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REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY

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TWELFTH PARLIAMENT – THIRD SESSION 2019

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DEPARTMENTAL COMMITTEE ON EDUCATION AND RESEARCH

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REPORT ON THE INQUIRY INTO THE WAVE OF STUDENTS'  
UNREST IN SECONDARY SCHOOL IN KENYA IN TERM II, 2018

Directorate of Committee Services  
Clerk's Chambers  
National Assembly  
NAIROBI

JULY, 2019

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## CHAIRMAN'S FOREWARD

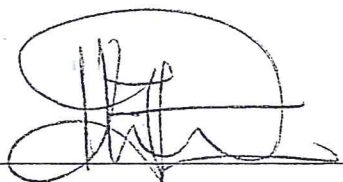
Education and training is critical in promoting political, social and economic development of any country.<sup>1</sup> Thus, the Human capital investment in the form of education is a major tool for sustainable development.

It is against this backdrop that the Government is committed to the provision of quality education to learners. To date, Kenya has made significant strides in access to education following the implementation of Free Primary Education in 2003 and free day Secondary Education in 2008. The enrolment in primary school increased from 6.1 million in 2002<sup>2</sup> to 10.3 million in 2016.<sup>3</sup> The enrolment in secondary school increased from 934,149 in 2005<sup>4</sup> to 2.7 million in 2016<sup>5</sup>.

In spite of the milestones achieved in the Education Sector, cases of student unrest in Kenya have become an unfortunate phenomenon witnessed in the country annually, mostly during the second term. In July 2018, the country experienced another unprecedented wave of arson (63 cases), walkout (23 cases), sit-ins (8), breakdowns (14 cases) in public secondary schools. The students' unrest pose a serious threat to the educational system and to the nation at large. They result in destruction of property, loss of learning time, and psychological effects to staff and students. All these translate to low achievement in learning outcomes hence affecting the quality of education provided.

In view of the July 2018 wave of unrest the committee resolved to conduct an inquiry to establish the underlying causes of students unrest and the necessary measures that can be implemented to stem out the culture of unrest in secondary schools. To achieve the objectives' the committee invited a number of stakeholders to make submissions regarding the unrest. They include Cabinet Secretary Ministry of Education, Cabinet Secretary Ministry of Interior, Teachers Service Commission, Kenya National Union of Teachers, National Parents Association and Chairperson Kenya Secondary School Heads Association whose observations and recommendations are key in this report.

SIGNED



DATE

27/06/2019

HON. JULIUS MELLY, MP

CHAIRPERSON – COMMITTEE ON EDUCATION AND RESEARCH

<sup>1</sup>Basic education sector analysis report, Japan International Cooperation Agency (Jica) International Development Center Of Japan Inc. (Idcj), 2012

<sup>2</sup> Kenya national Bureau of Statistics, Economic Survey, 2005

<sup>3</sup> Kenya national Bureau of Statistics, Economic Survey, 2017

<sup>4</sup> Ibid 3

<sup>5</sup> Ibid 4

## CHAPTER ONE

### 1.0 PREFACE

#### 1.1 Mandate of the Committee

The Departmental Committee on Education and Research is established under the National Assembly Standing Order 216.

The Committee is mandated, among others, to: -

- (i) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
- (ii) study the programmes and policy objectives of Ministries and departments and the effectiveness of the implementation;
- (iii) study and review all legislation referred to it;
- (iv) study, assess and analyze the relative success of the Ministries and Departments as measured by the results obtained as compared with their stated objectives;
- (v) investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;
- (vi) vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (*Committee on Appointments*);
- (vii) examine treaties, agreements and conventions;
- (viii) make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
- (ix) consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
- (x) examine any questions raised by Members on a matter within its mandate.

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#### 1.2 Committee subjects

The Committee is mandated to consider the following subject Education, Training and Research.

#### 1.3 Oversight

The Committee oversees The Ministry of Education and its Agencies and the Teachers Service Commission.

#### **1.4 Committee Membership**

The Committee comprises of the following Members: -

1. Hon. Julius Melly, MP - Chairperson
2. Hon. Amos Kimunya, EGH, MP - Vice-Chairperson
3. Hon. Moses Malulu Injendi, MP
4. Hon. Geoffrey Makokha Odanga, MP
5. Hon. (Dr.) Pamela Ochieng, MP
6. Hon. (Eng.) Nzambia Thuddeus Kithua, MP
7. Hon. (Prof.) Zadoc Abel Ogutu, MP
8. Hon. Catherine Wambilyanga, MP
9. Hon. Eric Muchangi Njiru, MP
10. Hon. Eve Obara, MBS, MP
11. Hon. Jackson Lekumontare, MP
12. Hon. Jerusha Mongina Momanyi,
13. Hon. John Oroo Oyioka, MP
14. Hon. Joseph Kipkosgei Tonui, MP
15. Hon. Lilian Cheptoo Tomitom, MP
16. Hon. Omboko Milemba, MP
17. Hon. Peter Lochakapong, MP
18. Hon. Wilson Sossion, MP
19. Hon. Wilson Kipngetich Kogo, MP

#### **1.5 Committee Secretariat**

The Committee secretariat comprise the following officers:

1. Mr. Daniel Mutunga - Principal Clerk Assistant I
2. Mr. Philip Lekarkar - Clerk Assistant III
3. Mr. Eric Kanyi - Fiscal Analyst
4. Ms. Annceta Gacheri - Research Officer
5. Ms. Emma Esendi - Legal Counsel
6. Mr. Nimrod Ochieng - Audio Officer
7. Ms. Catherine Mukunyi - Serjeant At Arms
8. Ms. Winnie Kizia - Media Relations Office

## CHAPTER TWO

### 2.0 INTRODUCTION

At independence, education in Kenya was seen and viewed as the only mechanism available to the country to deliver on its agenda to eliminate poverty among its citizenry. Many initiatives of the government immediately after independence were geared towards giving opportunities to the youth to access education which in some cases enabled Kenya create expertise in various fields. Thus the education sector in Kenya is an important pillar in the realization of the objectives of Vision 2030 with regard to the attainment of socio-economic and political development of the country.

Despite the Kenyan government's commitment to providing resources, improving school conditions, and minimizing school strikes, cases of students' unrest continue to be a major problem in learning institutions in Kenya.

The first case of student unrest was reported at Maseno School at the beginning of the 20th century (1908). According to the statistics from the Task Force on student discipline and unrest chaired by Naomi Wangai (The Ministry of Education, 2001), between 1980 and 1990 the number of schools that had experienced students' unrest increased tremendously from 22 to 187.

The mass unrest also became very rampant from 1993 to 1995 with the press reporting around 202 major incidents.<sup>6</sup> Further, in the year 2008 from January to July, about 254 cases of secondary school unrest were reported by The Ministry of Education.<sup>7</sup>

The increased wave of students' unrest prompted the Minister of Education to appoint a Task Force in 2001 (The Ministry of Education) and another in 2008 (Departmental Committee on Education, Research and Technology) whose mandate was gather views and information and make recommendations in order to stem out the culture of violence taking root in our secondary schools.

In 2016, the country witnessed unprecedented number of cases of arson and other forms of student unrest that caused huge losses of school and personal property. Fire incidents occurred in 48 schools in about 20 counties namely: Kericho, Meru, Kisii, Machakos, Tharaka Nithi, Embu, Uasin Gishu, Nyamira, Kitui, Nakuru, Migori, Siaya, Murang'a, Bungoma and Kiambu. Other forms of unrest, manifested in form of walkouts, demonstrations and other forms of violent behavior were reported in 18 schools in various counties.

In 2018 a total of 108 schools out of 8900 public and 1800 private secondary schools were affected by various forms of unrest. The unrests were in the form of arson, breakages, sit-ins, walk-outs and attack on teachers in Chalbi and Kirimara Boys secondary schools.

The objective of the inquiry was to specifically establish the underlying causes of recurrence of student unrest and violence in secondary schools particularly in second term. This is despite implementation of the recommendations of previous taskforces on student unrest and indiscipline Kenya secondary schools.

The Committee recommended measures to curb unrest in schools as found in chapter 4.0 of this report

<sup>6</sup> Griffin, G. (1996). *School Mastery, Straight Talk about Boarding Schools Management*. Nairobi: Lectern Publication Ltd.

<sup>7</sup> Mediterranean Journal of Social Sciences, "An Epistemic Understanding of Strikes in Selected Secondary Schools Kenya", 2014.

## CHAPTER THREE

### 3.0 SUBMISSIONS FROM STAKEHOLDERS

#### 3.1 SUBMISSION BY THE CABINET SECRETARY MINISTRY OF EDUCATION ON SCHOOLS UNREST IN SECONDARY SCHOOLS

The Cabinet Secretary for The Ministry of Education Ms. Amina Mohamed appeared before the Committee in regard to student unrest witnessed in various secondary schools in the country during term II 2018, and informed the Committee as follows:

##### **Introduction**

The ship of progress of any country floats on the hard work and dedication of its young generation and their innovative thoughts. Hence, Kenya's strategy of Vision 2030 and the Sustainable Development Goals (SDGs) require that the student community plays its vital role in the society. Their recognized great force is essential for achieving the country's development agenda. In this regard, education and training is vital for the achievement of the objectives of the country's strategies. However, the growing secondary school unrest and indiscipline among students is a matter of great concern to The Ministry of Education. This is because, in recent years, cases of unrest have assumed alarming proportions.

Such students' unrest pose a serious threat to the educational system and to the nation at large. They result in destruction of property, loss of learning time, and psychological effects to staff and students. All these translate to low achievement in learning outcomes hence affecting the quality of education provided. It is therefore necessary to determine measures to control student unrest in schools.

In total, 107 schools out of 8900 public and 1800 private secondary schools were affected by various forms of unrest in 2018. In 2017, there were 123 cases. In 2016, the number of schools affected was 483 schools. A breakdown of reported cases of schools' unrests in 2018 is shown in table 1 below:

The Ministry of Education has taken steps guided by existing legal instruments to address students' unrest. The Basic Education Act No. 14 of 2013 and Regulations thereunder provide guidelines for cases of students' unrest, their management and administration.

**Table 1: Breakdown and nature of Schools' Unrest in 2018. Source: Ministry of Education**

S/NO	Region	Arson	Walk- outs	Sit ins	Breakages	Total
1	Central	1	4	2	1	8
2	Coast	4	1	0	0	5
3	Eastern	22	9	5	4	40
4	Nairobi	2	1	0	0	3
5	North Eastern	0	0	0	0	0
6	Nyanza	17	0	1	5	23
7	Rift valley	12	7	1	5	25
8	Western	4	1	0	1	6
	Total	62	23	8	14	107

**(b) Other incidents of student unrest witnessed in the country**

- (i) Attack of teachers in Chalbi Secondary school in Marsabit County where students attacked and injured six non-local teachers. The parents of the culprits allegedly sided with their children and shielded them from arrest by police.
  - (ii) Attack of teachers in Kirimara Boys Secondary school in Nyeri County where the boys beat up the deputy principal and destroyed school properties,
  - (iii) Heightened tension in the followings schools: Maikona Girls, Isiolo Boys, Mweini Secondary, Kyambuko secondary, Kabarnet secondary, Chianda High, Ng'iya, Maranda High, Shenderema, Ofafa Jericho, Kangemi. St. Aquinas high, Nairobi Milimani, Msambweni Boys.
- (c) The possible causes of students' unrest include:
- (i) Fear of the national examinations due to the strict measures instituted to curb cheating.
  - (ii) Drug and substance abuse by learners.
  - (iii) Communication challenges within some of the schools
  - (iv) Lack of role models in the society manifested by violent avenues used to resolve conflict in many of our surroundings
  - (v) Domino-effect/copy-cat mentality by schools within the same region
  - (vi) Reaction to change management
  - (vii) Teacher shortage in school leading to incomplete syllabus coverage resulting to panic among students who feel ill prepared for the examinations.
  - (viii) Inadequate school facilities.

**(d) Number of students arrested**

A number of students who planned the unrests in various schools per sub-county had been arrested as shown in the table 2 below. **Source: Ministry of Education**

**(e) Action taken against the students arrested**

No.	Sub-County	Total
1	Homa Bay	26
2	Bungoma	17
3	Busia	22
4	Embu	15
5	Elgeyo	9
6	Makueni	34
7	Machakos	6
8	Nairobi	37
9	Kericho	1
10	West Pokot	1
11	Migori	17
12	Narok	5
13	Isiolo	5
14	Kisii	3
	TOTAL	198



- (i) Actions initiated against the students arrested culprits include:
- (ii) Arraignment in court
- (iii) Suspension of students involved by Boards of management in accordance with the Basic Education Regulations, 2015
- (iv) Closure of affected schools for investigation and cost assessment in accordance with Regulations 3 and 36 of the Basic Education Regulations
- (v) Conditional re-admission of the affected students
- (vi) Guidance and counselling
- (vii) Basic Education Regulations Articles 33-39, stipulate how deal with mass indiscipline in schools.

**(f) Properties destroyed**

The main properties destroyed through arson were dormitories and food stores whereas other properties destroyed include window-panes, furniture, and students' personal effects as shown in table 3 below.

**Table 3: Property destroyed in various schools through arson attack**

Properties lost under different categories	Numbers of Schools
Dormitories & students' personal properties destroyed through arson	58 schools
Other properties burnt (store, staffrooms)	6 schools
Physical facilities (Window panes, furniture)	7 schools
<b>Totals</b>	<b>71 schools</b>

**Source: Ministry of Education**

Schools are working with the Ministry of Public Works to assess damage. On 13th July, 2018, the Cabinet Secretary asked school administrators to follow the proper assessment processes to determine the extent of damage and cost implications to those involved. The Ministry is working with regional and county officials to implement this directive.

**(g) Measures to address school unrests**

**(i) Long term Measures**

The Ministry has implemented and continues to implement recommendations of Taskforce Reports commissioned by the Ministry and has put in place a multi-agency standing committee to review and continuously advice on the implementation process.

**(ii) Short-term measures**

The immediate actions taken by the Ministry include:

- (i) Extensive pre- monitoring of national examinations
- (ii) Instruction to schools to double the number of teachers on duty especially at night in boarding schools;

- (iii) Instructing Quality Assurance Officers to identify the existing gaps that may lead to school unrests;
- (iv) Holding stakeholder fora led by at Regional and County levels Coordinators of Education to address schools unrest;
- (v) Close collaborating with Ministry of Interior and Coordination of National Government;
- (vi) Schools adhering to the student transfer policy as elaborated under Regulation 40 of the Basic Education Regulations, 2015
- (vii) Ensuring that there is flexibility in school programmes and tenable demands of the learners addressed by constantly monitoring/visiting schools and prompt reports to Ministry Headquarters. Ministry officials visited various Counties and held stakeholder fora to address emerging and recurring issues contributing to cases of unrest.
- (viii) Reporting and taking action on teachers/students who may be involved in incitement and destruction of school property.
- (ix) Ongoing teacher recruitment to address the persisting teacher shortage.
- (x) Additional field officers will be deployed to the field to collate data on school needs and support school administrators to manage schools.

### 3.2 SUBMISSION BY CHIEF EXECUTIVE OFFICER, TEACHERS SERVICE COMMISSION

The Chief Executive Officer/Secretary Teachers Service Commission Dr. Nancy Macharia informed the Committee as follows:

#### Wave of students' unrest vis-à-vis delocalization of Principals

The Term II 2018 wave of student unrest in schools cannot be attributed to delocalization of principals undertaken by the Commission in December 2017 and in April 2018.

The summary below shows post primary institutions where delocalization was effected vis-à-vis students' unrest reported as at May 2018 (table 4 below).

**Table 4: Summary of the post primary institutions where delocalization was effected vis-à-vis students' unrest reported as at May 2018.**

Institution	Delocalized	Student unrest
Public schools	1,065	90

**Source: Teachers Service Commission**

The 90 institutions affected by the student unrest forms only 8.5% of the total cases of delocalization.

As may be correlated from the table on institutional administrators delocalized in December 2017 and April 2018, whereas in December 2017, 345 institutions had their principals delocalized, nom student unrest was reported in Term 1, 2018.

For the reason that only 8.5% of the institutions where delocalization was effected experienced student unrest, it's not statistically correct to lay an outright claim that delocalization is the reason for mass student unrest countrywide.

### **Effect of the Current wave of School Unrest on Teaching and Learning**

The Commission and The Ministry of Education have a close working relationship and always consult on matters of mutual obligations. The Commission awaits the Ministry's final report on the investigations to enable it address issues touching on teacher management relating to the unrests.

### **3.3 SUBMISSION BY KENYA NATIONAL UNION OF TEACHERS (KNUT)**

The Kenya National Union of Teachers Officials Mr. Hezbon Otieno (Deputy Secretary General), Mr. Collins Oguu (Acting 1<sup>st</sup> Vice National Chairman) and Mr. James Ndiku (Acting National Treasury) presented the following submission on the wave of unrest that affected secondary schools during Term II, 2018:

#### **Background**

Between 1<sup>st</sup> June and 20<sup>th</sup> July, 2018 over 70 secondary schools had experienced unrest, with at least 50 reported fires. The following reasons have been given by The Ministry of Education as to why schools are burning.

#### **The facts and fiction on the burning of schools in 2018**

KNUT attributed the unrests to the following factors:

##### **1. Fear of Examinations:**

Students are anxious about Mock examinations and the forth coming national examinations.

- (i) Parents compare the original 18 National schools, with the current ones and feel that the Ministry is not doing enough. The cost of boarding schools varied from school-to-school because of what was being offered in terms of diet, infrastructure, social amenities and recreational facilities and maintaining the facilities.
- (ii) Today, the Ministry treats all boarding schools the same irrespective of location, facilities, staff etc.
- (iii) That many parents would prefer boarding schools as they were in the olden days. Boarding schools that appealed to various social status in the country. Kenya had High Cost Schools, National schools, and Day schools. They were able to meet the needs of families in accordance to their financial ability.
- (iv) Free Secondary Education has contributed to running down boarding schools in Kenya. Schools are experiencing delayed funding from The Ministry of Education, leading to delayed supplies, huge debts and tension in schools.

##### **2. Delocalization**

Out of the over 70 schools that have had unrest this term, 58 have new Principals as a result of Delocalization.

All National schools that were razed down this term have new principals. This has made the new principals to do everything including wearing school uniform (like the Principal of Friends School Kamusinga) so as to impress, but it did not work.

Following interviews, with students from schools that have been closed due to unrests it has been established that much of the unrest stem up from change in rules.

A case in point is Maranda High School, where a Form Two student confided in us that learners have a big problem with new rules introduced by the new Principal who was posted there earlier this year. Maranda had to close down as students demanded the return of the former Principal.

Similar cases have been witnessed at Friends School Kamusinga and many other Schools.

### **3. Diminishing Roles of Teachers in Schools**

The role of a teacher in public schools has been reduced to teaching and filing reports only. The policies, and directions from Teachers Service Commission require a teacher to teach only. The tool used for appraising teachers does not have provision for rewarding teachers who take on extra duties like discipline or guiding and counselling or spiritual concern over the learners like the yester years. This is made worse with cases of students beating up teachers who are in the line of duty like it happened at Chalbi boys and Kirimara Boys. School unrests currently being experienced are largely due to lack of teacher participation in policy making.

### **4. Local Communities kept out of Schools**

Interested parties among members of the local community, churches and parents etc feel they are not consulted on key decisions by The Ministry of Education and the Teachers Service Commission. They are not consulted on administrative changes by the Teachers Service Commission.

### **5. School Management Practices**

A common trend running in all the schools that have experienced unrest is poor management. Proper management is vital to an organization's success. Management of schools in Kenya rotates around The Ministry of Education, the Teachers Service Commission, school principals, teachers, boards of management the parents associations, school sponsors, teacher unions, local administration, local community and school prefects and students themselves.

Every school has a unique management style or collections of ideas that provide the framework for effective management strategy, to motivate and bring the best out of the school. That is why Starehe Boys Center of Griffins was unique and admired. Alliance Boys was unique in style and leadership. Maseno School was school of choice because of the traditions set out and good management.

Management styles of different schools have long been interfered with because of the policy change and circulars emerging from the Ministry of Education and Teachers Service Commission. Research shows that the period between April and July 2018, the Ministry of Education and the Teachers Service Commission released a record 87 circulars all giving conflicting directions on how to run schools. Griffins of Starehe did

not run Starehe with circulars. Neither did Carey Francis at Alliance. The unrest in schools is a rejection of the numerous, confusing policies from The Ministry of Education.

Policies originating from The Ministry of Education, Science and Technology and the Teachers Service Commission touching on the welfare and professional matters of teachers that were not negotiated by teachers through their Unions should either be scrapped or recalled with immediate effect. These include and not limited to Teachers Performance Appraisal and Development (TPAD), Performance Contracting, Teacher Delocalization Programme, Teacher Professional Development Programme; Career Progression Guidelines and Transfer of Teachers to the Public Service Commission.

#### **6. Poor Parenting and Spoilt Children**

Children on hard substance, others are from broken homes while others not properly parented.

#### **7. Delayed Disbursements (Corruption and Finances)**

Corruption and Finance:-Free Secondary Education Funds never reach schools in time. By the end of 2nd term, batches of FSE funds meant for 1<sup>st</sup> term have not been disbursed to schools. It becomes difficult to run a 3,000 plus population school without proper funding. Some schools are burning because the Boards of Management have failed to meet their financial obligations.

#### **Recommendations by the Kenya National Union of Teachers on Curbing Recurrent Unrests in Kenya's Secondary Schools**

- (i) Teacher Delocalization Policy appears to be the main cause of the strikes, the programme should be scrapped off with immediate effect.
- (ii) Teachers should be empowered to mentor students, serve as role models, supervise students in and outside classrooms, equipped with adequate and modern teaching tools, and more importantly involved directly in policy-making process.
- (iii) Local communities, school sponsors, religious organizations, parents association, professional organizations should be allowed to work in partnership with Boards of Management and school administration to raise the level of education and discipline in schools. They must be consulted by the Ministry of Education and the Teachers Service Commission in case of administrative changes of school principals and head teachers.
- (iv) All Policies by both the Ministry of Education Teachers Service Commission must be originated via wide consultations with key stakeholders to ensure stability of each and every school.

### 3.4 SUBMISSION BY THE KENYA SECONDARY SCHOOLS HEADS ASSOCIATION (KESSHA)

The Kenya Secondary Schools Heads Association (KESSHA) Chairperson Mr. Indimuli Kahi accompanied by KESSHA Officials Mr. William Kemei, Mr. B. K. Ngaitu, Dr. Beatrice Ndiga and Mr. Abdi Noor Haji appeared made the following presentation on the recurrent wave of unrest in schools

#### Background Information

The wave of unrest has continued to occur every year since the 1990's but increased intensity from the year 2000 to date. The cases increase in term II in magnitude, some leading to loss of lives and massive destruction of property. This trend is worrying as it appears to be the norm or ritual that must be performed each year by our learners.

The Government of Kenya formed various task forces to establish the causes of the unrests and make recommendations to curb the situation. Despite implementation of the recommendation on curbing the vice, the trend has continued to occur. This therefore calls for an in-depth inquiry on the students' unrests.

The unrests have perennially led to loss of property and learning time. It also affects teachers and students psychologically.

Some of the task force reports were not made public making it difficult for Principals of schools to determine the level of implementation of the recommendations from their reports.

#### Regional breakdown of students' unrest in 2018

KESSHA records indicate that a total of 107 schools have been affected by unrest ranging from arson, attempted arson, breakages and walkouts as tabulated below 5 below.

**Table 5: Regional breakdown of student unrest in 2018**

No.	Region	Arson	Walk-outs	Sit ins	Breakages	Total
1	Central	1	4	2	1	8
2	Coast	4	1		0	5
3	Eastern	22	9	5	4	40
4	Nairobi	2	1	0	0	3
5	North Eastern	0	0	0	0	0
7	Rift Valley	12	7	1	5	25
8	Western	4	1	0	1	6
	Total	62	23	8	14	107

Source: Kenya Secondary Schools Heads Association

There were other incidences like attack on teachers and fellow students but did not lead to temporary closure of school. Generally there were tensions in some of the schools but whose exact number could not be established.

### **Possible causes of student unrest**

From the findings of Kenya Secondary Schools Heads Association the causes of the unrests can be categorized as follows: Social economic reasons, Political reasons, Institutional reasons, Legislative reasons and copycat issues as the media highlights the cases.

#### **1. Social Economic and Religious Issues:**

These include:

- (i) Drug and substance abuse by learners
- (ii) Poor moral values in the society
- (iii) Violent methods of conflict resolutions in the society
- (iv) Different ideologies in faith which conflicts with the school administration setup.

#### **2. The Political issues include:**

Methods used by politicians to resolve dispute is learnt and implemented in the schools since the majority of the learners are active players out there.

#### **3. The Institutional factors**

These factors include:

- (i) Failure to adjust to change in management
- (ii) Incitement by external and internal forces
- (iii) Inadequate facilities both boarding and learning
- (iv) Fear of internal examination as a result of pressure from home and sponsors
- (v) Inadequate capacity building prior to appointment of the Heads of Institution.
- (vi) Understaffing in schools which has led to some subjects not being well handled and certain services not given to students.
- (vii) Every teacher to be equipped with guidance and counseling skills
- (viii) Lack of capacity in handling security issues in schools.

#### **4. The Legislative challenges include:**

Need to review the Basic Education of 2013 together with the Regulations in order to address the gaps in discipline issues.

Develop regulation to operationalize the Children Acts as used in school.

Students arrested made in regard to planning student unrest of various schools in Kenya

Kenya Secondary Schools Heads Association reported a total of 186 students had been arrested by 2<sup>nd</sup> August 2018 in connection to planning student unrest in Kenya as shown in table 6 below:

**Table 6: Data on students arrested in regard to student unrest in the country**

No.	County	Total
5.	Nairobi	32
6.	Makueni	32
7.	Homa Bay	24
8.	Busia	21
9.	Bungoma	16
10.	Migori	16
11.	Kisii	3
12.	Embu	15
13.	West Pokot	1
14.	ElgeyoMarakwet	10
15.	Machakos	5
16.	Kericho	1
17.	Narok	5
18.	Isiolo	5
	<b>TOTAL</b>	<b>186</b>

**Source: Kenya Secondary Schools Heads Association**

The properties damaged were dormitories and students properties whose costs we have not been able to establish since the affected schools are yet to communicate the cost implication.

#### **Policies of administrative nature which may contribute to indiscipline and unrest in schools**

Basic education act (2013) is not clear on discipline procedures. The roles of the Board of Management are not clear on how to handle cases of students' indiscipline. Despite the Act establishing a sub – committee of discipline on the Board, Section 35, 36 and 37 prevent any disciplinary action taken on a student and regulation 37 to 42 reinforces the following:

#### **Law / Policies;**

##### **1. Children's Act**

The children's Act of 2001 highly protects the child and there have been no regulations to operationalize the Act and clearly indicate the responsibilities of parents and child.

##### **2. County Education Board**

The County Education Boards should be empowered to handle the mandate for which they were established.

##### **3. Guidance and counseling**

Guidance and counseling as an alternative to punishment should be full time. This was a recommendation in 2017 following the similar cases of student's unrest.



Full time chaplains were to be employed by Ministry of Education, while Teachers Service Commission was to employ full time guidance and counseling teachers. To date, this has not been done, and proper professional guidance and counseling services are lacking.

#### **4. Free Secondary Day Education (FSDE)**

The capitation to schools has been set at a maximum for boarding schools and not all schools have adequate funds for infrastructure development. The Dr. Kilemi Mwiria's Report of 2014 needs to be reviewed. This report put at a maximum the number of non-teaching staff per school without considering size of land and population of students. Instead, it considered only the number of streams. This compromises on provision of security services in schools.

There have been delays in disbursement of Free Secondary Day Education funds especially in term II, when there are many activities. This is also the longest term. The delays leads to failure to provide services and payment of salaries to the non-teaching staff and Board of Management teachers. Many of whom end up inciting students or they fail to effectively deliver, which may then trigger the unrests.

#### **5. Appointments of school administrators**

Appointments of school administrators without training prior to appointments lead to varied implementation of policies.

#### **Status of implementation of the recommendation of previous task forces on school unrests**

##### **19. The Kirima Commission (1994) and Claire Omollo Committee (2016)**

These reports were not made public hence the implementation of the recommendations was not done. Schools did not get an opportunity to study them.

##### **20. The Wangai task force (2001) recommended amongst others;**

Establishment of functional guidance and counseling departments in schools. The departments were established; however the teaching load cannot allow the guidance and counseling services to be effectively provided in schools.

Abolishment of mock Exams. This has been complied with. The schools no longer expose students to mock exams. Students tend to fear internal Exams used for indexing and not the National or the mock Exams. There are also too many continuous assessment tests and midyear Exams that stress the students.

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Involvement of students in school affairs and participation in appointments of their own leaders. Schools have implemented this by allowing students to democratically elect their leaders.

Addressing policy gaps in profiling indiscipline cases across schools. This has not been effectively done and there is need to put in place a system to profile, track and share information on cases of student indiscipline across schools. This area is still wanting.

## **21. The Hon. David Koech Committee (2008)**

The report had recommended that:

Mock examinations to totally be abolished since by the time the exams were being done only 75% - 80% of the syllabus had been completed.

This has been implemented to a large extent and no mock examinations are being done apart from the normal school exams.

Issues of examination irregularities and overhaul of Kenya National Examinations Council - This has been done and schools have been tasked with responsibility of ensuring that there is no exam leakage and irregularities.

Drugs and substance abuse/Parenting - Kiosks and bars near schools to be removed. This has remained a challenge. It's believed majority of students who participated in arson were under the influence of drugs. Kiosks and bars are still seen closer than the stipulated distance from the schools.

School administrators to be trained prior to appointment, this is yet to be achieved and implemented.

There are quite a number of recommendations that were made by the two reports that are yet to be implemented.

### **Measures being taken by school heads to address The Unrest**

- (i) Continuous improvement on student involvement in electing their leaders democratically and train them nationally. KESSHA will resume the annual conferences of student leaders as from April 2019, to equip the leaders with skills so as to assist them in their leadership roles.
- (ii) Moderate multiple examination administered to students during the second term and rely more on the CATS.
- (iii) KESSHA in conjunction with the Ministry of Education and the Teachers Service Commission to organize more capacity building workshops for principals so as to equip them with skills to manage the 21st century student.
- (iv) Control and management of transfer of students from one school to another.

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### **Recommendations to curb the unrests in schools**

- (i) Private firms offering security must be vetted, to meet certain standards to be able to manage current students. The firms must demonstrate that they have training facilities for their employees.
- (ii) Review the proposed fees for boarding schools and to review the Dr. Kilemi Mwiria task force recommendation.
- (iii) Disbursement of FSDE funds must be timely to avoid the financial challenges faced in term II. First tranche should be paid in term III which is 20%, second tranche in term I of the new-year which is 50% and clear the third tranche Of 30%

in term II without having to split this tranche into two between the two financial years.

- (iv) Review the Education Act to take care of the number of board members to be reduced to nine or less, discipline procedures be reviewed to make the students take Responsibility for their actions.
- (v) Indexing of candidates to be changed instead of using merit. Adaption of the first come first served indexing process as to regard to admission.
- (vi) Provide training for School Principals on leadership which entails values, vision and influence to avoid emphasis on management and administration.
- (vii) Prior to any appointment, the members of the Board of Management be trained before appointment. Kenya Education Management Institute be equipped to offer such training.
- (viii) Post training of teachers in the areas of teaching before employment. There is need to fast-track the establishment of the Kenya School of Teaching.
- (ix) Use of NEMIS system in upgrading to be able to profile students. This can be used in tracking cases of indiscipline among students. This will curb the transfer of students with criminal behaviors.
- (x) Employ full time Guidance and Counseling teachers, chaplains and imams.
- (xi) Decongest the overcrowded dormitories in boarding schools by ensuring Free Secondary Day Education funds released have a component of infrastructure fund for all schools to benefit, with top up for schools with low population.
- (xii) Reconsideration of criteria of registering boarding schools by establishing the minimum number of students a school should have before the school is given boarding status.
- (xiii) Minimize the introduction of many policies by The Ministry of Education and Schools, Administration some of which are radical, to avoid them being met with stiff resistance however well intended they could be.
- (xiv) There is need to relook at the assessment framework to reduce pressure on learners to pass exams, including the demand for grades on teachers and Principals as this leads to loss of focus and put emphasis on producing a holistic learner.
- (xv) Establish a common Code of Ethics for Students to avoid each school coming with different approaches in dealing with similar cases of indiscipline. A common code will make students understand what is universally acceptable of them in all our learning institutions.
- (xvi) In the new curriculum, the lower secondary be undertaken in day schools so that there will be only three (3) years in boarding schools. This will allow parents/guardians to spend more time with their children.

- (xvii) Establish a framework where a teacher can rise based on performance without becoming Principal if they are not interested so that they spend a little more time on molding students
- (xviii) There should be thorough investigation on the arson cases by the Directorate of Criminal Investigations to establish the extent of planning the level of organization and pattern of coordination involved. It will be noticed that there was neither loss of human life nor any serious injuries during the burnings. This finding will inform the level of involvement of students or any other individuals linked or not linked to the school.
- (xix) Schools have no capacity in detecting drug trafficking and use, hence need to be assisted in this given that the law does not allow a learner to be tested of drug and substance abuse without the parents' consent.
- (xx) The discussion on common uniform for all students should be shelved for now. Schools uniform colors have a lot of meaning and emotional attachment to both current and former students. If forced it may be another trigger. Let the issue of cost be addressed.
- (xxi) Develop regulations to operationalize the Children's Act in schools.
- (xxii) Employment of key non-teaching staff by government e.g bursars, procurement officers, nurses so that they are transferable and best practices shared across schools.
- (xxiii) The government to first track the issuance of land title deeds to schools as this is also a source of conflict and students are used to settle such scores.
- (xxiv) Consider financial implications whenever directives are given for instance it was recommended that each school should install CCTV cameras.

### 3.5 SUBMISSION BY NATIONAL PARENTS ASSOCIATION

That the National Parents Association (NPA) is established under Section 55 (2) of the Basic Education Act, 2013 as a public participation mechanism by parents of learners in public (basic education) institutions on matters pertaining to education, governance and delivery. It enhances open structured, sound and accountable decision-making by governments and institution managers. It also co-ordinates orderly and efficient contribution of resources by parents and well-wishers nationwide.

The National Parents Association submitted as follows in regard to student unrest:

The NPA legal framework stems from Articles 1 (1)- (4); 10; 43(1); 53; 129; and 232 of the Constitution and other enabling legislation. Its mandate and structure is set out in Schedule III to the Basic Education Act.

The Association has been involved in: ensuring education policies and programs are properly implemented in schools. This policies/ programs includes: curriculum, examinations, extra curriculum activities; fees and levies; term dates; discipline and school unrest, infrastructure, teacher management; special needs education; parental

empowerment and sector relations; child protection and welfare; chaplaincy; counselling and life skills coaching.

The National Parents Association underscored the various factors that could be contributing to student unrest and their various recommendations as shown in table 7 below:

**Factors that could be contributing to student unrest and their various recommendations**

**1. Resistance to justifiable transfer of teachers and school managers.**

Delocalization is paramount to growth of education in the country and must be implemented. Unfortunately it is resisted by certain stakeholders and has consequently resulted in unrest.

**Recommendations**

Awareness is vital among parents and students on the importance of transfer of school staff. This will avert incidents of unrest. Parents should desist from participating in such resistance.

The Board of Management should manage smooth transition following transfers. There is need for newly transferred teachers to first establish good relationships with students, as they engage them in learning.

The government should ensure delocalization is done early and not in second term when exam pressure is beginning to build.

The government should put measures to protect the Teachers Service Commission in the process of delocalization of school staff. NPA should be funded to undertake a national awareness and early warning campaign.

**2. Professional guidance and counselling**

There is a causal link between lack of effective guidance and counseling services and unrest in secondary schools. It is underutilized and attributed to learners with disciplinary cases. Even where there are teacher designate-counselors, they are time-constrained to offer adequate counseling services to the students as they are expected to continue performing their regular classroom instruction duties. The need for professional guidance and counseling as well as mentorship services for students cannot be over-emphasized.

**Recommendations**

There is need for parents to take an active role in guiding and counseling of children. Parents should not solely leave the practice of guidance and counselling to teachers.

The school management should create awareness of the need of guidance and counseling and desist from the notion that guidance and counseling is for undisciplined learners.

The government should provide funds towards guidance and counselling programs in schools. The Ministry should allocate full time professional counsellors to all schools. Where possible the NPA should be funded so as to train local representatives or

designated parents within schools to champion guidance and counseling as an essential part of a learners' personal development.

### **3. Failure to address indiscipline in transferred learners**

Transferred learners are not accorded the necessary professional help after being transferred to other schools due to indiscipline and a lack of a clear framework of support.

#### **Recommendations**

Parents should ensure that transferred learners get the necessary professional help after being transferred

The Board of Management should facilitate the smooth integration of transferred learners into the new schools so as to avoid discrimination and/stigmatization that may mar a learner's education and development.

The ministry should provide funds for the establishment of centers where transferred learners can seek professional help. It should also provide school administrations with a clear and precise protocol to support the learner in obtaining the professional support needed and the necessary follow-up is done, with the engagement of the learner and parents/guardian taken into account.

### **4. Alarmist media coverage of unrest.**

Alarmist media coverage of school unrest encourages other learners to follow in the same suite as a way of expressing sympathy and peer approval.

#### **Recommendations**

Parents should be encouraged to actively protest alarmist media coverage of school unrest as this adversely affects learning.

The schools should carefully manage forms and frequency of entertainment in schools. The school management should vet entertainers, motivational speakers and the various forms of entertainment materials that is accessible to the learners.

The Ministry should put in place policies that regulate media coverage and reporting on unrest in schools.

### **5. Examination stress and promise of leakage.**

Examination stress caused by the numerous exams in schools and the unlawful expectation or promise of leakage would culminate in school unrest.

#### **Recommendations**

Parents should encourage learners to study without expectation of exam leakage. They should follow up on the exams administered to the learners and encourage them.

The Schools Boards of Management should ensure the school staff upholds high levels of standard and integrity in school. The Ministry should put stringent measures in place to curb exam leakages.

Any exam irregularities and illegalities performed by any individual, organization or entity should be dealt with severely to deter such occurrences taking place in the future.

## **6. Long second term**

Creation of a longer second term creates places undue pressure on learners because they are in school longer than the other school terms and are subjected to a greater workload.

The longer second term subjects learners to more work load.

### **Recommendations**

Parents should be actively engaged in determining school term dates.

The school Board of Management should create an enabling and comfortable environment for the learners

The Ministry should provide more funds to schools to enable them facilitate a conducive environment for learners during the longer term.

## **7. Disconnect between parents, teachers and learners**

The lack of a proper relationship among parents, teachers and learners creates a gap whereby learners fear addressing their problems effectively and requesting much needed support.

### **Recommendations**

Parents should ensure that they are in constant communication with the learners and teachers.

The school management should create an enabling environment to foster relationships between teachers and learners

The Ministry should enhance policies to ensure a good working relationship between teachers and learners is upheld.

National Parents Association should be supported financially to organize forums where learners, parents and teachers openly engage and interact so as to foster respect and trust among them.

## **8. Monotony of the school program**

The school programme is repetitive and monotonous with limited flexibility.

### **Recommendations**

The Ministry of Education should explore ways of making the school programme flexible, innovative and interesting for learners.

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## **9. Deprivation of time for sleep and co-curriculum activities**

Lack of co-curricular activities and enough time for sleep and play adversely affects the physical and mental health of the learner.

### **Recommendations**

Parents should liaise with NPA to advocate for more staffing of teachers in schools.

The Ministry should increase the allocation of teachers in schools

## **10. Understaffing**

Lack of enough staff in schools creates a management problem of learners especially at night.

### **Recommendations**

Parents should liaise with NPA to advocate for more staffing of teachers in schools.

The Ministry should increase the allocation of teachers in schools. 11.

## **11. Diminished role of teachers as mentors and managers.**

The teachers' role has been reduced to teaching only creating a gap on mentorship and management of learners.

### **Recommendations**

Parents should encourage teachers to mentor and manage learners.

The Board of Management of schools should create an enabling environment for teachers to mentor and manage learners. Teachers should be encouraged not to engage in activities that may be a bad example for learners. Management should reprimand and report teachers who do not adhere to their professional ethics and morals as required by law.

The Ministry of Education to partner with professional bodies, entities and individuals who can inspire learners in pursuing their education and personal development. Ministry should ensure schools adhere to the set policies in regard to school time and co-curricular activities.

## **12. Poor school infrastructure/living conditions.**

Deplorable living conditions and poor infrastructure subjects learners to inhumane treatment leading to discontentment among the learners and loss of pride and ownership of their schools.

### **Recommendations**

Parents should provide comfortable living conditions for learners. The Board of Management should provide comfortable living standards for learners in schools.

The Ministry should allocate infrastructure development funds equitably. Where funds and support has been provided, notwithstanding the school fails to provide adequate infrastructure, Ministry should take action against the school administration so as to promote accountability in improving the learning environment.

## **13. Violence in the society.**

The society is witnessing an escalated level of violence that projects a bad culture in managing disputes or coping with challenges. This is witnessed in acts of mob justice, political protests, and media and assault incidents at public places. Unfortunately, learners emulate such behaviour and resort to violence as a way of resolving problems.



## **Recommendations**

Parents should not expose learners to violence at home. In partnership with NPA, they should speak against any form of violent displays in all platforms. They should counsel children on any violence they witness.

The schools' Boards of Management should work with the schools' administration to ensure that school rules are followed and regulations to curb violence in schools.

The Ministry must ensure that the set out policies to curb violence in schools are be implemented. Any violence actuated on a minor should be severely punished.

### **14. Increased permissiveness and laissez- faire approach in the society.**

Society embraces personal choice and liberty in most settings today. This has influenced parenting methods and leadership styles in institutions and weakened deterrence of misconduct.

## **Recommendations**

Parents should actively instill discipline, train and equip learners with the necessary life skills for survival in the society.

The Ministry of Education actively promote good behavior within the Education sector, reward its staff for good conduct and guide them accordingly.

The Ministry of Education should ensure that schools and institutions act within the law. For instance, the Kenya Children's Assembly which a programme of government has the effect is to dilute the values and principles of discipline instruction in proper learning.

### **15. Weak enforcement of policies**

The government does not regularly and satisfactorily supervise basic education institutions.

Schools that are left to operate without supervision easily deviate from accepted standards and would suffer student unrest easily.

## **Recommendations**

As principal beneficiaries to the provision of education, parents should be the first line of oversight of institutions. The NPA should actively evaluate on the report of the schools and call for action where necessary,

The Ministry of Education quality and standards assurance field officers should frequently visit schools for quality assurance and provide guidance as appropriate.

The government should fund and facilitate the NPA to effectively execute its mandate. The Ministry should also increase the number of its quality assurance officers.

### **16. Substance and drugs abuse**

Drug and substance abuse is very high in the Kenyan society. Drugs such as alcohol and various substances are easily accessible to learners. The direct physical and psychological effect of these drugs including the attendant withdrawal symptoms is behavior that would result in unrest.

### **Recommendations**

All parents should arrest any possession, consumption or conveyance of the illegal substances at all times. They should not tolerate misbehavior at all and should always scan for any early behavioral, psychological or physical signs before they advance. Where parents are aware that their children are involved in drug and substance misuse, they should seek professional help for their children.

The school management should implement stringent measures to prevent and address cases of substance abuse. Also provide a service for those students involved in such to seek professional assistance without discrimination.

The government should support institutions in enforcement of strict preventive and response measures on substance abuse. It should formulate a special policy for schools on the same. Special institutions such as Approved Schools should be increased, equipped and staffed. The government must also crack down the drug barons who are conveying these substances

### **17. Inequitable treatment of public schools.**

Different public schools have different treatment in form of allocation of resources for infrastructure, school bus, water and food. This tends to make students from other schools feel inferior and intimidated. Because of inequitable treatment, they cause unrest in their schools to protest or get the services and resources they need.

### **Recommendations**

The Government should ensure proper budgeting and equitable allocation of resources to schools.

The schools Board of Management should undertake mobilization resources and of funds to ensure schools have the requisite and adequate facilities.

Government should ensure equity in allocation of resources.

### **18. Sexual abuse and harassment**

Sexual harassment causes untold psychological pain in the victims and stands as an internationally recognized crime against a child. The NPA has reports of such victims causing unrest to protest their tragedy and ostensibly punish the society as it were.

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### **Recommendations:**

Parents should be attentive to their children's misfortunes and offer all needed support.

Institutions should closely monitor learners' psychological tendencies and assist those that need help.

Government should strictly enforce child protection laws and policies. The government is to provide support to all victims and ensure that perpetrators are not permitted to work in learning institutions or any organizations that deal with underage children.

## **19. Undue strictness**

Overly strict treatment at home and at school is a cause of unrest in schools. Lack of opportunity for expression and abuse from parents may cause rebellion and mass misconduct. The learners become rebellious as a way of seeking freedom

Parents should administer discipline with moderation and justification.

The Board of Management should administer discipline with moderation and justification.

Newly promoted/ posted staff should be prudent when introducing new rules or procedures. Education field officer and the government in general should enforce policies and guidelines on discipline.

## **20. Unfair/unjust sharing of responsibilities**

Schools administration tend to practice unjust sharing or responsibilities amongst teachers in school. This leads to discontent among the school staff and therefore teachers fail to focus on teaching and molding students.

Parents should actively engage the institution on matters of fairness at the workplace.

The Government should keenly analyse work procedures in schools and ensure fair trade practices are practiced.

## **21. Unlawful Procurement business with institutions**

Some institutions fail to adhere to procurement laws and allow teachers to do business with the institutions they work in. This is against procurement law as it amounts to conflict of interest, and creates discontent among the staff who feel left out and/or subjected to unfair competition. Discontented school staff would cause unrest whenever they find an opportunity.

The Ministry of Education should work with sector players and ensure strict compliance with procurement laws and guidelines.

## **22. Lack of proper training in management for school managers**

The Teachers Service Commission should ensure that institution heads are properly trained as managers and duly vetted. Mismanagement is itself a direct cause of unrest.

### **Recommendations**

The Teachers Service Commission and Teacher Training institutions to ensure that management training is duly offered to all teachers and should be a prerequisite to promotion of teachers to managerial positions.

Institution Managers and Boards of Management should undergo management training.

The Government should ensure that ensure that management training is duly offered and is a prerequisite to promotion of teachers to managerial positions. It should also offer technical assistance through public officers available at the nearest government headquarters.

### **23. Lack of adherence to set term of service by members of Board of Management**

Many Board members serve for so long a duration that they can even be termed as “life members”. Normally such members hold an undue sense of entitlement or ownership of the school that they can engineer unrest if a new Principal whom they do not like is posted to their school.

#### **Recommendations**

Board of Management should adhere to set term limits and the school Principals as the Board secretaries should report such incidents.

There should also be concrete succession planning in the boards.

### **24. Unjust enrichment from school income generating activities**

There should be a clear policy on creation and utilization of monies raised from various income generating activities. Some Principals are reported to collude with education officers to swindle money that has been raised by schools from various avenues such as hiring of premises, buses, farming, bakery, etc. this causes discontent and trigger unrest amongst.

#### **Recommendations**

Parents should actively monitor this form of enterprise and offer advice on its operation.

Institutions should be circumspect and follow *Mwongozo* on monies raised in a public institution.

The Government should set a policy on income generating activities and in the meantime offer guidelines that would guard against unjust enrichment, institution politics and discontent.

#### 4.0 COMMITTEE FINDINGS

The Committee findings on the main causes of the student unrests in secondary schools brings to attention many concerns that require interventions by all education stakeholders at the school level, societal level and the Ministry of Education.

The Committee findings on the causes of strikes are as follows:

##### 1. Limited professional guidance and counselling

There is a causal link between lack of effective guidance and counseling services and unrest in secondary schools. Guidance and counselling is underutilized and attributed to learners with disciplinary cases. Even where there are teacher designate-counselors, they are time-constrained to offer adequate counseling services to the students as they are expected to continue performing their regular classroom instruction duties. The need for professional guidance and counseling as well as mentorship services for students cannot be over-emphasized.

##### 2. Increased permissiveness and laissez- faire approach in the society

Society embraces personal choice and liberty in most settings today. This has influenced parenting methods and leadership styles in institutions and weakened deterrence of misconduct. Alarmist media coverage of school unrest propagates the vice and encourages other learners to follow in the same suite as a way of expressing sympathy and peer approval.

##### 3. Failure to address indiscipline in transferred learners

Transferred learners are not accorded the necessary professional help after being transferred to other schools due to indiscipline and a lack of a clear framework of support.

##### 4. Examination stress and promise of leakage

Examination stress caused by the numerous exams in schools and the unlawful expectation or promise of leakage would culminate in school unrest.

##### 5. Long second term

Creation of a longer second term creates undue pressure on learners because they are in school longer than the other school terms and are subjected to a greater workload. The longer second term subjects learners to more work load.

##### 6. Lack/Poor Communication between parents, teachers and learners

Lack of a proper relationship among parents, teachers and learners creates a gap whereby learners find it hard to communicate their problems effectively and requesting much needed support.

##### 7. Monotony of the school program

The school programme is repetitive and monotonous with limited flexibility. Such programs creates boredom amongst the learners who may resort to find alternative ways of breaking the boredom.

### **8. Deprivation of time for sleep and co- curriculum activities**

Lack of co-curricular activities and enough time for sleep and play adversely affects the physical and mental health of the learner.

### **9. Staffing in Schools**

Lack of adequate staff in schools creates a management problem of learners. Demotivated teachers and non-teaching staff may in some cases incite learners against new policies or newly posted principals.

### **10. Diminished role of teachers as mentors and managers**

The teachers' role has been reduced to teaching only creating a gap on mentorship and management of learners.

### **11. Poor school infrastructure/living conditions**

Deplorable living conditions and poor infrastructure subjects learners to inhumane treatment. Failure to provide good services and good living conditions may lead to resentment and anger in the learners and may destroy the facilities with the hope that better and new facilities will be provided. Different public schools have different treatment in form of allocation of resources for infrastructure, school bus, water and food. This tends to make students from other schools feel inferior and intimidated. Because of inequitable treatment, they cause unrest in their schools to protest or get the services and resources they need.

### **12. Overabundance of violence in the society**

The society is witnessing an escalated level of violence that projects a bad culture in managing disputes or coping with challenges. This is witnessed in acts of mob justice, political protests, and media and assault incidents at public places. Unfortunately, learners emulate such behavior and resort to violence as a way of resolving problems

### **13. Weak enforcement of policies**

The government does not regularly and satisfactorily supervise basic education institutions. Schools that are left to operate without supervision easily deviate from accepted standards and would suffer student unrest easily.

### **14. Substance abuse**

Drug and substance abuse is very high in the Kenyan society. Drugs such as alcohol and various substances are easily accessible to learners. The direct physical and psychological effect of these drugs including the attendant withdrawal symptoms is behavior that would result in unrest. Inequitable treatment of public schools.

### **15. Sexual abuse and harassment**

Sexual harassment causes untold psychological pain in the victims and stands as an internationally recognized crime against a child. The NPA has reports of such victims causing unrest to protest their tragedy and ostensibly punish the society as it were.

#### **16. Over strictness**

Overly strict treatment at home and at school is a cause of unrest in schools. Lack of opportunity for expression and abuse from parents may cause rebellion and mass misconduct. The learners become rebellious as a way of seeking freedom.

#### **17. Unfair/unjust sharing of responsibilities**

Schools administrations tend to practice unjust sharing or responsibilities amongst teachers in school. This leads to discontent among the staff of the school and instead of teachers focusing on teaching and on how they will help the learners they seek out ways of seeking favours. If they are denied they will find ways of causing unrest.

#### **18. Unlawful Procurement business with institutions**

Some institutions fail to adhere to procurement laws and allow teachers to do business with the institutions they work in. This is against procurement law, but more importantly, it creates discontent among the staff who feel left out and/or subjected to unfair competition. The "aggrieved" teachers would cause unrest whenever they find an opportunity.

#### **19. Lack of proper training in management for school managers**

The Teachers Service Commission has more to do in ensuring that institution heads are properly trained as managers and duly vetted. Mismanagement is itself a direct cause of unrest

#### **20. Lack of adherence to set term of service by members of Board of Management**

Many Board members serve for so long a duration that they can even be termed as "life members". Normally such members hold an undue sense of entitlement or ownership of the school that they can engineer unrest if a new Principal whom they do not like is posted to their school.

#### **21. Unjust enrichment from school income generating activities**

There should be a clear policy on creation and utilization of monies raised from various income generating activities. Some Principals are reported to collude with education officers to swindle money that has been raised by schools from various avenues such as hiring of premises, buses, farming, bakery, etc. this is bound to cause discontent and trigger unrest.

## CHAPTER FIVE

### 5.0 COMMITTEE RECOMMENDATIONS

The Committee recommends the following measures to curb the recurrent secondary schools unrest.

#### **Adequate resources in secondary schools**

1. The Ministry of Education should review Dr. Kilemi Mwiria's task force recommendation on school fees recommendations for Boarding schools.
2. The Ministry of Education should disburse Free Secondary Day Education funds timely to avoid the financial challenges faced in term II. That the first tranche of funds of 20%, should be disbursed in Term III, the second tranche of 50% be disbursed in Term I of the and the third tranche of 30% be disbursed in term II all within the same financial year.
3. The Ministry of Education should decongest the overcrowded dormitories in boarding schools by ensuring Free Secondary Day Education funds released have a component of infrastructure fund for all schools to benefit, with top up for those whose population is low.
4. The Ministry of Education should have a policy on the establishment of boarding schools for instance minimum number of students in a school.
5. The Ministry of Education should formulate school's development funding policy based on schools needs and National Plan for all categories of Secondary Schools. The objective of the policy will be improvement of infrastructural development of all schools considering that Sub County and County schools comprise over 85 % of secondary school's population which means that they admit the bulk of students transiting to secondary schools.

#### **Management of schools**

6. Parliament should review the Education Act to take care of the number of board members to be reduced to nine or less, discipline procedures be reviewed to make the students take Responsibility for their actions.
7. The Ministry of Land should fast track the issuance of land title deeds to schools as this is also a source of conflict and students are used to settle such scores.
8. The Ministry of Education should refocus on reenergizing and motivating Extra-County schools, Sub County and county schools to foster discipline and improve education standards in order to bring them to par with National schools.
9. The Ministry of Education should put into place measure to thoroughly inducted members of the Board of Management into their roles and expectations. Additionally, The Ministry of Education should allocate adequate resources for their training and development to enable them deliver on their roles as underscored in the Basic Education Act and introduce performance contracting for Board of Management and formulate their performance indicator



10. The Basic education Act 2013 should be reviewed to co-opt Government administration officials such as County Commissioners and Chiefs in Board of Management membership to give them an opportunity to share security intelligence from time to time to the Board.
11. School Heads should pursue dialogue (through regular *barazas*, suggestion boxes) as an appropriate approach in handling issues affecting schools and involve students and teachers in decision making.

### **Teaching and School Leadership**

12. The Teachers Service Commission should establish a framework where a teacher can rise based on performance without becoming Principal if they are not interested so that they spend a little more time on molding students
13. Consequently, all new school leaders must undergo preparatory training for effective school leadership in addition to regular capacity building programmes for school principals, deputy principals, and Boards of Management. There is need to first track the establishment of the Kenya School of teaching.

### **Guidance and counselling**

14. The Ministry of Education and the Teachers Service Commission should expeditiously facilitate all schools to establish efficient and effective guidance and counseling programmes in all schools. The objective of the Guidance and counselling department should be to help students with issues ranging from stress, religious conflicts, low self-esteem, addictions, broken families, and poor academic grades among others.
15. School administration should organize termly seminars to sensitize parents on their role in the upbringing on their children. Every school should establish a comprehensive Parent Participation Plan published at the start of each term. These will strongly provide opportunities for involvement of parents in their children development and learning.

### **Management of internal examinations**

16. Teachers should ensure that the syllabus is cleared within stipulated time as scheduled by Kenya Institute of Curriculum Development. This will help build confidence amongst the learners and candidates panicking and restlessness during exam period especially in second term.

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### **Children Act, 2012**

17. The Ministry of Labour should develop regulations to operationalize the Children's Act in schools.

### **Schools Security**

18. The Ministry of Education should provide funds and resources to enhance security measures such as installation of CCTV cameras for security surveillance and to employ guards (24hours) to safeguard school's property.
19. The Ministry of Education should allocate funds for development of staff quarters for school heads and teachers to enhance their availability and school surveillance.
20. The Ministry of Education should assist schools with the necessary mechanisms to be able to detect drug and substance abuse, trafficking and use, even without parents' consent.
21. Ministry of Interior and National Government Coordination should put in mechanism where every private firms offering security is vetted, to meet certain standards to be able to manage current students. The firms must demonstrate that they have training facilities for their employees.

### **Discipline of students**

22. The Ministry of Education should use NEMIS system to track cases of indiscipline among students. This will curb the transfer of students with criminal behaviors.
23. Schools should adhere to the Basic Education Act while principals and teachers should comply with the provisions of the Act, guidelines and circulars in the management of discipline among the students.
24. The Ministry of Education should immediately develop new mechanism to help restore discipline in schools by formulating various forms of punishments of disciplining students corresponding to their offences committed should be the laid down.
25. The Ministry of Education should support every school to establish a Chaplaincy Department to take care of the spiritual needs of the parents, teachers and students. The department should support students to deal with life's issues and challenges through programs such as Pastoral service, Staff and students fellowship, weekend challenges and discipleship programs.

### **Role of Ministry of Education in Supervision of schools**

26. The Ministry of Education should develop mechanism for maintaining effective quality assurance standards in every sub county in order to ensure effective supervision of education service delivery at local levels.
27. The Teachers Service Commission should develop a more effective system of monitoring and supervising Principals and teachers.
28. There is urgent need for the Ministry of Education and Teachers Service Commission to review the functions and roles of the county officials such as Quality Assurance and Standards officers of both the Ministry and the Commission to avoid duplication of roles and ensure good working relationship and proper coordination.

### **Non-teaching staff**

29. The Ministry of Education should review the salaries and wages of Non-teaching staff develop their structured code of regulations.
30. The Ministry of Education should develop clear guidelines on staffing norms for use by schools when authorizing employment of non-teaching staff in all public schools.

### **Role of Models**

31. Every School should establish mentorship programmes to inculcate student's confidence, self-esteem and skills that they need to be successful in school and in life. These would also contribute to strong and healthy communities.
32. Under the mentorship programme schools should regularly invite renowned motivational speakers vetted by the Ministry of Education to address specific areas like negative effects of secular music, drug awareness campaign, effects of pornography, peace campaigns etc.
33. Every school should allocate every teacher approximately 15 or 20 students (mentees) who should be accountable to the teacher on their class work, extra-curricular activities and character.

### **The National Intelligence Service**

34. The National Intelligence Service should take an active role in gathering, collecting security intelligence information from schools on students activities/security and sharing the same with the School administration and advise on preventive measures to avert students unrests.
35. There should be close working relationship between school administration and the officers of the Ministry of Interior and Coordination of National Government in overseeing security in schools.

