and returned to the Commission.
8. Further, note that your employment is subject to the Code of Regulations for Teachers, TSC Code of Conduct and Ethics and other administrative circulars issued by the Commission from time to time.
9. You will be required to serve in any educational institution in Kenya where the Commission considers your services necessary.

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to:
1. Sub County Director.
2. The Head of institution..... *Please inform the TSC an entry and exit report when the teacher started teaching.*

THIRTEENTHSCHEDULE *(r 56(2)(c)*

TEACHERS SERVICE COMMISSION

Telephone:
.....
Email: .....
Web:www.tsc.go.keWhen replying please quote
Ref. N°:TSC/

.....TSC COUNTY OFFICE
..... ROAD
P.O BOX.....
....., KENYA
Date: .....

Name of Teacher

.....

TSC No.....

RE: POSTING LETTER (PRIMARY)

Following the offer of employment dated.....the Teachers Service Commission has decided that you be posted to .....primary school in.....Sub County with immediate effect.

You are required to report to the Head of institution for assignment of duties.

By a copy of this letter the Head of institution .....primary school, is required to inform this office and the Secretary, Teachers Service Commission, through an Entry and Exit report, the exact date you report for duty.

.....

TSC COUNTY DIRECTOR

.....COUNTY

Copy to:

1. The Secretary/Chief Executive,
   Teachers service Commission,
   Private Bag, 00100,
   NAIROBI
2. Sub County Director

   .....Sub County
3. The Head of institution

   .....Primary School

FOURTEENTH SCHEDULE (r 58 (4)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-100100
NAIROBI, KENYA

CONTRACT FOR EMPLOYMENT OF TEACHERS. (CONTRACTUAL TERMS)

Agreement made on this .....day of.....20....between the Teachers Service Commission (hereinafter called "the Commission") on the one part and.....of P.O Box ..... (hereinafter called "the teacher") of the other part.

1. The teacher agrees that he/she will diligently and faithfully perform his/her duties for the period of his/her contract and will act in all respects according to the instructions or directions given to him/her by the Commission through the Secretary to the Commission, the agents of the Commission or other duly authorized officers.

2. Subject to the provision of clause 4 of the Schedule hereto, the salary of the teacher, which shall be payable monthly in arrears, shall be in the salary scale of Ksh.....per annum. Provided that his/her progress will be conditional upon the fulfillment by his/her of such conditions as may from time to time be in force.

3. This Agreement is subject to the conditions set forth in the Schedule hereto annexed which shall be read and construed as part of this Agreement.

Signed and witnessed on the day and year above written.

Signed by:-..... In the presence of:- (Witness on behalf of the Commission)

For: Secretary/ Chief Executive
Name:.....

Teachers Service Commission
Address:.....

Signature:.....
Designation:.....

Date:.....

Signed by:

Teacher	In the presence of: - (Witness)
Name:	Name.....
TSC No.....	Occupation .....
Signature.....	Signature.....
Address:.....	Address:.....
Date:.....	Date:.....

Note: All alterations, additional and deletions must be initiated by both parties and their witnesses.

SCHEDULE TO AGREEMENT

(1) Terms of Engagement

(a) The engagement of the teacher is for a period of .....months of service beginning from this ..... day of..... 20... subject however, to the provision of paragraph (c) of this clause.

(b) Before a teacher is engaged, he/she shall be required to produce form GP.69.

(c) The teacher may notwithstanding the completion of his/her term of engagement, be retained in the service at the option of the Commission for a further period of one (1), if in the opinion of the Commission, the exigencies of the teaching service demand it and if a Government Medical Officer certifies that the teacher is physically fit to be so retained, and the provision of this agreement shall apply to such extended period accordingly.

(2) Further Employment

At some time, not more than six months and not less than four months before the date on which his/her service under this Agreement terminates, the teacher shall give notice in writing to the Commission whether he/she desires to remain in its employment, and if he/she so desires, the Commission shall thereupon decide whether it will offer him/her further employment, in which case re-engagement shall be on such terms as may be mutually agreed.

(3) Duties

The duties of the teacher shall include the duties of the teaching service for which he/she is engaged, and any other relevant duties which the Commission may call upon him/her to perform. The teacher shall not either directly or indirectly or without the permission of the Commission engage in any other gainful employment. The teacher shall use his/her utmost efforts to promote the interests of the Commission and shall conform to the Commission's Code of Regulations for Teachers and shall be subject to regulations prescribed by the Commission for the time of being in force.

(4) Salary

(a) Payment of salary will begin from this .....day of ..... 20.....

The incremental date of the teacher will be .....

(b) Increments of salary, if any, will be reckoned as from the incremental date specified in clause 4 (a) above, but no increment will be granted unless the efficiency, conduct and diligence of the teacher during the year immediately preceding have been approved.

(5) Housing

The teacher will be eligible to receive a housing allowance in accordance with the regulations in force from time to time. Whenever available, an institution house may be provided on rental basis.

(6) Traveling Allowance

When traveling on duty for approved purposes, the teacher either shall be provided with transport or may be paid traveling expenses according to the scale in force from time to time for transport and traveling expenses.

(7) Incapacity on Health Grounds

This shall be as provided by the Code of Regulations for Teachers.

(8) Discipline

This shall apply as per the Code of Regulations for Teachers and the Code of Conduct and Ethics.

(9) Termination of Engagement

(a) The Commission may at any time terminate the engagement of the teacher by giving him/her one month's notice in writing or by paying him/her one month's basic salary in lieu of notice.

(b) The teacher may at any time after the expiry of one month from the commencement of his/her term of contract terminate his/her contract by

giving to the Commission one month's notice in writing, or by paying to the Commission one month's salary in lieu of notice.

(c) If the teacher terminates his/her contract otherwise than in accordance with this Agreement, he/she shall be liable to pay to the Commission on demand as liquidated damages one month's salary.

(10) Liability to make Good Loss

(a) If in the opinion of the Commission, any pecuniary damages arise from any disregard or failure on the part of the teacher to comply with any order, or from any neglect of duty whatsoever on his/her part, he/she may be liable to a deduction from his/her salary to make good the loss or any part thereof, the amount of which shall be determined by the Commission.

(b) Where the teacher is required to pay or to reimburse any amount to the Commission, or owes the Commission any sum, such an amount may be recovered by deduction or otherwise from his/her salary in such installments as the Commission may deem fit.

(11) Absence from Duty

The relevant provisions in the Code of Regulations for Teachers shall apply.

(12) Medical Attention

The teacher shall be eligible for medical attention in accordance with the Code of Regulations as may from time to time be prescribed by the Commission.

(13) Gratuity

If this Agreement is determined otherwise than under the provisions of clauses 8, 9 (b), 9 (c) or 11 hereof, the teacher may be granted a gratuity which shall be determined by the Commission from time to time. Provided that such teacher shall not be a beneficiary of benefits payable under the National Social Security Fund.

(14) Annual Leave

This shall apply as per the provisions of the Code of Regulations for Teachers.

Form D FIFTEENTH SCHEDULE *(r 59 (1),(66)(5)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote
Ref. N°: TSC/

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA
Date:.....

NAME OF INSTITUTION AND ADDRESS

The Secretary/Chief Executive .....

Teachers Service Commission .....

Private Bag .....

NAIROBI .....

ENTRY AND EXIT REPORT

PART A

Notes

1. This report shall be completed IMMEDIATELY a teacher STARTS OR STOPS teaching.
2. Upon completion, it should be URGENTLY distributed as follows:-

		PRIMARY SCHOOLS	POST PRIMARY INSTITUTIONS
1.	ORIGINAL	To the TSC Headquarters	To TSC Headquarters
2.	DUPLICATE	To the TSC County Director	To the TSC County Director
3.	TRIPLICATE	To be retained in school file	To be retained in the school's file.

3. This form is an accountable document which should only be completed by either the Head of institution or in his absence the Deputy Head of institution.

PART B

ENTRY REPORT

1. Name.....
2. TSC No.....
3. Grade e.g. P1,ATS IV, GR. II,GR III.....
4. Qualifications e.g.P1, DIP, B.ED. .....
5. Teaching Subjects.....
6. Name Of Institution.....
7. Station Code Of The Institution.....
8. Date Started Teaching.....
9. Type Of Entry.....

(E.g. New Appointment, Reinstatement, on Transfer – Give details of previous Institution)

PART C

EXIT/ STOPPAGE REPORT

1. Name.....
2. TSC No.....
3. Grade.....
4. Qualifications e.g.P1, DIP, B.ED. .....
5. Teaching Subjects.....
6. Name Of The Institution.....
7. Station Code Of The Institution.....

8. Any Administrative Position Held at the Institution.....

9. Date Stopped Teaching.....

10. Reason For Exit/Stoppage.....

(E.g. Resignation, Termination, Absence, Desertion, Death, Sickness, on Transfer (specify the next Institution), Leave (specify type of leave- Study, Maternity, Special, etc.)

Head of institution

Name ..... Official Stamp.....

TSC No. ..... Signature.....

TEL. No:.....

Form E SIXTEENTH SCHEDULE *(r 60) (a)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

TEACHERS NEXT OF KIN/DEPENDANTS' DETAILS

1. NOTES

(a) *Relationship means related by blood, marriage or adoption e.g. spouse/parents/children etc.*

(b) *Any subsequent change on the teachers' Next of Kin details should be immediately communicated by the teacher to the Commission.*

2. Name _____TSC NO. _____ID/NO._____

(*Full Name in Block Letters*)

3. Date of First Appointment_____

4. Contact Address_____

5. Telephone_____

6. E-Mail_____

7. Home County _____

8. Home Sub-County_____Location_____Sub-Location_____

9. I, Mr/Mrs/Miss _____ID. No. _____hereby nominate the following as my next of kin and dependants as my beneficiaries in the event of death:-

Next of Kin Relationship, Age & Tel. No (If Any)

1. _____ _____

2. _____ _____

3._____

DEPENDANTS

Name(s)

1. _____ _____

2. _____ _____ _____

3. _____ _____ _____ _____

4. _____ _____ _____

5. _____ _____ _____

6. _____ _____ _____ _____

7. _____ _____

8. _____ _____

9. . _____ _____ _____ _____

8. _____ _____ _____

9._____ _____ _____

10. NAME AND ADDRESS OF LOCAL ADMINISTRATOR_____

11. TEACHER'S SIGNATURE_____ DATE_____

12. HEAD OF INSTITUTION

Name _____

Address _____

Sign._____ Date _____

Official Stamp _____

13. Witness _____

Name_____

Sign _____

SEVENTEENTH SCHEDULE (r 61 (1)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote
Ref. N°: TSC/

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA
Date:.....

Mr/Mrs/Miss/ .....Thro'

The Head of institution

.....School

P.O. Box .....

.....

RE: LETTER OF PROBATIONARY APPOINTMENT

I am pleased to note that you have accepted the appointment as a teacher and started teaching at.....with effect from .....

This appointment forms an AGREEMENT made between the Teachers Service Commission and *(Full name)* .....

Of (Address) .....*School. P.O. Box* ....., ...

(Herein after called the teacher) with effect from this.....day of.....with continuous service to count from.....(where applicable.)

The following are the Terms and Conditions of this agreement:-

1. Grade.....
2. The salary scale attached to this grade is Kshs..... to Kshs .....per annum. You will enter the scale at Kshs.....per month. You will also be entitled to allowances provided for in the Code of Regulations for Teachers.
   (a) The period of probation will be six (6) months subject to satisfactory performance of duty.
   (b) On satisfactory completion of this probationary period, your terms of service will convert to Permanent and Pensionable.
   (c) You will be required to apply for confirmation of appointment not later than one month before the expiry of this probationary period.
3. This appointment may be terminated by either party giving to the other, one month's notice in writing, or by paying to the other an amount equal to one month's salary in lieu of notice.
4. A condition of this employment is readiness to serve in any institution in Kenya where the Commission considers you qualified to teach.

5. Employment is subject to the Code of Regulations and Code of Conduct and Ethics compiled and published by the Commission under the Teachers Service Commission Act No. 20 of 2012.

6. You will be required to sign this agreement and return copies to the TSC Headquarters and the TSC County Office respectively.

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Teacher	Head of institution
Name:	Name.....
Signed:.....	Rubber Stamp:.....
	Signed: .....
Date.....	Date .....

EIGHTEENTH SCHEDULE *(r 61) (2)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA
Date:.....

.....
.....
.....

The Secretary,
Teachers Service Commission,
Private Bag-00100,
NAIROBI.

RE: APPLICATION FOR CONFIRMATION OF APPOINTMENT

(To be completed in QUADRUPLICATE one month before expiry of the probationary period)

Name .....

TSC No.....

Grade .....

Date of Appointment.....

Current Institution.....

Self-assessment by the teacher

1. Performance of Duty.....

.....

2. Professional Conduct.....

.....

Signed.....Date.....

To be completed by the Head of institution

Overall assessment of suitability for confirmation.....

.....

.....

Name.....Signature.....Stamp and Date.....

Copy to:

1. The TSC County Director
2. Head of the Institution

NINETEENTH SCHEDULE (r 61 (5)(a)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website: http/www.tsc.go.ke
When replying please quote
Ref. N°: TSC/APPT/5.....

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA
Date:.....

To .....
TSC No:-.....
Through;
The Head of institution
.....
P.O. Box .....
.....

RE: CONFIRMATION OF APPOINTMENT

Your appointment as a teacher by the Teachers Service Commission under the terms of the Letter of Probationary Appointment Ref/TSC/NO..... dated..... is hereby confirmed with effect from .....

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISION

Copy to:

1. The TSC County Director
2. Head of the Institution

Form F TWENTIETH SCHEDULE (r 65 (1)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

The Secretary,

Teachers Service Commission,

Private Bag-00100,

NAIROBI.

APPLICATION FOR TRANSFER

NOTES FOR APPLICANTS:

(a) To be completed in TRIPLICATE by a teacher applying for inter-County/Intra-County transfer. Complete two copies only for transfer within the Sub-County.

(b) All relevant sections of this form must be completed in full.

(c) Applications should be completed in TRIPLICATE. Two (2) of these copies should be forwarded to the County Director/Sub County Office through the Head of the Institution for recommendation, and distribution as follows: -

(i) Original to the Teachers Service Commission.

(ii) Copy to TSC County Director/Sub County Office.

(d) A teacher shall move from one station to another upon receipt of a letter of transfer from the Commission/TSC County Director/Sub County Office and a release teacher from the Head of institution.

1.Full name (*BLOCK LETTERS*).....
Surname *First Name* *Other Names*

3. TSC No. .....Mobile No.....Email .....

4. Teaching Subjects .....

5. Job Group .....

6. Current Station .....

7. County ....Sub-County.....

8. Length of stay at the current Institution.....

9. Length of stay in the current Sub-County .....

10. Present assignment .....

11. Institution to which transfer is requested .....

12. County..... Sub County .....

13. When is transfer required.....

14. Reason for transfer .....

.....

Signature .....

Date .....

Head of institution's recommendation .....

.....

Name .....

TSC No. .....Official Stamp and Signature .....

Date .....

1. Recommendation by Sub County Director for transfer outside the Sub County and outside the County:..... .....

.....

Name.....TSC No.....

Designation.....Signature.....

Date .....

(For internal transfers within County)

(a) Approved From .....school to .....School with effect from.....

(b) Not Approved

Name.....

Signature of TSC County Director.....

TSC No. .....

Date .....

Official stamp.....

2. Recommendation by County Director for transfer outside the Sub County and outside the County:.....

.....

Name.....TSC No.....

Designation.....Signature.....

Date .....

(For internal transfers within County)

(a) Approved From .....school to .....School with effect from.....

(b) Not Approved

Name.....

Signature of TSC County Director.....

TSC No. .....

Date .....

Official stamp.....

Form G TWENTY FIRST SCHEDULE (r 75 (1)(a)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

APPLICATION FORM FOR THE TEACHERS PROFICIENCY COURSE

INSTRUCTIONS

1. Attach certified copies of the following documents:-

(a) National Identity card;

(b) Academic and Professional Certificates; and

(c) Last letter of promotion; and

(d) Any other relevant document.

2. Submit duly filled Application Forms to the respective Sub County Office.

PERSONAL DETAILS

Name.....TSC No. .....

ID. No.....Date of Birth .....

Gender.....Mobile No. .....

Date of 1st Appointment as Trained/Graded Teacher .....

Current Grade.....date of appointment to current grade.....

Current Institution.....

Address: .....

Zone.....

Division.....

Sub County..... County.....

SECTION A: ACADEMIC QUALIFICATIONS

Tick your highest academic level

☐☐ 'A' level or its equivalent

☐☐ KCSE or its equivalent

☐☐ KJSE or its equivalent

☐☐ KCPE or its equivalent

Note: Indicate if undergoing any other professional course e.g. (Degree etc).....

SECTION B: LENGTH OF SERVICE IN THE CURRENT GRADE

Tick as appropriate

☐☐ 19 Years and above

☐☐ 15 – 18 Years

☐☐ 11 - 14 Years

☐☐ 7 – 10 Years

☐☐ 3 – 6 years

SECTION C: PROFESSIONAL DEVELOPMENT (Evidence Should Be Provided)

Tick as appropriate

☐☐ National Examiner/Curriculum Developer

☐☐ Trainer e.g. PRISM, SPRED

☐☐ In-Service Courses e.g. Guidance &Counseling, Peace Education

☐☐ Key Resource Teacher (KRT)

☐☐ Others(specify)

SECTION D: INVOLVEMENT IN CO-CURRICULAR ACTIVITIES (Evidence should be provided)

☐☐ National Level

☐☐ County Level

☐☐ Sub-County Level

☐☐ Zonal Level

SECTION E: RESPONSIBILITIES IN THE SCHOOL (Evidence should be provided)

Tick your highest level only.

☐☐ Head teacher

☐☐ Deputy Head teacher

☐☐ Senior Teacher

☐☐ Classroom Teacher

☐☐ Others (specify)

SECTION F: CONFIRMATION

I confirm that the information given is true to the best of my knowledge and understanding.

Signature: .....

Date:.....

SECTION G: REMARKS BY HEAD OF INSTITUION (FOR TEACHERS)

.....

.....

.....

Name.....

TSC No.....

Signature:.....

Date.....

SECTION H: REMARKS BY THE SUB-COUNTY DIRECTOR (FOR HEADS OF INSTITUTIONS)

.....

.....

Name.....

TSC No.....

Signature:.....

Date.....

Form H TWENTY SECOND SCHEDULE (r 75 (1b)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA

APPLICATION FORM FOR PROMOTION (ADVERTISED POSTS)

Please complete this form in BLOCK letters as appropriate and submit to the Secretary, Teachers Service Commission of Kenya, P.O. Box Private, Bag, 00100 Nairobi, Kenya.

1. Title :.....(Mr/Mrs/Miss)

2. Name of applicant: .....

Surname *Other Names*

3. ID. No/Passport No:.....TSC No. .....

4. Date of Birth:.....Gender: Male ☐ Female ☐

(dd-mm-yyyy

5. Current Station.....

6. Current Grade.....

7. Date of appointment to current grade.....

8. Contact Address: P.O. Box.....Post Code..... Town/City.....

9. Telephone.....Mobile ..... E-mail .....

10. County..... Sub County..... Station.....

11.Current Post.....Date of Appointment.....

12. Special Need? ◯ Yes ◯ No If yes State.....

13. Current Assignments.....

14. ACADEMIC AND PROFESSIONAL QUALIFICATIONS

Year	Institution/College	Course	Achievement

15. Briefly state your current duties, responsibilities, and assignments

.....

.....

.....

16.Briefly state your teaching experience:

.....

.....

.....

Station	Grade	From	To

17. Non-Teaching experience:

Institution	Grade	From	To

20. Break from Service and reason:

From,,To..............................

From...To..............................

Reasons for break in service (e,g resignation, dismissal, further studies etc

....

21. I hereby certify that the particulars given on this form are correct to the best of my understanding and knowledge)

Signature..Date;................................

Form I TWENTY THIRD SCHEDULE *(r 85 (2)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

SCHOOL & ADDRESS:

____

Cell Phone No.______________________________

The Secretary
Teachers Service Commission
Private Bag –00100
Nairobi

Thro'
Head of Institution or
County Director

PAYPOINT PARTICULARS

TSC No:

Accounttitle/Name:______________________________

(As *it appears on the Bank plate/ statement*)

Bank:_____Branch:_____

County: _____ Sub-County: _____

Bank Code: [ ][ ] Branch Code: [ ][ ][ ]

Account Number [ ][ ][ ][ ][ ][ ][ ][ ][ ][ ][ ]

(As it appears on the Bank Statement)

Where any amount of money constitutes an Overpayment to me, I hereby give irrevocable authority to my Bank to return the same to the Teachers Service Commission (TSC) whether or not, I am in service of the Commission.

This authority extends to any Other Bank or Account to which the said money may be transferred. This request supersedes any other request given prior to this date.

SIGNATURE:_____DATE:_____I/D NO._____

NB: Attach certified copies of I/D and proof of New Bank Account.

To be forwarded by the Head teacher/Principal of your school/Institution.

Form J SCHEDULE XXIV *(r 93 (4)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

RESPONSIBILITY ALLOWANCE CLAIM FORM. (To be completed in duplicate)

PART I: TO BE COMPLETED BY THE CLAIMANT

Name.....

TSC. No.....

School.....

County..... Sub-County.....

Current Position .....

Effective Date Of Appointment.....

Signature .....

PART II: - SCHOOL ESTABLISHMENT (To be completed by Head of institution or DHRO)

	STD1	STD2	STD3	STD4	STD5	STD6	STD7	STD8	Total Enrolment/No. of Streams
Enrolment									
No. of streams									

I certify that the details/information provided above is correct.

Name .....TSC NO. .....

Signature: .... Designation.....

Official stamp .....

PART III: TO BE COMPLETED BY THE OFFICER IN-CHARGE OF TSC SUB-COUNTY

RESPONSIBILITY PAYMENT ASSESSED AT KSHS.....P.M. W.EF. .....

PAYMENT AUTHORISED BY: .....

DESIGNATION: .....

SIGNATURE: .....DATE: .....

OFFICIAL STAMP.....

Form K TWENTY FIFTH SCHEDULE *(r 103 (2)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

TRAVELLING EXPENSES CLAIM FORM

Name.....TSC No.....

Institution.....Grade.....

Address.....County.....

Bank (As Per Payroll).....Branch.....

Account No.....

Mobile No. .....

Date	*Details of Journey, Hotel Expenses*	*Distance (km)*	*Amount (KSh.)*	*Cts*
	TOTAL			

Reason (s) for the journey.....

I certify that, to the best of my knowledge, the above claim is genuine.

Date.....Signature of Claimant.....

DATE.....Signature of Head of Institution.....

Notes

1. All claims must be accompanied by necessary receipts and invoices.
2. A copy of the log book attached where an officer uses his/her own vehicle.
3. Authority letter from TSC County Director Agent should be attached in case of hiring vehicle.
4. Claims by the Head of institution should be forwarded by the TSC County Director.
5. Claims should be submitted within three months period.

Form L TWENTY SIXTH SCHEDULE *(r 104 (4)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

SUBSISTENCE ALLOWANCE CLAIM FORM (OUTSIDE KENYA)

Name .....TSC No.....

Institution.....Grade.....

Address .....County.....

Bank (As Per Payroll).....Branch.....

Account Number.....

Mobile No. .....

Country Visited .....

Departure Date.....Return Date.....No. of Days.....

Signature of Claimant .....Date.....

Signature of Head Of Institution/CD.....Date.....

FOR OFFICIAL USE ONLY

Rate Applicable .....

AUTHORIZATION

I hereby authorize payment of the sum below.

AMOUNT .....

D (F).....DATE.....

Notes

1. The dates of departure and return mentioned above must correspond with the ones stamped by the immigration department of Kenya and the visiting country on the passport.
2. The claims must be accompanied by the necessary supporting documents i.e. schedule of course program, seminars, copies of passport clearly showing entry and exit dates.
3. Claims should be submitted within three months upon return.

Form N TWENTY SEVENTH SCHEDULE (r 110 (b)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

Sub County Director

_____

_____

RE: APPLICATION FOR ANNUAL LEAVE

PART 1(To be completed by applicant)

I_____TSC/No. _____ wish to apply for _____days

Annual leave from_____ to_____

Date: _____ Signature _____

PART II (To be completed by Head of institution)

Leave is recommended/not recommended

Number of days recommended_____

Reason for not recommending _____

Name: _____ Signature _____

Official Stamp _____Date _____

PART III (To be completed by Sub County Director)

Annual leave is hereby approved/not approved with effect from _____to _____

You will be expected to resume duty on _____

Reason for not approving_____

Name: _____ Designation_____ Signature _____ Date_____

Copy to:

1. TSC Headquarters
2. TSC County Director

Form P TWENTY EIGHTH SCHEDULE *(r 111(1)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

Sub County Director

.....

.....

Thro'

Head of institution

.....

.....

RE: APPLICATION FOR SICK LEAVE

PART I:_*To be completed by applicant*

I Mr./Mrs./Miss./.....TSC No. .....apply for sick leave for period .....to .....as per the recommendation of a Registered Medical Practitioner.

(Medical documents/ sick sheet from a registered medical practitioner must accompany this application)

Signature of Applicant .....
Date.....

PART II

Comments by Head of institution/Sub County Director

.....

.....

Signature and Official stamp.....

Date.....

Copy: TSC Headquarters

County Director

Note*: The Head of institution to apply directly to the Sub County Director.*

Form Q TWENTY NINETH SCHEDULE *(r 116 (1)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

School Address_____

_____

_____

To:

Sub County Director

_____

_____

Thro'

The Head of institution

_____

P.O. Box _____

_____

RE: APPLICATION FOR MATERNITY LEAVE

PART 1(To be completed by Applicant)

I (Miss/Mrs. /Ms.) _____TSC/No. _____ wish to apply for Maternity leave for the period _____ to _____

(A certified copy of the Birth Notification must accompany this application)

Date:_____ Signature _____

*PART II (*To be completed by a Registered Medical Practitioner*)

I certify that the Applicant delivered on_____

Name: _____ Signature _____

Official Stamp _____ Date _____

PART III (*To be completed by Sub County Director*)

Maternity leave is hereby granted with effect from _____ to _____

You will be expected to resume duty on _____

Name: _____Designation._____ Signature _____

Official stamp _____ Date _____

Copy to: -

1. The Secretary

   Teachers Service Commission

   Private Bag

   NAIROBI

2. TSC County Director

**NOTE: Part II to be filled where a Notification of Birth has not been provided under Part I.*

Form R THIRTY SCHEDULE (r 118 (2)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA

School Address_____

_____

_____

To:

The Sub County Director_____Sub- County

Thro'

The Head of institution

_____

P.O. Box _____

_____

RE: APPLICATION FOR PATERNITY LEAVE

PART 1(To be completed by applicant)

I (Mr.) _____TSC/No. _____wish to apply for Paternity leave for the period _____to _____

(A certified copy of the Birth Notification must accompany this application)

Date: _____ Signature _____

PART II (*To be completed by* The Sub County Director)

Paternity leave is hereby granted with effect from _____ to _____

You will be expected to resume duty on _____

Name: _____Designation._____Signature _____

Official stamp _____ Date _____

Copy to:

1. The Secretary

   Teachers Service Commission

   Private Bag

   NAIROBI

2. TSC County Director.....County

Form S THIRTY FIRST SCHEDULE *(r 119(1), r (130(2)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA

APPLICATION FOR STUDY LEAVE

Notes

1. Please read and understand the instructions before completing the form
2. This form is to be completed in triplicate. The original will be sent to the Commission, Duplicate to the Head of institution and Triplicate to the TSC County Director.
3. Teachers applying for study leave with or without pay must have served in the teaching profession for minimum period of five (5) years.
4. Application for study leave must be received at the Commission's Headquarters at least thirty (30) days before commencement of studies.
5. Application for study leave must be accompanied by a copy of the University/College admission letter.

6. Applicants for the three (3) months leave must attach the following (Research only):-
   (i) Initial Admission letter
   (ii) Coursework completion letter
   (iii) Transcripts for units completed
7. A teacher shall NOT leave the duty station before study leave is approved in writing by the Commission
8. A teacher will be expected to report for duty on or before the date of expiry of study leave.
   (i) Applicants for more than six (6) months will be required to report to the TSC headquarters for posting on completion of the leave.
   (ii) Applicants for study leave of less than six(6) months will be required to report to their former stations
9. Applications for extension of study leave or change of Course or Institution must be made to the Commission at least thirty (30) days in advance.
10. All applications for study leave must meet the requirements stipulated in the study leave policy.

PART1 (A) TO BE COMPLETED BY THE TEACHER

1. Name .....
2. TSC NO .....
3. Designation: - Head of institution ☐ Deputy Head of institution ☐

Any Other (specify) ☐.....

4. School/Institution ----------Address.....
5. Date of first appointment.....
6. Qualifications:

   (a) Professional Qualifications:

   P1 ☐ Dip. ☐ Degree ☐ Masters ☐

   Other (specify).....

   (b) Main teaching subject (*Post Primary Institutions only*) ----------

7.
   (a) Course you intend to pursue ----------
   (b) Subjects you intend to study ----------
   (c) Name of University/Institution/College ----------

8.
   (a) Date resumed duty from previous study leave (If any) ----------
   (b) Current Study leave period:-

From----------to.....(State dates as precisely as possible)

9. (a) Contact address during Study leave ----------

(b) Mobile number ----------Email Address.....

PART I (B)

10. (i) Terms of Service

Permanent & Pensionable☐ Probation☐ Temporary☐ Contract)☐

(ii) Allowances Rates per month

a. Responsibility Allowance .....

b. Hardship Allowance .....

c. Special School Allowance .....

d. Special Duty Allowance .....

11. I accept to be bonded (where applicable) after my study leave as stipulated in the Bond Obligation Form (attached) and I accept to redeem the bond in the event of breach.

NOTE: *Attach duly completed bonding forms to your application.*

Applicant's Signature ---------- Date ----------

PART II

(a) TO BE COMPLETED BY THE HEAD OF INSTITUTION

I confirm that the institution has ..... Streams. The following teachers are currently on study leave.

S. No.	*Name*	*TSC No.*	*Department*	*Duration of Leave*
1				
2				
3				
4				

I therefore recommend ☐ do not recommend ☐ this application.

Reasons for not recommending .....

.....

Name ---------- TSC/NO ----------

Designation ---------- Signature ----------

Mobile No. ---------- Email Address ----------

Official Stamp ---------- Date ----------

(b) TO BE COMPLETED BY THE SUB COUNTY DIRECTOR

I confirm that the number of teachers currently on study is..... ...and does not exceed 2% of the Sub- County teacher population.

I therefore recommend ☐ do not recommend ☐ this application.

Reasons for not recommending ----------

Name ---------- TSC/NO ----------

Designation ---------- Signature ----------

Official Stamp ---------- Date ----------

(c) TO BE COMPLETED BY TSC COUNTY DIRECTOR

The number of teachers currently on study leave in the institution is.....

I therefore recommend ☐ do not recommend ☐ this application.

Reasons for not recommending .....

Name..... TSC No.....Designation.....

Signature .....Official Stamp .....

Form T THIRTY SECOND SCHEDULE (r 121 (1)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA

BONDING FORM FOR TEACHERS

(*Use Block Letters to Fill in the Details*)

Know all men by these presents that

I.....TSC NO.....

(*Full Name*)

of..... I.D NO: .....

and..... I.D NO: .....

(*Full Name of First Surety*)

of..... .....

and..... I.D NO: .....

(*Full Name of Second Surety*)

of.....:.....

are jointly and severally bound unto the Teachers Service Commission (herein-after called "the Commission") in the sum equivalent to the value of the scholarship plus salaries and allowances paid for the duration of the scholarship OR salaries and

allowances paid during the period of study leave to be paid to the Commission, for which payment to be well and truly made, we jointly and severally bind ourselves, our heirs, executors, administrators and assigns by these presents.

Sealed this .....day of .....20.....

Whereas under the policy for the award of financial assistance of any kind herein-after referred to as Scholarships for training, the said (Obligor) ..... has been awarded a scholarship/study leave for training at .....and under the terms of the said policy is required to enter into a bond duly to comply with the conditions set out here under:

NOW THE ABOVE WRITTEN OBLIGATIONS are conditioned to be void in case the said .....shall;

a) complete the course for which the scholarship was awarded and follow the directions laid down in the rules contained in the schedule hereto and such other rules as may hereafter be made whether by way of amendment or otherwise by the Principal Secretary-Directorate of Public Service Management or any other person nominated by the Government in that behalf governing the award of Scholarships tenable in Kenya or elsewhere outside Kenya, and

b) where applicable, accept such transport facilities made available to him/her by the Government for his/her return to Kenya and, if so required to return to Kenya immediately after completion of the course of study for which the scholarship is awarded or at such a time as the Government may, through the Principal Secretary in charge of Public Service Management or any other person nominated by the Government in that behalf direct unless he/she is prevented from doing so by sickness proved by a Certificate from a Medical Practitioner or by circumstances beyond his/her control recognized as such Principal Secretary in charge of Public Service Management or any other Person nominated by the Government in that behalf, and

c) on return to Kenya, rejoin or enter in the TSC establishment if called upon to do so by the Cabinet Secretary/Chief Executive of ..... in the capacity for which his/her course instruction is adjudged by the said Cabinet Secretary/Chief Executive to have rendered him/her competent and continue in that service for a period of THREE (3) years or if not called upon to rejoin or enter such service, undertake such engagement as the Cabinet Secretary may direct for period of THREE years.

Provided that the Commission Secretary shall have power to release him/her from such obligation at any time before the expiry of the said period of THREE years as he shall in his sole discretion think fit but in the event of a breach of any or all of the above conditions, the above written bond shall remain in full force and effect and the same sum equivalent to the value of the scholarship plus salaries and allowances paid for the duration of the scholarship/study leave shall be forthwith payable to the Commission Secretary on behalf of the Government of Kenya in respect of such breach by the way of liquidated damages, and not as a penalty by the Obligor and in case of his failing to do so, by the sureties jointly or severally.

a) the said ..... and the Government of Kenya hereby agree that the above obligations contained in this agreement regarding the terms of employment with the Commission will bind and be

paramount to any other later or subsequent terms of appointment unless his/her bond is first terminated by the Teachers Service Commission.

Signed, Sealed and Delivered by the obligor to whom a scholarship has been awarded in the presence of:- } .....
Signature(Obligor)

Name in full (First surety) .....
(Block Capital)

How do you know the Obligor.....

.....

Address.....
(Block Capital)

Occupation.....
(Block Capital)

Place of work and Personnel No.(if employed).....

Signature .....

Name in full (Second surety) .....
(Block Capital)

How do you know the Obligor.....

.....

Address.....
(Block Capital)

Occupation.....
(Block Capital)

Place of work and Personnel No.(if employed).....

Signature .....

THE SCHEDULE ABOVE REFERS TO RULES GOVERNING THE AWARD OF SCHOLARSHIP MADE BY THE GOVERNMENT OF KENYA TENABLE IN OR OUTSIDE KENYA

(In this context "Scholarship" includes awards made under any Government Scholarship Scheme, Training Courses and Study leave).

1. Every person awarded a Scholarship by the Government which is tenable in Kenya or outside Kenya is required to comply with the following rules:-

(a) To accept such transport to and from the venue of training as is provided by the Government.

(b) To proceed to the institution as directed and begin the course of studies for which the award was made and to continue with such studies for as long as prescribed unless he/she is prevented from so doing by sickness proved by a certificate from a recognized Medical Practitioner or by circumstances beyond his control recognized as such by the Principal Secretary – Directorate of Public Service Management or any other person in that behalf.

(c) To reside in an approved college, hostel or lodgings.

(d) To devote his/her whole time to following the course of instruction for which the Scholarship is awarded unless permission to undertake other work or studies or to modify his course in content or duration is granted by the Teachers Service Commission.

(e) Not to engage in any occupation or activity which is considered detrimental to his/her progress in the course of studies prescribed for him/her and/or detrimental to his/her health.

(f) To satisfy the Commission as to attendance, conduct and progress by report from the head of the institution or such other approved person at the institution in which he/she is studying.

(g) At all times to conduct himself/herself as an honest and faithful student and to the best of his/her power and ability faithfully to observe, obey and perform such instructions and directions as may be given to him/her from time to time in whatever form such instructions may take.

(h) To submit to a medical examination as directed; it being understood that the scholarship may be suspended or terminated if the report from such medical examination indicates that he/she is unfit to complete his/her studies owing to ill health. The Scholarship may be suspended or terminated if he/she absents himself/herself from studies for more than six months owing to ill health.

(i) To sit for and pass any prescribed examinations or approved group of examinations within the time fixed by the authorities of the institution at which he/she is attending or by the Principal Secretary – Directorate of Public Service Management or any other person in that behalf unless he/she is prevented from so doing by sickness proved by a certificate from a recognized Medical Practitioner or by circumstances beyond his/her control recognized as such by the Principal Secretary – Directorate of Public Service Management or any other person in that behalf.

(j) To complete the course without interruption and to fulfill all the conditions under which the Scholarship was awarded.

2. The Scholarship may be suspended or terminated if the person awarded a Scholarship fails to comply with any of the foregoing rules. Where a scholarship, tenable outside Kenya is terminated, the cost of a return passage will be met by Government provided that the person returns to Kenya at the earliest opportunity, If such a person without reasonable excuse fails to travel at the earliest opportunity, he/she shall forfeit his/her right to free passage and all other allowances to which he/she would otherwise be entitled.

3. Whenever direction, intention, approval or consent is indicated or required by any of the foregoing rules, the same may be given or signified by the Principal Secretary – Directorate of Public Service Management or such person as he/she may appoint by notice in the Gazette.

4. All beneficiaries will be required to sign the following declaration in the presence of a Magistrate or an Officer of the Commission within the Human Resource Department authorized in that behalf by the Secretary/Chief Executive.

I ..... I.D NO: .....hereby declare that I have read the foregoing rules and/or the Commission's Study leave Policy and agree that the Scholarship/Study leave awarded to me shall be governed by these

rules and that in the event of a breach by me of any of the rules, my Scholarship/Study leave may be suspended or terminated forthwith.

.....

(Obligor Signature)

I certify that the Declaration was both read aloud and signed by the Candidate in my presence

on .....day of ..... 20.....

Name ..... Signature .....

....

(Title/Designation) (Official Stamp)

Form U THIRTY THIRD SCHEDULE *(r 143 (5)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote
Ref. N°: TSC/

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA
Date:.....

Name:- .....
Thro'
.....

RE: SUSPENSION

Pursuant to Chapter Six of the Constitution , Section 62 of the Anti-Corruption and Economic Crimes Act (where applicable) and Regulation 143 of the Code of Regulation for Teachers (Revised 2015), and subsequent to your arrest and arraignment in court to answer the charge of .....you are hereby suspended from the teaching service with effect from the date of this letter until your case is heard and determined.

During the period of suspension, you will be entitled to half basic salary, full house allowance and access to medical benefits.

You are expected to report to/inform the Commission immediately your matter is finalized.

.....

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to:

1. County Director .....

2. Sub County Director.....

THIRT FOURTHSCHEDULE (r 146 (10)(c)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website: http/www.tsc.go.ke
When replying please quote

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA
Date:.....

Ref. N°: TSC/

MR/MRS/MISS:.....

TSC/NO. .....GRADE: ..... DESIGNATION.....

TEACHER'S ADDRESS:.....

NAME AND ADDRESS OF INSTITUTION:.....

COUNTY.....SUB-COUNTY.....

RE: LETTER OF INTERDICTION

I am directed by the Teachers Service Commission to say that, it is alleged that you have breached Clause .....of the Third Schedule of the Act in that you.....consequently, you are hereby interdicted with effect from.....(date)

Before the Commission proceeds to consider and determine your case: -

1. You are invited to make a defence statement/Response to the Commission in writing within 21 days from the date of this letter;
2. You will be given an opportunity to be heard by the Commission in person;
3. Indicate the nearest TSC Sub-County office where you will be required to report once a month;
4. Present any other evidence including documents in support of your case;
5. Vacate office and continue to be away;
6. Provide your contact address, email and telephone number;
7. Forfeit your annual leave;

Signed:.....

Name: .....

Designation:.....

Copy to: -
The Secretary
Teachers Service Commission
Private Bag - 00100,
NAIROBI.

Copy to:
1. The T.S.C. County Director
2. Sub County Director

THIRT FIFTHSCHEDULE (r 149(1)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-
208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA
Date:.....

Ref. N°: TSC/

TSC/DISC/NO .....

MR/MRS/MISS: .....

RE: INVITATION FOR HEARING OF DISCIPLINE CASE

Further to the interdiction letter dated....., I am directed to inform you that, your case will be heard on .....at..... at 8.30 a.m or soon thereafter. You are invited to attend in person together with your witnesses (if any).

Please bring the following documents which the Commission may wish to examine during the hearing:-

a) Original copies of your academic and professional certificates;

b) Last payslip;

c) National Identification Card;

d) Certificate of Registration as a teacher;

e) .....(specify any other).

You are also advised to bring your letter of interdiction together with any documents that may be useful in your defence.

You are advised to contact the Teachers Service Commission if communication of the decision of your case is not communicated to you within 28 days from the date of the hearing.

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

THIRTY SIXTHSCHEDULE (r 154 (1b)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA
Date:.....

Ref. N°: TSC/

REF: DISC. CASE NO. _____

TSC/NO. _____

MR./MRS/MISS _____

_____

RE: WITNESS SUMMONS TO APPEAR BEFORE THE COMMISSION

(Issued in accordance with the provision of Section 12 (2) (c) of the Teachers Service Commission Act, No. 20 of 2012).

I am directed by the Teachers Service Commission to say that it has before it the case of a teacher Mr/Mrs/Miss.....TSC No.....in which it has been alleged that he/she has violated the provisions of the Code of Regualtions for Teachers(2014. The allegations against him/her are as follows:-

.....
.....
.....

In this connection, I am directed to request your attendance at a meeting of the Commission to be held at.....on.....at.....for the purpose of giving evidence.

Your reasonable travelling expenses by public means and your out-of-pocket expenses incurred in connection with your attendance will be refunded by the Commission on production of receipts to the Commission. In the case of public officer, only reasonable out-of-pocket expenses other than those payable from a Departmental vote are refundable.

Signed:.....

Designation: .....

Date:.....

Copy to: (in case of Agent)

The Secretary, Teachers Service Commission

I acknowledge receipt of the summons

Full Name.....

ID No.....

Signature.....

THIRTY SEVENTHSCHEDULE (r 154 (2a)

TEACHERS SERVICE COMMISSION

Telephone:
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Website:
http/www.tsc.go.ke
When replying please quote

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA
Date:.....

Ref. N°: TSC/

REF: DISC. CASE NO. _____

TSC/NO. _____

MR./MRS/MISS _____

_____

RE: DECISION OF THE COMMISSION

Pursuant to the hearing of your discipline case held on.....I am directed by the Teachers Service commission to inform you that the Commission has carefully considered your case and has determined that you are guilty of the charges leveled against you and that you are hereby .....(dismissed/surcharged/suspended/retired in the public interest/warned/removed from the Teachers' Register/cancel Registration Certificate/Retired under 10/50 Rule) with effect from ..... for the following reasons:-

(Insert reasons and appropriate directions /instructions)

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to:

1. T.S.C. County Director _____
2. Sub County Director_____
3. Head of institution_____

THIRTY EIGHTHSCHEDULE (r 154(2) (a)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA
Date:.....

Ref. N°: TSC/
TSC/ NO:.....

TSC/DISC/NO.....

MR/MRS/MISS: .....

.....

.....

RE: REVOCATION OF INTERDICTION

Pursuant to the hearing of your discipline case on ....., I am directed by the Teachers Service Commission to inform you that, the Commission has carefully considered your case and has determined that you are not guilty of the allegation/s made against you. Subsequently, your interdiction is hereby revoked.

Accordingly, any salary and allowances that would otherwise have been payable during the period of your interdiction will be paid to you in full once you are reinstated on payroll.

Please note that, payment of any salary is subject to Part VII of the Code Regulation for Teachers and will be effective only after you report for duty and start teaching.

You will be posted immediately.

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to: -

1. The TSC County Director .....
2. The Sub County Director.....

THIRT NINETHSCHEDULE (r 157 (3)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA

Date:.....

Thro'

.....

Dear Sir/Madam,

RESIGNATION ON MARRIAGE GROUNDS

I acknowledge receipt of your letter dated .....in which you tendered resignation from the teaching service. Subject to you being cleared of all government liabilities, the resignation has been accepted with effect from .....Accordingly, your last date of service will be .....up to and including which date you will be paid salary.

In order to enable us process the payment of your marriage Gratuity, you should bring the following documents: -

1. Any payslip for the month of ..... or .....
2. Photocopy of your National Identity card both sides (two).
3. Two Photostat copies of your Marriage Certificate and the original (to be returned to you) or
   - Affidavit from yourself and spouse.
   - Affidavits stating your marital status from both parents and parents' in-law or close relatives in the absence of the parents.
4. The attached Bank form duly completed.
5. TSC clearance certificate (attached).
6. Two copies of your income Tax personal Identification Number certificate (PIN).
7. Two copies of your promotion letter/certificates.

On behalf of the Commission, I take this opportunity to thank you for the devoted service rendered to the teaching profession. We wish you all the best in your future.

Yours faithfully

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to:

1. TSC County Director
2. Sub County Director

NB: Confirm from the nearest KRA offices whether you have any tax liabilities.

FORTIETH SCHEDULE *(r 157 (5)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote
Ref. N°: TSC/

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA
Date:.....

CLEARANCE CERTIFICATE

To be completed by Head of institution/Sub County Director

I wish to confirm that MR/MRS/MISS/M/S.....of TSC.....is due to leave employment with effect from .....

I wish to further confirm that he/she has worked up to and including .....and has/has no Government/Institutional Liabilities.

(List particulars of liabilities if any)

.....

.....

Name: .....Designation.....

Signature: .....Rubber-stamp.....

Date:.....

FORTY FIRST SCHEDULE (r 160 (3)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website: http/www.tsc.go.ke
When replying please quote
Ref. N°: TSC/

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA
Date:.....

.....
Thro'
.....
Dear Sir/Madam,

RE: VOLUNTARY RETIREMENT ON AGE GROUNDS

I acknowledge receipt of your letter-dated ..... in which you gave notice of your intention to retire from the teaching service. I am pleased to inform you that the retirement has been approved by the Commission with effect from .....

Accordingly, your last day of service will be ..... up to and including which date you will be paid. In order to hasten the processing of your pension papers for payment by the treasury, you should forward directly to this office the following documents to reach here on or before.....

(a) Two copies of your identity card (both sides).

(b) The attached, Option to Commute Pension form, in duplicate duly completed.

(c) The attached payment of lump sum gratuity form duly completed.

(d) TSC Clearance Certificate attached.

(e) Two copies of all promotion letters/certificates.

(f) The earliest payslip showing W.C.P.S deductions in case of male teachers.

(g) Two copies of Income Tax Personal Identification Number Certificate (PIN).

(i) Latest original payslip.

I take this opportunity to thank you for service rendered to the teaching service.

I wish you all the best in your retirement.

Yours faithfully,

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to:

1. TSC County Director
2. The Sub County Director

Note

1. *A retired teacher can opt to continue with NHIF contributions by paying Ksh.160 p.m. to NHIF.*
2. *Confirm from the nearest KRA offices whether you have any tax liabilities and clear with them.*

FORTY SECONDSCHEDULE (r 160 (3)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA
Date:.....

Ref. N°: TSC/
Thro'
.....
.....

RETIREMENT ON 10/50 YEAR RULE

It has been decided to retire you from service on the 10/50-year rule with effect from .....according to Regulation 159 of this Code. To assist us process your retirement dues, you are requested to forward the following documents:-

(a) Any latest original payslip

(b) Two (2) Photostat copies of your identity card, both sides (certified as true copies)

(c) Two copies of all promotion letters/certificates

(d) The attached, Payment of Lump Sum Gratuity form duly completed (name should appear as on ID).

(e) The attached, Option to Commute Pension Form, in duplicate duly completed

(Photostat copies are not acceptable)

f) Two copies of your income tax personal identification number certificate (PIN)

g) TSC Clearance Certificate

h) The earliest payslip showing W.C.P.S deductions in case of male teachers

I take this opportunity to thank you for the service rendered to the teaching service. I wish you all the best in your retirement.

Yours faithfully,

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to:

1. TSC County Director
2. Sub County Director

NB: Confirm from the nearest KRA offices whether you have any tax liabilities.

FORTY THIRDSCHEDULE (r 161 (3)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA
Date:.....

Ref. N°: TSC/
.....
Thro'
.....
.....
Dear Sir/Madam

RE: COMPULSORY RETIREMENT ON AGE GROUNDS

The records held in this office indicate that you were born in .....Therefore you will have attained 60/65 years the age for compulsory retirement on..... You will also have completed the period for qualifying service for payment of pension. Your last day of service will be .....up to and including which date you will be paid.

In order to hasten processing of your pension papers for payment by the Treasury, you should forward to the Sub County Director.....the following documents to reach the Commission on or before.....

(a) Two copies of your National Identity Card (both sides).

(b) The attached, Option to Commute Pension form, in duplicate duly completed

(c) (Photostat copies are not acceptable)

(d) The attached, Payment of Lump Sum Gratuity form, duly completed (names should appear as on ID).

(e) TSC Clearance Certificate attached.

(f) Two copies of all promotion letters/certificates

(g) The earliest payslip showing W.C.P.S deductions in case of male teachers.

(h) Two copies of your income tax Personal Identification Number certificate (PIN).

(i) Any original payslip between .....

I take this opportunity to thank you for service rendered to the teaching service. I wish you in your retirement.

Yours faithfully

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to:

1. TSC County Director
2. The Sub County Director

NOTES

1. A retired teacher can opt to continue with NHIF contributions by paying Ksh.160 p.m. to NHIF

2. Confirm from the nearest KRA offices whether you have any tax liabilities and clear with them.

FORTY FOURTH SCHEDULE (r 162 (3a)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website: http/www.tsc.go.ke
When replying please quote

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA
Dat.....

Ref. N°: TSC/

Thro'

.....
.....

Dear Sir/Madam

RE: RETIREMENT ON MEDICAL GROUNDS

The Medical Board which convened and examined you at ..... on .....recommended that you are not fit for further teaching service. Accordingly, it has been decided to retire you from the teaching service on medical grounds with effect from .....

In order to enable us process your pension papers in time for payment by the Treasury, you should forward directly to this office the following documents to reach the Commission on or before.....

(a) Any salary pays slip for the last month you were on payroll.

(b) Two copies of your National Identity Card (both sides).

(c) The attached, Option to Commute Pension form, in duplicate duly completed.

(d) Bank Forms (names should appear as on ID).

(e) Copy of Personal Identification Number (PIN) Card from the Income Tax Department.

On behalf of the Commission, I take this opportunity to thank you for the devoted service, which you have rendered to the teaching profession. I wish you all the best in your future endevours.

Yours faithfully

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to:

1. TSC County Director
2. The Sub County Director

NB: Confirm from the nearest KRA offices whether you have any tax liabilities.

FORTY FIFTHSCHEDULE *(r 164 (5)*

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke
When replying please quote

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG-00100
NAIROBI, KENYA
Date:.....

Ref. N°: TSC/

Mr./Mrs./Ms.....

Thro'

.....

.....

RE: RETIREMENT IN PUBLIC INTEREST

It has been decided to retire you in the public interest as per regulation 162(5) with effect from .....

In order to hasten processing of your retirement papers for onward transmission to treasury you should forward directly to this office the following documents.

1. Two copies of your National Identity card
2. Original payslip for the last month you were on payroll
3. The attached, Option to Commute Pension forms, duly completed
4. The attached, Payment Gratuity form, duly completed(name should appear as on ID)
5. The earlier payslip reflecting W.C.P.S deductions
6. Two copies of your income Tax personal identification number
7. Two copies of all your promotion letters and certificates
8. The attached TSC clearance.

On behalf of the Commission I take this opportunity to thank you for services rendered to the teaching profession.

I wish you the best in your retirement.

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to:

1. TSC County Director
2. The Sub County Director

NB: Confirm from the nearest KRA offices whether you have any tax liabilities.

FORTY SIXTHSCHEDULE (r 166 (4)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website: http/www.tsc.go.ke
When replying please quote

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA
Date:.....

Ref. N°: TSC/

.....

Thro'

.....

.....

RE:TRANSFER OF SERVICE

Following your application for transfer of service to.....the Commission has with effect from.....released you as per your request.

Transfer of service documents will be processed and submitted to your new employer in due course.

On behalf of the Commission, I wish to take this opportunity to thank you for the services you rendered to the Commission and wish you the best in your new employment.

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Copy to: -

1. TSC County Director
2. Sub County Director

FORTY SEVENTHSCHEDULE (r 170)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website: http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA

CERTIFICATE OF SERVICE

This is to certify that

1. SURNAME:.....
2. OTHER NAMES: .....

3. TSC. No: .....
4. Date of Birth: .....
5. Qualification (Highest): .....
6. Grade of Teacher: .....
7. Positions Held:.....
8. Period of Service From: ..... To ....
9. Contributions To The Institution:.....

FOR: SECRETARY/CHIEF EXECUTIVE

TEACHERS SERVICE COMMISSION

Note-This certificate has been issued without any erasure or alteration whatsoever.

GPK 5085-2M-1/89.

FORTY EIGHTHSCHEDULE (r 177)

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA

FORMULAE FOR CALCULATION OF PENSION AND GRATUITIES

Unreduced monthly Pension: Pension paid to a teacher who does not exercise the option to commute a quarter of his pension. There is no lump sum payment.

Formula:

$$\text{Unreduced Monthly Pension} = \frac{\text{No. of months worked}}{480} \times \text{Annual Basic Salary} \times \frac{1}{12}$$

Commuted Pension (lump sum): It is that lump sum that is paid after opting to commute part of their pension. It is paid at a rate of ¼ of one's pension entitlement multiplied by 20.

Formula:

$$\text{Lump sum} = \frac{\text{No. of Months worked}}{480} \times \text{Annual Basic Salary} \times \frac{1}{4} \times 20$$

Reduced Monthly Pension: Amount paid monthly after a ¼ has been paid as above.

Formula:

$$\text{Monthly Pension} = \frac{\text{No. of months worked}}{480} \times \text{Annual Basic Salary} \times 3 \times \frac{1}{4\ 12}$$

NB: 480 = 12x40 where 40 is expected years of service for an officer employed at 18 years old

DEATH GRATUITY

Death Gratuity for a Teacher, who has taught for at least ten years, is calculated as if the teacher had retired on the date of death as per the formula above. This is followed by monthly pension which is paid to the next- of- kin for five (5) years from the date of death.

MARRIAGE GRATUITY

It is paid at the rate of 1/12th of month's pensionable emoluments for each completed month of pensionable emoluments subject to one year's salary whichever is less.

Hypothetical Case:

A teacher earning Kshs.30,000 per month has worked for ten years:

$\frac{1}{12}$ X 30,000 X 10 X 12 = 300,000/=

Official Stamp.....

FORTY NINETHSCHEDULE (r 188 (2)

"CONFIDENTIAL"

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA

REPUBLIC OF KENYA

OFFICIAL SECRETS ACT, 1968

DECLARATION BY A TEACHER ENTERING THE TEACHING SERVICE

(To be signed in DUPLICATE by a teacher on first appointment)

I.....TSC/No.....

do declare that my attention has been drawn to the provisions of the Official Secrets Act, 1968, which are set out on the back of this document, and I am fully aware of the serious consequences which may follow any breach of these provisions.

I understand that the sections of the Official Secrets Act set out on the back of this document, cover material published in a speech, lecture, or radio or television broadcast, or in the Press, or in book form. I am aware that I should not divulge any information gained by me as a result of my appointment, to any unauthorized person, either orally or in writing without the previous official sanction in writing of the Department appointing me, to which written application should be made and two copies of the proposed publication be forwarded. I understand also that I am liable to be prosecuted if I publish without official sanction any information I may acquire in the course of my tenure of an

official appointment (unless it has already officially been made public) or retain without official sanction any sketch, plan, model, article, note or official documents which are no longer needed for my official duties, and that these provisions apply not only during the period of my appointment but also after my appointment has ceased.

Signed.....

Witnessed.....Date.....

EXTRACTS FROM THE OFFICIAL SECRETS ACT, 1968

Part II, section 3 of the Official Secrets Act, 1968, provides as follows:

3. (1) Any person who, for any purpose prejudicial to the safety or interests of the Republic –

(a) approaches, inspects, passes over, is in the neighbourhood of or enters a prohibited place; or

(b) makes any plan that is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power or disaffected person; or

(c) obtains, collects, records, publishes or communicates in whatever manner to any other person any code word, plank, articles, document or information which is calculated to be or might be or is intended to be directly or indirectly useful to a foreign power or disaffected person shall be guilty of an offence.

(2) Any person who takes a photograph of a prohibited place or who takes a photograph in a prohibited place, without having first obtained the authority of the Sub County Director of the prohibited place shall be guilty of an offence.

(3) Any person who has in his possession or under his control any code word, plan, article, document or information which -

(a) relates to or is used in a prohibited place or anything in a prohibited place; or

(b) has been made or obtained in contravention of this Act; or

(c) has been entrusted in confidence to him by any person holding office under the Government; or

(d) has been entrusted in confidence to him owing to his position as a person who holds or has held a contract made on behalf of the Government or a contract the performance of which in whole or in part is carried out in a prohibited place or as a person who is or has been employed under a person who holds or has held such an office or contract, and who for any purpose or in any manner prejudicial to the safety or interests of the Republic –

(i) uses the code word, plan article, document or information; or

(ii) retains the plan, article or document in his possession or under his control when he has no right so to retain it or when it is contrary to his duty so to retain it, or fails to comply with all directions issued by lawful authority with regard to its return or disposal, shall be guilty of an offence.

(4) Any person who, having in his possession or under his control any plan, article, document or information that relates to munitions of war, communicates it directly or indirectly to any foreign power, or to any other person for any purpose or in any manner prejudicial to the safety or interests of the Republic, shall be guilty of an offence.

(5) Any person who receives any code word, plan, article, document or information knowing or having reasonable grounds for believing at the time when he receives it that the code word, plan, article, document or information is communicated to him in contravention of this Act, shall be guilty of an offence, unless he proves that the communication to him of the code word, plan, article, document or information was contrary to his wishes.

(6) Any person who has in his possession or under his control any code word, plan, article, document or information of a kind or in the circumstances mentioned in paragraphs (a) to (d) inclusive of subsection (3) of this section, and who -

(a) communicates the code word, plan, article, document or information to any person, other than a person to whom he is authorized to communicate it or to whom it is his duty to communicate it; or

(b) retains the plan, article or document in his possession or under his control when he has no right so to retain it or when it is contrary to his duty so to retain it, or fails to comply with all directions issued by lawful authority with regard to the return or disposal thereof; or

(c) fails to take reasonable care of, or so conducts himself as to endanger the safety of, the code word, plan article document or information., shall be guilty of an offence and liable to imprisonment for a term not exceeding five years.

(7) Any person who-

(a) allows any other person to have possession of any official document issued for his use alone, or communicates to any other person any code word so issued; or

(b) without lawful authority or excuse, has in his possession any official document or code issued for the use alone of some person other than himself; or

(c) on obtaining possession of any official document by finding or otherwise neglects or fails to restore it to the person or authority by whom or for whose use it was issued or to a police officer, shall be guilty of an offence and liable to imprisonment for a term not exceeding five years.

Part IV, section 20 of the Official Secrets Act, 1968, provides as follows:

20. Any person who is guilty of an offence under this Act for which no penalty is specifically provided shall be liable to imprisonment for a term not exceeding fourteen years.

FIFTIETH SCHEDULE *(r 188 (2)*

"CONFIDENTIAL"

TEACHERS SERVICE COMMISSION

Telephone:
+254-020-2892000/0722-208-552
Email: info@tsc.go.ke
Website:
http/www.tsc.go.ke

THE TSC HOUSE
KILIMANJARO ROAD
UPPER HILL
PRIVATE BAG -00100
NAIROBI, KENYA

REPUBLIC OF KENYA

OFFICIAL SECRETS ACT, 1968

DECLARATION BY A TEACHER LEAVING SERVICE OF THE COMMISSION

(To be signed in DUPLICATE by a teacher on leaving the service of the Commission)

I,.....TSC No.....

do declare that my attention has been drawn to the provisions of the Official Secrets Act, Chapter 187, which are set out on the back of this document, and I am fully aware that serious consequences may follow any breach of those provisions.

I understand:

(1) that the provisions of the Official Secrets Act apply to me after my appointment has ceased.

(2) that all the information which I had acquired or to which I have had access owing to my official position is information which is covered by section 3 of the Official Secrets Act, Chapter 187, and that the Official Secrets Act applies to all such information which has not already officially been made public;

(3) that the sections of the Official Secrets Act set out on the back of this document cover material published in a speech, lecture, radio or television broadcast or in the Press or in book form or otherwise, and that I am liable to be prosecuted if either in Kenya or abroad I communicate, either orally or in writing, including publication in a speech, lecture, radio or television broadcast or in the Press or in book form or otherwise to any unauthorised person any information acquired by me as a result of my appointment (save such has already officially been made public) unless I have previously obtained the official sanction in writing of the Department by which I was appointed;

(4) that to obtain such sanction, two copies of the manuscript of any article, book, play, film, speech or broadcast, intended for publication, which contains information which I have acquired or to which I have had access owing to my official position, or of any material otherwise to be published which contain such information, should be submitted to the Head of the Department;

(5). that when my appointment ends I should surrender any sketch, plan, model, article, note or document made or acquired by me during the tenure of the appointment (even if such sketch, plan, model, article, note or document is not classified) save such as I have been officially sanctioned in writing by the Department to retain, and that I am liable to be prosecuted if I retain any such sketch, plan, model, article, note and document without such official sanction.

Signed .....

Surname .....

(in BLOCK)

Forename(s) .....

Date of Birth .....

TSC/No .....

Permanent address .....

Date .....

Witnessed by:

NAME..... DESIGNATION.....

OFFICIAL STAMP..... DATE. .....

NANCY N. MACHARIA,
Secretary/Chief Executive Officer,
Teachers Service Commission.

LYDIA N. NZOMO,
Chairperson,
Teachers Service Commission.

PRINTED AND PUBLISHED BY THE GOVERNMENT PRINTER, NAIROBI