

# State Checklist

MJK Educators | Legal Guides: Homeschooling in Kenya

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**Important:** This section gives general information to help Kenyan parents and educators start homeschooling with confidence. It is not legal advice. Kenyan education law is changing, so please confirm current requirements with the Ministry of Education, KNEC, your County or Sub-County Education Office, or a qualified advocate before you act.

## Section 1: Legal Checklist

### 1.1 The Legal Landscape at a Glance

- **The Constitution of Kenya (2010), Article 53** gives every child the right to free and compulsory basic education, and says the child's best interests are of paramount importance in every matter concerning them.
- **The Children Act (2022)** places responsibility on parents and guardians for a child's upbringing and development, which includes education.
- **The Basic Education Act (No. 14 of 2013)** governs basic education and requires that children receive it. It does not expressly mention homeschooling, and it does not expressly prohibit it either.
- **In practice:** Many families homeschool on the understanding that the law requires a child to be educated, not necessarily in a registered school. However, some officials and schools have taken the view that homeschooling is not recognised. This grey area is why good records and calm, respectful communication matter.
- **Policy recognition:** The Alternative Education Policy recognises non-formal education, which some families cite in support of their choice. Homeschool groups such as the East Africa Christian Home-educators (EACH) and the Home Education Reforms Initiative are advocating for clearer legal recognition.
- **Watch the Basic Education Bill, 2026.** The Bill was published in July 2026 and is before Parliament, with the public invited to comment. It would replace the Basic Education Act (2013). Reports say it proposes penalties for keeping children out of school and for operating unregistered institutions. How it would treat homeschooling is not yet settled, so follow its progress and update your plans if it becomes law.

**Our approach at MJK Educators:** Provide a real education, document it thoroughly, communicate openly, and stay informed.

### 1.2 Checklist

#### A. Decide and Prepare

- Read this guide fully and discuss the decision with everyone in your household.
- Write down your reasons for homeschooling (academic, faith, health, flexibility, special needs, relocation, etc.).
- Speak to at least two experienced homeschooling families or join a group such as EACH.
- Consider a one-time consultation with an advocate who understands education or family law.
- Check the latest status of the Basic Education Bill, 2026 and any Ministry of Education circulars.
- Agree on a trial period (for example, one term) and a date to review the decision.

## B. Gather Your Child's Essential Documents

- Birth certificate (apply through the Civil Registration Services if you do not have one).
- Unique Personal Identifier (UPI) number from NEMIS (National Education Management Information System), if the child has been in school.
- Immunisation card and any relevant medical or special-needs reports.
- Previous school reports, certificates, and leaving or transfer certificate.
- Parent or guardian ID copies and proof of guardianship where applicable.

## C. If Withdrawing Your Child from a School

- Give written notice to the head teacher (see Sample Letter 2 in the Sample Notice Letters guide).
- Settle any fees and return school property such as textbooks and uniforms.
- Request a leaving or transfer certificate, the latest report, and copies of academic records.
- Ask the school to confirm in writing that your child has been withdrawn.
- Keep copies of all correspondence.

## D. Choose a Curriculum and Plan

- Choose your approach: the Kenyan Competency Based Curriculum (CBC) published by KICD, an international curriculum (for example Cambridge or American), or a blended approach.
- Make sure you know which exams your child may want to sit later, because these affect curriculum choice.
- Write a learning plan for the year: subjects, goals, resources, and weekly timetable (use Template B in the Record Keeping Template).
- Include core areas: literacy (English and Kiswahili), numeracy, science and technology, social studies, religious or values education, creative arts, physical education and health.
- Plan for social interaction: sports, church or mosque groups, clubs, co-ops, volunteering, and playdates.

## E. Inform the Authorities (Optional but Recommended)

There is currently no national registration form for homeschoolers. Many families choose to send a courteous letter of intent. It is a courtesy notice, not an application for permission.

- Decide whether to notify the Sub-County Director of Education (see Sample Letter 1 in the Sample Notice Letters guide).
- If you send a letter, deliver it by hand and get a stamped or signed copy, or email it and keep the sent message.
- Do not hand over private records unless you understand why they are requested. You may offer a progress summary instead.

## F. Keep Records from Day One

- Set up your record system (paper binder, digital folders, or both).
- Keep an attendance or learning-days log, a work portfolio, and assessment results.
- Back up digital records every month.

## G. Assessment and Exam Pathways

- Plan regular assessments: termly tests, projects, reading checks, and parent evaluations.
- Find out how private candidates register for national assessments (KPSEA, KJSEA, KCSE) with the Kenya National Examinations Council (KNEC) and what registration deadlines apply. Rules change, so confirm directly with KNEC or your nearest Sub-County Director of Education.
- If using an international curriculum, identify an accredited exam centre for registration, such as a Cambridge or other approved centre.
- If your child may study in Kenya after secondary school, confirm how the qualification is treated by the universities or colleges you are considering. Foreign qualifications may need equation or recognition through the Commission for University Education (CUE).

## H. Child Welfare and Safety

- Keep immunisations and health check-ups up to date.
- Register your child for health cover (SHA, the Social Health Authority, or private insurance).
- Make sure learning happens in a safe environment and that any tutors or co-op leaders are known and trustworthy.
- Do not allow child labour to replace education. Age-appropriate household responsibilities are fine.
- Know how to report abuse or neglect, such as through the Childline Kenya helpline on 116.

## I. Data Protection and Online Safety

- Treat your child's records as personal data. The Data Protection Act (2019) protects personal data, and children's data deserves extra care.
- Do not post your child's full name, school documents, or ID numbers publicly.
- Get consent from other parents before posting photos of their children from co-op events.

## J. Review Each Year

- Do an annual review: what worked, what to change, and whether homeschooling still serves your child.
- Update your learning plan and records.
- Re-check the law and any new Ministry guidance.

## 1.3 If an Official or School Questions Your Homeschooling

1. Stay calm and polite. Ask for the person's name, title, and the legal provision they are relying on.
2. Ask for any request or instruction in writing.
3. Present your learning plan, portfolio, and progress summary rather than original documents.
4. Do not sign anything you do not understand.
5. Contact an advocate and your homeschool association promptly.
6. Keep a note of the date, people present, and what was said (use the Correspondence Log, Template N, in the Record Keeping Template).

## 1.4 Key Terms

| Term                 | Meaning                                                                                                                                                |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| CBC                  | Competency Based Curriculum, Kenya's current basic education curriculum.                                                                               |
| KICD                 | Kenya Institute of Curriculum Development.                                                                                                             |
| KNEC                 | Kenya National Examinations Council, which runs national assessments.                                                                                  |
| KPSEA / KJSEA / KCSE | Kenya Primary School Education Assessment (Grade 6), Kenya Junior School Education Assessment (Grade 9), and Kenya Certificate of Secondary Education. |
| NEMIS / UPI          | National Education Management Information System and the Unique Personal Identifier it assigns to learners.                                            |
| SCDE / CDE           | Sub-County Director of Education and County Director of Education.                                                                                     |
| EACH                 | East Africa Christian Home-educators.                                                                                                                  |
| SHA                  | Social Health Authority.                                                                                                                               |
| CUE                  | Commission for University Education.                                                                                                                   |

## 1.5 Frequently Asked Questions

### Is homeschooling legal in Kenya?

The law requires that children receive basic education but does not expressly address homeschooling. Many families homeschool, while some officials have questioned its legality. Law reform is being discussed, so keep up to date and keep good records.

### Must I register my child?

There is currently no national homeschool registration process. A voluntary letter of intent is a common practice. Check for any new requirements.

### Can my child sit national exams?

Private candidates may be able to register for KNEC assessments, but procedures and deadlines change. Confirm early with KNEC or your Sub-County Education Office.

### Can my child go to university?

Yes, many homeschooled students do, through KCSE as a private candidate or through recognised international qualifications. Always confirm each institution's entry requirements.

### Can my child return to school?

Often yes, subject to space and the school's placement or assessment process. Your records and a progress summary will help.