

**FACTORS INFLUENCING TEACHERS' AND STUDENTS' PERCEPTIONS  
OF INDIVIDUAL RIGHTS OF STUDENTS IN PUBLIC SECONDARY  
SCHOOLS IN ELDORET MUNICIPALITY, KENYA**

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**Fredrick N. Matofari**

**A thesis submitted to Graduate School in partial fulfillment of the requirements  
of the Degree of Master of Education in Guidance and Counselling of Egerton  
University**

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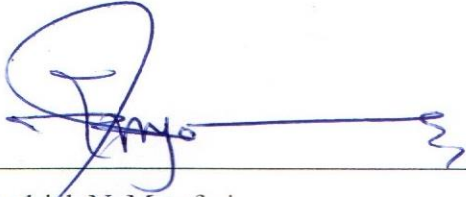
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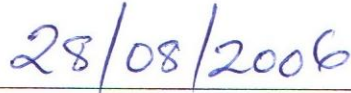
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## DECLARATION

I declare that this thesis is my original work and has not been presented for examination in any other University.



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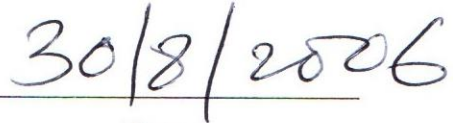
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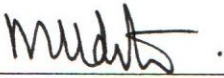
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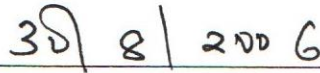
Prof. A.M. Sindabi



Date



Dr. M. O. Udoto



Date

## **DEDICATION**

This work is dedicated to my family: my wife Ruth, children Gloria and Cheryl.

## ACKNOWLEDGEMENTS

This is to acknowledge the expert input I got in putting together this thesis from my supervisors Prof. A. M Sindabi and Dr. M. O Udoto. Without their input I wouldn't have known what to do. I must also mention Dr. Masinde Neyole for allowing me to use his computer. I cannot forget all those who prayed for my success.

## ABSTRACT

This study was concerned with secondary school students' and teachers' perceptions towards students' individual rights. In spite of the improved Children's Act, many teachers are unsure of the benefits of granting students' rights and some continue to violate students' individual rights with adverse results. The goal of the study was to establish socialization experiences that cultivate appropriate perceptions towards students' individual rights as well as identify perceptual differences due to gender and teacher training. From the populations of 2942 students and 197 teachers, stratified sampling was used to choose respondents that comprised 209 students and 105 teachers respectively. Data was collected by means of questionnaires developed by the researcher for the causal comparative survey. Descriptive statistics including means and the Chi-square test at a significance level of 5% were used for analyzing data. The results indicate that students' individual rights to choice, information access and freedom from corporal punishment stood the risk of violation by teachers. The right to education and protection from psychological and emotional abuse enjoyed comparatively more respect by teachers. Teaching experience, teachers' grade and early exposure to newspapers were associated with teachers' perceptions towards corporal punishment. Some students' rights, that is, freedom from corporal punishment and right to education were associated with students' gender. School administrators may find the manipulation of the following variables useful in enhancing the welfare and status of students' individual rights. These include the maintenance of a democratic approach to management and suitable male to female ratios among students and teachers. The minimum age and years of teaching experience of the head teacher as well as the grade of the majority of the teachers in a school could impact on students' rights. While greater awareness is required in order to enhance the way teachers and students perceived students' rights to choice and freedom from corporal punishment, students need to get more active through debate, clubs, publication, representation and to speak with one voice. Students' perceptions were divided on forced repetition, corporal punishment and representation on school management committees.

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## LIST OF ABBREVIATIONS AND ACRONYMS

BA	Bachelor of Arts
BOG	Board of Governors
Bsc	Bachelor of Science
Dip. Ed	Diploma in Education
IPR	Interpersonal Relationship
MED	Master of Education
NGO	Non-Governmental Organization
PGDE	Post Graduate Diploma in Education
PTA	Parents Teachers Association
TTC	Teacher Training College
UDHR	Universal Declaration of Human Rights
UN	United Nations
M	Mean
$\chi^2$	Chi-square value

# CHAPTER ONE

## INTRODUCTION

### 1.1. Background to the Problem

The Kenya government's undertaking to strengthen the Children's Act in the year 2001 could be seen as action taken to express concern at increasing incidents of violation of children's rights. School children (students) suffer violations of their rights in many ways. Even after its ban, corporal punishment is still applied on students. It happens that some teachers constantly criticize, blame and insult students. Schools are at times keen to keep certain information from students and to limit the participation of students in some activities. Students in public schools are persons within the meaning of the constitution of Kenya and are entitled to fundamental rights that the state and the school must respect. Unfortunately violation of some students' individual rights enjoys the support of parents, the community, teachers and even students themselves (Mwakisha, 2002).

As in the past, children's rights are still at risk of violation given the attitude society has held over time. Byamukama (2000) observes that in traditional African set ups, adults did not appreciate the rights of women, children and people with disabilities. Therefore it was important to capture the perceptions of male and female respondents in this study. Agostoni (1997) has argued that children have rights before having duties. He holds that children have all the fundamental rights up to when they become self-reliant. Clearly, the rights of students at secondary school need to be assured if effects of their violation are to be avoided.

The legal rights of students don't have an independent existence but rely on the legislative and constitutional authority given to schools. The Education Act (1980) is therefore specific on various students' rights such as freedom from corporal punishment, right to education and the protection of students from sexual exploitation among others. It appears provisions of the Children's Act (2001) alone are not enough since violations still persist. Further, the provisions are inadequate since they do not effectively address the plight of physically challenged students. Odhiambo (2002) points out that such learners are forced to suffer isolation and stigma because they have to learn in special schools. Teachers in regular schools are ill equipped to handle such learners who would require teaching strategies and equipment tailored to address their physical challenges. Unlike other candidates, these students don't benefit from affirmative action (positive discrimination) when joint admissions to public universities are done.

The Children's Act (Appendix F) provides safeguards, which if adhered to would improve the status of students' rights. However, many safeguards are not observed. The Ministry of Education Science and Technology (MOEST) regulation against forced repetition of students is hardly obeyed. The case brought to court by a Sunshine Secondary School student was a typical violation of the ministry's regulation. The student did not manage at least 40% in eight subjects and was required to repeat against his wish. The judge noted that if forced to repeat, the plaintiff would be subjected to psychological and mental trauma that would further affect the student's academic performance (Alnashir, 2002). Unlike in Kenya, courts in the United States (U. S. A) Extended to students many legal rights taken for granted because it was realized some schools took the effort to prohibit student participation in some activities (Gutkin & Reynolds, 1990). The focus of cases on individual rights shifted to cover rights of learners at elementary and secondary school in the 1960s. Given the adverse effects of violations of individual rights and the need to make a break from traditional mentality towards students' rights, it has been necessary to examine prevailing perceptions towards students' rights to self expression, access to information, education, freedom from corporal punishment and freedom from psychological and emotional abuse as enshrined in the Children's Act of 2001.

## **1.2 Statement of the Problem.**

A casual perception towards students' rights persists among teachers and students in many Kenyan schools. Such perceptions have contributed to the evolution of school culture that does not foster protection, respect nor the promotion of students' individual rights. Unless these perceptions are addressed, violations of students' rights are bound to continue inspite of their negative consequences. Students who learn in environments governed by such perceptions are socialized to conform, quit or get discontinued. Students whose rights are violated are less likely to internalize moral values, may be aggressive, rude and disobedient. Out of frustration some drop out of school or their academic performance may decline. Many may never grow up to appreciate other people's rights. Where rights of groups of students are violated, they respond by rebelling or by resorting to violence. This violence finds expression in the form of riots and student protests with obvious lose of time, resources and even life. Further, the Children's Act (2001) has not been fully embraced and schools seem reluctant to operate within its provisions that are often overlooked.

### **1.3 Purpose of the Study**

The goal of the study was to determine the influence of parenting background, gender, teachers' grade and teaching experience as well as students' academic level (grade) on teachers' and students' perceptions towards students' rights.

### **1.4 Objectives of the Study**

The objectives of the study were:

- i. To determine the extent to which teachers' early socialization influences their perceptions towards students' rights.
- ii. To establish the extent to which professional teachers' grade and training influences teachers' perceptions of students' rights.
- iii. To establish the effects of teachers' gender on the perceptions of students' rights.
- iv. To determine the effect of students' gender on students' perceptions of their rights.

### **1.5 Hypotheses**

The hypotheses of the study were:

- H<sub>0</sub>1. There is no significant association in perceptions of students' rights between teachers from democratic and non-democratic parenting backgrounds.
- H<sub>0</sub>2. There is no significant association in perceptions of students' rights between diploma and degree grade teachers.
- H<sub>0</sub>3. There is no significant association in teachers' perceptions of students' rights between male and female teachers
- H<sub>0</sub>4. There is no significant association between male and female students' perceptions of their rights.

### **1.6 Significance of the Study**

Education has always been an essential factor in shaping the future (Aggarwal, 2000). Therefore to realize the future society in which individuals will be dignified, accepted and esteemed, desirable values ought to be inculcated by addressing students' rights today. Understanding the teachers' and students' perceptions through this study could lead to appropriate modifications of their attitudes about students' rights. Increase in awareness of students' rights by teachers, students and others was expected to sensitize them and could lead to a reduction in violations of students' rights. Teacher trainers could use some of the findings of this study to improve training

programmes. Education managers might find their tasks easier if they could be helped to maintain enabling environments in schools that upheld students' rights.

### **1.7 Scope of the Study**

The study involved teachers and students of selected public secondary schools within Eldoret Municipality. This study was concerned with the students' rights to self-expression, access to information, education, freedom from corporal punishments and psychological and emotional abuse as highlighted in The Children's Act (2001). In this study, teachers' socialization comprised teachers' childhood experiences, professional teachers' grade and gender. The level of education, and gender comprised students' socialization.

### **1.8 Assumptions of the Study**

The effects of intelligence, temperament and imaginative capacity on perceptions of teachers and students were assumed to be normally distributed and their effects in random samples were expected to be negligible.

### **1.9 Limitations of the Study**

- i. There were instances when some teachers took too long only to return partially filled questionnaires.
- ii. Some teachers were outright unwilling to participate in the study and much convincing had to be done to attain the reported response levels. Their refusal was in spite of them having initially agreed to willingly participate.

In spite of these inconveniences, the quality of the results remains unaffected since the respondents were literate and required no special guidance in correctly filling the questionnaires. The risk of missing important respondents and the lack of complete representation of the target population are two common and usual limitations of random samples and should not negate the findings of this study.



## **Definition of Terms**

**Child/Student:** The two terms were used interchangeably in places to give stress to the difference in maturity between the teacher or parent and the student.

**Democratic Parenting:** Involves the authoritative style in which parent is objective, flexible, interested in their children and considerate

**Gender:** Is used instead of sex to denote both genetical and social role differences

**Joint Admissions Board:** Refers to the committee constituted between Kenyan public universities and charged with defining criteria for admission of students to these universities

**Mixed school:** Used to refer to co-educational schools in the research area in which students of the both sexes attend the same lessons.

**Perceptions:** Referred to the respondents' understanding of and the meaning they assigned to a given statement of students' rights. It corresponds to an expressible opinion about the right.

**Promotion of students' rights:** Means teachers educate others regarding the particular students' right and encourage colleagues and students to honour the students' right.

**Protection of students' rights:** To be understood to mean that teachers were involved in ensuring that other people did not violate students' right.

**Regular schools:** Refers to public secondary schools as opposed to private secondary schools.

**Public Secondary school:** These are schools in the research area registered and licensed to operate with teachers employed by the Teachers Service Commission

**Respect for students' rights:** To be understood to mean that teachers did not interfere with the students' right in question.

**Socialization:** The process by which students learnt to conform to the expectations of parents and teachers while under their care

**Student:** Is used in this study to refer to secondary school students

**Students' Grade:** Used to mean students' academic level or stage between Form One and Form Four

**Students' right:** Any morally just principle by which protection, respect, dignity, integrity, worth from colleagues, teaching and non-teaching staff. It refers to any one of the students' rights to self-expression, access to information, education, freedom from corporal punishment or freedom from psychological and emotional abuse as stipulated in the Children's Act (2001).

**Teacher's grade:** Teachers were either of degree or diploma grade. Degree grade teachers included holders of BED, BA & PGDE, BSC & PGDE and MED while Diploma grade teachers were holders of Dip Ed.

**Urban school:** In this study, any school located within a 6km radius of Eldoret Town Hall was regarded an urban school.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 Introduction**

The major concern of this chapter is the literature review relevant to students' individual rights under study namely: right to self expression, access to information, right to education, freedom from corporal punishments, psychological and emotional abuse. This chapter first presents the relationship between socialization and perception. The next sections present relevant literature reviews in order of the students' rights. Finally, a conceptual model based on the theories of Carl Rogers, Mcgregory and Kohlberg is presented.

#### **2.2 Influence of Socialization on Perception**

Parenting style is expected to have a strong influence on a child's later attitudes towards individual rights. Authoritarian parenting is a restrictive, punitive style that requires the child to follow the parents' directions and to respect work and effort. This style of parenting involves firm limits and controls on the child with little dialogue. Social incompetence is associated with this style. Little respect for others' rights is inculcated under this style (Santrock, 1993). Authoritative parenting encourages children to be independent but still places limits and controls on a child's actions. Dialogue is much allowed with parents being child-centered. Social competency is associated with this style of parenting. This style is effective in inculcating respect for others' rights (Santrock, 1993). The unengaged or permissive style of parenting is one in which parents are uninvolved with children and place few demands or controls on children. This style is also associated with children's social incompetence and is poor in inculcating respect for others' rights. Under this style, children are treated as equals and all controls are eliminated.

Over time, the child internalizes attitudes. Since children identify with their parents, statements made by parents more than those made by others get internalized and are bound to influence a child's later life. One's view towards others' rights is thus unconsciously shaped by the particular blend of parenting styles. As young children, teachers were dependent on their parents for information about the world and information about themselves (Keil, 1990). Parents are the earliest providers of such information. The way in which they present it has a profound effect on the way the child structures and processes subsequent information. The child's dependence on the parent for physical and emotional needs maximizes parental power to reinforce modes of

thought so established. Hence the way the child categorizes persons, objects and ideas suggested by parents is a crucial determinant of the child's later thinking patterns as an adult (Murray, 1990). Children also develop attitudes from the way they are socialized. This is achieved through imitation of modeling (Bandura & Walters, 1963). If a child's attitudinal statement is valued or accepted by the parent, then reinforcement in the form of approval, affection and attention increases the likelihood of the statement being repeated. Perceptions towards students' rights are clearly a function of the individual's early socialization.

### **2.3 Right to Self-expression**

Student expression can take many forms. Representation on student councils, associations and clubs and student publications are some forms of student expression (Linda, John, Toby & Richard, 1999). To allow for such expression, students should be given opportunity to articulate their views regarding any matter affecting them. Such views should be given due consideration. Further, to feel safe to volunteer their views, students need assurance that they won't be punished for the manner in which their views are expressed. Any views can be expressed provided they do not pose danger to the orderly conduct of the school.

In traditional Africa, the practice was different. Children were not allowed to answer back when talked to but only when asked to do so. Even when scolded for something they hadn't done, they bore the brunt of discipline first. Any explanations would come later when the parents' temper had cooled (Oyaro, 1999). Democratic parents allow children to express their ideas. In the long run such freedom increases the child's independence (Gabriel, 1969). As they grow, such children become socially active, prepared to take part in competitive games and are active in the classroom. Freedom of expression also means the student can ask questions. This gives the student the opportunity to increase their understanding of whatever is taught. This is an example of a child's interest being given value as required by the Children's Act. Further, in trying to understand a student's problem, it is necessary to know their view of the situation (Addleman, 1999). In interviews he conducted with children (age 5-20) in Nairobi, it was found that children wanted parents to listen to what they had to say. In school, it is essential that students are encouraged to speak out. To test the validity of knowledge imparted to them, they need to challenge textbooks as well as judgments by teachers (Howard, 1981). Free expression by students is an indicator of the level of respect accorded to this students' right.

## **2.4 Students' Right of Access to Information**

In recognition of the important function performed by the mass media, students have a right of access to information. Especially information and material aimed at the promotion of the students' social, spiritual and moral well-being physical and mental health. In school, the print and electronic media include daily newspapers, magazines, radio, television (T.V) and video. The mass media is a means of communicating facts, ideas, thoughts, feelings, standards and attitudes (Sharman, 1979). Just like literature, it can be used to enrich the student's experience. Through the mass media, the student is made aware of social institutions such as the family, the economy, law and government. Others are education, belief, morals, attitudes and values that are significant social forces in the world. Article 12 of the Universal Declaration of Human Rights, UDHR recognizes the potential of children to participate as actors of change while their teachers facilitate. Students need to be consulted so that their input can influence any decisions made.

## **2.5 Freedom from Corporal Punishment**

Democratic parenting is such that physical punishments are given only when necessary. The parent who administers such punishments does so unemotionally and without passion. Their love for the child is not questionable and is obvious. Whenever punishments are given, the parent makes sure to explain the reasons for it (Olson, 1987). Children socialized in this way, grow up to be confident, sociable and positively assertive. However, non-democratic parenting styles may lead to less assertive, aggressive children who make excessive demands on other people (Gabriel, 1969 & Kibaas, 2005). Such tendencies do not augur well for the rights of others with whom the child may interact.

According to a 1999 study by Human Rights Watch on the use of Corporal Punishment in Kenya, it was reported that school children were subjected to widespread, arbitrary and brutal punishments. Of the 200 pupils that were interviewed from 20 different schools, it emerged that offenders received anywhere between two and 20 strokes of the cane. Corporal punishment was used for both minor and for serious offenses. Unsatisfactory academic performance and at times wrong answers to learning problems were punished. The above study was conducted before Kenya's Ministry of Education officially banned corporal punishment (see appendix D Legal Notice No. 56, April 2001). Though the study involved primary school children, corporal punishment as provided for under the Education Act of 1980 had been violated, and with it, learner's rights. Kibaas (2005) noted that brutal, routine and arbitrary punishments included caning and slapping.

Mwakisha (2002) blames parents for this state of affairs. She notes that corporal punishment remains deeply rooted in society with many parents believing that beating and caning were effective means of disciplining students. Societal violence against the youth is generally rooted in social structure (Ngonne & Judith, 1998). The youth is seen as a group with a reputation for delinquency and violence that raises fear in society. Hence the youth are subjected to repressive measures and general social violence.

Article 5 of the universal Declaration of Human Rights (UDHR) provides that no one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment. Corporal punishment and child abuse lie on a continuum of physical acts towards children. Physical abuse is a potential outcome of corporal punishment (Gershoff, 2002). Instrumental corporal punishment is planned, controlled and not accompanied by strong emotions. Such punishment is the impulsive kind of corporal punishment that is accompanied by feelings of anger. It is out of control and is given on the spur-of-the moment (Gershoff, 2002) quoting (Holder & Miller, 1997). Boumrind (1986) studied families with children aged 3-9 years on how the parents managed to control them through punishment. It was found that parents who used a balance of firm control (including spanking) and positive encouragement recorded best results, improvement in desired behavior (Hart, 2003). Hart differentiates between corporal punishment and spanking. Whereas spanking is controlled and is meant as a strong statement of guidance, corporal punishment is primarily aimed at inflicting sufficient pain and suffering following undesirable behaviour. Unlike corporal punishment (which doesn't lead to improved behavior in adolescents), spanking has been demonstrated to best work when applied by a loving agent to younger children.

## **2.6 Right to Education**

Students' right to education often gets violated. Cases have been reported in which students are denied promotion to the next class because the student did not attain a set mark or performance was not up to teachers' expectations. Academic weakness in one subject is reason enough to discontinue some students. Some secondary schools do not admit students who are above a certain age. Many are denied admission because they are teenage mothers. Religious faith is another reason some students fail to be admitted to schools of their choice. Religious faith has been reported to lead to discontinuation from some schools. Muriuki (2003) reported the case of

20 schoolgirls who were barred from learning because their hair had been done according to the teachings of their religious sect.

Article 26 of the UDHR declares the right to education as free for all. The above instances point to a tendency, which denies or attempts to deny the affected children their right to education. Cases abound in which students are made to sign to promise to leave or transfer away from the particular school following the outcomes of future events. An example is when scores fall below a set minimum level of performance and the student has to find an alternative school irrespective of circumstances leading to such poor performance. Unknowingly, such students are manipulated to compromise their right to education.

What follows are theories that have been used to explain the conceptual model in Fig.1. These theories have been chosen for their relevance and adaptability in fitting explanations on observed perceptions. In this model, democratic practices obtaining in the growth environment of a child are responsible for favourable perceptions towards students' rights.

### **2.7 Carl Rogers' Theory of Personality and Behaviour**

The individuals' perceptions were viewed by Rogers as their versions of reality. Rogers held that there were as many realities as there were people, each individually perceiving and experiencing the world privately (Rogers, 1980). It was Rogers' view that individuals were increasingly inwardly rejecting the view of one single culture – approved 'reality'. The tendency towards a single perception causes psychological difficulties as it acts to block the actualizing tendency in many people. Cultural conditioning, the systems of reward and reinforcement for behaviours that were contrary to actualizing tendency produced adverse conditions of worth in the individual. By these means, individuals were set up to perceive their significance based on external rather than, own valuing process.

In school, the students' need for approval by teachers and for their positive regard of a student is great. This great need influences the student's vulnerability to internalizing conditions of self-worth. Such conditions demand that a student lives up to the expectations of other people. Further, the student internalizes evaluation of how a student should feel if they perceive that they are not the way they should be (Jones, 1998). Living by such standards, the individual student is alienated from own experiencing. The individual is led to internalize a process by which they become an agent of lowering their own self-regard, a kind of self-oppression. Harassment of any

student on account of his qualities, capacities and desires, labeling them and unknowingly punishing their self-esteem constitutes emotional-psychological abuse (Lewanika, 1986). To address such abuse, students must be protected by shaping teachers' attitudes through education. Such education should be geared towards promoting respect and protection of students' rights.

## **2.8 Douglas McGregor's Theory X and Y of Human Nature**

Theory X presumes a lowly status for the student before the teacher. By this theory, teachers perceive students as mediocre beings. Students are seen as naturally lazy and keen to avoid schoolwork. This theory advocates for students to be perceived as unambitious and unwilling to take up responsibility. Further, students are viewed as self-centred, unintelligent and easy to manipulate. Those in authority over students then easily take advantage of the students to violate their rights (Burns, 1992). Theory Y assumes that students enjoy working without coercion, provided that they understand that what is expected of them is manageable and not above their human ability. This is in agreement with the Convention on the Rights of the Child, which urges that any tasks assigned to a child be in accordance with the child's age and maturity.

Education should center in the inherent goodness in man, which can be developed. For students, the possibilities for development are great even though sacrifice may be required of the successful teacher who does not take shortcuts (Nyamu, 1980). In accordance with Theory Y, the teacher should possess to some degree each of the following:

- a. Posses a high capacity, for listening to learners.
- b. Be wanting to develop learners
- c. Respecting students and putting them at ease
- d. Acting firmly towards students but with understanding.
- e. Enjoy working for, with and through people including encouraging participation by students.
- f. Adopting a creative and not regulative attitude.

Thus dialogue, discussion, consultation, advice to students forms the teacher's characteristics. Theory Y advocates for a teacher who has deep insight into the learners needs, ambitions, who can allay fears, instill strength into the weak as well as fulfill the hopes of the despairing (Nyamu, 1980). Theory Y therefore is student-centered. It advocates for respect of the student, nurturing of his potential by providing a



conducive environment and support in the teacher model. This theory fosters respect for individual rights and by extension, students' rights.

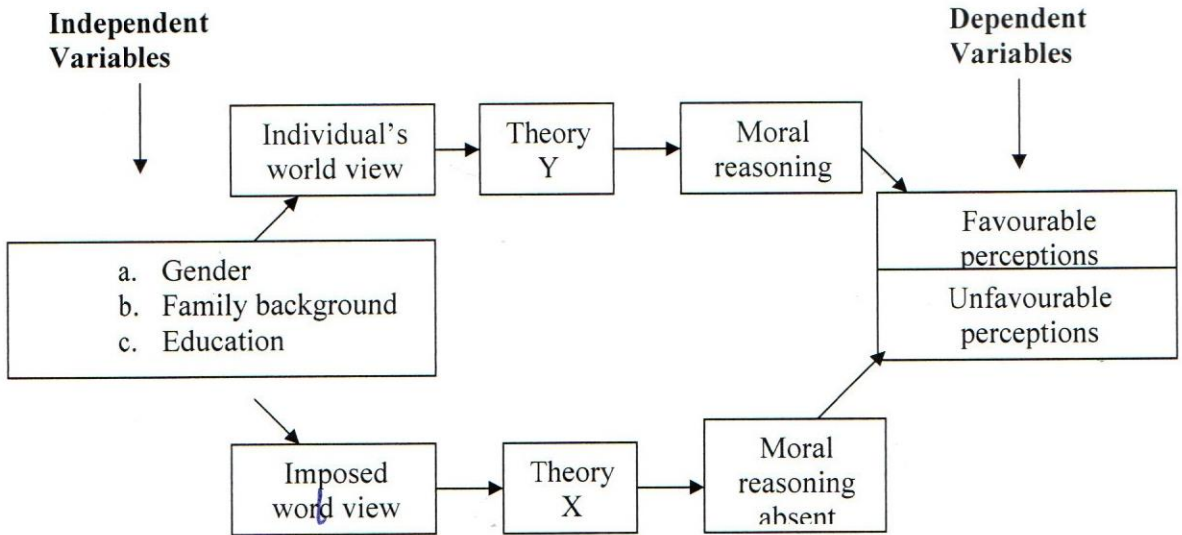
## **2.9 Lawrence Kohlberg's Theory of Moral Development**

Kohlberg identified six stages within three levels of moral development. The levels are Pre-conventional, conventional and the Principled level. Advocates of moral development approach believe that the main task of the school is to help students to move to ever-higher stages of moral development and reasoning (Howard, 1981). By helping students, to reason better about moral choices, schools enable student to grow and become morally autonomous. Schools have a role in facilitating the two processes of socialization of the student and helping the learner to develop the capacity for reasoning about moral issues as their intellectual stature grows. Schools should assist each student to reach their maximum potential as they develop towards adulthood.

Kohlberg maintains that many people never reach the highest stages of moral development even in adulthood (Howard, 1981). In view of this, intellectual humility is called for when handling students on matters that require reasoning at higher levels. Indeed reasoning is a much better approach to solving students' problems than resorting to corporal and other forms of punishment. Corporal punishment works with learners whose moral development is still at a low level (Hart, 2003). Kohlbergs' theory recognizes the fact that moral development increases with maturity but age does not guarantee that an individual's moral development will reach the highest stage. There are adults whose moral development stopped rather early. Therefore, teachers need not talk down to students merely on account of their students' tender age. Teachers need to give due weight to the views of students as the Children's Convention urges and by so doing, they will be respecting and promoting students' rights.

## 2.10 Conceptual Framework

Appropriate socialization has the effect of fostering democratic attitudes and behavior in students. Positive perceptions towards students' rights are the results of such attitudes. Inappropriate socialization leads to negative perceptions towards students' rights. As can be seen in Figure 1, individual perceptions of students' rights are the result of a combination of independent and intervening variables. Gender, family background and education form the independent variables.



**Figure 1**

Perceptions of students' rights are the result of socialization. Democratic practices introduced into the character of an individual are the result of recognition of the individual's world view (Rogers' Theory), their positive evaluation (McGregory's Theory Y) and the appreciation of their capacity for moral reasoning (Kohlberg's Theory).

## CHAPTER THREE

### RESEARCH METHODOLOGY

#### 3.1 Introduction

This chapter details the overall methodology that was used to conduct the study. The research method and design, location, target populations and selected samples have been indicated. The methods and procedures of sampling, data collection and analysis that were used so as to address the objectives of the study have been spelt out in this chapter. Attempts have been made to justify the choice of methods employed as a consequence of the situations obtaining in the field then.

#### 3.2 Research Design

The study was a descriptive survey with *ex-post-facto* design. This was necessary so that the researcher does not influence the perceptions of respondents towards students' rights. The study did not establish causality but sought to explain perceptions arising out of various socialization experiences (Kathuri & Pals, 1990). This design was used because teachers' and students' perceptions of students' rights are long term effects of socialization and gender differences. This type of research was suitable in determining opinions and perceptions of groups of people. In this research, questionnaires were used to collect data relating to students' and teachers' perceptions of students' rights. The researcher had no opportunity to manipulate the independent variables that shaped the teachers' and students' perceptions.

#### 3.3 Location

The research was conducted within Eldoret Municipality, Rift Valley Province, Kenya. Eldoret is about 300 km to the north west of Nairobi, Kenya's capital city. It is a growing town with a strong urban influence. The choice of this location was justified by the fact that the Municipality has many schools out of which the researcher expected variety in perceptions. Being urban, there was likely to be variety in parenting methods.

#### 3.4 Population

There were a total of 17 secondary schools in Eldoret Municipality. Eight of these schools were private and nine were public with two of the nine public schools still awaiting formal registration. One public school was used for the pilot study. The target populations were all the

teachers and students of the remaining six public secondary schools. The total population of teachers for the study was 197 while the students' population was 2942.

### 3.5 Sampling Procedure and Sample Size

The sample sizes from the populations of 2942 students and 197 teachers was determined by use of the coefficient of variation as highlighted by Nassiuma (2000). The samples were randomly selected from the populations using the function:

$$n = NC^2/[C^2 + (N-1)e^2] \text{ where;}$$

N = Population

C = Coefficient of variation

e = Relative Standard Error

n = Sample size

The variation was at 30% with a Relative Standard Error (RSE) fixed at 2% in order that the large samples could ensure greater reliability. Using the populations N=2942 and N=197, the corresponding sample sizes were determined to be 209 students and 105 teachers respectively. Further, among the 197 teachers, 62 were male and 135 were female. Since the students' population was made up of 1465 boys and 1477 girls, the final random teachers' and students' samples were stratified and selection into the samples made in proportion to the numbers of each gender. Table 1 show the distribution of the teachers' and students' populations.

Table 1

Teachers' and Students' Populations by School

School	No. of Teachers			No. of Students		
	Male	Female	Total	Male	Female	Total
Moi Girls	15	40	55	Nil	701	701
Hill school	9	13	22	Nil	311	311
Umoja	3	13	16	106	139	245
Wareng	8	22	30	338	160	498
Uasin Gishu	16	27	43	464	166	630
Chebisaas	11	20	31	557	Nil	557
<b>Total</b>	<b>62</b>	<b>135</b>	<b>197</b>	<b>1,465</b>	<b>1,477</b>	<b>2,942</b>

Source: Uasin Gishu District Education Office Records (Year 2004)

For each School, selection of teachers into the sample was randomized to avoid bias and stratified because of differences in enrollment and gender. Using the teaching staff lists, separate lists of male and female teachers were constructed by the researcher. For each list, the starting point of selection was decided using a roulette wheel. Subsequent selections for the sample were generated by systematic random sampling based on the total number of male and female teachers required from each school. Table 2 shows the teachers' and students' samples.

Table 2  
Teachers' and Students' Samples by School

School	Teachers' Sample			Students' Sample		
	Male	Female	Total	Male	Female	Total
Moi Girls	8	21	29	Nil	50	50
Hill School	5	7	12	Nil	22	22
Umoja	2	7	9	8	10	18
Wareng	4	12	16	24	11	35
Uasin Gishu	8	14	22	33	12	45
Chebisaas	6	11	17	39	Nil	39
<b>Total</b>	<b>33</b>	<b>72</b>	<b>105</b>	<b>104</b>	<b>105</b>	<b>209</b>

The researcher established the criteria of admission of students to the various schools in order to avoid the possibility of selecting students with similar characteristics into the sample. It was established that sampled schools either admitted students on merit or the combination of merit and date of application. Stratified samples of students were randomly selected by picking a proportionate number from each group of boys and girls by year of study. This reduced the problem associated with some schools having many streams per class. Student selection was based on the various class lists availed by the schools.

### 3.6 Instrumentation

There were two similar questionnaires, one for participating teachers and another for students. Both questionnaires were concerned with the same students' rights and had identical items in their section Bs. Section A of each questionnaire had items that targeted the personal profile of a respondent. The teachers' background was derived from their responses to section A items.

Section B contained items relating to students' rights in the study. Responses obtained from section B comprised a continuum of opinions from strongly disagree to strongly agree and were reduced to a Likert scale of 1 to 5 respectively. On both instruments, items 1, 2, 3 and 13 were concerned with the students' right to self-expression. Item 4 and 12 were about the right of access to information. Only item 5 dealt with the students' right to education while item 9 and 10 were concerned with the right to freedom from corporal punishment. The rest of the items 6, 7, 11, 15 and 16 were about freedom from emotional and psychological abuse. Computed means obtained on a given item were deemed to represent mean perceptions of respondents on the item. Structured items are easier to administer and respondents require less time to fill in. Owing to the large samples, questionnaires were used so that the results obtained could be more reliable, dependable and representative. The respondents were literate and questionnaires were a convenient means of data collection

### **3.6.1 Validation**

Changes were made on the instruments to clarify meanings and provide more options and space for certain responses. The use of large random samples and the expert input by my supervisors improved the validity of the instruments such that this study's findings could be replicable. Questionnaire items included were considered for their suitability and relevance by colleagues and supervisors. Care was taken in dealing with categories of respondents as objectively defined.

### **3.6.2 Reliability**

A pretest of the research instruments was done and its results used to improve the questionnaires. The pretest that involved the equivalent of about 10% of the sample (20 students and 10 teachers) yielded useful responses. Initial findings indicated that questionnaire filling would take too long and the number of items had to be limited. The Cronbach Coefficient Alpha for the final teachers' instrument was 0.67 while that for the final students' instrument was 0.74 showing they were sufficiently consistent as measures of the perceptions in the study.

### **3.7 Data Collection Procedures**

Once the research request to a school was accepted and introductions done, the researcher explained what the study was about and assured those who would participate in the study on the protection of their identities and how their responses would be handled with confidentiality. Only those who were willing to participate were included during the random selection of participants after which the researcher proceeded to draw up the lists of respondents. No problems were experienced with drawing up the lists of prospective teachers and students who would participate

in the study. It was difficult trying to get replacements from the same school for subjects who declined to take part in the study. Hence the researcher did a lot of convincing to reach the rates of return reported. This was one reason why the rate of returned questionnaires was comparatively low (78%) among teachers. The researcher managed to personally administer the students' questionnaire with comparatively greater (91%) success. Even then much delay in returning filled questionnaires by teachers was experienced. Respondents indicated their opinions on individual questionnaire items by ticking against one of the five options. In the case of student respondents, the researcher was personally present to administer them and to clarify and give guidance as need arose. However, the administrations of the schools sampled were asked to assist with receiving the filled questionnaires from teachers. This was because teachers were allowed to give their responses at their convenience due to their other teaching duties. Later and on an agreed date, the researcher would collect the filled questionnaires from the school office or from a staff member assigned by the office to assist in their collection.

### **3.8 Data Analysis**

Both students' and teachers' perceptions on all items were analyzed by describing the distribution of frequency responses, comparing percentages and mean perceptions of respondents on each item. Differences by teachers' background, grade, experience and gender were examined and used to make inferences about respondents' perceptions of students' rights. Differences in students' perceptions owing to their gender and academic level (class) were similarly analyzed. The chi-square test at 5% significance level was applied in cases where frequencies were at least five. Mean perception (average group opinion) for various groups were calculated with the help of the Microsoft Excel computer package. The researcher recognized and pointed out patterns in the data analyses findings by looking at emergent trends.

## CHAPTER FOUR

### RESULTS AND DISCUSSION

#### 4.1 Introduction

This chapter presents the results of analyses and their discussion. The presentation is in order of the objectives of the study. Mostly, the results are presented in tabular form and the means, frequency and percentage entries occurring in the tables form the bases of discussion. The influence of the independent variables; teachers background, grade, gender and students' grade (class level) on respondents' perceptions of students' rights is discussed. The coefficient of contingency,

$$C = \sqrt{\left[ \frac{\chi^2}{\chi^2 + N} \right]}$$

where, N = Number of valid cases and  $\chi^2$  = the calculated chi-square value is the measure of association used (Everett, 1994). Where C=0 (zero) it implies independence between the particular variables. C is known not to attain (+1) even where there is complete association between variables. Its use here is to facilitate internal comparisons. As for 'Neutral' responses, they have been treated as insignificant where they do not constitute more than 20% of the valid number of cases. This is because there were five preferable responses each with an equal chance of one – in – five of being selected. Where Neutral responses are more than 20%, they have been distributed in ration to the other "Disagree – Agree" responses according to Kothari (1984).

Only these relationships with significant associations have been discussed in greater detail. The rest have been discussed briefly based on values of calculated mean perceptions. Mean perception denotes the average of the Likert scale values for a group of responses to a questionnaire item. It theoretically signifies the opinion that the majority of the group members espouse and it is taken to be largely representative of the group's common view on the item.

Since frequency counts were used for the dependent variable, that is, number of respondents agreeing or disagreeing, the Chi-square test has been used as an indicator of association (Kombo & Tromp, 2006).

Table 3 shows the analysis undertaken against the various hypotheses of the study.



Table 3

Table of Analysis by Hypotheses

Variables	Ho1	Ho2	Ho3	Ho4
<b>Independent</b>	Parenting background	Teachers' grade	Teacher's gender	Student's gender
<b>Dependent</b>	Teacher's perceptions towards students' rights	Teachers' perceptions towards students' rights	Teachers' perceptions towards students' rights	Teachers' perceptions towards students' rights
<b>Methods of analysis</b>	Chi square test, percentages and means	Chi-square test, percentages and means	Chi-square test, percentages and means	Chi-square test, percentages and means

**4.2 Teachers' Democratic and Non-democratic Backgrounds**

The following variables were considered pertinent when defining home conditions. The identity of the controlling parent, the parent's means of child behaviour control that characterized a teachers' childhood, how temperamental the parent was; perceived generosity of the parent; the nature of interpersonal relationship that existed between the teacher – child and its parent, how flexible the parent was with regard to social trends as well as the interest the parent showed towards the child's personal plans and friends. Parents who exhibited objectivity, consideration and fairness in more than four out of the listed seven issues were categorized as democratic parents (Gabriel, 1969). The rest were categorized as non-democratic parents.

**4.3 The Influence of Teachers' Background on their Perceptions towards the Students' Right to Self Expression**

Items 1, 2, 3 and 13 of the Teachers' Questionnaire were about the students' right to self-expression. Teachers of democratic and non-democratic backgrounds held comparable perceptions on all except the item on forced repetition. Their perceptions were not towards either extreme but fluctuated about the 'Neutral' position, probably implying divisions on this students' right.

On whether students should elect their prefects, both teachers of democratic and non-democratic backgrounds had similar perceptions. Their mean perceptions as calculated were  $M = 3.20$  and  $M = 3.19$  respectively. Teachers of democratic background had a slightly higher mean ( $M = 3.70$ )

regarding the statement about taking students' suggestions seriously and acting upon them. The mean perception of teachers of non-democratic backgrounds was  $M = 3.56$ . The difference in perceptions is in order since those teachers of democratic background would be expected to encourage responsible freedom of expression more than teachers of non-democratic background.

Perceptions of teachers about involving students in making school rules by having them make suggestions were not associated with teachers' backgrounds. The two groups of teachers had about the same means. Those of democratic background had a mean of  $M = 3.30$  as compared with teachers of non-democratic background whose mean was  $M = 3.29$ .

Table 4

Teachers' Background against their Perceptions towards Forced Repetition

		Perceptions							
		Number Responding							
Background	M	Disagree	%	Neutral	%	Agree	%	Total	%
Democratic	2.60	28	54.9	12	23.5	11	21.6	51	48.57
Non-Democratic	2.42	21	60	3	11.4	10	28.6	35	32.4
<b>Total</b>		<b>49</b>	<b>56</b>	<b>15</b>	<b>18.6</b>	<b>21</b>	<b>24.4</b>	<b>86</b>	<b>81</b>

The expectation that teachers from democratic backgrounds would allow students the freedom of choice to repeat was only comparatively true. The mean perception of the democratic group ( $M = 2.60$ ) was higher than that of the non-democratic group ( $M = 2.42$ ). However, as Table 4 shows, the majority of respondents (56%) favoured the practice in which students play no part in the repetition decision. Twenty teachers comprising 19% of those sampled failed to respond. Olwenya (1996) points out that forced repetition of students was one significant cause of drop out from school by students. As for teachers forcing students to repeat on account of unsatisfactory performance, a study by Ndege (1992) showed that performance was a function of the socio-economic status of the learner's family. Therefore improvement by a learner was not guaranteed upon repetition. The students' right to choice with regard to repetition was at risk of

violation from the sampled teachers even though teachers from democratic backgrounds were more considerate. Overall, more teachers disagreed that students themselves take the decision whether to repeat or not. Only 25% of the respondents agreed.

Students should take this decision themselves provided they have been briefed sufficiently about what issues to consider. That way they are likely to make good use of time to bring out their best as they endeavour to attain their aim of repeating. Students' right to choice was unlikely to be respected by sampled teachers given these perceptions. Those teachers associated with a democratic background were more liberal and capable of trusting students with the ability to decide reasonably. Such trust could be the result of thorough knowledge of students, sufficient guidance and readiness to support students. Teachers could cultivate reasonable students as Kohlberg's Theory advocates.

Overall, grouped perceptions towards students' right to self-expression were only slightly more favourable among teachers of democratic background ( $M = 3.20$ ) as opposed to those of non-democratic background ( $M = 3.12$ )

#### **4.4 The Influence of Teachers' Background on their Perceptions towards Students' Right to Access Information**

There wasn't significant association between teachers' background and their perceptions of students' rights according what is revealed by the analyses of items 4 and 12 of the Teachers' Questionnaire. The two groups of teachers had marginally differing perceptions on whether teachers ought to inform students of their reasons for absence or lateness.

Teachers of democratic background were more willing ( $M = 3.60$ ) to allow inquiry into their reasons for lateness or absence compared to teachers of non-democratic background ( $M = 3.40$ ). As for allowing students to question school expenditure, both groups of teachers' perceptions were unfavourable. The teachers of non-democratic background ( $M = 2.60$ ) were more opposed to the two statements than those of democratic background. The similarity and differences in perceptions are captured in Table 5.

Table 5

The Influence of Teachers' Background on their Perceptions of Students' Queries about Teachers' Absence

Background	M	Perception						Total	%
		Agree	%	Neutral	%	Disagree	%		
Democratic	3.60	11	22	8	16	31	62	50	47.6
Non democratic	3.40	7	21.2	3	9	23	69.7	33	31.4
<b>Total</b>		<b>18</b>	<b>21.7</b>	<b>11</b>	<b>13.3</b>	<b>54</b>	<b>65.1</b>	<b>83</b>	<b>79.0</b>

The teachers with democratic background had a higher mean ( $M = 3.60$ ) than those with non-democratic background ( $M = 3.40$ ). Since students are the consumers of the teachers' services and given the services are paid for, they are entitled to information explaining their teachers' absence. Teachers of non-democratic background did not hold this opinion. The results at Table 5 relate to responses regarding whether students should seek explanation for their teachers' lateness or absence. Twenty-two teachers comprising 21% of the sample failed to respond. It would be expected that more teachers from democratic than non-democratic backgrounds would want their whereabouts explained to students.

The difference in percentages of those who wanted students told was negligible. About 21% of respondents agreed to the need for students to be told. More than three times as many respondents didn't want students told. The dominant perception was that students had no right to know reasons for their teachers' absence. The implication is that student's right to ask and be informed was subordinate to the teacher's right to be away. It shows contempt for the efforts students take in order to attend school. McGregory's theory X aptly fits the recorded perceptions by bringing out the impression that the students' rights were inferior to teachers' rights.

About 65% of respondents risked violating students' rights to self-expression since they did not want students to be allowed to query their teachers' absence. The difference between the groups could suggest that generally sampled teachers didn't want students to enjoy the right to know and ask.

The mean perceptions overall on this items are low. The mean  $M = 3.10$  for those teachers of democratic background is suggestive of mixed perceptions about students' right to access information. The overall mean  $M = 2.97$  for teachers of non-democratic background means those opposed to the suggestion were more from this group than from the former group.

#### **4.5 Influence of Teacher's Background on their Perceptions towards Students' Right to Education**

Item 5 of the Teachers' Questionnaire asked whether it was welcome to set 16 years as the age limit for admission to Form One. Teachers of the democratic background were more opposed ( $M = 1.60$ ) to the suggestion than teachers of non-democratic background ( $M = 1.97$ ). Both groups of teachers were generally against the suggestion. It is an indicator that the respondents held the view that prospective Form One students considered average should not be denied admission.

#### **4.6 The Influence of Teacher's Background on their Perceptions towards Students' Right to Freedom from Corporal Punishment**

The statement that teachers could, with good reason, continue to apply corporal punishment on students found more favour with teachers of democratic background. Their mean was  $M = 3.50$  while the mean of teachers of non-democratic background was  $M = 3.27$ . About whether an alternative to corporal punishment could be introduced, respondents' perceptions were generally in favour. Teachers associated with democratic background had a mean  $M=4.20$  while teachers of non-democratic background had a mean  $M=3.59$ .

Corporal punishment cannot continue to be administered for 'good' reason. Good reason is relative and subject to individual teacher's interpretation. Such judgement cannot be relied upon to ensure non-violation of this students' right. Table 6 shows the distribution of teachers' perceptions on this issue.

Table 6

## Background Influence on Teachers' Perceptions towards Corporal Punishment

Background	Perception								
	M	Agree		Neutral		Disagree		Total	
		Number	%	Number	%	Number	%	Number	%
Democratic	3.50	10	19.2	9	17.3	33	63.5	52	60.5
Non-democratic	3.27	11	32.4	5	14.7	18	52.9	34	39.5
<b>Total</b>		<b>21</b>	<b>24.1</b>	<b>14</b>	<b>16.3</b>	<b>51</b>	<b>59.3</b>	<b>86</b>	<b>81.9</b>

Although the amount of association between teachers' background and their perceptions towards this students' right is not statistically significant ( $p = 0.389$ ), 59.3% of all respondents would rather trust their interpretation of situations and decide which warrants corporal punishment than merely abide by the ban. Only 24% of respondents could avoid corporal punishment no matter how justifiable the reasons. The mean perceptions indicate the respondents had lots of confidence in corporal punishment in spite of its ban. Twenty teachers comprising 19% of those sampled failed to respond.

#### 4.7 The Influence of Teachers' Background on their Perception towards Students' Right to Freedom from Psychological and Emotional Abuse

The amount of value teachers' attach to an individual student, the compassion that physically challenged learners receive from their teachers, teachers' careful use of words directed at a student together with the ridicule and embarrassment a student is spared by teachers boosts a student's emotional well being. All the items of the Teachers' Questionnaire that addressed these areas recorded responses with mean perceptions around 4.0 (Agree from the likert scale used).

Mean perceptions overall were high on this students' right with an aggregate of  $M = 3.93$  for teachers of democratic background and  $M = 3.95$  for teachers' of non-democratic background. Agreement with aspects of these students' right captured in items 6,7,11,15 and 16 was across the divide. For example, 92.9% of all respondents held perceptions to the effect teachers shouldn't verbally abuse students. More perceptions are bought out in Table 7.

Table 7

Influence of Teachers' Background on their Perceptions of Students' Value based on Performance

Background	M	Perception							
		Agree		Neutral		Disagree		Total	
		Number	%	Number	%	Number	%	Number	%
Democratic	4.60	2	3.9	4	7.8	45	88.2	51	48.6
Non-democratic	4.35	0	0	0	0	34	100	34	32.4
<b>Total</b>		<b>2</b>	<b>2.3</b>	<b>5</b>	<b>5.8</b>	<b>79</b>	<b>91.7</b>	<b>86</b>	<b>81</b>

Teachers from a democratic backgrounds thought of highly valuing all students all the time irrespective of performance ( $M = 4.60$ ). Those from non-democratic backgrounds agreed less strongly ( $M = 4.35$ ). Learners who have a positive self-concept perform better according to a study by Wandabwa (1996). When students feel or perceive that their teachers value them, they exhibit confidence due to high self-esteem. Even if their academic performance is not comparatively high, such students know and feel important.

Table 7 shows that more teachers of non-democratic (100%) than democratic backgrounds (88%) agreed to always value their students. This finding is contrary to the expectation that a greater percentage would be due to teachers from democratic backgrounds. The reason for a higher mean among the democratic group could be that the 45 this view so strongly while the majority of the 34 (non-democratic) who concurred did not do so less passionately. Devaluing students on account of performance is a violation of their psychological and emotional rights. The teachers sampled had little tendency to violate their students' rights. Twenty teachers comprising 19% of those sample failed to respond.

#### **4.8 Overall Background Influence on Teachers' Perception of Students' Right**

Even though several teachers' background variables were not significantly associated with teachers' perception of students' rights, the following observations come out clearly. Teachers of democratic backgrounds had perceptions in agreement with attaching more value to students and were more willing to let students make inquiries into their absence or lateness. Teachers of democratic backgrounds were less rigid compared to those of non-democratic backgrounds on forced repetition of students. Both groups of teachers preferred the continued use of corporal punishment but those of democratic background perceived the need for alternatives to corporal punishment strongly.

#### **4.9 Influence of Teachers' Grade on their Perceptions towards Students' Right to Self-expression**

Both diploma and degree grade teachers were divided on the issue of students being allowed to elect their prefects. The mean perceptions were  $M = 3.30$  and  $M = 3.10$  for the diploma and degree groups respectively. The diploma grade teachers' mean perception on including students' suggestions in making school rules was also higher ( $M = 3.79$ ) than that of the degree grade teachers ( $M = 3.50$ ).

On the other items, degree grade teachers were more accommodating to students regarding forced repetition. Their mean perception  $M = 2.50$  indicates less rigidity as compared to  $M = 2.42$  for the diploma group of teachers. Also degree grade teachers were more willing ( $M = 3.40$ ) to allow students' input in the making of school rules than diploma grade teachers ( $M = 3.05$ ).

The combined mean perceptions relating to the students' right to self expression do not differ much and indicate division because the means are about midway the Likert Scale of 1 to 5. The diploma teachers' combined mean perception  $M = 3.14$  is comparable to that of degree grade teachers  $M = 3.13$ . No group is better than the other in overall perceptions as Table 8 clearly shows.



Table 8

Teachers' Perceptions about Forced Repetition by Grade

Background	M	Perception							
		Agree		Neutral		Disagree		Total	
		Number	%	Number	%	Number	%	Number	%
Democratic	2.42	10	58.8	2	11.8	5	29.4	17	16.2
Non-democratic	2.50	33	60	9	16.4	13	23.6	55	52.4
<b>Total</b>		<b>43</b>	<b>59.7</b>	<b>11</b>	<b>15.3</b>	<b>18</b>	<b>25</b>	<b>72</b>	<b>68.6</b>

The diploma grade teachers' were more opposed ( $M = 2.42$ ) to students deciding on repetition than the degree grade teachers ( $M = 2.50$ ). It is fair for teachers to allow students to decide whether or not to repeat with justification. From the results of Table 8, teachers of both grades disagreed that the decision to repeat should be the students'. Together 59.7% of respondents thought someone other than the student should take the decision to repeat. A higher proportion of diploma teachers (29.4%) than degree grade teachers (23.6%) agreed with the statement. Justifiable as the teachers' stand on repeating may be, students need to have the opportunity to choose. The fact that majority teachers of both grades held similar perceptions towards repetition, expecting the same teachers to respect their students' decisions would be unrealistic. However, 33 teachers comprising 31% of those sampled failed to respond.

**4.10 Influence of Teachers' Grade on their Perceptions towards Students' Right to Access Information**

Regarding the matter of students being allowed to query their teachers' lateness or absence, diploma grade teachers' perceptions differed from their degree grade counterparts.

The Diploma grade teachers were more in agreement with this statement ( $M = 4.28$ ) than the degree grade teachers ( $M = 3.50$ ). However, diploma grade teachers more than the degree grade group perceived negatively the suggestion that students be free to question school expenditure. This is evident from the means and frequency distributions of Table 9.

Table 9

## Teacher's Perceptions by Grade of Students' Right to Query School Expenditure

Grade	Perception								
	Number Responding								
	Disagree	%	Neutral	%	Agree	%	Total	%	M
Diploma	12	70.6	3	17.7	2	11.8	17	16.2	2.12
Degree	25	46.3	11	20.4	18	33.3	54	51.4	2.65
<b>Total</b>	<b>37</b>	<b>52.1</b>	<b>14</b>	<b>19.7</b>	<b>20</b>	<b>28.2</b>	<b>71</b>	<b>67.6</b>	

Diploma grade teachers differed with the suggestion that students could be free to question school expenditures ( $M = 2.12$ ). Their perceptions were stronger than those of degree grade teachers ( $M = 2.65$ ). Degree grade teachers expressed mild neutrality on this issue probably to imply that their agreement depended on other factors. Whereas only 11.8% of the diploma grade teachers agreed to this students' right, 33.3% of the degree grade teachers thought the students ought to be allowed access to information on school expenditure. However, considering that only 28% of all respondents agreed, it is debatable whether students know enough about the use of money paid for their education. Further, 34 teachers comprising 32% of those sampled failed to respond. The researcher did not expect any difference in perceptions by teachers' grade. These findings mean that diploma grade teachers more than degree teachers were more apprehensive about this students' quest.

#### 4.11 Influence of Teachers' Grade on their Perceptions towards Students' Right to Education

Both groups of teachers held different views to the suggestions that Form One admission be limited to applicants not exceeding 16 years of age. Degree grade teachers ( $M = 1.70$ ) held a more dim view of a maximum age limit for admission than the diploma grade teachers ( $M = 1.95$ ). The association between teachers' grade and perceptions towards maximum age for admission was not significant. Table 10 captures the influence of teachers' grade on their perceptions of maximum age for Form One admission.

Table 10

Influence of Teachers' Grade on their Perceptions about Students' Age Limit at Form One Admission

Grade	Perception								
	Disagree			Neutral			Agree		
	Number	%	Number	%	Number	%	Total	%	M
Diploma	16	94.1	1	5.8	-	0	17	16.2	1.70
Degree	44	80	4	7.3	7	12.7	55	52.4	1.95
<b>Total</b>	<b>60</b>	<b>83</b>	<b>5</b>	<b>6.9</b>	<b>7</b>	<b>9.7</b>	<b>72</b>	<b>68.8</b>	

Diploma grade teachers disagreed strongly with the proposal to limit admission age of Form Ones to 16 years (M = 1.70). Degree grade teachers disagreed weakly (M = 1.95). Teachers ought to disagree with the 16 years age limit of admission to Form one since the statement aims to deny learners their right to education. Eighty three percent (83%) of respondents disagreed while 9.7% agreed (all who agreed were of degree grade). A substantial number (31.4% of the sample) did not respond for unknown reasons.

Based on these results, the students' right to admission was not at risk of violation from the teachers who participated in the study. With the introduction of Free Primary Education, teachers at secondary level should be prepared to receive for admission students of varying age. Barring the admission of any student on the grounds of age is discriminatory and a violation of the students' right to education.

**4.12 Influence of Teachers' Grade on their Perceptions towards Students' Right to Freedom from Corporal Punishment**

Asked whether an alternative to corporal punishment should be introduced, diploma grade teachers were less in agreement (M = 3.90) with this view than the degree grade teachers (M = 4.05). Similarly, the views of diploma teachers sampled indicate that more of their group than those of the degree grade teachers wanted corporal punishment continued. Table 11 has the statistics showing their perceptions.

Table 11

Teachers' Perceptions on Corporal Punishment by Professional Grade

Grade	Perception								
	Disagree		Neutral		Agree		Total	%	M
	Number	%	Number	%	Number	%	Number	%	M
Diploma	4	23.5	1	5.9	12	71	17	16.2	3.50
Degree	14	25.5	12	21.8	29	52.7	55	52.4	3.32
<b>Total</b>	<b>18</b>	<b>25</b>	<b>13</b>	<b>18</b>	<b>41</b>	<b>74.5</b>	<b>72</b>	<b>68.6</b>	

Diploma grade teachers perceived the use of corporal punishment on students differently from the degree grade teachers. In spite of the ban on its use, diploma grade teachers favoured the application of corporal punishment (M = 3.50) more than the degree grade teachers (M = 3.32). Seventy one percent (71%) of the diploma grade teachers expressed agreement with continued use of corporal punishment as compared to 52.7% of the degree grade teachers. A total of 56.9% of teacher respondents favoured the continued use of corporal punishment while 31% of those sampled failed to respond.

One reason for this might have been a greater proportion of male teachers in the diploma grade group than in the degree grade group since female teachers were more opposed to corporal punishment than their male colleagues. It could also be that a greater proportion of the diploma grade teachers sampled were of between six and 12 years teaching experience (or of under 34 years of age) because such teachers favoured the application of corporal punishment (See Table 12). Being keen to apply corporal punishment on students is being keen to violate their right to freedom from physical corporal punishment. The differences may not be major but the implication is that during and after training, teachers should be sufficiently sensitized about this students' right for them to respect it.

An interesting pattern of perceptions towards continued use of corporal punishment is brought out in Table 12. According to this table, teachers of different years of teaching experience have differing perceptions on the issue of corporal punishment.

Table 12

## Influence of Teaching Experience on Teachers' Perceptions about use of Corporal Punishment

Teaching (yrs)	Perception							
	Disagree		Neutral		Agree		Total	
	Number	%	Number	%	Number	%	Number	%
0-5	5	18.5	7	25.9	15	55.6	27	25.7
6-11	2	8.3	2	8.3	20	83.3	24	22.9
12-17	12	44.4	5	18.5	10	37	27	25.7
18-23	2	25	-	0	6	75	8	7.6
<b>Total</b>	<b>21</b>	<b>24.4</b>	<b>14</b>	<b>16.3</b>	<b>51</b>	<b>59.3</b>	<b>86</b>	<b>81.9</b>

Even though it was banned, 59% of respondents favoured the continued use of corporal punishment on students. Among those with 18-23 years of teaching experience, 75% of them favoured use of corporal punishment compared with 83.3% of those with six to 11 years' experience. Among those with five or less years of teaching experience, 55.6% favoured use corporal punishment. In order to determine if there existed significant association between teaching experience and recorded teachers' perceptions towards corporal punishment, the observed frequencies were used to determine the chi-square value. The calculated value ( $\chi^2 = 21.032$ ) is greater than the table value ( $\chi^2 = 17.535$ ) at 5% significance level, 8 degrees of freedom. Eighteen percent of those sampled failed to respond.

This result implies that chance factors alone could not account for the observed trend where more experienced teachers held unfavourable perceptions of corporal punishment while the less experienced perceived the continued application of corporal punishment favourably. There was significant association between a teachers' experience and their perception of corporal punishment ( $p = 0.007$ ,  $C = 0.4432$ ). The researcher expected teachers with different years of teaching experience to denounce use of corporal punishment. The findings show that less than 25% of respondents held the expected views. It appears that the longer the teaching experience, the lesser the teachers' tendency to apply corporal punishment. It is worth establishing whether

sampled teachers with six to 12 years of experience missed an aspect of training that influenced their perceptions on corporal punishment. Given those perceptions, the students' right to freedom from corporal punishment was at risk of violation.

It is the considered opinion of Dobson (1983) that canning, as a form of punishment should be stopped before a child attains 10 years of age. He advocates for alternative discipline that could include withholding privileges and use of influential motivators. The practice of linking students' behaviour with desirable or undesirable consequences in the hope that such connections will influence students' sufficiently resulting into their cooperation is probably the only other alternative since denial of privileges is considered a weak form of punishment for those older than 16 years.

Where restraint was not inculcated from childhood, gaining the cooperation and responsibility of a student requires appeal to reason and allegiances to school values and loyalty. This under lines the need for guidance and counselling for students since their backgrounds are varied. The need for counselling of students as opposed to administering corporal punishment on them is justifiable. Different individual students have different temperaments and need counseling for self-controll. Dobson (1983) recognizes that students' indiscipline may also be due to frustration, fatigue, illness, and rejection or as a reaction to family disharmony. Most of theses situations warrant counselling because it focuses on helping individuals (clients) to alter how they feel, think and act so as to live their lives more effectively (Jones, 1998).

High school students also undergo transition from childhood to adulthood. They need counselling as a way of helping them to handle the transition successfully. At this age, students are faced with the issues of conformity to peer groups and their academic grades could drop under unexplainable circumstances. Instead of teachers administering corporal punishment o such students, they could seek to guide students to understand what they undergo with a view to helping them to cope.

#### **4.13 Influence of Teachers' Grade on their Perceptions towards Students' Rights to Freedom from Psychological and Emotional Abuse**

None of the Teachers' Questionnaire items 6,7,11,15 and 16 yielded significant association between teachers' grade and their perceptions towards these students' rights. The combined mean perceptions on these items for the diploma grade teachers ( $M = 3.92$ ) were higher than for degree grade teachers ( $M = 3.90$ ). Given these perceptions, both groups of teachers were sufficiently in

agreement with aspects of these students' rights as expressed in the questionnaire. Respect of these rights shows that a teacher values, appreciates and is concerned about students as individuals. Most of these questionnaire items recorded high means indicating agreement with the statements concerned with these rights.

**4.14 Overall Influence of Teachers' Grade on their Perceptions towards Students' Rights**

Teachers' perceptions regarding prefects' selection and about allowing students participation in the making of school rules did not differ by grade. Variations in their perceptions were noted in respect of taking students' suggestions seriously as well as in allowing students to inquire into teachers' lateness or absence. On both issues, the diploma grade teachers' perceptions were more favourable than the degree grade teachers. Degree grade teachers were comparatively more flexible than diploma grade teachers on the issue of forced repetition as well as being more willing to let students query school expenditure. Diploma grade teachers' perceptions towards corporal punishment indicate greater inclination towards its continued use given the difference in mean perceptions was quite marked (diploma group M = 4.28 against degree grade group M =3.50).

**4.15 Influence of Teachers' Gender on their Perceptions towards Students' Right to Self expression**

Except questionnaire item 13, the other items 1,2 and 3 did not yield significant association between teachers' gender and their perceptions towards students' right to self-expression. The response frequencies of Table 13 were obtained regarding the statement whether to allow students to make suggestions towards school rules.

Table 13

The Influence of Teachers' Gender on their Perceptions towards Students' Right to Participation

Gender	Perceptions								M
	Disagree	%	Neutral	%	Agree	%	Total	%	
Male	9	22.5	-	0	31	77.5	40	38.1	3.68
Female	18	39.1	8	17.4	19	41.3	45	42.9	2.96
<b>Total</b>	<b>27</b>	<b>31.4</b>	<b>8</b>	<b>9.3</b>	<b>51</b>	<b>59.3</b>	<b>85</b>	<b>81</b>	

The mean perceptions (Male,  $M = 3.68$  – Agree and Female,  $M = 2.96$  – Neutral) imply that there were significant differences. The null hypothesis that there was no significant association between teachers' gender and their perceptions on this item could not be sustained. The test for association between teachers' gender and their perceptions towards student involvement in making school rules was significant ( $p = 0.001$ ). The observed frequencies were used to determine the chi-square value ( $\chi^2 = 13.633$ ), which was greater than the table value ( $\chi^2 = 5.991$ ) at a significance level of 5%, 2 degrees of freedom. The calculated coefficient of contingency is  $C = 0.3718$  suggesting association and not independence. The proportion of respondents that felt students could not make any suggestions to school rules was 31.4%. About 67% of these respondents were female teachers. Conversely, 62% of all those who favoured student involvement in the making of school rules were male. Twenty teachers comprising 19% of the sample failed to respond to this issue.

These results point to the fact that half the female teachers didn't expect students to be reasonable enough to meaningfully contribute to the making of school rules. Through participation, students have a chance to input their views which if incorporated may help to make obedience to such rules a collective responsibility. Female more than male teachers were twice as likely to deny students the chance to contribute to the making of school rules. Considering especially the age and developmental stages of the students for whom the school rules are meant, expecting them to stick by and to obey such rules was hard unless they were involved and their views included. The identity crisis, anxieties and questions that are characteristic of adolescence would require firm means to enforce the rules, which such adolescents disagree with. Denying students the chance to give their input is a violation of their right to participation.



**4.16 Influence of Teachers’ Gender on their Perceptions towards Students’ Right to Access Information**

Female teachers were less willing (M = 3.44) than male teachers (M = 3.70) to explain their lateness or absence. Table 14 shows the distribution of perceptions recorded.

Table 14

The Influence of Teachers’ Gender on their Perceptions of Students’ Right to Query their Absence or Lateness

**Perceptions**

Gender	Number Responding							Total	%	M
	Disagree	%	Neutral	%	Agree	%				
Male	8	20	4	10	28	70	40	48.2	3.70	
Female	10	23.3	7	16.3	26	60.5	43	51.8	3.44	
<b>Total</b>	<b>18</b>	<b>21.7</b>	<b>11</b>	<b>13.3</b>	<b>54</b>	<b>65.1</b>	<b>83</b>	<b>79</b>		

The majority of respondents (65.1%) were of the view that students are told of their lateness or absenteeism. The proportion of male teachers with this view was higher (70%) compared to 60.5% of the female respondents. There was no significant association between gender and teachers’ perceptions on this issue (p = 0.601)

As for students being allowed to access information relating to school expenditure, neither male nor female teachers viewed the suggestion favourably. Female teachers (M = 2.46) were more against the suggestion than male teachers (M = 2.65). The greater reluctance by female teachers could be a pointer to the fear that students may not reasonably handle explanations relating to school expenses. There need not be sensitive information that students cannot handle about school expenses. The overall mean perceptions on items 4 and 12 was however favourable (M = 3.59). It is possible the majority of sampled teachers perceived the students’ right to access to information favourably.

#### 4.17 Influence of Teachers' Gender on their Perceptions towards Students' Right to Education

Questionnaire item 5 was the only one concerned with this students' right. The mean perceptions by gender (male teachers M = 1.95 and female teachers M = 1.61) imply general disagreement with the suggestion to refuse Form One admission to all those aged 16years and over. Table 15 has details of teachers' perceptions towards this issue.

Table 15

Influence of Teachers' Gender on their Perceptions towards Students' Right to Education

#### Perceptions

Gender	Number Responding								M
	Disagree	%	Neutral	%	Agree	%	Total	%	
Male	33	82.5	0	0	7	17.5	40	38.1	1.95
Female	39	84.8	6	13	1	2.2	46	43.8	1.61
<b>Total</b>	<b>72</b>	<b>83.7</b>	<b>6</b>	<b>7.0</b>	<b>8</b>	<b>9.3</b>	<b>86</b>	<b>81.9</b>	

It would be expected of teachers to recommend based on marks (merit), the admission of Form One students irrespective of age. Eighty three percent (83%) of respondents concurred with this expectation by disagreeing with the proposed age limit of 16 years. This was the predominant view that enjoyed the favour of 82.5% and 84.8% male and female respondents respectively. However, the proportion of male respondents that did not mind the age limit was seven times as high as that of female respondents. The risk to violation of students' right to education by fixing age limit lay more with the male teachers though it was small as is clear from the table. The fact that 84% of respondents did not agree with the 16 years limit shows that the sampled teachers supported this students' right to education.

#### 4.18 Influence of Teachers' Gender on their Perceptions towards students' Right to Freedom from Corporal Punishment

Male teachers were more in agreement with the suggestion to continue administering corporal punishment on students who break school rules. This was clear from the mean perceptions (male  $M = 3.43$  and female  $M = 3.35$ ). The two groups of teachers however did not differ in perceptions by a big margin as is clear from table 16

Table 16

Influence of Teachers' Gender on their Perceptions towards Corporal Punishment

##### Perceptions

Gender	Number Responding								
	Disagree	%	Neutral	%	Agree	%	Total	%	M
Male	10	25	6	15	24	60	40	46.5	3.43
Female	11	23.9	8	17.4	27	58.7	46	53.5	3.35
<b>Total</b>	<b>21</b>	<b>24.4</b>	<b>14</b>	<b>16.3</b>	<b>51</b>	<b>59.3</b>	<b>86</b>	<b>81.9</b>	

Only 24.4% of respondents held that corporal punishment should not be continued. Over half (51%) of respondents wanted corporal punishment to continue. As for use of alternative punishment a bigger proportion of male teachers were in favour of the suggestion. The respective mean perceptions were  $M = 3.98$  and  $M = 3.93$ . There was no significant association between gender and teachers want alternative punishment, they contradicted themselves by expressing support for continuing use of corporal punishment

#### 4.19 Overall Influence of Teachers' Gender on their Perceptions of Students' Rights

Perceptions of male respondents were more favourable to students' rights in three areas; regarding students' input in the making of school rules, allowing students to query school expenditure and in letting students to inquire into teachers' lateness or absence. On these issues, male teachers' perceptions were characterized by higher means than those of female respondents. Female respondents had more favourable perceptions regarding continued application of corporal punishment and on the issue of 16 years being the age limit for Form One admission.

#### 4.20 Influence of Students' Gender on their Perceptions of Students' Right to Self expression

Student girls' perceptions on their right to self-expression were marked by high means on the four questionnaire items 1, 2, 3 and 13. The Overall mean perception was  $M = 4.01$  as compared with  $M = 3.70$  for boys. Boys also recorded mean perceptions higher than 3.0 on each of the questionnaire items 1, 3 and 13 except item 2. Students' perceptions towards their right to self-expression were associated with gender. Table 17 has details relating to responses to forced repetition of students.

Table 17

Influence of Students' Gender on their Perceptions of Forced Repetition  
Perception

Gender	Number Responding								M
	Disagree	%	Neutral	%	Agree	%	Total	%	
Boys	45	46.4	19	19.6	33	34	97	46.4	2.80
Girls	20	21.1	12	12.6	63	66.3	95	45.5	3.65
<b>Total</b>	<b>65</b>	<b>33.9</b>	<b>31</b>	<b>16.1</b>	<b>96</b>	<b>50</b>	<b>192</b>	<b>91.9</b>	

Fifty percent (50%) of respondents agreed that the decision to repeat any class be made by affected students, 34% disagreed and 16% were unsure. More boys than girls disagreed that students be left to take the decision to repeat any class. Whereas 66% of all those who wanted repetition decisions to be the students' were girls, 46.4% of the boys didn't think so. There was association between students' gender and their perceptions towards forced repetition ( $p = 0.000$ ,  $C = 0.2986$ ). The variation in perceptions of students was also apparent from their mean opinions. The mean for girls ( $M = 3.65$  - Agree) differed substantially from that of boys ( $M = 2.80$  - Neutral).

While the girls were so concerned about being required to repeat, the boys didn't seem to mind. The developmental effects that differentiate boys and girls could be responsible for this difference in perceptions. For girls, the means increase from  $M = 3.17$  at Form One to a peak of  $M = 3.44$  by Form Three before dropping to  $M = 2.91$  by Form Four. For some, getting to Form

Four was their only goal, an end in itself. These might have been students for whom the only option to forced repetition was dropping out of school. Olwenya (1996) found out in her study that forced repetition and wastage in the form of school dropouts was high among girls.

Between the years 15 to 18, self-identity issues of the young woman combined with the girls' wishes to attain adulthood militate against forced repetition. Forced repetition is probably perceived to be an inhibition to the much desired growth into an adult woman. As opposed to the girls' view of forced repetition, the boys' focus could be on career. If forced repetition could lead to a desired career, it was welcome to the boy. The boys' academic focus seemed to be beyond completing Form Four. In view of the consequences of forced repetition on students, they should be given a chance to choose whether to repeat. The information they need in order to make reasonable decisions should be given. This way forced repetitions will be minimized and willing repetition might have its desired purpose.

#### **4.21 Influence of Students' Gender on their Perceptions of Students' Right to Access Information**

Not much difference in boys' and girls' perceptions was discernible regarding information on the whereabouts of teachers and about information on school expenditure. The overall means for boys was  $M = 3.87$  while that for girls was  $M = 3.86$ . This implies the perceptions held by boys and girls are near identical with regard to the items presented. They are high means suggesting support for the specific statements of the questionnaire. Otherwise, there was no significant association between students' gender and their perception towards this students' right as tested in this study.

#### **4.22 Influence of Students' Gender on their Perceptions of Students' Right to Freedom from Corporal Punishment**

Boys and girls markedly differed in their perceptions on whether corporal punishment should continue to be applied with good reason. The girls' mean perceptions were lower than those for boys on both items 9 and 10. However, both groups had more positive perceptions regarding the need for an alternative to corporal punishment. Overall means on both items do indicate a significant difference (Boys mean  $M = 3.53$  and Girls mean  $M = 2.91$ ). Table 18 provides the results of analysis on whether corporal punishment could continue to be applied in schools.

Table 18

## The Influence of Students' Gender on their Perceptions of Corporal Punishment

Gender	Perception								
	Disagree		Neutral		Agree		Total	%	M
	Number	%	Number	%	Number	%			
Boys	20	20.8	12	12.5	64	66.7	96	45.9	3.54
Girls	57	63.3	11	12.2	22	24.4	90	43.1	2.38
<b>Total</b>	<b>77</b>	<b>41.4</b>	<b>23</b>	<b>12.4</b>	<b>86</b>	<b>46.2</b>	<b>186</b>	<b>89</b>	

The overall mean perceptions differed between boys ( $M = 3.54$  – Agree) and girls ( $M = 2.38$  – Disagree). The girls were more strongly opposed to corporal punishment (63%) compared to 20.8% of the boys. Since girls comprised the majority of respondents opposed to corporal punishment while boys comprised the majority of respondents who favoured use of corporal punishment (66.7%), gender was a significant determinant of students' perceptions towards corporal punishment. The measure of association between gender and students' perceptions towards corporal punishment ( $p = 0.000$ ,  $C = 0.4127$ ) is among the highest in this study.

As they try to come to terms with whom they really are (as young adults), adolescents project identities that reflect their belief rather than the reality. Peer pressure plays a big part in their perceptions. Psychological and physiological changes that mark this stage of development are responsible for a lot of their behaviour. Boys engaged in risky behaviour much more than girls during adolescence (Benjamin, 1995). Girls may have opposed corporal punishment because they were so self-conscious that they imagined everyone would notice if they were punished (imaginary audience egocentrism). Boys didn't mind it because it was a 'risk' or a 'challenge' for 'tough' people to experience. Of concern was the overall proportion of respondents (46.2%) who favoured the use of corporal punishment. Coupled with the fact that 59.3% of all teacher respondents supported use of corporal punishment, these two situations make it difficult for the government ban on corporal punishment to be upheld.

#### 4.23 Overall Influence of Students' Gender on their Perceptions of Students' Rights

Corporal punishment and forced repetition are the only two issues about which students' perceptions varied strongly by gender. Gender was significantly associated with students' perceptions about the application of corporal punishment ( $p = 0.000$ ,  $C = 0.4127$ ). Whereas girls did not favour the application of corporal punishment, two-thirds of the boys did not mind its continued application. Similarly, girls did not favour forced repetition unlike the boys who did not mind as much as the girls being forced to repeat.

#### 4.24 Influence of Students' Grade on their Perceptions towards Students' Right to Freedom from Corporal Punishment

Mean perceptions varied by students' grade such that the suggestion to continue corporal punishment enjoyed least support between Form Two and Form Three. However, the use of an alternative form of punishment found favour with students of all grades though weakly by Form Three respondents. Table 19 shows the rest of the distribution of students' perceptions.

Table 19

Influence of Student's Grade on their Perceptions towards Corporal Punishment

#### Perceptions

Level	Number Responding						Total	%	M
	Disagree	%	Neutral	%	Agree	%			
Form One	9	24.3	4	10.8	24	64.9	37	17.7	3.46
Form Two	28	53.8	9	17.3	15	28.8	52	24.9	2.53
Form Three	25	49	3	5.9	23	45.1	51	24.4	2.74
Form Four	16	33.3	7	14.6	25	52.1	48	23	3.17
<b>Total</b>	<b>78</b>	<b>41.5</b>	<b>23</b>	<b>12.2</b>	<b>87</b>	<b>46.3</b>	<b>188</b>	<b>90</b>	

Unlike expected, students' perceptions towards corporal punishment varied a lot as the results of Table 19 show. Except at Form One, mean perceptions increase between Form Two ( $M = 2.53$ ) and Form Four ( $M = 3.17$ ). Perceptions in favour of corporal punishment gained with progression among classes. Across the classes, Form Ones were most receptive to corporal punishment. The Form Ones and Form Fours together were responsible for 56% of all those

respondents who supported use of corporal punishment while 67% of those opposed to corporal punishment were the group of Form Twos and Form Threes together. The perceptions Form Ones held were inconsistent with those of students in higher classes and probably were not based on the reality of corporal physical punishment at secondary but at primary school. The reason Form Ones favoured corporal punishment might be the fact they had left primary school most recently. At their tender age it was possible their parents continued to administer such punishments on them and they saw no reason why schools couldn't apply similar punishment.

By Form Two, students seemed to have shaded this mentality since 64% of Form Ones were in favour of corporal punishment compared with 28% of the Form Twos. Not aware of these perceptual differences many teachers continue to administer the cane on Form Ones and Form Twos treating both groups of students equally. At Form Three there was a shift towards support for corporal punishment with 45% of the students in favour. This grew to 52% in favour of corporal punishment among Form Fours. This could be because of students maturing and shedding fears about how stigmatizing corporal punishment is. It is accepted and perceived as necessary.

Perceptions towards corporal punishment were inconsistent and erratic. Given 56.9% of teacher respondents favoured the use of corporal punishment (Table 11), students' confusion and mixed perceptions on this issue could easily be exploited by some of their teachers with the result their students' right to freedom from corporal punishment is violated. A number of factors could be responsible for the variable perceptions across the classes. They include the sex ratio in individual classes, the exact ages of on-set of adolescence and coping behaviour among members of a class. Class culture as a function of peer influence could also affect perceptions towards acceptability of corporal punishment.



## CHAPTER FIVE

### SUMMARY, CONCLUSION AND RECOMMENDATIONS

#### 5.1 Introduction

Chapter Five presents the summary, conclusion and recommendations. The summary has been presented in order of objectives of the study. The conclusion has been first presented in an overall way and further as broken down individual aspects of observation from the summary. The recommendations presented may not be exhaustive but the researcher expects that if implemented, they will positively address the outlined problem of the study as stated.

#### 5.2 Summary

- a. Teachers of democratic backgrounds valued students more highly and were more receptive towards student inquiries into their absence or lateness. They were slow or cautious towards demanding that students repeat classes. They were more liberal and capable of trusting their students to decide reasonably without forcing them to repeat.
- b. From democratic and non-democratic backgrounds, teachers perceived that the value of a student was not limited to his or her academic ability.
- c. From the democratic and non-democratic backgrounds, teachers were uncomfortable with the right of students to want to know why their teachers were unavailable.
- d. Diploma grade teachers were found to be less compromising to students with regard to forced repetition.
- e. Diploma grade teachers were more inclined to apply corporal punishment than degree grade teachers.
- f. Diploma grade teachers were found to have more favourable perceptions on allowing access to information on school expenditure.
- g. No difference was noted between teachers of both grades with respect to highly valuing students irrespective of academic performance.
- h. More male teachers favoured the involvement of students in the making of school rules than female teachers. Whereas the male teachers' views on this issue seemed unanimous, the female teachers' views were divided in the middle (41% - Agree, 39% - Disagree). Male teachers also had more favourable perceptions towards

inquiries into teachers' lateness or absence as well as on the matter of school expenditure. The perceptions of female teachers were better on corporal punishment and on 16 years as the age limit for Form One admission.

- i. Irrespective of gender, the period 6- 12 years of a teacher's experience (among teachers of up to 34 years of age) were marked by strong perceptions in favour of the application of corporal punishment. Teachers' perceptions favouring use of corporal punishment bore an inverse relationship to teachers' experience.
- j. Majority girls, 63% of respondents (age 16 – 18) did not favour continued application of corporal punishment. Two – thirds of respondent boys (67%) did not mind the continued application of corporal punishment.
- k. While girls did not take forced repetition lightly, 46% of respondent boys couldn't mind repeating. Majority girls (66% of respondents) favoured taking the repetition decision themselves.
- l. Form Ones and Form Fours were found to be more receptive to continued application of corporal punishment while Form Twos and Form Threes were opposed to corporal punishment.

### **5.3 Conclusion**

Students' perceptions towards students' right to self-expression were marked by higher means and percentages than means corresponding to teachers' perceptions. The grouped overall teachers' mean on this right is  $M = 3.16$  while the corresponding students' mean is  $M = 3.84$ . The teachers' mean represents a neutral position, indecision, doubt or reluctance towards this students' right. On the contrary, the students' mean indicates a desire to have this right enhanced, respected and upheld. The students' position represents agreement with aspects of the right to self expression as contained in the four items 1, 2, 3 and 13 to a greater extent than the teachers' position.

Teachers' perceptions as overall means were also lower than the students' means on students' right to access information. Teachers' perceptions point to a form of unease that rendered them incapable of expressing their unrestrained support for these students' rights in spite of being better informed than the students. It follows that the sampled teachers were unlikely to respect this students' right given that for some unknown reasons they probably considered the right delicate or sensitive.

The teachers' and students' perceptions were both favourable and not much different on the issue of students' right to education. Teachers were the better advocates of the students' right since their overall mean was higher than that for students. The students' right to education was not the most at risk of violation in relation to the other rights of this study given 84% of respondent teachers were in its favour.

It appears teachers take corporal punishment to be fundamental to the control of student behaviour. Since a smaller proportion of students than teachers (46% compared to 60%) favoured the use of corporal punishment, the students' desire to see an alternative to corporal punishment is a better perception than that of the teachers. Even when alternatives are prescribed, it seems corporal punishment may continue to be used alongside the alternatives because for many teachers, corporal punishment seems the punishment of choice. The perceptions encountered in this study favour the application of corporal punishment in a significant way.

Both students and teachers were largely in agreement with aspects of the students' individual right to freedom from emotional and psychological abuse as were captured in this study. Therefore, this particular right seems to enjoy notable respect among both teachers and students sampled.

The following specific observations relating to results of the entire study have also been noted.

- a. Teachers who were socialized in democratic backgrounds exhibited qualities similar to those listed under McGregor's theory Y. They respect and aspire to nurture the student. These attributes promote students' rights.
- b. Teachers seemed to have a negative perception about students' honest quest to understand their teachers' inability to turn up in class to teach. Teachers take lightly the troubles and efforts of the student to make it to class for lessons if they do not even wish to explain what caused their lateness or absence.
- c. Teacher training did not seem to have helped create sufficient awareness nor sensitivity towards individual rights among trained teachers.
- d. Female teachers were found to be interested in allowing their students participation in making school rules to a lesser extent than male teachers. The threat of violation of students' right to freedom from corporal punishment was real. Such a violation was most likely to occur in schools where the male to female teacher ratio was high, the mean teachers' age was low and the boys-to-girls ratio was high.

- e. Individual students were capable of arriving at an accurate assessment of their likelihood to improve if they repeated a class. Yet it was clear that some teachers thought they could have the last word on repetition.
- f. Students of different academic levels had differing views that reflected unsteady perceptions regarding application of corporal punishment.

#### **5.4 Recommendations**

- a. Parents and teachers should aim to provide democratic climates in homes and schools because these will nurture the promotion, protection and respect of individual rights.
- b. Teachers need to appreciate material inequalities among their students and to be patient with those whose performance may be wanting. This is because performance depends on factors, many of them beyond the students' ability to ensure. Parents should be encouraged to make necessary provisions to facilitate their children's improved performance.
- c. To the extent the students have spent time, money and left other duties to come to school, the absent or late teacher owes them an explanation. Education managers need to impress it upon teachers to appreciate this right of the student to be kept informed and to be free to ask for information.
- d. Teacher training institutions can include content on students' rights in their teaching curriculum. This could be taught at college level to teachers of all school cycles (Nursery to Universities). Further, such courses can be core courses for all students.
- e. Where students have been involved in making suggestions to school rules, students understand the basis for the rules and are expected to operate within the rules more easily. Teachers are encouraged to try that they can make the necessary policy changes.

To lessen the risk of violation of the students' right to freedom from corporal punishment the following can be tried:

- i. Avoid appointing to Headship teachers with less than 12 years teaching experience and who are less than 34 years of age. The likelihood is that they favour the use of corporal punishment and may set the example for other teachers.
- ii. Have a policy on teacher balancing (through transfers) and posting that does not down play the ratio of male to female teachers in schools.

- iii. Seminars and other in-service training aimed at addressing the continued application of corporal punishment should mostly target teachers with up to 12 years of teaching experience as well as those below 35 years of age.
- iv. Single sex schools should be headed by teachers in their middle age or older (in any case not younger than 35 years).
- v. The policy of admission to mixed schools should be geared towards having more girls than boys since boys have the tendency to tolerate corporal physical punishment.
- vi. Stipulate penalties for teachers who apply corporal punishment that are more immediate and harsher.
- vii. The Ministry of Education Science and Technology (MOEST) should clearly spell out alternatives to corporal physical punishments that are efficient to administer and that are effective in habit control.
- viii. Corporal physical punishments should be stopped in homes just as in schools. Hence parents need to be educated on the alternatives to corporal punishments.
- ix. Student boys need to be de-schooled about their perceptions of physical corporal punishments. Dehumanizing as it may be, some find it a “challenge” worth going through.
- x. Teachers who are inclined to resort to corporal physical punishment need psychological counseling as much as the students who require to be punished to be controlled.
- xi. Make the punishment decision a committee decision where necessary.

To minimize forced repetition, the following can be done:

- i. Enforce the MOEST requirement that bars school authorities from forcing unwilling students to repeat classes.
- ii. Slow learners be given remedial teaching instead of forcing them to repeat.
- iii. Provide psychological counselling to slow learners and their parents so that whatever decisions are taken about repeating are taken willingly and from a point of information. Further, counseling should aim to provide coping and study skills especially to the student who repeats a class. Counselling also should be undertaken with a view to averting any intention by the student to drop out of school.

Unsteady student perceptions on the issue of whether application of corporal punishment should continue may be solved most effectively by enforceable ministerial guidelines. The Ministry of Education can specify the composition of punishment committees and spell out expectations from the parents and guardians of students who are given corporal punishment. However, school managers and teachers will require prior preparation through management seminars and workshops before implementing these changes.

Schools and colleges can consider starting human rights clubs since such clubs will help create more awareness and sensitivity on the part of students to their' rights.

### **5.5 Suggestions for Further Research**

1. A study to establish the effectiveness of the human rights education undertaken at Teacher Training Colleges (TTCs) and university faculties of education.
2. Research to establish factors that divide secondary school boys' and girls' perceptions about corporal punishment.
3. Factors that render teachers non-committal on aspects of students' right to expression.

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**APPENDIX A**  
**Teachers' Questionnaire**

**Instructions:** this questionnaire has two sections, Section **A** deals with personal profile while Section **B** seeks your views on student's rights. You are requested to respond to all issues raised with the assurance that your responses will be treated with confidence. Please do not include your name anywhere on this questionnaire. For purposes of this study, 'parents' should be taken to include guardians.

**Section A.** Please tick or circle appropriately and write down your response in the space provided after specific statements.

**Personal Data**

1. Your age in years \_\_\_\_\_ Teaching experience \_\_\_\_\_ Your sex \_\_\_\_\_
2. Indicate your highest professional qualification by circling;  
Dip.Ed B.Ed Med Bsc&PGDE BA&PGDE
3. **Which** of your parents or guardian exercised more control over you?  
Both/Mother/Father/Other  
If other, specify \_\_\_\_\_
4. Which means of behaviour control did your parents use often on you?
  - a) Strict moral standards, and verbal admonition
  - b) Severe physical punishment
  - c) No clear means, but punished severely occasionally
5. Indicate the **usual** or **likely** response from your parents whenever they would be annoyed with you. The would
  - a) Ignored you
  - b) Would delay response
  - c) Respond unemotionally
  - d) Explode instantly
6. How do your parents give towards your **expressed needs** when they could afford?
  - a) Always Generously
  - b) Gave enough if need was justified
  - c) Rarely gave enough
  - d) Never gave enough

7. Which of the following **nearly** or **exactly** describes the relationship between your parents and you as a young person.
- a) Warm and affective
  - b) Cold and caring
  - c) Official, detached
  - d) Other (specify).....
8. How **controlling** were your parents about your dressing and taste for fashion.
- a) Didn't bother
  - b) Rarely interfered
  - c) Were Flexible
  - d) Styles were strictly prescribed
9. How **interested** in your personal plans and friends were your parents?
- a) Disinterested
  - b) Rarely interested
  - c) Interested
  - d) Very interested
10. To what extent do you credit your parents with your success in life because they encouraged you while you were young?
- a) Nil
  - b) 25%
  - c) 50%
  - d) More than 75%
11. As a young person under the care of your parents, how easy was it for you to obtain the following for your information and entertainment? Use the key:  
Impossible (**1**), relatively easy (**RE**), very easy (**VE**).

Radio	1	RE	VE
T.V	1	RE	VE
Newspaper	1	RE	VE

### Your Opinion on Student's Rights

**Section B:** Following are statements which could indicate your opinion on issues under study. Your opinion on each statement could be one of the following:

**Strongly Disagree (SD), Disagree (D), Neutral (N), Agree (A) and Strongly Agree (SA)**

Indicate your opinion by circling the appropriate abbreviation for each statement and give reasons where possible.

- |   |              |
|---|--------------|
| 1. Students should elect their prefects   | SD D N A S A |
| 2. The decision to repeat any class should be the students'   | SD D N A S A |
| 3. Students suggestions dropped in the students' suggestion box should be taken<br>Seriously and acted upon by teachers.      | SD D N A S A |
| 4. Students should be free to inquire from their teacher the reason for the<br>teacher's absence or lateness for a lesson     | SD D N A S A |
| 5. Those older than 16 years should not be admitted to Form Ones  | SD D N A S A |
| 6. Teachers should value all students irrespective of differences in their<br>Academic performance                            | SD D N A S A |
| 7. Physically challenged students should be accorded special treatment  | SD D N A S A |
| 8. Once students are circumcised or initiated, they should be treated as adults and<br>no longer as children                  | SD D N A S A |
| 9. With good reason, teachers should continue to apply corporal punishment<br>even though it is banned                        | SD D N A S A |
| 10. An effective alternative to the cane should be found and used in schools  | SD D N A S A |
| 11. Teachers should apply other forms of punishment to avoid verbally<br>abusing students.                                    | SD D N A S A |
| 12. Students should be allowed to question school expenditure   | SD D N A S A |
| 13. Students should make suggestions regarding school rules   | SD D N A S A |
| 14. Instead of electing current students to sit on the PTA or BOG,<br>Old Boys or Girls should be appointed                   | SD D N A S A |
| 15. It should be compulsory and routine to screen all student girls<br>for pregnancy  | SD D N A S A |
| 16. Student pregnancies and abortions should be discouraged by<br>making cases of affected students known to the whole school | SD D N A S A |

**APPENDIX B**  
**Student's Questionnaire**

**Instructions:** This questionnaire has two sections **A** and **B**

**Section A:** Is about your personal details

**Section B:** Has statements about which your opinion is required. Do not write your name anywhere on this paper.

**Section A**

1. Indicate your age \_\_\_\_\_ sex \_\_\_\_\_ form \_\_\_\_\_

**Section B:** In this section your opinion is required. Your position on given statements could be one of the following: Strongly Disagree (**SD**), Disagree (**D**), Neutral (**N**), Agree (**A**) or Strongly Agree (**SA**). Circle the appropriate abbreviation for each statement.

- |   |             |
|---|-------------|
| 1. Students should elect their prefects   | SD D N A SA |
| 2. The decision to repeat any class should be made by the affected students   | SD D N A SA |
| 3. Students' suggestions dropped in the students' suggestion box should be taken seriously and acted upon                 | SD D N A SA |
| 4. Students should be free to ask for explanation when a teacher fails to turn up or arrives late for class.              | SD D N A SA |
| 5. The age limit for admission to Form I should be 16 years.  | SD D N A SA |
| 6. Teachers should value all students all the time no matter the students' academic performance                           | SD D N A SA |
| 7. Disabled students should be given special treatment by teachers  | SD D N A SA |
| 8. Once circumcised or initiated, students should be treated as grown-ups by their teachers. They are no longer children. | SD D N A SA |
| 9. With good reasons, teachers should be allowed to cane students for offences under certain circumstances.               | SD D N A SA |

- |  |             |
|--|-------------|
| 10. An alternative to the use of the cane in school should be found and used                             | SD D N A SA |
| 11. Teachers should apply some other punishment instead of verbally abusing students                     | SD D N A SA |
| 12. Students should be allowed to query school expenditure.  | SD D N ASA  |
| 13. Students should make suggestions regarding school rules  | SD D N A SA |
| 14. Instead of electing current students to sit on the PTA or BOG, Old boys or girls should be appointed | SD D N A SA |
| 15. It should be compulsory and routine to screen all student girls for pregnancy.                       | SD D N A SA |

APPENDIX C

**ELDORET MUNICIPAL COUNCIL**  
(EDUCATION DEPARTMENT)

TELEPHONE: 053-32601-6

REF: EMC/ED/



TOWN HALL,  
P.O. BOX 40,  
EL DORET.

28th July, 2006

TO WHOM IT MAY CONCERN

This is to allow Mr. Fred Matifari to conduct a research in all the Secondary Schools within and Outside the Municipality. The Schools should be in Uasin Gishu District.

Any assistance given to him will be highly appreciated. The research will be based on Factors influencing teachers and students perceptions of individual rights of students in Public Secondary Schools in Eldoret Municipality.

A handwritten signature in black ink, appearing to read 'John A. K. Mutia', written over a horizontal line.

**FOR MUNICIPAL EDUCATION OFFICER**  
John A. K. Mutia P. O. Box 40 ELDORET  
DEPUTY MUNICIPAL EDUCATION OFFICER.  
FOR: MUNICIPAL EDUCATION OFFICER.

**APPENDIX D**  
**LEGAL NOTICE NO. 56**  
**THE EDUCATION ACT**

*(Cap. 211)*

IN EXERCISE of the powers conferred by section 37 of the Education Act, the Minister for Education, makes the following Regulations: -

**THE EDUCATION (SCHOOL DISCIPLINE) (AMENDMENT) REGULATIONS, 2001**

1. These Regulations may be cited as the Education (School Discipline) Regulations, 2001.
2. The education (School Discipline) Regulations in these Regulations called the “principal Regulations” are amended in paragraph 4(2)
  - (a) By deleting the words, “Provincial Education Officer” and inserting the words, “Provincial Director of Education”
  - (b) By inserting the words “other than corporal punishment” after the word “punishment”
3. Paragraph 7 of the Principal Regulations is amended in sub paragraph (2) by deleting the words “Provincial Education Officer” and inserting the words “Provincial Director of Education”.
4. Paragraph 10 of the principal regulations is amended by inserting the words “other than corporal punishment” after the word “punishment”.
5. The principal regulations are amended by deleting paragraphs 11, 12, 13 and 14.

Dated the 13<sup>th</sup> March 2001.

**S.K. MUSYOKA**  
*Minister for Education.*



**APPENDIX E**  
**Kenya Gazette Supplement No. 95 (Acts. No. 8)**  
**KENYA GAZETTE SUPPLIMENT**  
**ACTS, 2001**  
**The Children Act, 2001**

AN ACT of parliament to make provision for parental responsibility, fostering, adoption, custody, maintenance, guardianship, care and protection of children; to make provision for the administration of children's institutions; to give effect to the principles of the Convention on the rights of the Child and the African Charter on the Rights and Welfare of the Child and for connected purposes.

**ENACTED by the Parliament of Kenya as follows: -**

**PART 1 – PRELIMINARY**

**Short title and**

*Commencement*

1. This Act may be cited as the Children Act, 2001 and shall come into operation on such date as the Minister may, by notice in the Gazette, appointed for different provisions.
2. In this Act, unless the context otherwise requires – “Adoption Committee” means an adoption order under section 154 vesting the parental rights and duties relating to a child in the adopter; “Adoption society” means a society approved by the Adoption Committee under section 177; “Age” where actual age is not known means apparent age; “Appointed local authority,” means a local authority appointed under section 41.

“Approved officer” means a person appointed under section 38; “Area Advisory Council” means a police officer, an administrative officer, a children’s officer, an approved officer, a chief appointed under the Chief’s Act, a labour officer or any other officer authorised by the Director for the Purposes of this Act; “body of persons” means any body of persons whether incorporate or unincorporated; “borstal institution” means a bortal institution established b section 3 of the Borstal Institutions Act.

“Child” means any human being under the age of eighteen years;

“Child abuse” includes physical, sexual, psychological and mental injury;

“Child of tender years” means a child under the age of ten years;

“children’s remand home” means a remand home established under section 50 for the detention of children;

“Council” means the National Council for Children’s services established by section 30;

“Director” means the Director of Children’s Services appointed under section 37;

“disabled child” means a child suffering from a physical or mental handicap which necessitates special care for the child;

“early marriage” means marriage or cohabitation with a child or any arrangement made for such marriage or cohabitation;

“education” means the giving of intellectual , moral, spiritual instruction or other training of a child;

“female circumcision” means the cutting and removal of part or all of the female genitalia and includes of practices of clitoridectomy, excision, infibulation or other practice involving the removal of part, or of the entire clitoris or labia minora of a female person

“foster parent” means a parent registered under this Act to receive and retain a child for the purpose of caring for and maintaining the child apart from the child’s parent’s, guardian or relative

“foster care placement” means the placement of a child with a person who is not the child’s parent, relative or guardian who is willing to undertake the care and maintenance of that child;

“guardian” in relation to a child includes any person who in the opinion of the court has charge for control of the child;

“home” in relation to a child means a place where the child’s parent, guardian , relative or foster parent permanently resides, or if there is no parent, guardian or relative living and the child has no foster parent, the child’s parent’s or guardian’s or relative’s last permanent residence:

**PROVIDED THAT –**

**A.**

- i. In the case of a parent, guardian or relative having, or having had more than one permanent place of residence, the parent, guardian or relative shall be presumed to be or to have been permanently resident at the place of such person’s principal permanent residence; and
- ii. Where the court is unable to determine the home of any child, the child shall be deemed for the purposes of this Act to have his home in the area of jurisdiction of the local authority in whose area he is found;

**B.** In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

**C.** All judicial and administrative institutions, and all persons acting in the name of these institutions, where they are exercising any powers conferred by this Act shall treat the

interests of the child as the first and paramount consideration to the extent that this is consistent with adopting a course of action calculated to:-

- a. Safeguard and promote the rights and welfare of the child;
- b. Conserve and promote the welfare of the child;
- c. Secure for the child such guidance and correction as is necessary for the welfare of the child and in the public interest.

**D.** In any matters of procedure affecting a child, the child shall be accorded an opportunity to express his opinion, and that opinion shall be taken into account, as may be appropriate taking into account the child's age and the degree of maturity.

**E.** No child shall be subjected to discrimination on the ground of origin, sex, religion, creed, custom, language, opinion, conscience, colour, birth, social, political, economic or other status, race, disability, tribe, residence or local connection.

**F.**

- i. A child shall have a right to live with and to be cared for by his parents
- ii. Subject to subsection (1) where the court or the Director determines in accordance with the law that it is in the best interests of the child to separate him from his parent, the best alternative care available shall be provided for the child.
- iii. Where a child is separated from his family without the leave of the court, the Government shall provide assistance for reunification of the child with his family.

**G.**

- i. Every child shall be entitled to education the provision of which shall be the responsibility of the Government and the parents.
- ii. Every child shall be entitled to free basic education which shall be compulsory in accordance with Article 28 of the United Nations Convention on the Rights of the Child.

**H.**

- i. Every child shall have a right to religious education subject to appropriate parental guidance.
- ii. The Minister shall make regulations giving effect to the rights of children from minority communities to give fulfillment to their culture and to practice their own language or religion.

**I.** Every child shall have a right to health and medical care the provision of which shall be the responsibility of the parents and the Government.

- i. Every child shall be protected from economic exploitation and any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
- ii. No child shall take part in hostilities or be recruited in armed conflicts, and where armed conflict occurs, respect for and protection and care of children shall be maintained in accordance with the law.
- iii. It shall be the responsibility of the Government to provide protection,
- iv. Rehabilitation care, recovery and re-integration into normal social life for any child who may become a victim of armed conflict or natural disaster.
- v. The Minister shall make regulations in respect of periods of work and 'legitimate establishments for such work by children above the age of sixteen years.
- vi. In this Act child labour refers to any situation where a child provides labour in exchange for payment and includes:-
  - a. Any situation where a child provides labour as an assistant to another person and his labour is deemed to be the labour of that other person for the purpose of payment;
  - b. any situation where a child's labour is used for gain by any individual or institution whether or not the child benefits directly or indirectly; and
  - c. any situation where there is in existence a contract for services is a child whether the person using the services does so directly or by agent.
- J.** Every child shall have a right to a name and nationality and where a child is deprived of his identity the Government shall provide appropriate assistance and protection, with a view to establishing his identity.
- K.** A disabled child shall have the right to be treated with dignity, and to be accorded appropriate medical treatment, special care, education and training free of charge or at a reduced cost whenever possible.
  - i. A child shall be entitled to protection from physical and psychological abuse, neglect and any other form of exploitation including sale, trafficking or abduction by any person.
  - ii. Any child who becomes the victim of abuse, in the terms of subsection (1), shall be accorded appropriate treatment and rehabilitation in accordance with such regulations as the minister may make.
- L.** No person shall subject a child to female circumcision, early marriage or other cultural rites, customs or traditional practices that are likely to negatively affect the child's life, health, social welfare, dignity or physical or psychological development.

- M.** A child shall be protected from sexual exploitation and use in prostitution, inducement or coercion to engage in any sexual activity, and exposure to obscene materials.
- N.** Every child shall be entitled to protection from the use of hallucinogens, narcotics alcohol, tobacco products or psychotropic drugs and any other drugs that may be declared harmful by the Minister responsible for health and from being involved in their production trafficking or distribution.
- O.** A child shall be entitled to leisure, play and participation in cultural and artistic activities.
- i. No child shall be subjected to torture, cruel treatment or punishment,
  - ii. unlawful arrests or deprivation of liberty.
  - iii. Notwithstanding the provisions of any other law, no child shall be subjected to capital punishment or to life imprisonment.
  - iv. A child offender shall be separated from adults in custody.
  - v. A child who is arrested and detained shall be accorded legal and other assistance by the Government as well as contact with his family.
- P.** Every child shall have the right to privacy subject to parental guidance.
- Q.** Notwithstanding penalties contained in any other law, where any person willfully or as is consequence of culpable negligence infringes any of the rights of a child as specified in sections 5 to 19 such person shall be liable upon summary conviction to a term of imprisonment not exceeding fifty thousand shillings or to both such imprisonment and fine.
- R.** In the application of the provisions of this Act, and in any matter before a court of law concerning any child, due regard shall be had to the duties and responsibilities of a child to:-
- i. work for the cohesion of the family;
  - ii. respect his parents, superiors and elders at all times and assist them in case of need;
  - iii. serve his national community by placing his physical and intellectual abilities at its service;
  - iv. preserve and strengthen social and national solidarity; and
  - v. preserve and strengthen the positive cultural values of his community in his relations with other members of that community:
- provided that in reckoning the requisite duty and responsibility of any individual child, due regard shall also be had to the age and ability of such child and to such limitations as are contained in this Act.

S.

- i. Subject to subsection (2)
- ii. if any person alleges that any of the provisions of sections 4 to 19 (inclusive) has been, is being or is likely to be

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