

Implementation Of State Education Policies: An Investigation Into The Levels Of Compliance By Public Secondary School Managers In Homabay County, Kenya

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Abstract: This study aimed to investigate the levels of compliance in implementation of state education policies by public secondary school managers in Homabay County, Kenya and to come up with remedies for improving the level of compliance to the education policies. The study targeted 32 Principals, Board of Management and Parents Association Chair persons of 32 selected secondary schools in Homabay County, 2 teachers and 3 students each per the 32 secondary schools, the County Director of Education (CDE), 6 Quality Assurance and Standards Officer (QASO) giving a total of 253 subjects. Stratified sampling was used and the population was first subdivided into four mutually exclusive segments called strata, based on categories of one or a combination of relevant variables: Principals, students, teachers and BOM members. Purposive sampling was used to select Education officers. Simple random samples were then drawn from each stratum, and then these sub samples were joined to form complete stratified samples which ensured that certain sub-groups in the population were represented in the sample in proportion to their members in the population. Questionnaires based on Likert scale were used for collecting data from the Principals, teachers and students, the Board of Management and Parents Association chairpersons and Education officers. Validity of the instruments was determined by experts in research at the Maasai Mara University. Reliability of the instruments was tested by subjecting the instruments to a pilot study. The quantitative data was computed and analysed using mean, percentages and standard deviation. The findings revealed that level of compliance by the school managers of public secondary schools was low on policies on financial management, fee guidelines and policies touching on students' rights and welfare in schools. The reasons for noncompliance to the policies were rather based on biased judgements driven by personal interests and gains, the school managers did not have any lawful excuse to justify non compliance to the policies. Weaknesses in planning, funding, evaluation and supervision, inhibited the overall effectiveness of policy compliance in most Kenyan schools. The study recommends intensified supervision by relevant education officials to ensure total compliance in the implementation of government policies.

Keywords: Education policies, Implementation, Levels of compliance, Management of schools, Policy guidelines, Public schools, Reasons for non compliance.

I. BACKGROUND TO THE STUDY

The provision of educational opportunities has been a standing objective of the Government of Kenya (GoK) since independence in 1963, education has always been predominantly a government responsibility which provided

most resources required as per policy. Education practices in Kenya are affected by policy guidelines; but the biggest challenge is lack of connection between desired education practices as espoused in policy and the actual education practices on the ground. Strict adherence to government policies in management of educational institutions have not

been fully observed by many education managers despite the government's swift response to emerging issues in education by introducing policy measures so that education could still be provided albeit with many challenges.

Dimock, et al (1983) described Public Policy as deciding at anytime or places what objectives and substantive measures should be chosen in order to deal with a particular problem issue or innovation. It also includes the reasons they should be chosen. This is in agreement with Agnes F. Montalbo, (2015) who explains that public policy is an attempt by a government to address a public issue by instituting laws, regulations, decisions, or actions pertinent to the problem at hand. Numerous issues can be addressed by public policy including crime, education, foreign policy, health, and social welfare.

Chandler and Plano, (1988) defines Public Policy "as the strategic use of resources to alleviate national problems or government concerns". Policies are proposed courses of actions or projected set of decisions. They are prospective or are statements of future actions. Policies states what is going to be done or would be done. It outlines a course of contemplated or desired action in relation to certain desired objects or events in the real world.

According to Ikelegbe, (1996) a policy is goal oriented. It is directed at the attainment of certain end states or objectives. A policy has certain purposes or intention. Policies have to do with particular problems or problems areas. They are not abstracts, but rather relate to and are actually responses to the challenges and pressures arising from an environment. Furthermore, policies are designed and targeted at dissolving existing or future problems or satisfying certain needs. A policy is a course setting action. It provides the direction, the guide and the way to the achievement of certain goals. It provides the frame within, which present and future actions are undertaken. It is a major guideline for action.

According to Oduol (2006), a policy is a government statement of interest to carry out an activity. In this case the government spells out the policy and the period for that policy. The nature of policy also provides standardization, uniformity and gives confidence to the service provider. At the same time, policy, when published, assures the client of unbiased service through standardization and uniformity. Kenyan education has been guided by policy guidelines since independence. Policy documents have been in the form of commissions, presidential working parties, committees and development plans to guide education practices. There are complications related to policy matters as observed by Oduol who argued that evidence-based approach to policy is not always practiced.

Management of education in Kenya leverages on policies that have been issued from time to time since independence and this is the background within which the education managers have run schools. Provision of education in Kenya has been faced with many challenges that have led to formulation of many policies from time to time as a major guideline for action and direction.

Implementation of the educational policies, however, has presented many challenges for the school managers and supervisors in Kenya and some principals in the past years managed their schools in total disregard of some of the government policies. Many have gone scot free despite the

fact that these malpractices have often been brought to the knowledge of education officials charged with the responsibility of ensuring policies are implemented as directed.

This paper examined implementation of four main policies in public educational institutions that had been commonly and frequently abused by public school managers and administrators, the extent to which the principals adhere to the policies and the teachers' perception of some of these policies in the process of the administration of the schools, students' rights and learner achievement levels, and the reasons for non compliance. These included

FEE GUIDELINES: The government of Kenya had over the years tried to control fee being charged in public secondary schools to address affordability in provision and access to secondary education and to reduce exorbitant fee that had always been charged by the school Principals. This had not been an easy task and had always been vehemently resisted by the Principals. However, in 2017, through a circular MOE, HQS/3/13/3 dated 19th October 2017, the government issued guidelines for the implementation of Free Day Secondary Education in which Boarding Schools in Category 'A', National schools and Extra County Schools In Nairobi, Mombasa, Nakuru, Kisumu and Eldoret were to charge a total of Ksh 75, 798.00 with the government paying 22,244.00 and Parents paying 53, 554.00 while Boarding schools category 'B', Boarding schools and Extra County schools in other areas were to charge Ksh. 62, 779. 00; with the government paying 22,244.00 and Parents paying 40, 535.00. The Day schools were free after the government catered for the fee at 22,244.00. This long awaited policy was a relief to many parents and stakeholders and was seen to reduce fee burden on parents and at the same time increase access to secondary education.

However, despite the fee guidelines, reports from stakeholders and parents across the country bear claims that some schools were still charging fees beyond the figures recommended in the guidelines. These were being justified as motivational fee, development fee based on the claim that parents met and agreed, in total disregard to the due processes. It was noted that some schools were still forcing parents to pay some extra money, as much as Ksh.10, 000.00 to improve students' diet and teachers' motivational fee. These were collected during parents AGM where parents were forcibly made to accept additional fee charges against their will. Other schools reflected the extra levies as 'fee arrears' to avoid being detected. In a nutshell, the fee guidelines were not yet fully adhered to by most Principals of secondary schools in Kenya.

CORPORAL PUNISHMENT: Ministerial Circulars CIR 9/1/169/10th April 2001 and Circular no 9/1/28th March 2002 banned corporal punishment in Kenyan schools. The Government through the Ministry of Education banned corporal punishment as a method of discipline on learners through legal notice no 56 of 2001, nullifying legal notice no. 40 of 1972 contained in Education Act Cap 212. By contravening the regulation, teachers have been interdicted, suspended or taken to court of law; some have even been deregistered from the roll of teachers. Despite the ban on corporal punishment in Kenyan schools in 2001, the practice

continued unabated. TSC Circular No 6/2017 dated 21st March 2017, item number II stated

'CORPORAL PUNISHMENT: Under no circumstances should corporal punishment, or use of physical force to inflict pain, be administered to learners. All teachers are cautioned that corporal punishment or any other degrading treatment constitutes a professional and/or criminal offence and can lead to disciplinary action and/or prosecution in court of law. Further it will be considered a professional offence to keep canes in staffrooms, offices, classrooms or any part of the school'.

The above policy however is yet to be fully observed by school managers and teachers and there have been many reported cases of defiance to the policy over the years in Kenyan schools. According to PD Editorial (Peoples' Daily) June 16, 2016, caning ban in schools was still largely ignored. 'Although caning remains the rule rather than the exception in many schools, it is only when things go wrong, resulting in injuries or fatalities that we are reminded that the practice is outlawed'.

On Monday 13th June 2016, People Daily newspaper reported an incident where a primary pupil in Nakuru was nursing injuries, including fractured arm, after he was allegedly caned by a teacher for speaking in mother tongue.

In January 2016, a 14 year old pupil in Kieni, Nyeri lost his life after he was reportedly caned for arriving late for afternoon classes. Worse still, there was a huge storm in February 2016 touched off by a video on the internet where teachers in a secondary school in Vihiga were seen beating up a group of female students. Many cases of return of corporal punishment have been reported in schools and it is widely believed that there are many more unreported cases nationwide.

Achaya, in an article in the Star Newspaper, Nov 20, 2016 asserted that the Kenyan government banned corporal punishment in Kenyan schools and enacted the children's Act, but surprisingly it was still being practiced in various schools. Most students had complained of how corporal punishment was still being carried on in their schools and some parents too also complained of how their children were being punished thoroughly in front of them. Teachers' main reason of using corporal punishment in schools is that they believe that 'it is the most effective way' of disciplining students. The corporal punishments may appear to be more powerful and attractive behaviour management strategy but can come at a significant cost. Most of these punishments had always been accompanied by negative side effects especially to students who were fond of making mistakes most times.

FORCED REPETITION, SUSPENSION AND EXPULSION: Section 35 of the Basic Education Act No 14 of 2013 prohibits repetition of classes. It states: "No pupil admitted in a school, subject to subsection (3) shall be held back in any class or expelled from school." All learners should be assisted to transit to the next class and complete any given segment of education in the learning cycle.' Policies that determine when a student should be suspended or expelled from school are important because they can impact a child's future. In Kenya, according to MOE standards assessment reports and education briefs (2013-2019), it was common to expel students for excessive violations of school rules, this

was not always a good option for dealing with behaviour problems. There were also several reported cases in which students were suspended on flimsy grounds while others were being told to look for alternative schools on grounds of poor performance. Expulsion of a child from school may make him or her lose the desire to continue attending school or quit altogether.

Section 35(2) of the Basic Education Act provides that exclusion of learners from school is only allowed after following due process as set out in the Act. In this respect therefore, it is important to have in place policies that incorporate other solutions before resorting to suspension and expulsion. Similarly, Reports from schools observed across the country over the last four years revealed that learners were still being forced to repeat classes despite a ban several years ago with student dropout still prevalent.

The report of a Kenya National Examinations Council (KneC) study, (2007-2013) showed grade repetition among Standard Six pupils rose from 48.2 per cent in 2007 to 53.2 per cent in 2013.

According to People Daily January 13, 2017, a girls' secondary school in Kitui County was accused of forcing weak students repeat classes in a move to force "non-performing students" to repeat classes. Three students who were forced to repeat Form Three had quit the school as the fate of several others in a similar predicament remained unknown. Majority of the affected students were those who were joining Form Three but were being forced to repeat because they did not attain grade D+ (plus) in their third term exams in the year 2016. The unilateral decision that is ostensibly meant to boost the school's mean grade had put the principal, parents and affected students on collision course besides contravening the Education Act that outlaws forced repetition.

There had been cases of students committing suicide when forced to repeat classes. In other cases, parents had resorted to legal action. In Jan 2014, a primary school pupil in Kenyena, Kisii County, committed suicide after he was forced to repeat Standard Seven. In February same year, two Form three students sued a Secondary School in Molo for forcing them to repeat over claims of exam cheating. They went to court seeking orders to compel the school to allow them to proceed to form four. The students got a reprieve after they were allowed to proceed to the next class following a court order.

The Ministry of Education through the Cabinet Secretary and TSC Secretary as a result warned schools Principals against forcing pupils to repeat and said culprits would face disciplinary and legal action. (Saturday Standard, 22/2/2014). In most cases, school administrators forced learners to repeat classes to improve their chances of emerging top performers in national examinations," Weak learners in Standard Seven and Form III were targets for forced repetition while others are expelled altogether" . School heads and principals had been warned against forcing students to repeat classes in a bid to improve their academic performance. In some schools, administrators transfer pupils to satellite schools or other schools and leave the bright pupils in a particular school for a better performance in the national exams.

Most schools continued to defy the ban on forced repetition and continued reported cases in 2017 made the Teachers Service Commission (TSC) to further warn head teachers against forcing students to repeat classes. In a TSC Circular No 6/2017 dated 21st March 2017, item number III states that Section 35(2) of the Basic Education Act stipulates that learners who do not attain set performance targets should be helped to improve their performance through prescribed remedial teaching.

HOLIDAY TUITION: The Basic Education Act, sec 37 2013 banned holiday tuition stating that subjecting pupils to holiday tuition is an offence. Any person who contravenes this law is liable on conviction to a fine not exceeding Ksh, 100,000 or imprisonment for a period not exceeding one year or to both. TSC Circular No 6/2017 of 21st March 2017, item number IV and V clearly banned holiday tuition. **'HOLIDAY TUITION:** All schools should operate within the term dates issued by the Cabinet Secretary for Education. No learners should be detained in school after the end of the term or recalled before the official opening dates.' Holiday tuition is therefore nothing but implementing the curriculum beyond designated time.

Detaining students in school after the end of the term or recalling them before the official opening dates beats the logic behind holidays or breaks what policy makers have designated in an education system

Most school managers had failed over the years to comply with the ban on holiday tuition, Daily nation 24/4/2018 reported that schools secretly offer holiday tuition despite ban. 'Many schools in Nakuru, Nyandarua and Narok counties were still secretly offering holiday tuition despite a ban on the same, a spot check by the *Nation* has revealed'. The lessons, offered by both secondary and primary schools, were conducted in churches, homes schools and rented premises. In Nakuru town, parents in collaboration with teachers had rented premises from where the exercise is being conducted. This was a clear indication that despite the Government's ban on the tuition, some school heads and teachers still found it necessary to do it but in secret

PRESCRIBED LEARNING HOURS: It had been noted that in some Day Schools learners were forced to report to school very early before dawn and released long after dusk. These poses a security risk. Heads of Institution are required to ensure that learners report and leave within the prescribed hours.' The TSC reiterated on the need to comply with the legal and policy provisions on the rights, security and general well being of learners.

In spite of all these guidelines, spot checks across the country in term I and II, 2018 revealed that learners are still spotted going to schools very early in the morning, at dawn and leaving school very late in the evening after dusk. Many have parents have complained that some of their daughters have conceived as a result going to and leaving school at such odd hours.

On 12th August 2018, the Kenyan media houses reported a secondary school in Nyamira County to have been conducting tuition in August 2018 for form I –IV against the students will, a situation which culminated into the burning of three dormitories on 11th august 2018. The principal of the school and a Sub County director of Education were subsequently

arrested and charged in court over the incident. The Ministry of Education and TSC officials have responsibility for ensuring compliance with this policy, but there seems to serious gaps in supervision to ensure effective implementation of these policies.

STATEMENT OF THE PROBLEM

The MOE has put in place many policies from time to time since independence for effective management of educational institutions but these has not been fully complied with by the school administrators leading to defiance and non adherence to some of the policies. In spite of all these steps taken by the ministry, it is absurd to notice that these policies were still being violated and ignored with impunity especially by the school managers.

This paper sought to address why the policies were not being still being ignored, the levels of compliance to government policies and the reasons for non compliance to policies by school principals in the management of their institutions

Research, standards assessment reports, daily newspapers, education briefs, disciplinary actions, convictions and complaints from parents, learners and stakeholders bear clear proof that many principals of secondary schools have over the years failed to fully comply with some of the MOE policies in the management and administration of their schools.

The problem is so serious that in many instances it has led to teachers being interdicted, dismissed, convicted, demoted and in some instances failure to adhere to the policies has led to school dropouts, death of learners, school strikes. If left unchecked, the foreseeable repercussions would be continued school dropouts, strikes, loss of lives, loss of manpower, convictions, rendering MOE policies meaningless, impunity by school principals and ineffective school management.

The possible solution to the problem would be intensified supervision and regular school visits and spot checks by Education and TSC officers to ensure compliance and immediate disciplinary action. This is why the researcher carried out the study to address the levels of compliance to the government policies and the reasons why most school principals were still failing totally to comply with the identified policy guidelines in the management of their institutions

OBJECTIVES OF THE STUDY

- ✓ Assess the levels of compliance in respect to policies on school management
- ✓ Examine the reasons for non compliance to some government policies on school management by the Principals

HYPOTHESIS

There is no relationship between compliance to policies and reasons for non compliance

SIGNIFICANCE OF THE STUDY

The study would provide insight that would be valuable to educational administrators in school and quality assurance officers for decision making in the education sector, as well as generate a body of knowledge that would be beneficial to scholars in the faculty educational policy and policy makers.

The study will provide and explain the importance of adhering to govt policies and the consequences of non compliance that may help save lives and destruction of school properties.

II. THEORETICAL FRAMEWORK

This study was based on Rational Model theory. Lawrence E. Blume and David Easley (2008) asserts that Rational choice theory, also known as choice theory or rational action theory, is a framework for understanding and often formally modelling social and economic behaviour. The basic premise of rational choice theory is that aggregate social behaviour results from the behaviour of individual actors, each of whom is making their individual decisions. The theory also focuses on the determinants of the individual choices. Rational choice theory then assumes that an individual has preferences among the available choice alternatives that allow them to state which option they prefer. These preferences are assumed to be complete. The rational agent is assumed to take account of available information, probabilities of events, and potential costs and benefits in determining preferences, and to act consistently in choosing the self-determined best choice of action

The rational model of decision-making is a process for making sound decisions in policy-making in the public sector. Rationality is defined as “a style of behaviour that is appropriate to the achievement of given goals, within the limits imposed by given conditions and constraints”.

Dye, (2007) states the rational model provides a good perspective since in modern society rationality plays a central role and everything that is rational tends to be prized. Thus, it does not seem strange that “we ought to be trying for rational decision-making”.

A policy is rational when the difference between the values it achieves and the values it sacrifices is positive and greater than any other policy alternative. Rationalism involves calculation of financial costs, economic, social and political values sacrificed or achieved by policy. The model the burden on policy makers to choose policy options that produces greater benefit. (Butamanya, 2012)

The policy options by the MOE observed had some sacrifices made before being implemented. The analysis of each policy indicated that the expected benefits superseded the sacrifices made and this was envisaged as improved enrolment, improved transition, completion rates, reduced dropout rates would be realised when forced repetition is abolished and expulsion and suspension minimised above one driving factor of improved school mean score in national exams. Improved access to secondary education, transition completion would be achieved with affordable school fees over individual gains made by school principals on fee

increment. Similarly, abolition of corporal punishment would reduce injury or death of learners and disciplinary action against the policy breakers. Improved learner discipline could be achieved by employing alternative means of discipline other than corporal punishment as the only means seen by teachers to achieve maximum discipline. Abolishing holiday tuition would lead to elimination of extra levies on parents, enough time for learners to take a break after term curriculum activities, reduced pressure to perform and elimination of dangers encountered by learners beyond prescribed learning hours for paid extra coaching or remedial teaching.

III. LITERATURE REVIEW

According to Eshiwani, (1990), it had already been noted that one of the significant outcomes of the policies that Kenya has pursued in her educational system was the exponential expansion of the system. The educational policies that Kenya has pursued during the past two decades have resulted into greater access to schooling especially at the primary school level, for its youth. One group that has realized a significant access to schooling has been women.

Williams, (2015) asserts that policies for schools are created at the local and state levels. Educational policies are rules that are intended to help schools teach students efficiently, fairly and safely. These rules determine how students are taught, what they are taught, and how schools manage students and school personnel, educational policies also help keep students in school.

In recent years interest in ‘leadership’ has burgeoned and consequently studies of educational leadership have proliferated. Research around the world is contributing to an increasingly rich understanding of how educational institutions are led and managed. However, it is important to recognize that educational leadership does not exist in a vacuum – it is exercised in a policy context, shaped decisively by its historical and cultural location. It is important, therefore, that studies of leadership adequately reflect this wider policy environment. (Bell, Stevenson, 2006).

Bell further asserts that it is important to recognize that education policy has many important functions and is driven by many pressures. Globalization and the increasing demands of international competition have emphasized the central link between educational policy and economic considerations.

According to Hanukah, (1987), all public policies are future oriented and aimed at the general promotional of the social welfare of the society. Recent studies in the policy sciences have examined different aspects of policy work (Colebatch, 2006; Vesey, 2017) in order to better understand what it is that civil servants and politicians working on public policy issues actually do. The understanding of policy work remains limited in that most studies have concentrated on practices in developed countries with considerable resources and institutionalised practices. (Seguin, 2018)

Failure to effectively implement government policies in Kenyan schools has always led to dire consequences as observed in a study by Omolon and Sumatra (2010) who investigated the implementation of safety policies in public schools in Kyushu East and West Districts found out that

constraints in the implementation of safety policies included inadequate funds, time, capacity, transport and coordination. The overall implementation of safety policies fell short of the requirements as stated in the safety standard manual and policy circular. Weaknesses in the implementation of safety policies in schools has led to strikes, arson, destruction of school properties and death of students mainly in secondary schools as witnessed in many secondary schools in Kenya in the recent past.

A study by Rotgut (2003) found out that Quality Assurance and Standards officers were ineffective in their jobs and did not disseminate new policies of the MOE. This explains why some head teachers felt uncoordinated and without the guidance and support of QASOs, which is necessary for the implementation of safety policies.

In a study on policy on free primary and secondary education in Kenya and Tanzania, Orodho, (2014) noted that primary transition rates steadily rose since 2003 due to an influx of pupils because of the introduction of free primary education in Kenya. In secondary school, the significant increase in enrolments between 2005 and 2010 was attributed to the introduction of Free Day Secondary Education in January 2008. 'In the secondary level there has been a positive trend. Since 2000, secondary school enrolment has been below average. The secondary completion rate also increased, with over 90% of those enrolling in secondary school completing their education'. This therefore was a success story of a policy well implemented.

The above studies indicate that education practices in Kenya from inception had been guided by policies and some of which had been successfully implemented with extraordinary results. However, implementation of some of these policies had had fair challenges due to a wide range of factors undermining the process of implementation. This was important for this study in understanding the successes of the policy practices and main reasons why some of the policies were successful while others were facing challenges in implementation. The purpose of this study therefore was find out why some of these policies were not fully complied to by most school managers of secondary schools in Kenya and reasons for non compliance, if any.

IV. METHODOLOGY

The design of the research used was survey design, which is a type of descriptive research. Descriptive research is a process of collecting data in order to test the hypotheses or to answer questions concerning the current status of the subjects of the study. (Gay, 1981). The purpose of descriptive research is to determine and report the way things are. This type of research attempts to describe such things as possible behaviour, attitudes, values and characteristics. (Mugenda and Mugenda, 1999).

The study targeted 32 Principals, Board of Management and Parents Association chair persons of 32 selected secondary schools in Homabay County, 2 teachers and 3 students each per the 32 secondary schools, the Sub-County Director of Education(SCDE), 6 Quality Assurance and

Standards Officer(QASO), 4 Curriculum giving a total of 253 subjects.

Stratified sampling was used and the population was first subdivided into four mutually exclusive segments called strata, based on categories of one or a combination of relevant variables: Principals, students, teachers, and Education Officers. Simple random samples were then drawn from each stratum, and then these sub samples were joined to form complete stratified samples which ensured that certain sub-groups in the population were represented in the sample in proportion to their members in the population itself, (Orodho, 2009). A minimum sample of 20% was used for the research as recommended by (Gay, Mills and Airasian 2006) when a target population is small (less than 1000 members).

The study used questionnaires as the main instruments of data collection. Best and Khan (1999), notes that a questionnaire enable the person administering it to explain the purpose of the study and give meaning of items that may not be clear. Furthermore a questionnaire has the ability to collect a large amount of information in a reasonably quick space of time, ensure anonymity, permit use of standardized question and have uniform procedures besides being easier to complete, (Orodho, 2009).

Questionnaires based on Likert's scale were used to obtain quantitative data. The contents and face validity of the instruments were verified by experts in Research and Evaluation at Maasai Mara University, Piloting was conducted in four schools involving four Principals, 8 teachers, 8 BOM members and 12 students.

V. FINDINGS AND INTERPRETATION

A. LEVELS OF COMPLIANCE IN RESPECT TO GOVERNMENT POLICIES ON SCHOOL MANAGEMENT

The level of compliance in respect to policies on school management was assessed on a questionnaire based on Likert scale where the respondents were asked to rate their level of compliance to policy implementation if high or low by indicating the extent to which they agree or disagree.

Variables	Mean	Interpretation	Rank
The curriculum implementation process is in line with the new curriculum policy, on timetabling, lesson preparation and syllabus coverage.	2.92	high	1
Effectiveness and efficiency of learning outcomes have been realised as a result of complying with the laid down policies on student's regular attendance to classes.	2.9	high	2
Transportation of learners is in line with	2.78	high	3

road safety measures.			
The school has elaborate programs, through stringent surveillance to make learning environment free of harmful drugs and negative cultural practices such as FGM, teenage pregnancies, early marriages etc.	2.44	low	4
Forced repetition is prohibited and all learners transit to the next class.	2.43	Low	5
The school has fully complied with health and safety standards including safety of physical facilities, standards of sanitation and hygiene.	2.40	Low	6
Financial management including procurement processes follow the strict laid down procedures and fees charged follow the strict laid down regulations as per amount and breakdown.	1.9	low	7
The teachers fully comply with the ban on corporal punishment, and no canes are kept in classrooms or staffroom and bullying has been eradicated.	1.80	Low	8
There is strict adherence to promotion of students' security and welfare services and adequate measures are put in place to safeguard the student's rights, and learners are protected from all forms of discrimination.	1.48	Very low	9
The school fully complies with the policies to curb sexual abuse in schools and action is usually taken with expediency, when it occurs. And proper measures have been	1.45	Very low	10

put in place to protect learners against sexual abuse within or outside the school compound.			
Total	22.54		
Average	2.254	low	

Table 1: Level of compliance to government policies in respect to school management

MEAN RANGE	RESPONSE	INTERPRETATION
3.26-4.00	Strongly Agree	Very High
2.51-3.25	Agree	High
1.76-2.50	Disagree	Low
1.00-1.75	Strongly Disagree	Very Low

Figure 1: Likert scale rating structure

The results in table 1 above show that the mean score for items 1,2,3,4,5, and 6; were higher than the weighted mean of 2.25 this indicates that the levels of compliance was above the average mean in most policies. This includes policies on curriculum implementation, students attendance to school, learner transportation and policies that promote a safe learning environment free of harmful drugs and negative cultural practices, However it indicates that the results for items, 7, 8, 9 and 10 were below the weighted mean of 2.25 meaning that the level of compliance was low on policies on financial management and fee guidelines, policies touching on students' rights and welfare in school. Based on the findings, the level of compliance was low on policies on repetition and corporal punishment, as students were still being forced to repeat classes while corporal punishment was still being administered. The findings also noted that sexual abuse in schools is still rampant and very little has been done to protect the learners against sexual abuse within and outside the school compound. Most of the cases of sexual abuse were rarely reported and a few reported cases were sorted out at the clan level in which the culprits were left to go scot free.

These findings support early studies by (Oduol, 2006) who found out that evidence-based approach to policy is not always practiced. Evidence may fail to address the needs of the policy maker, or it may be too close to concerns of the opposing political side. On one hand the policy interpreters may fail to capture the spirit and relevance of current policy while on the other there may be a failure to achieve a critical mass among policy makers to effectively determine or establish relationships in policy.

The level of compliance with student's welfare and fee guidelines in most schools had a very low compliance level, while policies on curriculum implementation, health and safety of the learners rated high.

B. REASONS FOR NON COMPLIANCE TO GOVERNMENT POLICIES ON MANAGEMENT OF SCHOOLS

The reasons for non-compliance were measured in a point scale (1=strongly agree, 2= agree, 3=disagree, 4= strongly agree) within the constructs namely forced repetition, holiday tuition, corporal punishment and fee guidelines. The data collected was subjected to mean analysis.

Variables	Mean	Interpretation	Rank
Forced repetition			
Repetition can cause pressure to perform, improving students' performance in class.	3.10	High	1
Pressure to repeat can make students find alternative schools and therefore good riddance for the school.	2.88	High	2
Much pressure from the stakeholders on principals to perform makes them enforce regulations on forced repetition.	2.65	High	3
The crave for recognition and status when schools perform therefore getting rid of weak students through forced repetition.	2.60	High	4
Principals would like to escape possible reprimand from the employer for a mean score of less than 3.0 in KCSE as	2.50	Low	5
Teacher promotion is pegged on individual teachers performance and general school mean score and therefore slow learners have to be forced to repeat	2.47	Low	6
Average mean			
2.7 High			
Holiday tuition			
Tuition conducted during holidays serves as a vehicle for extra income for the teachers.	3.28	Very high	1
Parents would have their children kept in schools during holidays as a way of controlling discipline as well as idles which may control: alcoholism, drug abuse, premarital sex, betting and motorcycle riding.	3.26	Very high	2
Holiday tuition is conducted to cover for the time lost during term dates or complete the syllabus early enough to give more time for revision.	2.9	high	3
It is a belief that holiday tuition may make learners perform better	2.73	high	4

In adequate teaching staff leading to backlog in several topics, may call for hiring of teachers from other schools to come and assist in completing the syllabus.	2.60	high	5
There is a remarkable degree of laxity in enforcing the law by the education officers.	2.51	high	6
Average mean			
2.88 high			
Corporal punishment			
There is a strong belief that an African child can only be disciplined through caning.	3.31	Very high	1
There is lack of clear structure for alternative forms of punishment.	3.28	Very high	2
It is an administrative tool meant to cause fear on students to be able to effectively manage discipline of the large number of students in a school system	3.18	high	3
It is majorly caused by inability of teachers to manage their emotions when provoked by learners.	2.6	high	4
Parents demand that their children should be caned based on the biblical principle that: spare the rod and spoil the child, and this gives the teachers the authority to do so.	2.5	low	5
Irregular visits and inadequate supervision by education officials to reinforce compliance on school fee guidelines.	1.8	Low	6
Average mean			
2.77 high			
Fee guidelines			
The funding from the government is inadequate and therefore unable to meet the schools budget.	2.8	high	1
Inability to suppress the old habits in which principals/ BOM used to charge exorbitant school fees without any form of control, i.e. old habits die hard.	2.7	high	4
Principals have	2.6	high	6

individual projects which the fraudulently funded from the school funds, by diverting school funds to complete their projects, and they would still want to sustain this.			
Principals would like to meet various school expenses outside the policy provision e.g. teachers meals, retreats, prize giving day/AGM and to hire extra teachers.	2.8	<i>high</i>	<i>1</i>
Corrupt financial practices in the school procurement and supplies system coupled compromised audit department is a major reason for non compliance.	2.8	<i>high</i>	<i>1</i>
There exist an identified loopholes in law enforcement as well as a tedious bureaucratic system in dealing with non compliance in financial guidelines.	2.7	<i>high</i>	4
Average mean	2.73	high	

Table 2: Reasons why school principals defy government policies on management of secondary schools

The findings from the responses on policy on ban on forced repetition rated high at 2.7, this provides proof that reasons provided by the teachers on defiance of the policies are high and overrides the laid down guidelines with most of the respondents highly agreeing to the fact that reasons for non compliance are that repetition can cause pressure to perform, improving students' performance in class while at the same time pressure to repeat can make students find alternative schools and therefore good riddance for the school. Similarly, pressure from the stakeholders on principals to perform makes them enforce regulations that defy policy on ban of forced repetition.

Although teachers gave reasons to justify forced repetition, these were based on their individual feelings and perceptions on the policy and not the MOE requirements. Therefore, it is now arguable that the continued forced repetitions in schools were based on the teachers' perceptions.

The reasons for non-compliance on policies relating to holiday tuition rated high at an average of 2.88, with responses rating very high at 3.28 agreeing to the fact that most teachers view holiday tuition as vehicle for extra tuition for teachers. The responses indicate that teacher's personal opinion and individual perception justified their actions and overrides the government policy on ban on holiday tuition. The findings reveal that there is a remarkable degree of laxity in enforcing the law by education officers, rating high at 2.51. The fact that most schools would undertake holiday tuition without being detected by education authorities proves

weaknesses in effective supervision by field officers from the ministry of education officers, due to laxity caused by either lack of funding or being compromised.

The reasons for levels of non-compliance as pertains to corporal punishment rated high at a value of 2.77. This implies that most teachers were convinced that corporal punishment should be applied based on the old belief that that an African child must be caned and the fact that there are no alternative measures of discipline provided by the education system and that caning is a tool to cause fear and an effective way to manage discipline amongst the large of students in most schools. The findings further reveal that most teachers do not comply with the policy on corporal punishment basing their argument on their inability to manage their emotions when provoked by unruly learners. Although teachers gave their reasons to justify their non-compliance to the policy on corporal punishment, it still negates the basic principles of rights and protection of children against mistreatment and harmful practices.

The reasons for non compliance in reference to fee guidelines was equally high at a value of 2.73 meaning that failure to adhere to the recommended fee charged was based on selfish justifications by the school managers and old habits based on individual interests and gains

C. LEVELS OF COMPLIANCE

Variables	R value	Sig value	Interpretation	Decision on Ho
Compliance on policy and reasons for non compliance.	0.59	0.7	Significant relationship	Accepted

Table 3: Correlation between levels of compliance and reasons for non-compliance

Table 3 above shows an r value of 0.59 and significant value of 0.7 this implies a significant relationship, revealing a positive relationship between compliance of policies in education management and the reasons for non compliance. The null hypothesis was thus rejected leading to a conclusion that there is a significant relationship between levels of policy compliance and reasons for non compliance, and that prejudicial reasoning hampers policy implementation on school management. General decision making based on individual biased feelings and personal judgement, driven by individual benefits was responsible for low levels of compliance to policies on school management.

VI. CONCLUSION

Findings from the study indicated that in the management of most secondary schools, Principals had failed to fully comply with some of the government polices especially policies on fee guidelines, corporal punishment, forced repetition, suspension and expulsion, holiday tuition and prescribed learning hours, making the level of compliance to be low in the above mentioned policies. The justification for non compliance had no legal backing but rather based on

individual interests and gains. Although there was a significant relationship between low levels of compliance and reasons for non compliance, this did not justify non compliance to government policies or that the policies were failing. The reasons were rather based on individual feelings, biased judgements driven by personal interests and gains. It was therefore concluded that if a policy does not benefit the implementer individually then it was bound to be defied, resisted or rejected. Similarly, the policies were being formulated at a time when the policy implementers had for several years been given a leeway of running the schools according to their understanding, interests, and powers bestowed upon them by virtue of their positions. This denotes a remarkable controversy between prejudicial thinking and adherence to policy amongst school administrators, and therefore this research validates the rational model of making sound decisions in public sector policy-making, and that the determinants of individual thinking must be nested in public policy. Similarly weaknesses in planning, funding, evaluation and supervision, inhibits the overall effectiveness of policy compliance in most Kenyan schools.

VII. RECOMMENDATIONS

The Ministry of Education and Teachers' Service Commission should intensify supervision and regular visits to schools to ensure compliance and take appropriate action to school managers who fail to comply. Similarly the school managers should adhere to Ministerial policy guidelines and put their personal interests aside, and at the same time understand that they do not have any lawful excuse to resist, reject or defy government policies on the management of educational institutions but to implement them as directed. This would prevent disciplinary action and conflict with stakeholders, law enforcement agents, teachers, students, parents and the employer.

REFERENCES

- [1] Aderson, E.J. (1975). Public Making New York: Praeger Publishers
- [2] Agnes, F. Montalbo. (2016) Models, Theories And Approaches To Public Policy Rizal Technological University DTE
- [3] Amartya, Sen. (2008). "rational behaviour," The New Palgrave Dictionary of Economics, 2nd Edition.
- [4] Chandlier and Plano, (1988)
- [5] Dimock, M. et al. (1983) Public administration. New York: Saunders College Publishing
- [6] Dror, Y. (1973). Public Policy Making Re-examined. London: Leonard Hill Book.
- [7] Dye, Thomas R. (2007). Understanding Public Policy (12th ed.). Prentice Hall. ISBN 0-13-936948-1.
- [8] Egonmwan, Johnson A. (1991). Public policy analysis: concepts and applications. Benin-City, Nigeria: S.M.O.Aka and Brothers
- [9] Eshiwani, George S. (1990). Implementing educational policies in Kenya. Studies on implementation of African educational policies, ISSN 0259-210X) (World Bank discussion papers; 85. Africa Technical Department series) ISBN 0-8213-1582-X LC95.K4E83 1990 379.6762-dc2O
- [10] Gay, I., Mills, G., & Airasian, P. (2006), Educational Research: Competencies for Analysis and Application. (8th ed). Boston .Pearson Education
- [11] Hanekom, S.X. (1987). Public Policy: Framework and Instrument for Action- Oxford University Press, South Africa.
- [12] http://www.ehow.com/about_6398100_educational-policies-important_.html
- [13] <https://www.standardmedia.co.ke/article/2000105216/student-forced-to-repeat-form-three-after-paying-school-fees>
- [14] <https://www.standardmedia.co.ke/article/2000145670/school-heads-warned-over-class-repetition>
- [15] Kenya Education Sector Support Programme 2005-2014
- [16] Lawrence E. Blume and David Easley (2008). "Rationality," The New Palgrave Dictionary of Economics, 2nd Edition. Abstract." by Abstract] & pre-publication copy.
- [17] Less Bell, Howard Stevenson 2006 (education policy, Process, Themes and Impact) First published 2006 by Routledge 2 Park Square, Milton Park, Abingdon, Oxon OX14 4RN
- [18] Mugenda, O. & Mugenda, A. (1999). Research Methods: Qualitative and Quantitative Approaches. Nairobi: Acts Press.
- [19] Oduol, Truphena. (2006) Towards the making of education policy in Kenya: Conclusions and implications. International Education Journal, 2006, 7(4) 466-479. <http://iej.com.au>.
- [20] Omolo, O.D. & Simatwa, W.M.E (2010). An assessment of the implementation of safety Policies in public secondary schools in Kisumu East and West Districts, Kenya Educational Research (ISSN: 2141-5161) Vol. 1 (11) pp 637-649.
- [21] Orodho J. A. (2008). Techniques of Writing Research Proposals and Reports in Education and Social Sciences. Nairobi: Masola Publishers.
- [22] Orodho, A.J (2014). Policies On Free Primary and Secondary Education in East Africa: Are Kenya and Tanzania on Course to Attain Education for All (Efa) Goals By 2015? IOSR Journal of Humanities and Social Science (IOSR-JHSS) Volume 19, Issue 1, Ver. V (Jan. 2014), PP 11-20 e-ISSN: 2279-0837, p-ISSN: 2279-0845. www.iosrjournals.org
- [23] Peter Hedström and Charlotta Stern (2008). "rational choice and sociology," The New Palgrave Dictionary of Economics, 2nd Edition.
- [24] Ralph, C. Chandler & Jack, C. Plano. (1988) The public administration dictionary /Santa Barbara, Calif.: ABC-Clio, c1988. ISBN 0874364981, 087436499X
- [25] Richard N. Butamanya, (2012). Public Policy: Basics and Practice. Layout & Printing Xypro Uganda
- [26] Rugut, J.E. (2003). Teachers, inspectors and Education Officers perceptions of the expected roles peer supervisors in Kenyan primary schools. A case study of Nandi District. Master of Philosophy Thesis. Moi University.

[27] Susanne, Lohmann (2008). "rational choice and political science," The New Palgrave Dictionary of Economics, 2nd Edition.

[28] Scott, John (2009). "Rational Choice Theory". Archived from the original on 2009-02-27. Retrieved 2008-07-30.

[29] www.the-star.co.ke /Lorine Achaya | Updated Nov 20, 2016 at 09:00 EAT.

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