

Synthesizing Policy and Practice: An Examination of Child-Related Policy Implementation in Elementary Education within Nyeri County, Kenya

Wanjohi Githinji^a & Peter Ndiangui^{*b}

* Corresponding author

E-mail: Pndiangui@fgcu.edu

a. School of Education and Lifelong Learning, Kenyatta University, Nairobi, Kenya.


b. College of Education, Florida Gulf Coast University Fort Myers, USA.

Article Info

Received: April 21, 2024

Accepted: May 29, 2024

Published: August 15, 2024

 10.46303/repam.2024.26

How to cite

Wanjohi, G., & Ndiangui, P. (2024). Synthesizing policy and practice: An examination of child-related policy implementation in elementary education within Nyeri County, Kenya. *Research in Educational Policy and Management*, 6(2), 117-135.

<https://doi.org/10.46303/repam.2024.26>

Copyright license

This is an Open Access article distributed under the terms of the Creative Commons Attribution 4.0 International license (CC BY 4.0).

ABSTRACT

Since independence, Kenya's education system has undergone significant reforms aimed at enhancing access, equity, and quality. The Basic Education Act 2013 underscored the government's commitment to free compulsory education, laying the foundation for policy interventions in elementary education. While policies aimed at safeguarding children's rights and ensuring their holistic development exist at the national and regional levels, translating them into effective practice within schools remains a challenge due to limited resources, infrastructure deficits, bureaucratic hurdles, cultural norms, and socioeconomic disparities. These factors influence access and retention rates, thereby impeding policy implementation efforts. The objective of the study was to establish the status of the provision and utilization of education-related policies. This article, therefore, delves into the critical issue of policy-practice disparities in the implementation of child-related policies within elementary schools in Nyeri County, Kenya. The findings show that most schools were aware of and had the requisite resources and capacity to implement policies governing early childhood programs. However, they were not strictly adhering to those on childcare and protection. Thus, policy enforcement should be strengthened to curb malpractices in some primary schools.

KEYWORDS

Early childhood; child-related policies; policies vs practice; Nyeri County; Kenya.

INTRODUCTION

In many aspects of education, the setting up of policies ensures expectations and facilitates the standardization of the expected practice. But unless this is backed by a clear implementation plan, there may be inconsistencies in the execution regardless of how well the policies were designed. Lack of an implementation plan is the primary cause of failure of well-designed policies. In this study, the authors highlight the fact that setting up policies and implementing them are important in early childhood education and development. In education, policies intersect with practice and, in impactful ways, influence educational outcomes and the success of the students. Glewwe and Kremer (2006) observed that the intersection of policies and practice is contingent on factors such as resource availability, stakeholder engagement, acceptability, training, and professional development, among others. Effective implementation, however, requires methodical planning and engagement of the various stakeholders, including the providers (policymakers and implementers) and the recipients (the learners and their families). Ileri et al. (2020) noted that by synthesizing insights from policymakers, educators, parents, and students, this examination offers a holistic view of the policy-practice intersection (Nganga et al., 2023; Mutua, Miriti, & Mogeni, 2019). This synthesis aims to identify best practices, highlight gaps, and propose recommendations for enhancing the efficacy of child-related policies in elementary education (Githinji, 2022). In this context, this study explores the key themes that influence the synthesizing of educational policies and practices in Nyeri County, Kenya.

Due to its geographical location and a history in which education has been the driving force of the socioeconomic development, Nyeri County is well-placed for this kind of study. Located in central Kenya on the slopes of Mount Kenya, sedentary farming communities have occupied Nyeri for more than six centuries. Unlike the surrounding areas that nomadic communities inhabit, the stabilization of the Nyeri communities provided an ideal environment for formal education. Historically, education has been the driving force for the region's development even before independence. Educational institutions, including K-12 schools and tertiary educational organizations, were initiated as early as colonial times. As Wawire and Mburugu (2018) observed, the region has been used as an experimental area for all kinds of educational policies, including the most recent one, the Competence-Based Curriculum (CBC). The successful implementation of the more desirable policies was influential in the production of some of the most influential Kenyans like Professor Wangari Maathai, the Nobel Peace Laureate, Economist Mwai Kibaki, who later served as the third president of Kenya, and many more.

Researching the implementation of child-related policies in primary schools in Nyeri County, Kenya, involves examining both the formal policies set by educational authorities and the actual practices within schools. The researchers aimed to conduct a comprehensive investigation into the implementation of child-related policies in primary schools in Nyeri County, Kenya. The goal was to contribute valuable insights to the improvement of child welfare

and education in the region. The various policies are intended to help safeguard children's rights, provide for their needs, and promote their welfare (Basic Education Act, 2013, Children Act, 2001). Conferences, conventions, seminars, and workshops have been convened to discuss issues related to children. At the forefront are matters related to child rights and their needs. Such include food, shelter, clothing, health, education, and safety.

Lastly, this article contributes to the broader discourse and understanding of educational policy implementation, emphasizing the need for contextually grounded approaches that bridge the gap between policy intentions and practical outcomes (Kobia & Kosgei, 2016). It sheds light on the critical factors that influence the success of educational initiatives, providing valuable lessons for policymakers, educators, and researchers committed to fostering effective and inclusive educational nurturing care environments (Wahungu, Oanda, & Wawire, (2020); Abboah-Offei, Amboka, Nampijja, Owino, Okelo, Kitsao-Wekulo, & Elsey, 2022). The findings of this study can be generalized and applied to other regions.

Research objectives

This study examines how child-related policies are influenced by the implementation strategies in Nyeri County. It also examines the numerous factors that influence the implementation of the policies. It also explores the activities undertaken in Nyeri County to ensure that the policies are implemented as planned. Lastly, the study examines the effectiveness of synthesizing policy and practice in elementary education in Nyeri County.

Research questions

RQ1: What child-related policies have been set up in elementary schools in Nyeri County?

RQ2: How have the education policies been synthesized with practice?

RQ3: How has the effectiveness of elementary education in Nyeri County been influenced by the policy-practice disparities?

LITERATURE REVIEW

Many scholars from different fields of study have examined the convergence of policy and practice. This has been examined from both global and local perspectives. On the global scale, available literature has pointed out that international mandates have significantly influenced local and national education policies worldwide, promoting access, quality, and equity in education all over the world (Musili in UNESCO, 2023; UNICEF, 2009). Due to increased communication and globalization, policies developed in one region are easily applied to other regions. Glewwe and Kremer (2006) observed that nations of the world have become increasingly interdependent not only in the formulation of impactful policies but also in the implementation of educational policies locally. The common mantra of "*think globally but act locally*" is not new. It goes back to the historical efforts to interact with other communities. Even though sovereignty has been a driving force in the growth of nations, efforts to have policies that can be applied globally go back more than a century. The OECD (2013) report offered a

comprehensive look at evaluation and assessment practices globally, relevant to understanding the monitoring mechanisms needed for successful policy implementation (Phelps, 2014).

Globally, legal instruments safeguard child rights and welfare. As far back as 1924, nations of the world produced the Declaration on the Rights of a Child (Geneva Declaration of the Rights of the Child, 1924). This being a declaration did not have any legal binding on the League of Nations. Overall, it was a revelation that children must be provided with means and necessities for development. In 1959, the League of Nations once again came together to deliberate on children and produced The Declaration on the Rights of a Child (Geneva Declaration of the Rights of the Child, 1924). A major declaration during this convention was that in all human undertakings, The Best Interest of the Child must come first. The 1959 declaration stated that children must be protected without discrimination in terms of tribe, religion, culture, creed, and nationality.

On a global scale, empirical literature suggests that international mandates have significantly influenced national education policies worldwide, promoting access, quality, and equity in education. The United States plays a key role in implementing education policies in Kenya (M'masi, 2023). USAID provides the requisite resources required in policy formulation and development.

There is significant literature on analyzing factors influencing the implementation of well-designed policies. For example, Glewwe and Kremer (2006) provided an in-depth analysis of factors affecting educational outcomes in developing countries, including resource allocation and teacher quality. More recently, Okatcha, (2019) Chepkwony and Esendi (2020) highlighted the challenges of implementing policies in Kenyan public schools. In their study based in Nyeri County, Wawire and Mburugu (2018) observed that teacher preparedness was instrumental in implementing the competence-based curriculum. Unfortunately, little attention has been paid to preparing teachers to implement the policies laid out as far as dealing with children is concerned (Musili, 2023).

In 1989, the United Nations held a convention dubbed The United Nations Convention on the Rights of the Child (UNCRC). From this convention, a pioneer legal document stipulating the rights of the child was born. It had four key principles: non-discrimination, survival and development, best interests of the child, and respect for the views of the child. Although the African countries ratified this international covenant, they felt it lacked important aspects of African culture. The UNCRC did not focus on the responsibilities of the child, which is enshrined in African culture. Nevertheless, it plays a key role in shaping child-related education policies (Nganga et al., 2023).

Regionally, the Organization of African Unity (OAU) adopted the African Charter on the Rights and Welfare of the Child (ACRWC). It was put into force in 1999. This covenant is the most customary and culturally sensitive international convention. The tenets of the Basic Education Act are anchored on UNCRC and the African Charter (Kenya Gazette Supplement No 37). However, in case of conflict with the principles of UNCRC, UNCRC takes precedence over the

African Charter or any other law or policies developed after that. Other conventions focusing on the rights and needs of children have been held across the world. The Salamanca Conference (Salamanca Statement, 1994) was a world conference on special needs education held in Spain. This conference emphasized the need to address the specific needs of specific children. The Dakar Conference (two thousand) was a World Education Forum held in Dakar, Senegal. The participants reaffirmed the vision of the World Declaration on Education for All (Education for All, 1990) adopted ten years earlier at Jomtien, Thailand, in 1990. Countries were called upon to ensure that education was available and accessible to all without any charges.

The UNCRC and ACRWC, together with other conventions, have led many countries across the world and Africa to produce specific laws relating to child protection. In Kenya, there are two legal provisions to safeguard the rights of children. These are The Constitution of Kenya, 2010, and The Children Act No.8 of 2001. Before the enactment of the Children Act in 2001, several other laws addressed several aspects of child rights and protection. One law is the Employment Act (Laws of Kenya, Cap. 226). This law states that a person under 16 years is a child and thus should not be employed. It goes further and specifies where and what kind of work the child should not do. However, this law is silent on children working in the agricultural sector or on the streets (Chepkwony & Esendi, 2020).

Another is The Law of Domicile Act (Laws of Kenya, Cap. 37), stipulating the citizenship and/or residency of a child. Where a child is legitimate, such a child takes the domicile of the father, while in the case of an illegitimate child, the child takes the domicile of the mother. Sections 143 to 150 and 165 of the Penal Code (Laws of Kenya, Cap. 63) safeguard children from sexual abuse and stipulate punishment for crimes, while Sections 158 to 160 and 210, 211, 216, 227-228 aim at protecting children's life. These sections of the law clearly state what is regarded as a crime and the purpose of protecting a child's life. The Marriage Act and The African-Christian Marriage and Divorce Act set the marriage age. This age was set at 18. However, some legal provisions and judicial intervention allow girls to get married as early as 16 years while boys remain at 18 years hence gender inequity (Psaki, Haberland, Mensch, Woyczynski, & Chuang, 2022).

The Basic Education Act 2013 is a major law regarding the conduct of education in Kenya and the handling of children. The law safeguards the rights of the child to education without any discrimination. It stipulates the process of disciplining the child. It further outlaws holiday tuition, school fees, forced repetition, and school entry examinations. Any form of cruel treatment of children is prohibited. This law makes clear the nature of charges that face culprits who break 'The Basic Education Act.'

At the location of the study, Wanjiru (2016) examined the challenges of policy implementation in Nyeri County. By studying the local geographical, political, and social environments in distinct parts of the county, she provided a localized context for the research. She identified transport as a significant contributing factor in the differential implementation. This is not so different from other parts of the world. In the United States, school transport is

said to be the safest mode of transport (National Transport and Safety Authority, 2015). It is reported that in a year, 4-6 children in the U.S. perish in road accidents compared to four hundred children in Kenya, which is attributed to a lack of adherence to school transport policy (Obala, 2017).

School transport in Kenya is governed by the Transport Act 2013, which is poorly enforced, leading to carelessness by drivers and negligence by bus minders. Recently, the government repealed and amended Cap 403 to create a stiffer penalty for culprits of school children's safety on the roads. According to the Kenya School Regulations (2017), which bore the Traffic Amendment Act of 2017, all school buses had to be painted yellow by March 30, 2018, for easier identification (Kenya Traffic (Amendment) Act, 2017; Apollo & Mukinda, 2018). By the end of the deadline of the stipulated period, some schools had not adhered to this directive. School buses can only operate from 5 am to 10 pm and must be fitted with safety belts. Their speed limit is set at 50 kph. All other vehicles must also observe a speed limit of fifty kilometers per hour when approaching schools. This speed limit is hoped to protect 70% of children who walk to school. However, as reported by respondents, this was never observed, even when signaled to slow down by traffic marshals.

Punishment, as well as discipline or, better still, indiscipline, has been a major concern in schools across the world. Studies done in Kenya by Ouma et al. (2013), Ndegwa (2013), Karuri (2015), Ireri and Muola (2010), and Afullo (2005) have all tried to address disciplinary measures against students in Kenya as well as the alternative means of disciplining wayward learners. Blame games among stakeholders have been a common feature in issues of discipline. In South Africa, teachers have been blamed for deteriorating indiscipline in schools (Ntsiki, 2009). Teachers have faced criminal charges for their excessive force in handling indiscipline cases. In February 2016, *Times Live* reported that a Grade 3 Free State pupil had died after a teacher assaulted her with a hosepipe. Corporal punishment was banned in Kenya in 2001 following the enactment of the Children Act (Republic of Kenya, 2001). However, teachers do adhere to this as they still employ corporal punishment as a form of disciplinary measure on learners (Mweru, 2010). One reason given is that corporal punishment gives immediate results and thus is more effective.

The law in South Africa (Republic of South Africa, 2017) defines corporal punishment as ranging from hitting – with a hand or an object (for example, a whip, stick, belt, or hosepipe), kicking, grabbing or throwing, scratching, pinching, biting, pulling hair or boxing ears, forcing children to stay in uncomfortable positions, throwing objects at a learner and burning (for example, with hot water or cigarettes). A similar scenario was witnessed in Tanzania and Zambia (Doriye, Muneja, & Ilomo, 2020; Mwanza, & Silukuni, 2020).

Lastly, learning is more conducive in a child-friendly environment (UNICEF, 2009a, b). Karuri (2015) noted that 55% of schools in Nairobi County did not have security. A safe environment entails a school compound secured with a fence and a gate (Kimwele, Ochola, & Mugambi, 2019). Likewise, Wanjohi (2014) observed that teachers were not using the stipulated

language of the catchment area, thus introducing children to foreign languages too early in their early childhood (Awuor, 2019). The use of familiar language enhances learners' comfort in school. When a familiar language is used in school, learners feel safe and homely and can communicate their needs, thus enhancing learning (De Galbert, 2021). Using a foreign, unfamiliar language in the introductory years of education is tantamount to punishment, which puts an individual in an uncomfortable situation (Hornby, 2017).

RESEARCH METHODOLOGY

This subsection presents the research design, study location, and data collection methods. It also includes the target population, sample and sampling techniques, and data analysis.

The study employed a descriptive survey design (Mugenda & Mugenda 2003) utilizing both qualitative and quantitative research methods. This method was useful not only for a baseline survey but also for testing the hypothesis that education policies are not adhered to as stipulated.

This study had independent and dependent variables. Independent variables included acts, policies, and regulations relating to child protection. Consideration was given to the provision of policy and legal documents, the nature of the learning environment, school transport, and disciplining the learners. The dependent variables were the implementation of stipulated policies and/or regulations. The observed scenarios were either adhered to or not adhered to, and activities that can be regarded as malpractice against students.

The location of the study was Nyeri, which is one of the forty-seven counties in Kenya. The region was selected because there have been reports in the media about malpractice related to handling social and family conflicts, which in turn affected children's welfare. In recent reports, couples have turned against each other using violent means; children have been excessively punished because of certain offenses, and there has been a general outcry about deteriorating social relations within this county. While most reported issues of concern happened in families, it was necessary to find out how children are being managed in schools. Of great concern was whether policies emanating from the Basic Education Act were being adhered to. Wanjohi's earlier study in 2014 had reported that the policy on language of instruction was not implemented as stipulated. In addition, performance in national examinations at the primary school level and public day schools in this area has continued to deteriorate (Ministry of Education, 2023).

The target population was pre-primary and lower primary schools. There are 480 lower primary and pre-primary school streams in the County. There are 160 private schools, and 320 are public/governed funded schools. The schools have a population of 1235 children with a 1:1 ratio of boys and girls. Pre-primary and lower primary categories were targeted because some schools have only pre-primary schools. Children at these two levels are the most vulnerable and require extra care and protection. If anything goes wrong at this level, a child's future will be

negatively impacted (UNESCO, 2023). A multi-stage sampling technique was used to select the sample.

The data collection involved visiting primary schools in Nyeri County for firsthand observation of practices related to child welfare and education. The researchers paid attention to means of transport to school, classroom management, teacher-student interactions, child discipline, and the availability of support services. The researchers observed and participated in the movement of children on their way to school in the morning and on their way home in the evening.

The data were gathered using observation, interview schedules, and focus group discussions. These instruments were considered most appropriate in a descriptive survey because they helped collect in-depth data on the implementation or lack of implementation of children's protection policies. The instruments were pre-tested to allow for necessary adjustments and corrections on the selected items. Validity and reliability were established through triangulation. The researchers pre-visited every school and took time to be there to create rapport, remove any anxiety, and develop trustworthiness.

During the actual data collection, the researcher started with observations followed by a focus group discussion with teachers, which helped remove biases that could arise from pre-empting the study items. If focus group discussions were conducted first, the participants would get to know what the researcher was looking for, making them produce action strategies to avoid imagined mistakes and act accordingly. All the necessary ethical and logical considerations were followed. The researcher sought informed consent.

Data collected through each of the two methods used was analyzed separately and then triangulated. Both qualitative and quantitative data analysis techniques were employed. This mixed-methods approach helped to develop a clear and thoughtful understanding of each data set gathered to bring out the nature of the situation in school in terms of policy versus practice in child protection. The researchers also explored the barriers that may hinder the effective implementation of child-related policies in primary schools. In quantitative data analysis, descriptive statistics play a key role. This method produced the frequencies and percentages. Quantitative results were presented in tabulations and descriptions.

Interview recordings were transcribed. The transcriptions were categorized according to objectives. The resulting qualitative data was analyzed using an adapted Kitwood's Qualitative Technique for Data Analysis. This program allowed the categorization of the findings into common themes, trends, and patterns that are the basis of the discussion of the findings, which allowed for further in-depth analysis through comparison of themes and trends. The results are presented through narratives, verbatim quotations, and detailed descriptions followed by discussions.

Kitwood's Qualitative Technique for Data Analysis is useful in the analysis of qualitative data. It has been adapted and used in other studies (Koech, 2005; Wambiri, 2007; Wanjohi, 2014). It entails analyzing the data through various methods. However, in this study, the

researchers adopted only the following methods: Total pattern of choice by popularity of items, similarities and differences within the total sample of accounts according to certain characteristics of the participants, grouping items together by reasons given by the respondents relating to a common theme, cross-checking to identify the recurring themes and trends and exploration of anticipated occurrence to discover the underlying reasons for likely omission of a certain phenomenon. Findings were presented in verbatim quotations and detailed descriptions.

RESULTS AND DISCUSSION

This subsection presents the findings and discussion of the study. It addresses the objective of the study, which was to establish the status of the implementation of child protection policies in Kenya. The results are presented quantitatively and qualitatively through frequencies and percentages, narratives, and verbatim quotations. Descriptions and discussions of the same follow these.

Table 1 below shows the number of schools that had adhered to availing legal and policy documents. Less than 50% of the schools had these documents. Noteworthy is that the *Basic Education Act and Safety Standards Manual* for Schools in Kenya seemed to have been the most available document at 80% as compared to ECD Service Standard Guidelines at 50%. The *Child-Friendly Schools Manual* was second most popular at 74%. Private schools are said to be notorious for adhering to government directives (Wanjohi, 2014). They lag public schools on the provision of the Basic Education Act (75%, 83%), *Child-Friendly Schools Manual* (55%, 87%), and *Safety Standards Manual* (65%, 90%). One head teacher from private schools lamented: "Private schools are discriminated against by the Ministry of Education. Public schools are provided with these official documents for free while we must struggle to get them."

Table 1.

Provision of Legal or Policy Documents

SN	ADHERENCE TO LEGAL REQUIREMENTS	PUBLIC		PRIVATE		TOTAL	
		f	%	f	%	f	%
1	Basic Education Act	25	83	15	75	40	80
2	Children Act	14	46	12	60	26	52
3	<i>Child-Friendly Schools Manual</i>	26	87	11	55	37	74
4	<i>Safety Standards Manual</i>	27	90	13	65	40	80
5	ECD Policy Framework	15	50	10	50	25	50
6	ECD Service Standards Guidelines	17	57	8	40	25	50
7	Road Transport Act	10	33	16	80	26	52
9	Occupational Hazard Act	18	59	9	45	27	55

This explains why most public schools had the legal documents. A manager of a private school argued: "...these documents should be supplied by the government printer without

charge to reach all schools. If anything, *hakuna mtoto private*,” which in English means no child is private; hence, the need to treat all equally. This argument concurs with an early study on equity in diversity and inclusion. Government departments do not consider it their responsibility to supply privately owned learning institutions with administrative records, yet they expect them to adhere (Pisani & Dowd, 2022; Mendenhall & Falk, 2023).

Table 2 below shows that less than 50% of the schools were not adhering to legal requirements. This contradicts the information in Table 1, which shows that most of these schools had legal documents. This result aligns Choice Theory by William Glasser (1998), that human beings choose what benefits them, and human beings cannot be controlled. Despite the government directives that all schools should have copies of legal documents, six of the nine legal documents were not available in almost 50% of the schools. In addition, it was observed that schools that lacked administrative documents had more cases of repeated negligence at over 50%.

Table 2.

Adherence to Legal Requirements

SN	ADHERENCE TO LEGAL REQUIREMENTS	PUBLIC		PRIVATE		TOTAL	
		f	%	F	%	f	%
1	Basic Education Act	13	26	10	50	23	46
2	Children Act	14	46	8	40	22	44
3	<i>Child-Friendly Schools Manual</i>	10	34	9	45	19	38
4	<i>Safety Standards Manual</i>	12	40	7	35	19	38
5	ECD Policy Framework	11	37	10	50	22	44
6	ECD Service Standards Guidelines	8	27	8	40	16	32
7	Road Transport Act	5	17	9	45	14	47

This finding agrees with Neuman and Okeng’o (2019). Incidences of omission to protect children were observed in areas such as school fences, gates, playgrounds, toilets, furniture, play equipment, and transport, among others. The excuse given by one of the school administrators was: “*Hawa watoto wako nyumbani kwao kwa hivyo hakuna hatari yoyote ya kuwekewa fensi*” translated to mean... ‘these children are at their home neighborhood, hence no need danger requiring fencing of the school.’”

From Table 3, it can be observed that private schools surpass public schools in providing safe facilities, with a mean score of 75% to 40%. Except for the classrooms and a school fence, the provision of all the other facilities was below 50%. On average, Nyeri County provides 54% of safe facilities, which means that the County is average in providing safe facilities. The findings of this study are similar to those of Karuri (2015), who observed that in Kiambu, 55% of schools had no school fences. In addition, UNICEF's (2009b) report shows a discrepancy in establishing child-friendly schools. Of great concern is school transport. Public schools

account for 16% of the total, compared to private schools at 65%. It should be noted that most children (70%) from public schools walk to school, which aligns with Kajilwa (2018). One parent reported, "I walk my children to school every morning, but unfortunately, I am not able to pick them up in the evening; thus, she goes home by himself."

Table 3.

Availability and Safe Facilities

SN	AVAILABLE AND SAFE(T.Y.) FACILITY	PUBLIC		PRIVATE		TOTAL	
		f	%	f	%	f	%
1	School fence	16	53	17	85	33	66
2	Gate	12	40	15	75	27	54
3	Playground	10	33	13	65	23	46
4	Toilets	8	26	14	70	22	44
5	Furniture	13	43	17	85	30	60
6	Play equipment	9	30	13	65	22	44
7	School transport	5	16	13	65	18	36
8	Classrooms	23	76	18	90	41	82
	Mean score	12	40	15	75	27	54

It was observed that most children crossed a road, thus putting them at risk of being knocked down by speeding vehicles. There were no speed limit signs to show designated crossing points, which was a violation of transport policy (Musili, 2023; Safari, 2020). This contravenes the Transport Amendment Act (2017), which stipulates that the speed limit at schools will be at 50 kph and that speed limit signs be displayed (Obala, 2017).

In urban centers, some children from public schools use public transport vehicles. Children using public transport that was not subjected to the same control as school-owned transport. This exposed them to higher risk than those who traveled by school bus (NHTSA, 2015). Some of these public motor vehicle operators did not observe traffic rules. "Some motor vehicles do not slow down, hence the need for the erection of road barriers along schools," A traffic police officer observed. He added, "Some schools near the road have scouts helping children cross the road."

From Table 4, it can be observed that among the public schools studied, only two had school buses. Both schools were culpable of one traffic offense or the other. On school transport, all private schools studied had school transport in the form of a bus or a van. Half of them violated the speed limit, while 75% had no seat belts. Caning was a common mode of punishment for indiscipline cases, 70% in public schools and 55% in private schools.

These findings concur with those of other researchers who reported that some forms of physical punishment, including caning, were organized, and done in the office while the teacher spontaneously administered the rest on duty, class teacher, or subject teachers (Maphosa &

Shumba, 2010). This observation was in line with the findings of Mweru (2010) and Ouma et al. (2013).

Table 4.

Policy Malpractices in Schools

SN	CULPABLE ACTIONS	PUBLIC		PRIVATE		TOTAL	
		f	%	f	%	f	%
1	Caning	21	70	11	55	33	66
2	No hand-wash points	23	77	9	45	32	64
3	Unhygienic toilets	22	73	7	35	29	58
4	Unhygienic kitchen	19	63	8	40	27	54
5	Over speeding	1	50	10	50	11	22
6	No seat belts	1	50	15	75	16	32
7	Pinching/Pulling ears	26	86	16	80	42	84
8	Physical activities	24	80	18	90	42	84
	Mean score	17	62	12	59	29	58

Other forms of punishment given were pinching (pulling the ears) at 86% of public schools and 80% in private schools and physical activities at 80% of public schools and 90% of private schools. “There are different forms of discipline for children in different schools.” This finding agrees with other findings by Kihara et al. (2024). A head teacher reported physical activities included but not limited to kneeling, standing, running, walking around the school, collecting rubbish, performing press-ups, and writing an apology such as “I am sorry, I will not repeat” by a Standard Three Child in Private School D. Public schools had the most unhygienic toilets and kitchen facilities at 73% and 63% respectively. A report by UNESCO (2023) noted that children were learning in deplorable conditions, with some lacking sanitation facilities. Guidance and counseling have not replaced corporal punishment as envisaged in the ban following the enactment of the Children Act (Republic of Kenya, 2001) and the promulgation of the Kenya Constitution (Republic of Kenya, 2010).

A government officer responded when asked about policies, “Many government policies are only on paper, and the public are not aware about them.” The school boards of management are drawn from the same public that is ignorant about the policies (Kipngetich, 2019). It is recommended that the community be sensitized to existing school-related policies.

Lastly, resource constraints, cultural norms, lack of training, or bureaucratic challenges hindered the adoption of child-related policies in the region (Safari, 2020). To raise awareness, the researchers will share the research findings with relevant stakeholders, including government officials, educators, NGOs, and community members. This could help raise awareness and stimulate action to address the gaps in policy implementation.

CONCLUSION

Synthesizing policy and practice in child-related policy implementation requires a multi-dimensional approach that considers contextual factors, capacity building, and collaborative governance structures. While challenges persist, localized adaptations and concerted efforts towards professional development and monitoring can enhance the effectiveness of policy interventions in elementary education (Gatundu, 2023).

The findings in this study indicate that there is a disconnection between policy and practice in elementary schools in Kenya. Schools are violating the legal requirements that have been laid down with impunity. These violations expose children to dangerous means of commuting to school. Many more are learning in unfriendly environments with no security or sanitation facilities. On top of that, the ones joining school at Grade One are taught in unfamiliar languages thus endangering their social and academic progress. Specialists argue that: “the country lacks clear and direct guidelines on how school-related policies should be implemented; this was common during Covid when the Ministry of Education was so indecisive on when schools should reopen and minimum measures to be put in place” (Konyango et al., 2018, pp78-9).

Sharing the research findings with relevant stakeholders, including government officials, educators, NGOs, and community members, could help raise awareness and stimulate action to address any gaps in policy implementation. Community awareness and capacity building on the role of child-related policies will enhance compliance. This enhanced compliance will, in turn, support school-going children in making educational and social progress.

Limitations

Because the study was only conducted in Nyeri County, one of the forty-seven in Kenya, the findings may not be generalized to all of them. However, it can serve as a baseline survey and lay the foundation for replication. Another limitation was that the respondents from private schools were resisting their schools being studied for fear of victimization. However, the researchers assured them that the purpose of the research was purely scholarly; thus, knowing their areas of weakness would help them improve. Finally, some schools were not easy to access by road using motor vehicles; thus, other means, including walking and motorbikes, had to be utilized.

Recommendations to Policy Makers

From the findings, it was observed that several schools were not adhering to school-related policies. It is therefore recommended that there is a need to ensure the availability and easy accessibility of various policy documents. Close monitoring and regular check on enforcement will be important. The Ministry of Education should, therefore, work closely with line ministries and departments to ensure adherence, such as the National Transport and Safety Authority (NTSA) to enforce traffic laws and regulations, the Ministry of Health, and various correctional institutions. The traffic marshals of the Kenya Police Service and particularly the traffic directorate should be more vigilant on the roads during school reporting/opening, end of each day in school, and closing days (Obala, 2017).

It was reported that lack of adherence was due to ignorance or lack of follow-up by authorities. There is a need to sensitize school directors, managers, administrators, parents, learners, and the public to the usefulness of school-related policies. For school-going children to be safe, there is a need to obey traffic rules and regulations, and to ensure children are always safe when in or out of school, friendly neighborhoods should be emphasized. The County Education Boards (CEB) should be empowered to take measures against any school that does not adhere to educational policies.

Recommendations for Further Research

The research was conducted in a single county out of the forty-seven in the country. Thus, a large-scale study in all counties or a representation in each of the eight regions is needed to get a clearer picture of the policy implementation and practice in our schools. Such research can further be replicated in other countries and/or States in Africa, the United States, Asia, and Europe. These studies will help in assessing how safe our children are in school activities.

REFERENCES

- Abboah-Offei, M., Amboka, P., Nampijja, M., Owino, G. E., Okelo, K., Kitsao-Wekulo, P., ... & Elsey, H. (2022). Improving early childhood development in the context of the nurturing care framework in Kenya: A policy review and qualitative exploration of emerging issues with policy makers. *Frontiers in Public Health, 10*, 1016156. <https://www.frontiersin.org/journals/public-health/articles/10.3389/fpubh.2022.1016156/full>
- Afullo, O.P.T (2005). *Role of the teacher in management of student discipline in public schools in Bondo District* [Master's Thesis, Maseno University, Kenya].
- Apollo, S. & Mukinda, F. (2018, January 12). Matiang'i lays down tough new rules on schools and betting. *Nation: Kenya Edition*. Retrieved July 18, 2024, from <https://nation.africa/kenya/news/fred-matiang-i-lays-down-tough-new-rules-on-betting--2018>
- Awuor, Q. E. (2019). Language policy in education: The practicality of its implementation and way forward. *Journal of Language, Technology & Entrepreneurship in Africa, 10*(1), 94-109.
- Basic Education Act, No. 14 of 2013. (2013). Retrieved from https://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/BasicEducationAct_No14of2013.pdf
- Chepkwony, J., & Esendi, L. (2020). Policy implementation challenges in Kenyan public primary schools: A case of Nyeri County.
- De Galbert, P. (2021). Language-in-Education policies: An analytical framework applied to Kenya and Uganda. In *Language issues in comparative education II* (pp. 276-300). Brill.
- Doriye, F., Muneja, M. S., & Ilomo, O. (2020). Challenges on the implementation of free education policy in Tanzania: A case of public primary schools in Babati Town. *East*

African Journal of Education and Social Sciences (EAJESS), 1(3), 32-38.

<https://doi.org/10.46606/eajess2020v01i03.0040>

Education for All: Meeting Basic Learning Needs. (1990). World Conference on Education for All, Jomtien, Thailand. UNESCO. Retrieved from

<https://unesdoc.unesco.org/ark:/48223/pf0000127583>

Gatundu, G. W. (2023). *Influence of school environment on academic self-concept among primary school pupils in informal settlements of Kibra Sub-County, Nairobi County, Kenya* [Doctoral dissertation, Massai Mara University].

<http://41.89.101.166:8080/bitstream/>

[handle/123456789/15674/GRACE%20PHRASED%20THESIS-FINAL%20EDITED.pdf?sequence=1&isAllowed=y](http://41.89.101.166:8080/bitstream/handle/123456789/15674/GRACE%20PHRASED%20THESIS-FINAL%20EDITED.pdf?sequence=1&isAllowed=y)

Geneva Declaration of the Rights of the Child. (1924). Retrieved from

<https://www.unicef.org/milestones/1924-declaration-of-the-rights-of-the-child>

Githinji, W. (2022). Implementation of child-related policies in schooling. *Education & Child Development*, Vol. 1 No. 1 (2022): Educational Services

<http://www.ojld.org/index.php/education/article/view/5/4>

Glasser, W. (1998). *The quality school: Managing students without coercion*. HarperCollins.

Glewwe, P. & Kremer, M. (2006). Schools, teachers, and education outcomes in developing countries. In E. Hanushek & F. Welsch (Eds.), *Handbook of the economics of education*, 2, (pp. 945-1017). [https://doi.org/10.1016/S1574-0692\(06\)02016-2](https://doi.org/10.1016/S1574-0692(06)02016-2)

Hornby, A. S. (2017). Punishment. In *Oxford advanced learner's dictionary of current English*. Oxford University Press. <https://en.oxforddictionaries.com/definition/punishment>

Ireri, B. R., King'endo, M., Wangila, E., & Thurania, S. (2020). Policy strategies for effective implementation of inclusive education in Kenya. *International Journal of Educational Administration and Policy Studies*, 12(1), 28-42. <https://files.eric.ed.gov/fulltext/EJ1250197.pdf>

Ireri, N. & Muola, J.M. (2010). Factors affecting guidance and counseling program in primary schools in Nairobi Province, Kenya. *Global Journal of Educational Research*, 9(1-2).

<http://www.ajol.info/index.php/gjedr/article/view/62523>

Kajilwa G. (2018). What the law says about school transport. *The Standard*.

https://www.standardmedia.co.ke/education/article/2001266069/what-the-law-says-about-school-transport#google_vignette

Karuri, S. W. (2015). *Factors influencing pupils' discipline in public primary schools in Dagoretti Sub-County Nairobi, Kenya* [M.A. Thesis, Nairobi University].

http://erepository.uonbi.ac.ke/bitstream/handle/11295/90926/Karuri_Factors%20influencing%20pupils%20%20discipline%20in%20public%20primary%20schools%20in%20Dagoretti%20Sub%20%20County%20Nairobi.pdf?sequence=1

Kenya Gazette Supplement No 37. The Basic Education Act No. 14 of 2013, Nairobi: Government Printers.

- Kenya School Regulations. (2017). Retrieved from <http://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Regulations/KenyaSchoolRegulations2017.pdf>
- Kihara, D. W., Peter, K. R., & Mulwa, D. (2024). Influence of school discipline policy in promotion of child-friendly learning environment in rural public primary schools in Meru County, Kenya. *International Journal of Innovative Research and Advanced Studies*, 11(2), 1-8. https://www.ijiras.com/2024/Vol_11-Issue_2/paper_1.pdf
- Kimwele, A. M., Ochola, S. A., & Mugambi, M. N. (2019, April 24-April 26). School feeding programs, national food policies, action of plan and strategies on school meals and food security among school children in Kenya. In *Proceeding of the 2nd Annual International Conference* (pp. 17- 26). Machakos University, Kenya. https://www.researchgate.net/profile/Kabiru-Hammanjoda/publication/369718919_book_of_proceedings_of_machakos_university_2nd_international_conference/links/64291dec66f8522c38eed719/book-of-proceedings-of-machakos-university-2nd-international-conference.pdf#page=35
- Kipng'etich, S. N. (2019). Fundamental issues in implementation of government policy on class repetition in basic education in Kenya. *Journal of Advances in Education and Philosophy*, 3(3), 142-149. <https://scholarsmepub.com/wp-content/uploads/2019/07/JAEP-3-3-142-149-c.pdf>
- Kobia, P., & Kosgei, J. (2016). Educational policy implementation in Kenya: The Nyeri County experience.
- Koech, D. K. (1999). *Report of the commission of enquiry into the education system in Kenya: Totally integrated quality education and training*. Nairobi: Government Press.
- Konyango, T. O., Ngugi, P.K., Rotich, G. & Orwa, G. (2018). Influence of transparency on policy implementation in public sector in Kenya. *Journal of Public Policy & Governance*, 2(1), 43-59. <https://stratfordjournals.org/journals/index.php/journal-of-public-policy-governance/article/view/111>
- Laws of Kenya, Cap. 226. (n.d.). Retrieved from http://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/Chapter226Laws_of_Kenya.pdf
- Laws of Kenya, Cap. 37. (n.d.). Retrieved from http://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/Chapter37Laws_of_Kenya.pdf
- Laws of Kenya, Cap. 63. (n.d.). Retrieved from http://www.kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/Chapter63Laws_of_Kenya.pdf
- M'masi, S. M. (2023). *The role of the United States Agency for International Development on the implementation of education policy in Kenya* [Master's thesis, Kenyatta University].

<https://ir-library.ku.ac.ke/server/api/core/bitstreams/2f8c7fcc-7793-40a7-a184-4cec15740e19/content>

Maphosa, C. & Shumba, A. (2010). Educators' disciplinary capabilities after the banning of corporal punishment in South African schools. *South African Journal of Education*, 30(3). Online version.

http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S0256-01002010000300004

Mendenhall, M., & Falk, D. (2023). National inclusion policy openings/barriers for refugee Teachers: Critical reflections from Kenya. *Journal of Refugee Studies*, 36(4), 649-667.

<https://doi.org/10.1093/jrs/fead026>

Ministry of Education, (2023). *Analysis of Status of KCSE and KCPE Performance Report for County Education Board*, Unpublished internal report for education stakeholders meeting

Mugenda, O. M., & Mugenda, A. G. (2003). *Research methods: Quantitative and qualitative approaches*. Acts Press.

Musili, W. (2023). Institutional factors influencing the implementation of child-friendly schools in Kenya. *Journal of the Kenya National Commission for UNESCO 2023*, 3(1). 1-14;

<https://journals.unesco.go.ke/index.php/jkncatcom/article/view/38>

Mutua, M. N., Miriti, J. M., & Mogeni, S. (2019). Implementation of the 'return to school' policy for teenage mothers in Kenya: A rights-based perspective. *International Journal of Humanities Social Sciences Education*, 6(6), 58-74. <https://www.arcjournals.org/pdfs/ijhsse/v6-i6/8.pdf>

Mwanza, C., & Silukuni, D. (2020). Implementation of the free education policy in primary schools in Kafue District: Is it a compromise on quality of education in Zambia?

European Journal of Education Studies, 7(9), 317-332.

<https://oapub.org/edu/index.php/ejes/article/view/3269/5905>

Mweru, M. (2010). Why are Kenyan teachers still using corporal punishment eight years after a ban on corporal punishment? *Child Abuse Review*, 19(4), 248-258.

<https://doi.org/10.1002/car.1121>

National Transport and Safety Authority. (2015). Annual road safety report. National Transport and Safety Authority.

https://www.ntsa.go.ke/downloads/annual_road_safety_report_2015.pdf

Ndegwa, R.G. (2013). *An investigation into the role of guidance and counseling services in selected secondary schools in Tigania Division, Meru North District, Kenya* [Master's thesis, Kenyatta University]. Available at: <https://ir-library.ku.ac.ke/items/1ec9a420-2cbe-4fdd-bc1d-264e0605baa0>

Neuman, M. J., & Okeng'o, L. (2019). Early childhood policies in low-and middle-income countries. *Early Years: An International Research Journal*, 39(3), 223-228.

<https://doi.org/10.1080/09575146.2019.1636571>

- Nganga, L., Madrid Akpovo, S., Kambutu, J., Thapa, S., & Mwangi, A. M. (2023). Educational policies in early childhood education programs in Kenya and Nepal: Challenging unjust binary mindset around curricula practices. *Policy Futures in Education*. Online. <https://doi.org/10.1177/14782103231176587>
- Ntsiki, M. (2009). *Effects of Language Shifts in Education in Early Grades in Guateng Province of South Africa*. Unpublished M.Ed Thesis, UNISA
- Obala, R. (2017, July 3). Strict traffic law to curb fatal school van related accidents. *The Standard*.
- OECD. (2013). *Synergies for better learning: An international perspective on evaluation and assessment*. OECD Publishing.
- Okatcha, F. (2019). Challenges facing the implementation of the new curriculum in Kenya: The case of Nyeri County.
- Ouma, M.A., Simatwa, E.M.W., & Serem T. D. K. (2013). *Management of pupil discipline in Kenya: A case study of Kisumu Municipality*. Department of Educational Management and Foundations.
- Phelps, R.P. (2014). Synergies for better learning: An international perspective on evaluation and assessment. *Assessment in Education: Principles, Policy & Practice*, 21(4), 481–493. <https://doi.org/10.1080/0969594X.2014.921091>
- Pisani, L., & Dowd, A. J. (2022). 1. Diversity and equity in education: Policy, practice, and options for reaching children at the bottom of the pyramid. In D.A. Wagner, N.M. Castillo, & S.G. Lewis (Eds.), *Learning, marginalization, and improving the quality of education in low-income countries* (pp 13-44). OpenBook Publishers
- Psaki, S., Haberland, N., Mensch, B., Woyczynski, L., & Chuang, E. (2022). Policies and interventions to remove gender-related barriers to girls' school participation and learning in low-and middle-income countries: A systematic review of the evidence. *Campbell Systematic Reviews*, 18(1), e1207. <https://doi.org/10.1002/cl2.1207>
- Republic of Kenya. (2001). *Children Act 2001*. Nairobi: Government Printers. <http://kenyalaw.org:8181/exist/rest/db/kenyalex/Kenya/Legislation/English/Acts%20and%20Regulations/C/Children%20Act%20-%20No.%2029%20of%202022/docs/ChildrenAct29of2022.pdf>
- Republic of Kenya. (2010). *The Constitution of Kenya, 2010*. Nairobi: Government Printers. http://www.parliament.go.ke/sites/default/files/2023-03/The_Constitution_of_Kenya_2010.pdf
- Republic of South Africa. (2017). *The Constitution; Chapter 16. Corporal Punishment*. <http://section27.org.za/wp-content/uploads/2017/02/Chapter-19.pdf>
- Safari, D, M., (2020). Implication of public policy implementation process on service delivery in the County Government of Kilifi. *Kenya International Journal of Current Aspects*, 6(3), 134-151. <http://dx.doi.org/10.35942/ijcab.v6i3.284>

- Salamanca Statement and Framework for Action on Special Needs Education. (1994). World Conference on Special Needs Education: Access and Quality. Salamanca, Spain: UNESCO. Retrieved from https://www.unesco.org/education/pdf/SALAMA_E.PDF
- UNESCO (2023). As Reported in the Article by Clark, H., Coll-Seck, A. M., Banerjee, A., Peterson, S., Dalglish, S. L., Ameratunga, S., ... & Costello; A future for the world's children? A WHO–Lancet Commission. *The Lancet*, 395(10224), 605-658.
<https://www.thelancet.com/action/showPdf?pii=S0140-6736%2819%2932540-1>
- UNICEF. (2009a). *Child-friendly schools manual*. <https://www.unicef.org/media/66486/file/Child-Friendly-Schools-Manual.pdf>
- UNICEF. (2009b). *Child friendly schools programming: Global evaluation report*. <https://www.humanitarianlibrary.org/resource/unicef-child-friendly-schools-programming-global-evaluation-final-report-executive-0>
- Wahungu, D. K., Oanda, I., & Wawire, V. (2020). Implementation of inclusive child friendly primary schools' policy in Nyandarua County, Kenya. *Msingi Journal*, 4(1), 15-32.
<https://doi.org/10.33886/mj.v4i1.177>
- Wambiri, G. N. (2007). *Factors affecting caregivers' behaviours with print and children's emergent reading behaviours: A study of Thika District*. Unpublished Ph.D Thesis. Kenyatta University. Nairobi.
- Wanjiru, J. (2016). Policy implementation and its challenges in primary schools in Nyeri County, Kenya. *International Journal of Education and Research*, 4(9), 243-256.
- Wanjohi, G. (2014). *A Situational Analysis of the Influences of Language of Instruction in Standards One, Two and Three Classes in Nyeri County, Kenya*, Unpublished Ph.D Kenyatta University Thesis
- Wawire, J., & Mburugu, P. (2018). Teacher preparedness and the implementation of the competence-based curriculum in public primary schools in Nyeri County, Kenya.