

LEGAL NOTICE NO.....

THE KENYA NATIONAL EXAMINATIONS COUNCIL

**(MARKING OF EXAMINATIONS, RELEASE OF RESULTS AND CERTIFICATION)
RULES, 2013**

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THE KENYA NATIONAL EXAMINATIONS COUNCIL ACT, 2012

(No. 29 of 2012)

IN EXERCISE of the powers conferred by section 48 of the Kenya National Examinations Council Act, 2012 the Council makes the following Rules-

**THE KENYA NATIONAL EXAMINATIONS COUNCIL
(MARKING OF EXAMINATIONS, RELEASE OF RESULTS AND CERTIFICATION)
RULES, 2013**

	PART I – PRELIMINARY
Citation	1. These Regulations may be cited as the Kenya National Examinations Council (Marking of Examinations, Release of Results and Certification) Rules, 2013
Interpretation	2. In these Rules unless the context otherwise requires- “Act” means the Kenya National Examinations Council Act, 2012; “Centre organizer” means a principal/head teacher appointed by the Council to be in charge of the administration of the marking exercise in an institution where a Council examination is being marked; “Chief Examiner” means an examiner contracted by the Council to be the overall in charge of the marking exercise of a particular examination paper or papers and is to ensure that marking of candidate scripts is carried out as specified in the Council Examination Marking Regulations; “Deputy Chief Examiner” means a KCPE examiner responsible to the Chief Examiner and coordinates Assistant Chief Examiners in the entire process of marking of KCPE Examinations at a particular marking centre; “Assistant Chief Examiner” means an examiner responsible to the Deputy Chief Examiner and coordinates Team Leaders in the marking of KCPE examination; “Council” means the Kenya National Examinations Council; “Coordination of Marking” means the process of coaching examiners of a particular Council examination paper to ensure that they are able to mark the

	<p>paper in a uniform way without bias to any candidate.</p> <p>“Examiner” means a qualified teacher or specialist who has been trained and commissioned by the Council to assess or mark a candidate’s scrip in a particular course or examination paper;</p> <p>“Dummy” means a model candidate script used to coordinate the marking exercise;</p> <p>“Examiner-in-Chief” means Chief Examiner;</p> <p>“Examination Marking Regulations” means a set or regulations used to govern the marking process for Council examinations;</p> <p>“Head of Institution” means an head teacher or principal as defined in the Teachers Service Commission Act 2013;</p> <p>“Marking centre” meansvenue approved by the Council to host the marking of a Council examination;</p> <p>“Mark-sheet” means a form used to record candidates marks for a particular examination paper;</p> <p>“Team leader” means an examiner in charge of a team of several examiners marking a particular Council examination paper or papers;</p> <p>“Query” means an enquiry or complaint by a candidate, parent, invigilator, supervisor, examiner or any other stakeholderin relation to the Council’s operations;</p>
	PART II – MARKING OF KNEC EXAMINATIONS
Marking of Examinations	<p>3. (1) The marking of any Council examination shall be carried out in an institution which has been approved by the Council as a marking centre.</p> <p>(2) The Council shall set out a criterion for approval of a Marking Center.</p> <p>(3) The Council may use its registered offices from time to time as a Marking Center.</p> <p>(4) Council examinations shall be marked by examiners.</p>
Registration and Approval of a Marking Centre.	<p>4. (1) The Council may register an institution or any venue that qualifies as a marking centre.</p> <p>(2) For a venue other than Council’s office to qualify as a marking centre the</p>

	<p>venue shall meet the following criteria-</p> <ul style="list-style-type: none"> (a) has applied for consideration as a marking centre; (b) has adequate accommodation, provision of hot water and clean sanitary facilities that provide privacy; (c) has clean dining facilities with sufficient cutlery and adequate sitting capacity for a minimum of 500 persons; (d) has adequate working rooms that are well lit (with natural light and electricity), ventilated with burglar proof windows and doors; (e) has a secured computer laboratory with at least twenty (20) modern model functional computers protected with up-to date anti-virus software, power back up as well as Uninterrupted Power Supply (UPS) and Internet connectivity; a laboratory with two (2) functional printers of specifications determined by the Council from time to time; (f) can secure 24 (twenty four) hour armed security personnel; (g) has recreational facilities; (h) has a sanatorium with a qualified nurse and a hospital located nearby; (i) be easily accessible by public transport and communication facilities; (j) be connected to the national grid and have a stand by three phase generator; (k) has Centre Organizer or the Assistant Centre Organizer available within the marking centre throughout the marking period. <p>(3) Discretion; the Council may review the criteria in sub-rule (2) from time to time.</p> <p>(4) The Council may deregister and or suspend an approved marking centre which fails to maintain the conditions set out in sub-rule (2).</p>
Preparation for Examiners at a Marking Centre	<p>5. Where the Council has approved an institution or venue as a marking centre, the Center Organizer shall be expected to-</p>

	<ul style="list-style-type: none"> (a) ensure that the marking centre has adequate accommodation, catering, medical, recreational and ICT facilities; (b) ensure adequate security to safeguard examination materials, personnel and equipment; (c) provide a secure strong room for the storage of examination materials required for the marking exercise; (d) receive and process prompt payment of examiners' allowances under the rates stipulated by the Council; (e) promptly surrender any imprest advanced for the purpose of the management of the marking centre; (f) prepare an accommodation bill based on the daily attendance of the examiners and other expenses incurred and submit the bill and expenses to the offices of the Council; (g) monitor the marking exercise to ensure progress under the marking programme; (h) appoint assistant centre organizers, temporary employees and assign such officials duties in the management of the marking exercise as specified by the Council; (i) ensure accurate capture of data on examiners and other personnel involved in the marking exercise including daily attendance; (j) perform other duties that may be assigned by the Council from time to time;
Monitoring of the marking Progress	<p>6. A centre organizer shall liaise with the Council on the marking progress in every paper marked at the centre.</p>
Categories of examiners	<p>7. (1) The Council shall have at least three categories of examiners:</p> <ul style="list-style-type: none"> (a) Chief examiner or Examiner-in-charge; (b) Senior examiner including (Assistant chief examiner, deputy chief examiner, and team leader); (c) Examiner. <p>(2) The role of each category of examiners shall be as stipulated under these</p>

	Rules (Rules 8 – 10)
Role of Chief Examiner or Examiner in-charge and Deputy Chief Examiner for KCPE	<p>8. A chief examiner or examiner-in-charge shall-</p> <ul style="list-style-type: none"> (a) Take the overall leadership of the examination marking exercise for that paper or papers the chief examiner is in charge of; (b) give the Council a cumulative record of the number of scripts marked every day by every examiner; (c) give the Council information on the expected completion date of marking of every paper; (d) ensure that administrative arrangements at the marking centre are made in according to the Council’s guidelines and Marking Regulations; (e) select scripts for coordination of marking in accordance with the Council’s guidelines on selection of scripts; (f) co-ordinates senior examiners and other examiners before and during the actual marking to ensure that one marking standard is maintained throughout the marking exercise; (g) ensure that the Council Examination Marking Regulations are read, understood and implemented by every examiner; (h) ensure that examiners observe marking discipline, are actively engaged in the work allocated to them and that none of the examiners indulges in any activity that may slow, disrupt or compromise the integrity of the marking exercise; (i) prepare confidential reports on senior examiners; (j) verify all payment claim forms completed by senior examiners; (k) keep an accurate daily attendance register of all examiners marking the paper the chief examiner is in charge of; (l) read through confidential reports of every examiner and make recommendations for promotions or discipline of examiners;
Assistant Chief Examiners	<p>9. An Assistant Chief Examiner shall be assigned duties by the Chief Examiners in the case of Kenya Certificate of Primary Education (KCPE) examination. The Assistant Chief Examiner shall have the following duties:</p>

	<ul style="list-style-type: none"> (a) Coordinate Team Leaders and the examiners in the marking of KCPE Examinations; (b) ensure that the marking regulations of the Council is complied with by the examiners under the Team Leader; (c) Prepare a confidential report to the Chief Examiner on the work of Team Leaders; (d) Verify the number of scripts marked by every Team Leader in their team. (e) Maintain the set standard on marking exercise.
Duties of a Team Leader	<p>10. A team leader shall report to the Assistant Chief Examiner. A team leader shall have the following duties-</p> <ul style="list-style-type: none"> (a) participate in the coordination meeting with the relevant Chief Examiner; (b) coordinate examiners in the team under the team leader prior to the marking of live scripts; (c) prepare a confidential report on the work of examiners in the team; (d) advise the Assistant Chief Examiner on the standards as evidenced by the quality of the work of the relevant candidates in the reports submitted by other examiners; (e) assist in any other marking operation assigned by the Chief Examiner or Assistant Chief Examiner; (f) monitor the security of marking exercise.
Role of an Examiner	<p>11. (1) An examiner shall work under the supervision of a senior examiner and shall perform the following duties -</p> <ul style="list-style-type: none"> (a) participate in the pre-marking coordination meetings; (b) mark live scripts according to the Marking Regulations and marking scheme; (c) complete claim forms for scripts marked and submit the forms and scripts to the team leader before leaving the marking centre; (d) prepare preliminary reports on the work of the relevant candidates to be submitted to the team leader for study and necessary advice given to the Chief Examiner for incorporation into the main

	<p>confidential report on the work of candidates.</p> <p>(2) An examiner shall not take a candidate script from the marking room whatsoever reason.</p>
Marking Procedure	<p>12. (a) The Council shall determine and document the procedures and regulations to be followed during marking;</p> <p>(b) These procedures and regulations shall be used to mark all Council examinations;</p> <p>(c) The Council may review these marking procedures and regulations from time to time.</p>
	<p>PART II- TRAINING AND RECRUITMENT OF EXAMINERS</p>
Training and Recruitment	<p>13. (1) The Council shall put in place mechanisms to ensure that examiners are trained.</p> <p>(2) The Council may enter into a Memorandum of Understanding with a recognized educational institution to train examiners.</p>
Training of Examiners	<p>14.</p> <p>(1) The Council shall:</p> <p>(a) develop a curriculum for training of examiners;</p> <p>(b) ensure that all examiners are trained using this curriculum;</p> <p>(c) develop a criteria for assessment of examiner trainees;</p> <p>(d) awarded a certificate to all successful trainees after training;</p> <p>(2) The Council may under special circumstances conduct on the job training of examiners for particular papers or courses.</p> <p>(3) The Council may review the curriculum for training of examiners from time to time;</p> <p>(4) The Council may advertise through the media or other means on training of examiners;</p>
Short-listing of Examiners	<p>15. (1) The Council shall be guided by the following criteria when short-listing Examiner trainees;</p> <p>(a) be a practicing teacher and trainer in the relevant subject areas;</p> <p>(b) have a minimum teaching experience of at least three(3) years after</p>

	<p>graduation;</p> <p>(c) be a person of integrity as specified in chapter six of the constitution of Kenya 2010; and</p> <p>(d) has attained academic or professional qualifications specified by the Council.</p> <p>(2) The qualifications under sub rule (1) (d) shall be:-</p> <p>(a) at least P1 for examiners in the Kenya Certificate of Primary Education (KCPE) and a minimum grade of a C at the Kenya Certificate of Secondary Education(KCSE) examination level or equivalent in the subject or paper applied for;</p> <p>(b) at least a diploma for Kenya Certificate Secondary Education(KCSE), post school and teacher education;</p> <p>(c) be recommended for training by the relevant head of institution.</p> <p>(3) On completion of training, the successful trainee shall be included in the Council’s data base for trained examiners.</p>
<p>Criteria for Appointment of Examiners</p>	<p>16. (1) The Council shall develop a standard or criteria for appointment of examiners;</p> <p>(2) An examiner who does not meet this set standards or criteria for marking shall be informed officially;</p> <p>(3) An examiner shall be expected to:-</p> <p>(a) be successfully trained as an examiner and be in the Council’s database;</p> <p>(b) be willing to mark under the Council’s marking procedures, regulations and terms and conditions of service;</p> <p>(c) be willing and able keep the marking programme and set marking targets;</p> <p>(d) sign and keep the oath of secrecy;</p> <p>(e) keep their identity and any information acquired during the marking process confidential;</p> <p>(f) refrain from indulging in behaviour likely to disrupt the smooth</p>

	<p>running of the marking exercise.</p> <p>(g) declare any interest before the start of marking;</p> <p>(4) An appointment to mark answer scripts shall be made by the Council and cover only a particular session;</p> <p>(5) Once appointed for a particular session, an examiner shall not be required to reapply for subsequent sessions but shall inform the Council of any changes in particulars;</p> <p>(6) The Council shall sign a marking contract stipulating terms and conditions of engagement with each examiner.</p> <p>(7) The Council shall reserve the right to terminate the services of an examiner in case of breach of contract;</p> <p>(8) An examiner who does not participate in a marking exercise for two consecutive sessions shall be deleted from the Council's examiners data base without reference to the examiner;</p> <p>(9) An examiner shall account for Council and marking center property issued to the examiner before leaving the marking centre;</p>
Coordination of examiners	17. The Chief Examiner will coordinate the question paper and marking scheme to ensure accuracy of examination.
Marking of examinations	18. (1) The Council shall develop regulations for marking all examinations. (2) Examiners shall use the set criteria to mark all examinations. (3) after marking a candidate script, the examiner shall tally all marks attained by the candidate in the examination paper being marked.
Restriction to Access of Marked Scripts	19. An examination script shall not be accessible to any candidate, institution, teacher or any other third party representing the interest of the candidate once the script has been marked.
	PART III- PROCESSING AND ISSUE OF EXAMINATION RESULTS
Processing of marks and Release of Examination Results	20. (1) The Council shall record and process candidate marks into examination results; (2) The Examination results under sub-rule (1) shall be released and announced by the Council;

	(3) Examination results released by the Council under sub-rule (2) shall be the official results of the Council.
Contracted professionals	21. (1) The Council may engage education and other professionals as and when required in the processing of examination results; (2) A contracted professional engaged in the processing of examination results shall maintain integrity, declare his or her interest and subscribe to an oath of secrecy.
Responsibility of Heads of Institutions	22. (1) A head of an institution shall be responsible for submitting all examination marks regarding the relevant candidate's continuous assessment test, course work, project and teaching practice in accordance with the deadline set by the Council. (2) Where a head of institution or relevant person fails to comply with sub rule (1) the candidate shall not be awarded any Certificate or Diploma.
Issuance of Result slips	23. (1) The Council shall issue result slips to successful candidates upon completion of marking, processing and release of examination results; (2) The personal details recorded on an examination result slip shall be those provided by the candidate during registration and the grades attained in the examination. (3) The results indicated in a candidate's result slip shall be provisional.
Issuance of Certificates	24. The Council shall issue certificates and diplomas to qualified candidates within twelve months after release of examination results.
Withdrawal of Certificates	25. The Council may withdraw an examination result, a certificate or diploma where the Council is satisfied that: (a) the result, certificate and or diploma was issued and or acquired in a fraudulent manner; (b) an examination irregularity was committed before or during the time the candidate sat the examination or before release of the examination results; (c) the candidate sat the examination without fulfilling the minimum examination entry requirement.

PART IV- HANDLING OF QUERIES	
Handling of Examination Queries	<p>26. (1) a person may lodge a query to the Council on:</p> <ul style="list-style-type: none"> (a) a candidate’s personal details; (b) examination results; or <p>(2) in resolving queries lodged under sub-rule (1), the Council shall be guided by, the Act; written laws; Council policies, procedures and regulations;</p>
PART V- REVIEW	
Review of examination results	<p>27. (1) A candidate may apply to the Council for review of the decision in respect to the candidate’s examination results and or data under the Act and rules or any other written law;</p> <p>(2) A review under sub-rule (1) shall be lodged to the Council by the candidate within thirty days from the date of release of the examination results;</p> <p>(3) An application for review under sub-rule (2) shall be made to the Council in writing;</p> <p>(4) The Council shall upon receiving an application for review consider the application and determine the review;</p> <p>(5) In determining a review, the Council may :</p> <ul style="list-style-type: none"> (a) approve the request; (b) approve part of the request; or (c) reject the request. <p>(6) A decision made in response to the review shall be in written form and shall be communicated to the applicant within ninety (90) days from the date of receipt of the application.</p> <p>(7) The decision of a review under this rule shall be final.</p>
Conditions for Change of Certificates	<p>28. (1) A Candidate shall be required to return an original certificate or result slip initially issued to the candidate by the Council in case any change has been effected by the Council on the results slip, certificate or diploma;</p>

	<p>(2) A candidate shall return such a certificate before the corrected result slip, certificate or diploma is issued to the candidate.</p> <p>(3) A query under sub rule (1) shall be handled in accordance with the Act, written law, Council Rules , policies and regulations on receipt of all the required documents.</p> <p>(4) An applicant submitting any query to the Council for resolution shall ensure they provide all the required evidence to enable the Council process and validate the query promptly.</p>
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Dated....., 2013

Paul M. Wasanga
Council Secretary/Chief Executive Officer
KENYA NATIONAL EXAMINATIONS COUNCIL