

**THE EFFECT OF DISCIPLINE ON STUDENTS AFTER THE BAN OF
CORPORAL PUNISHMENT IN KENYAN SCHOOLS**

(A Case study of Nyeri Municipality)

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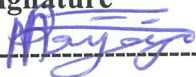


(NOVEMBER 2008)

DECLARATION

This research report is my original work and has not been presented for examination in any other institution.

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APPROVAL

This research project has been submitted for examination with my approval as the appointed University supervisor.

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DEDICATION

I dedicate this project first to my almighty God for the strength given to me in writing this project, secondly to my mother Priscilla Njoki Irungu. I am really grateful for your contributions towards my education, to all my family members and all my friends , Margret Muthoni Varlerly Njoki, Polycarp Irungu.

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ACRONYMS

BOG:	Board of Governors.
DEO:	District Education Officer
LN:	Legal Notice
MOEST:	Ministry of Education Science and Technology
PDE:	Provincial Director of Education

ABSTRACT

The Ministry of Education and Technology (MOEST) in Kenya banned corporal punishment in schools in 2001. By a Legal Notice (LN) number 56 of 2001. However, the government did not provide clear disciplinary measures that head teachers could administer to manage students discipline.

Following the ban, cases of students' indiscipline appeared to be on the increase hence sparking off the debate on the re-introduction of corporal punishment.

Efforts by the head teachers, parents and other stakeholders to influence the government to lift the ban have not been fruitful.

The purpose of this study is to determine the effectiveness of the disciplinary measures being used to manage students after the ban on corporal punishment.

This will be a descriptive survey and the target population will comprise 14 head teachers, 275 teachers and 1180 students in form three in secondary schools in Nyeri Municipality Division. Using simple random sampling, all the 14 public secondary school will be studied. The study will involve sample of 14 head teachers, 131 teachers and 205 students.

The instruments for the study will be questionnaires for teachers and students and interviews schedule for the head teachers.

Description, average and percentages was used to determine whether the items correlate among themselves.

The study will also shed light to the students, teachers, head teachers on discipline in secondary schools in Nyeri Municipality Division by establishing the effects disciplinary measures that can be adopted to manage students discipline following the ban on corporal punishment.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

After independence, Kenya inherited Secondary Schools that were mostly managed and sponsored by church organizations. The churches ensured high moral standards prevailed in the schools not only for the students but also the teachers (Kingala, 2000). The students were disciplined and committed to their studies eager to excel and secure employment in the wave of Kenyanization programme sweeping through the country at the time.

The secondary schools were run by European head teachers who were phased out and replaced by Africans. The new African head teachers were not, experienced and trained in school leadership. And that was the beginning of serious students discipline problems (MOEST, 2001).

This was followed by urgent need for expansion of secondary education opportunities to meet the insatiable thirst for higher education for the rapidly growing population (Ominde, 1964). As a result, many secondary schools were opened and students were admitted. The number increased from 95 in 1963 to 601 by 1968. (Anderson, 1970). Indeed the MOE registered a wide category of secondary schools which include; Mixed Day, Mixed Boarding, Boys Boarding, Girls Boarding, Mixed Day and Boys Boarding, Mixed Day and Girls Boarding, Boys Day and Girls Day Secondary Schools. Fresh university graduates were appointed to head schools, and where trained teachers were scarce, untrained teachers were hired in the schools to impart skills, knowledge and attitudes. Those teachers were academically trained but their ability to manage students' discipline wanted (Griffin, 1996). Their disciplinary measures were very brutal hence hardening the students (Anderson, 1970).

As more secondary schools in Kenya were started, the Ministry of Education was overwhelmed by the large number of schools to inspect and ensure that standards students discipline was maintained. As a result, discipline deteriorated to alarming proportions. There was no legal framework to regulate it. The Ministry of Education however intervened on student discipline by issuing the Legal Notice (LN) 40/1972 (Education Act Revised ed.1980). This provided school discipline regulations for the government assisted and maintained schools. The Legal Notice vested the powers of disciplining students on the Director of Education, Provincial Director of Education, the Board of Governors and the head teacher.

The Legal Notice also empowered the head teacher, to establish a code of school rules and regulations for her/his institution which would be reviewed from time to time besides being clear on reward and punishment in the event of breach (MOEST, 2001).

The responsibility of enforcing the rules was vested on the teachers but decision to discipline students was left in the hands of the Head teacher, Deputy Head teacher, Boarding Master and Class Master depending on the nature of misdemeanor. Besides a Punishment Book is kept where all discipline cases are recorded (Education Act, 1980).

The Legal Notice categorized serious student discipline as continued neglect of work, lying, bullying, gross insubordination, indecency, truancy among others. To such offences, appropriate punishments were prescribed to include caning or suspension from school for 14 days. In case of the latter, the Board of Governors would be called to recommend expulsion of the student to the Director of Education (DOE). The director after consultation would expel the student or terminate suspension (Legal Notice No. 40 /1972).

The application of the above law was not easy in achieving student discipline in schools. The Director of Education often turned down the expulsion recommendations from the Board of Governors and demanded unconditional readmission of the errant student to the same school. Without option, the head teachers readmitted the students and turned to canning as the next best alternative in achieving adherence to school rules (Black and Downs, 1992).

The MOEST realized that canning as a disciplinary measure was being abused through excessive beating of students and intervened through the Legal Notice No. 56 of 2001 that banned corporal punishment in schools. However, the ban did not specify to the teachers the alternative disciplinary measures to apply. This led to further deterioration of students' discipline in secondary schools. Teachers had finally got contented that canning is a thing of the past and gradually embraced other disciplinary measures such as counseling, manual work, kneeling among others to manage student discipline.

This study therefore intends to investigate the effectiveness of counseling, suspension, warnings, apology, manual labour and other student's disciplinary measures currently being used in secondary schools in Nyeri Municipality Division.

1.2 Statement of the Problem

New student's disciplinary problems had emerged and become rampant in secondary schools in Nyeri Municipality and Kenya at large. These included rape of female students and teachers, murder of teachers and head teachers, arson attack on fellow students and school buildings and cheating in national examinations. The emerging student indiscipline had left a trail of misery among students; staff and even the members of public had been maimed, injured, traumatized and even died. As a result there had been calls from teachers and other stakeholders that the ban on corporal punishment should be lifted. Teachers and school administrators had embraced other disciplinary measures such as counseling, suspension, manual work, expulsion among others to achieve students' compliance to the school rules and regulations. However, the measures in use did not seem to effectively manage student discipline, since cases of indiscipline seemed to increase with new and serious trends emerging among students. This study intended therefore to establish the effectiveness of disciplinary measures currently used to manage students discipline in secondary school in Nyeri Municipality Division after the ban of corporal punishment.

1.3 Purpose of the Study (General Objective)

The purpose of this study is to determine the effectiveness of student's indisciplinary measures being used in secondary schools by teachers and head teachers to manage student discipline after the ban on corporal punishment.

1.4 Specific Objectives of the Study

The following objectives have been formulated to guide this study;

- (i) To identify students' discipline problems in secondary schools in Nyeri Municipality Division.
- (ii) To investigate the effective and preferred disciplinary measures used by teachers in secondary school in Nyeri Municipality Division.
- (iii) To determine the effectiveness of disciplinary measures employed by teachers and head teachers to manage students discipline in secondary schools in Nyeri Municipality Division.

1.5 Research Questions

The following research questions had been formulated in order to address the stated objectives.

- (i) What are the most common students discipline problems in secondary schools in Nyeri Municipality Division?

- (ii) What are the disciplinary measures used by teachers and Head teachers to manage students in secondary schools in Nyeri Municipality Division?
- (iii) What are the effective student's disciplinary measures taken by head teachers in secondary schools in Nyeri Municipality Division?
- (iv) What are the effective students disciplinary measures used by teachers in secondary schools in Nyeri Municipality Division?

1.6 Significance of the Study

This study will inform head teachers, teachers and other stakeholders in the MOEST on the students' disciplinary problems in secondary schools in Nyeri Municipality Division.

It may identify areas that require in-service training for head teachers and teachers on effective disciplinary measures for students.

The study may provide MOEST policy makers with information on effective students discipline policies. The study will help bridge the literature gap in the area of the effective disciplinary measures for students in secondary schools in Nyeri Municipality Division.

The findings may provide significant a source of reference to secondary schools head teachers, teachers and other stakeholders on the effective disciplinary measures for students in secondary schools during this era of the ban on corporal punishment.

1.7 The Scope of the Study

The study was specifically to cover students' disciplinary problems which include truancy, drug abuse, strikes, theft etc and effective students' disciplinary measures such as warning, torture, suspension, expulsion, counseling, apology writing , manual labour, grounding ,payment of damages ,closing schools, clearing schools fees dues among others as used in secondary schools in Nyeri Municipality Division. The period of study started way back on 1985 when the A-Level system of education (7-4-2-3) was scrapped where after completing O-level , that is, Form 4 after 4 years in secondary school one was supposed to go to Form – V. and Vi before proceeding to University

The first Form 4 under the new system of education (8-4-4) did their exams in 1989 and those who passed were absorbed in the Universities where they joined the people from A-level system

and hence there was a conflict since the A-level students regarded the students from the new system as immature or “half-backed”.

Another factor that was there is that the students from A-level system before proceeding to universities they were taken for a compulsory discipline camp and community building for a whole year in National Youth Service (NYS) while students from the 8-4-4 system were exempted and from this time the country started experiencing riots in universities which also was experienced in most of the secondary schools.

The situation worsened in 2001 when the schools in Kenya especially Nyeri Municipality started experiencing indiscipline acts among students.

1.8 Assumptions of the Study

It was assumed that students were aware of disciplinary measures that were used to manage their discipline after the ban of corporal punishment in Nyeri Municipality Division.

1.9 Limitations of the Study

- (i) Some head teachers and teachers were reluctant to expose their school's student discipline problems, in fear that they may be seen to have failed in their duties of disciplining students.
- (ii) Teachers did not want to expose some of the disciplinary measures they used because they may be banned by MOEST, and the information that they may give could be used against them.
- (iii) Some schools did not have an updated record of students discipline and disciplinary measures taken in the punishment book and this limited the research to access up to date information in a short period of time.

1.10 DEFINITION OF TERMS

Effective Disciplinary Measure: A punitive action administered by a teacher or a head teacher to a student who have violated the school rules and regulations which results to corrective or inhibitive repeat of the behaviour by the students.

Municipality Division: It is a unit of provincial administration division covering a Municipality and administered by an Area Education Officer. Nyeri Municipality division has 14 public secondary school.

Public secondary school: An assembly of not less than ten students gathered for purpose of receiving regular instructions in a institutions established by the government or local Community and where the government provides teacher and community provide Physical facilities and support staff and where funds used are subject to government audit.

Sneaking: A disciplined problem where a students move out of school compound without permission and returns to school unnoticed.
Years secondary education after completing standard eight of primary school

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This study was to assess effectiveness of disciplinary measures for students in secondary schools in Nyeri District. The primary purpose of this chapter therefore was to review and summarize the literature in students discipline and disciplinary measures in context and provide a historical perspective of students discipline in Kenya. It was also to provide a legal perspective of students discipline in Kenya. Common features of schools rules and regulations were also be outlined. Student's disciplinary problems and measures taken in secondary schools will be discussed, followed by a summary of literature review.

Literature review was to be handled under the following sub-titles:-

2.2 Historical Perspective of Student's Discipline in Kenya

According to Wanyoike (2003) the term discipline has its root from the word disciple means a faithful and obedient follower of a teacher. It also refers to instructions offered to student by a teacher. Besides it is also used to refer to severe treatment of a student by a teacher aimed at suppressing his /her evil deeds or behaviour in pursuit of orderly conduct. It implies training a student for self reliance and self control. Melgosa (2000) defines discipline as acquisition of internal motivation by an individual that will guide his/her behaviour and help him/her make independent and responsible decisions.

Students disciplinary measures are corrective measures or punishments a student receives from the teachers for violating established school rules and regulations. Van Pelt (1984) argues that before any disciplinary measure is extended to a student; he/she should first acknowledge the wrongs that he/she has done and seek reformation. She writes that since disciplinary measures are corrective, the teacher must ensure that he/her is not angry with the student for the inconvenient behaviour, lest the student may take it as a personal matter.

Van Pelt (1984) argues that the disciplinary measure a student receives from the teacher must be fair and consistent to the mistake he/she has committed. She thinks that the students must promote respect for the teacher and self-respect for him or herself. Otherwise the student will fear punishment and develop defiance, resistance and rebellion to harbour feelings of revenge.

MOEST (2001) conducted a study on student discipline and unrest in secondary schools. The objective of the study was to establish the causes of rampant student unrest despite putting in place the necessary policies and management strategies. The findings were alarming. About 8% of all secondary schools in Kenya went to strike in 2001 alone. The earliest student unrest was recorded at Maseno School in 1908. The number of schools experiencing unrest increased in the 1970's. The disturbances were characterized by violence and wanton destruction of school property.

According to MOEST (2001) the number of schools experiencing students' unrest increased tremendously from 0.9% in 1980 to 8% in 2001. The figures comprise the known and recorded cases. In 1991, student discipline took a new dimension when male students of St. Kizito mixed secondary school invaded the girls' dormitory and violently raped them. In the mayhem that followed 19 students died. This was followed by Bombolulu Secondary School incident in which girls perished as the dormitory they were sleeping in was set ablaze by students. Student indiscipline took a dramatic turn to the worse when a few students of Nyeri High School locked their prefects in their cubicles while they were asleep, poured petrol and set them on fire killing four of them. As student unrest intensified, there was an arson attack in 2001 at Kyanguli Secondary School where 67 students lost their lives in a macabre of arson attack MOEST (2001).

Other incidences worth noting include; 1986 when the students of Nyandarua High School went on rampage destroying buildings and setting their Headmaster's car on fire reducing it to a shell (Agutu, 1986); the students of Ngelani Agricultural Secondary School went on strike setting their dormitory on fire and breaking all window panes; on 2003 students of Kenyatta High School in Nakuru, numbering 1,700 attacked a church under construction and razed to the ground 60 mud walled houses of a neighbouring village (Makoli, 2003). Indeed following a week of violence, the situation was so bad that the Minister for Education issued a ministerial statement that students would be held responsible for destruction of property, that the government would not condone riots and acts of hooliganism in secondary schools (Akelo, 2003). These are just a few incidences that were made public. Otherwise the national state of affair in terms of student discipline can be summarized in Table1 .

Note: The percentages in this table are independent

Table I
Students Discipline Levels in Kenya by Province

Province	No. of Schools	Schools that Experience Unrest	% age of school with unrest	Gravity of unrest
Central	630	85	13.5	Violent, destructive & death
Coast	151	4	2.6	Destruction of Property
Nyanza	680	7	1.0	Destruction of Property
Eastern	626	76	12.4	Destruction of Property
Rift valley	625	50	8.0	Violent
Western	408	19	4.7	Minor destruction
Nairobi	93	2	0.02	Minor damage
North Eastern	21	7	33.3	Destruction of property
Total	3234	249	7.7%	

Source: MOEST, (2001) Report on task force on student discipline and unrest in secondary schools in Kenya.

2.3 A Legal Perspective of Student Discipline in Kenya.

At independence the MOE did not establish a definite regulation on student's disciplinary measures. Many schools at that time were managed and sponsored by church organizations. The church ensured that level of discipline, spiritual and moral standards were high (Kingala, 2000). Most secondary schools were administered by Europeans who were called school masters. They were feared disciplinarians (Kingala, 2000). Soon they left and schools were taken over by African head teachers. There was rapid expansion of secondary education opportunities to meet the insatiable thirst for higher education for the rapidly growing population (Ominde, 1964). This was followed by severe shortage of trained teachers. The MOE responded by employing untrained teachers. The MOE was soon overwhelmed by the increasing number of secondary school to inspect and ensure that quality standards were maintained. With many inexperienced head teachers, large number of untrained teachers, large number of schools and poor inspection standards of students discipline deteriorated to alarming proportions, (MOEST 2001).

To regulate student discipline, MOE issued the Education Discipline Regulation through (Legal Notice No. 40/1972). The regulations vested the powers of disciplining students to the Director of Education, Provincial Education Officer, the Board of Governors and the head teacher.

The Legal Notice empowered the head teacher to establish a code of School Rules and Regulations for his/her institution and to review them from time to time depending on the needs of the school. They had to be clear on reward and punishment in the event of a breach (MOEST, 2001). The responsibility of enforcing the rules was vested in the teachers, Deputy Head teacher, boarding master, House Master and the Class Master depending on the nature of misdemeanor. All disciplinary measures taken must be recorded in the Punishment Book (Education Act, 1980). The Legal Notice also empowered the head teacher to suspend a student from school for not more than 14 days pending the hearing of his/her case by the BOG.

At the same time the Legal Notice No. 40/1972, outlined students disciplinary issues that the head teacher can handle to include; grave neglect of work, lying, bullying, gross insubordination,



indecenty, truancy among other minor discipline issues such as noisemaking, disrupting teaching untidiness sneaking from class among others. The headmaster was also granted power to cane students on the buttocks or palm using a light switch or a strap as a disciplinary measure. Besides, in the event of mass indiscipline of students, the head teacher was granted power to declare the school closed and all students suspended for a maximum of 14 days (LN 40/1972).

The Legal Notice also granted powers of disciplining students on the BOG. The BOG was empowered to hear cases of all suspended students within 14 days and make their recommendations to the Director of Education (DOE) Article 10 of L.N. 40/1972 gives powers to the BOG to make administrative rules pertaining to the discipline of the students and to prescribe appropriate disciplinary measure for breach of non-adherence.

The Legal Notice also left the powers of reporting to the Director of Education (DOE) to the Provincial Education Officer (PEO) responsible for the province in which the school is situated. The DOE was granted the power to expel a student and to terminate suspension and order readmission to the same school or to any other school.

According to the Kenyan Constitution (Section 74 (I)) no person shall be subjected to torture or to inhuman or degrading punishment or treatment except for where punishment is inflicted according to the law. Thus, the head teachers in secondary schools were to administer disciplinary measures to students according to the laws established under the Education Act, and as stipulated in L.N. No. 40/1972.

According to the Children's and Young Persons Act 1968 Cap 141; Laws of Kenya, the person having care or control of a child and this includes the parent or the teacher is empowered to administer reasonable punishment to the child. This law gives the teacher vast powers to administer disciplinary measures to a student in his/her school who does not obey the established School Rules and Regulations.

However, the Minister for Education, on 13th March 2001 repealed the relevant sections of the Legal Notice No. 40/1972 by gazetting Legal Notice No. 56/2001, and banned corporal punishment in schools in Kenya. This had followed complains from parents and human rights institutions that Kenya is institutionalizing violence and child abuse by including corporal

punishment in its education statutes (Akelo, 2001). It was also inconsistent with other legal statutes such as the Children's and Youth Persons Act and worst, the constitution of Kenya (MOEST, 2001). There was outcry on the ban from some unexpected quarters urging the government to rethink the ban.

The L.N. No. 56/2001, failed to stipulate two important points, disciplinary measures to be employed and the legal consequences for teachers found using corporal punishment as disciplinary measures. To compel the government to lift ban on corporal punishment, a secondary school teacher and a known students' disciplinarian in Kitui and Machakos District filed a case in court urging the Kenyan public not to watch helplessly as the discipline of their children deteriorates due to a simple administrative order by the Ministry of Education (Kaloki, 2006).

2.4 Disciplinary measures employed by the schools

The Education Act (Cap 211) Laws of Kenya, through the L.N. No. 40/1972, and article 10, empowers the school BOG to make administrative rules and regulations pertaining to the discipline of students and also to prescribe appropriate disciplinary measure for breach or non-adherence of such rules. MOEST (2001) recommended that such rules must be reviewed from time to time and students should be involved in their formulation through discussions in open forum. Once the rules are adopted every student must be given a copy to be signed in the presence of the parent or guardian as a binding contract. According to the MOEST (2001) the rules must be clear and state in unequivocal terms the reward for good behaviour as well as the disciplinary measure to be meted in the event of a breach of any of the rules.

The BOG, delegated the task of formulating School Rules and Regulations to head teacher MOE (1987). The head teacher bears the ultimate responsibility for all school discipline which he delegates to teachers and students. The Head teacher Manual for secondary school states clearly that each rule must be reward concise, have a purpose, easy to enforce and be beneficial to the community and should be prominently displayed in each classroom and staffroom.

The school rules and regulations are generally similar depending on the type and category of school. They are designed to regulate behaviour, dressing, studies, courtesy, punctuality, tidiness, drug and substance abuse, language, meals and restricted places. While, on time and punctuality,

the rule states that the student must attend all lessons he/she is supposed to be taught and absenteeism will not be accepted. Students must be punctual and respond to bells. On dressing, the student must be in full school uniform at all times when in school and must also wear sports uniform and shoes when in the field.

On studies, every student must be studious and finish all assignments and home work given by the teacher in time as expected. The student must also make minimum noise whenever in the study area; and must seat for all tests and examinations administered by his/her respective subject teacher. This rule also regulates student's courtesy and state that no student shall be rude to teachers, support staff or fellow students. One shall not leave the school gate without written permission. The students must obey prefects at all times. On tidiness, boys must maintain a short and well combed hair while girl's hair must be combed straight and with no treatment or plaiting. The use of lipstick, face powder and cutex on nails is prohibited.

The abuse of all forms of drugs such as tobacco, Mira, bhang and the like is banned in school. The student is also prohibited from abuse of alcohol while in and outside school. All other substances are prohibited while on meals, the rules states that all foodstuffs will be taken in the dining hall and no foodstuff should be bought to school apart from what is provided in school. No student should skip any meal without permission and a student must take only his/her share. It is also regulated that the student must only speak English or Kiswahili whenever in school and no other language is allowed. The school laboratories, stores, kitchen, library are restricted to all students. The school rules and regulations vary from one school to other depending on the type of school.

2.5 Student Disciplinary Problems in Secondary Schools in Kenya

Nyeri Municipality Division has a total of 14 secondary schools (District Education office, 2006). These schools are of two types; Boarding and Day. These schools can be further categorized into mixed, boys, girls. A table of secondary schools in Nyeri Municipality Division according to their type and category is in Table 2.

Students' disciplinary problems are as diverse as the category and type of secondary schools. They differ in context depending on the judgment of the teacher, and his/her interpretation of likely configuration of events (Hargraves, 1975). Some student's disciplinary problems are complex and, create total disruptions in the flow of activities of a school. Others are off-task and non-disruptive indiscipline activities that do not disrupt planned instructional activity.

"Sneaking" out of school is discipline problems that exist in all types of schools with weak security systems. But very limited in day schools (Okinda, 1994). Students mainly sneak out of boarding school at night and during the weekends. According to Okinda (1994), sneaking is more pronounced in boys schools which do not have official students outings. In schools where students enjoy freedom to go out in the evenings before supper, or on the weekends the vice is unknown (Gikandi, 2004).

Drug and substance abuse is a serious discipline problem in secondary schools in Kenya. According to article in Schools and Careers (SC) (Wambui, 2005), "Schools Losing War Against Drugs", the Kenya committee for prevention of Alcoholism and drug dependency reported that underage drinking of alcohol and use of drugs such as tobacco and bhang, damages the region of the brain that is crucial in forming adult personality, reasoning, planning and behaviour. The report argued that alcohol is the most abused drug followed by tobacco and bhang among students and showed that 42% of the students drink beer, 41% wine, 32% liquor and 15% changaa. In Nyeri District, drugs and substance abuse have been reported to have caused students strikes in some schools, MOEST (2001). Drugs and substance abuse is very prevalent in boy's boarding schools according to the report.

For along time, bullying is a common discipline concern in boarding secondary schools in Kenya. New students are subjected to maltreatment by senior boys and girls sometimes causing severe physical injury or illness (Griffin 1996). Bullying as a problem is more pronounced in boy's schools. In mixed schools it is perpetrated by boys

An emerging discipline problem in boys and mixed boarding schools in Kenya is arson attack. The most serious cases were reported in Bombolulu girls, Nyeri High School, Kianguri High School, with fatal incidents (Wasike, 2002). Arson attack in secondary schools is often directed to facilities such as dormitories, laboratories, libraries and offices.

Immorality is another discipline problem in secondary schools. It is manifested through such practices as homosexuality, masturbation and lesbianism among students in boarding schools. In mixed schools coupling of boys and girls has become rampant discipline problem, prompting institutional managers to recommend that mixed schools be split into two single sex schools. This has taken place in Nyandarua High School, Nakuru High School, Endarasha High School and Kangaru High School to mention only a few (Ndakwa, 2000).

An emerging and serious discipline constraints in school is students refusing to seat for examinations. This is specifically so with the end of term and mock examinations for the candidates. Students engage in disturbances when exams are about to start and the school are closed indefinitely. This can happens in many secondary schools in Kenya. In response, the MOEST (2001) recommended that District mocks be discontinued.

Cheating in tests and examinations is a discipline problem that cannot be ignored. This is done through smuggling materials into exam room or copying from one another. Sometimes they are discovered by invigilators and other times and other times only during the marking. This discipline problem starts early and is perfected as the student grows. At KCSE level the results are cancelled for the candidate involved and if widespread it can affect the whole school. As a result, the Kenya National Examinations Council (KNEC) must disclose the reasons why the results are cancelled and the head teacher must give the same to the candidates affected (MOEST, 2001)

Theft has become a discipline concern in secondary schools. It is very common in boys boarding schools. The students steal from one another. The targeted items are text books, personal effects, uniform and money. It is very rampant when form ones join the school and early days of a school term MOEST (2002). Sometimes these items are lost without trace. Students have also been reported stealing from the local community. According to MOEST (2002) theft of students' belongings often result in chaos as they make effort to identify and punish the culprits.

Other discipline problems in secondary schools are rudeness to teachers, prefects and support staff. This is insubordination and if not checked it threatens school peace (Okinda, 1994). Indiscipline is also manifested in school uniform. Students wearing civilian clothes in schools, putting on unpolished shoes, and speaking in vernacular (mother tongue). It became rampant when government introduced quota system of admission of Form One's students. Where 85% of the students hail from the local community. This is a national discipline problem and according

to Kenya Secondary School Heads Association (KSSHA) Report (2002), vernacular speaking has undermined the teaching of English and Kiswahili which are languages of instruction. In Nyeri District this problem is rampant as many students will openly interact in Kikuyu (KSSHA, 2002). However vernacular speaking is not common in girls' boarding schools.

Another teething discipline problem in secondary school is truancy. This is very common in day schools. Students will be absent from school at will, especially when they have not done certain assignment or punishment, or when certain teachers are on duty. They will also be absent as soon as they have registered for KCSE examinations and will appear only to seat for examination. This problem is very rampant in Kenya. Hence the recommendation that a candidate who does not attend classes continuously for 15 days without a reason be de-registered (MOEST, 2001).

2.6 Students Disciplinary Measures in Secondary School in Nyeri Municipality

According to Hargraves (1975), the teacher must make reliable and consistent judgment on student discipline problem, and exercise the appropriate disciplinary measure. Teachers react differently to different students discipline problems at all times (Doyle, 1986).

When students go on rampage, destroying school properties, and breaking panes. They are very violent and put the whole school into total darkness. At such incidences, the head teacher invites the police to intervene and the students are dispersed and the school is closed.

Following such an incident, the students are suspended for two weeks and are the recalled. On reporting back, they are escorted by their parents and guardians and subjected to very vigorous screening. The parent is asked to clear all outstanding fees balances. The students who are adversely involved in the strike are recommended for expulsion to the DOE through the PDE. The rest of the students are readmitted and resume classes. (MOEST, 2002).

On drug abuse by the students, which include smoking tobacco and bhang, the student is counseled and if the behaviour is repeated the student is suspended and the BOG recommends his/her expulsion from school to the DOE (MOEST, 2002).

Abuse of alcohol by students is now common in secondary schools. The students who were involved are sent home to call their parents and they were counseled and allowed to resume classes. If the vice is repeated the students is suspended to the DOE (MOEST, 2002).

Perpetual absenteeism and truancy was also rampant in day secondary schools in Nyeri District. In urban schools the problem is caused by lack of bus fare to and from school, while for rural secondary schools, the students were given duties at home by their parents and when they reported back to school they were punished by being told to go back home and call their parents. They are punished by doing manual work and are then counseled (Ohanga, 2004).

Bullying has also been reported in many secondary schools. It is rampant when new students join the school and especially Form One's. The preferred disciplinary measure was to suspend the student after which they were recalled accompanied by their parents. They were counseled and given manual punishment after which they were allowed to resume classes (MOEST, 2002).

According to MOEST (2002) arson attack was reported in many secondary schools in Kenya. A wide range of disciplinary measures were recommended and these include expulsion from school, manual labour, suspension and counseling. The parents were made to replace burnt furnisher and books.

According to MOEST (2002) theft is prevalent in boarding secondary schools in Nyeri District. It is mainly targeting textbooks, money and school uniform. Once arrested the thief is punished by being made to replace or bring the stolen items, recommended for transfer, expelled from boarding and recommended for counseling.

For such indiscipline problems such as insubordination, perpetual use of mother tongue and failure to do class assignments, the teachers use wide range of disciplinary measures such as counseling, manual work, kneeling and being excluded from class (MOEST, 2002)

The aim of this study is to investigate the effectiveness the students disciplinary measures is to achieve adherence to school rules and regulations in the absence of corporal punishment.

2.7 Summary of Literature Review

Students discipline in secondary schools has been on matter of concern since independence. To check on the rising problem the MOE issued Legal Notice 40/1972. The law provided for corporal punishment but this was repealed by the MOE in 2001 through Legal Notice No.56 2001.

According to Education Act (Cap211) each school is empowered to establish its own Rules and Regulations that govern student's discipline. Such rules must be reviewed from time to time. Student discipline problems vary from school to school and they include: - drug abuse, immorality, sneaking, truancy, bullying, cheating in examinations among others.

Students disciplinary measures vary from teacher to teacher and the offence committed. The most severe of all is expulsion from school which is approved by DOE.

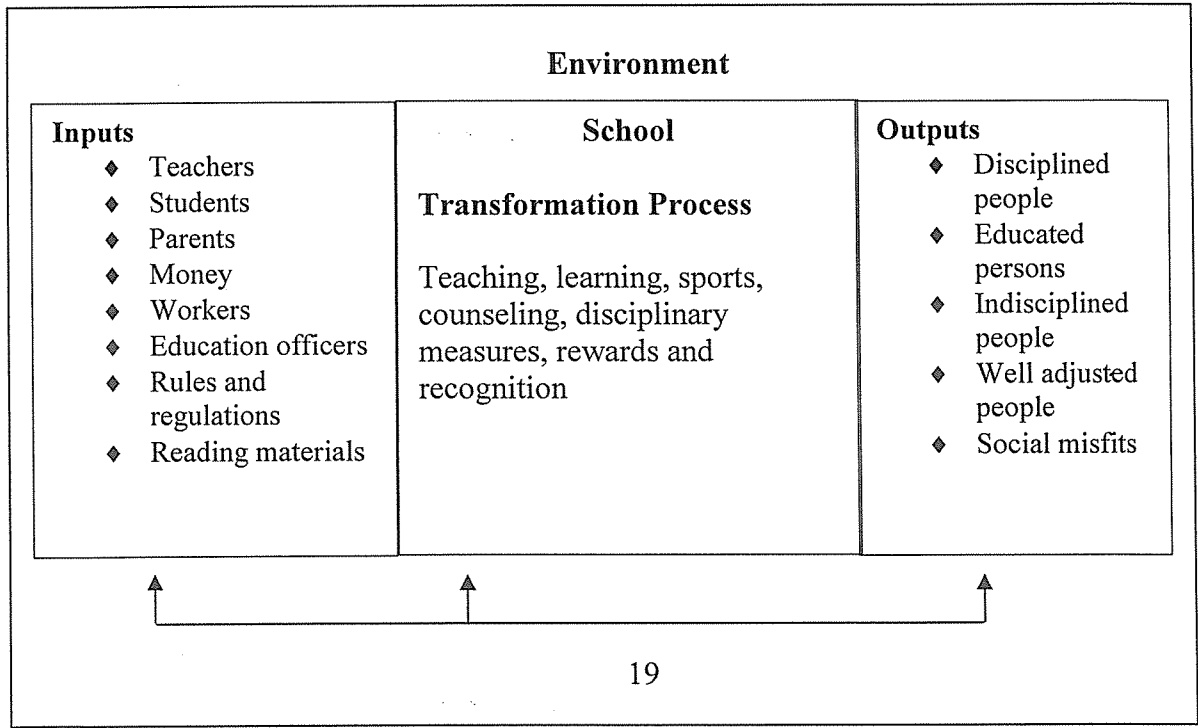
2.8 Theoretical Framework

This study is informed by the Open System Theory (OST) as adopted from Hoy and Miskel (1996). This theory originated from Ludwing Von Bertalanffy, a theoretical biologist as general system theory. Ludwing attempted to explain the constant dynamic adjustments of living phenomena. The school as an open system is an organized set of interrelated and interacting parts that maintain its own balance amid the influences of its surrounding environment (Stewart, 2004) According to Scot (1961) parts of the system joins and leaves, or engages with exchange activities within the organization depending on the bargains they strike. The activities are tightly connected and continuously motivated to produce in the system. Katz and Khan (1966) emphasized the salient characteristic of self-maintenance of an open system through repeated cycles of inputs, transformation and output, which are then ploughed back into the system as renewed inputs through the feedback loop and the organization open system pattern in completed. An Open System inputs energy form the environment and then transforms it into products that are then exported into the environment and then energizes the system from the environment continually.

An open system is a functional whole which is composed of subsystems and components that are coupled together to generate a level of organization fundamentally different from the level of each individual and subsystem. According to Hoy and Miskel (1996) the inputs in a subsystem are converted into output which may assume the form of wealth, goods, or services, and it remains concerned about sustained procurement of inputs and disposal of output into the environment and as well ensuring that a healthy public relation thrives between the organization and its environment. To achieve this, a system maintains its stability through discipline, socialization, motivation and role specialization.

For the ultimate survival of a system, the proponents of OST argue that the organization must be adaptive and responsive to the changing needs of the environment through research, planning and development. Finally all components of the Open System subsystems encourage each other in a concerted effort to achieve the highest functional levels of the total system.

The justification for applying OST to inform this research is that a school is an Open System where teachers, students and disciplinary measures are inputs from the environment. Their interaction in the school creates an enabling environment for teaching and learning, and release products or output to the community that are highly disciplined compliant and learned and through continuous feedback, evaluation and improvement the organization is sustained.



Feedback
Environment

Figure 1 Basic model of an Open System Theory

Source: Adopted from Hoy & Miskel (1996) Education Administration Theory, (pg31)

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter presents the overall and specific research methodology, approaches and techniques used. It contains the research design, the target population, sampling procedures and sample size, instrumentation, data collection and data analysis. Attempts were made to justify the specific techniques chosen.

3.2 Research Design

The study employed a descriptive survey design. Typical descriptive studies were concerned with assessment of attitudes towards the school curriculum, analysis of the state of the curriculum and demographic information (Ogula, 1998). According to Kathuri & Pals (1993) surveys were used to gather systematically factual information necessary for decision making. It was an efficient method of collecting descriptive data regarding characteristics of the population, current practices, conditions or needs and preliminary information for generating research questions. According to Mugenda and Mugenda (1999) descriptive survey was suitable because many of the causes and effects relationships that the study undertakes, do not permit experimental manipulation.

3.3 Location of the study

This study was conducted in Nyeri Municipality Division (Appendix A) which is one of the seven administrative divisions of Nyeri District in Central Province of Kenya. Nyeri Municipality Division covers an area of 167km Sq of the 3,284 km square of Nyeri District. It is the smallest of the Kieni East, Kieni West, Tetu, Mathira, Othaya and Mukurweini Divisions of Nyeri District. It is located about 37⁰ East and 0.38⁰ South of the Equator. Topographically Nyeri District is sandwiched between Mt. Kenya (5199m) in the East and Aberdare Ranges (3999m) in the West. Their respective vast and thick forest covers 9% of the District. Nyeri Municipality Division is characterized by rugged terrain which is dissected by deep river valleys through which Chania, Gura and Sagana rivers and their tributaries flow. Besides, the Division is dotted with among others Karima, Nyeri, Mweiga and Tumutumu hills. The Division enjoys an equatorial climate with a total of 1100 mm of rainfall p.a. The annual temperature range is a high of 24°C and a low 18°C (Mwagiru, 1986). Nyeri Municipality Division is blessed with moderate to fertile soils which provides a rich potential for livestock rearing and growing of

among other cash crops, coffee and tea. The Municipality had a total population of 120,540 people which translates to a density of 721 people per sq km according to 1999 census and the highest in Nyeri District. The Municipality also houses the Central Province, and Nyeri District headquarters and it's satellite towns of Mathari, King'ong'o, Kiganjo, Ruring'u and Kamakwa (Republic of Kenya, 2002).

3.4 Population

The study targeted a population of 14 public secondary schools, 1180 Form Three students, 275 teachers and 14 head teachers in Nyeri Municipality Division

3.5 Sampling Procedures and Sample Size

All 14 public secondary schools in Nyeri Municipality Division were used for this study. All 14 head teachers participated in the study. For the teachers a proportional number was taken from each secondary school and the gender of the teachers to be interviewed was balanced. Where the school is mixed, a proportional number of form three boys, and girls was taken and used in the study. Form three students were chosen for the study because they are mature, familiar to the school, stable and free from examination anxiety.

According to Kathuri and Pals (1993) a random sample size chosen from finite population (N) cases, the sample population (p) would be within plus or minus 0.05 of population proportion (P) within a 95% level of confidence. Employing a survey research design in gathering data from the 1180 Form Three students, a sample of 205 is acceptable while from a population of 275 teachers, a sample of 131 teachers will be interviewed.