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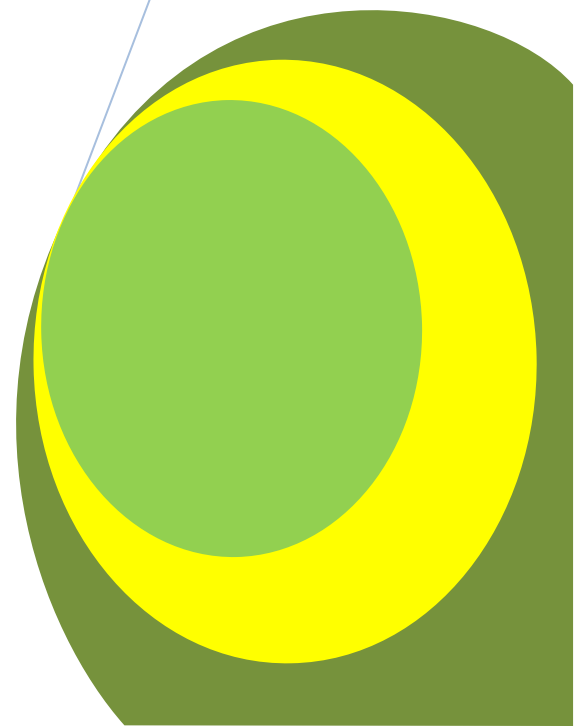
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Influence of Mental Harassment Ban on Student Discipline in Secondary Schools in Kenya: A Case Study of Ugenya, Gem and Siaya Sub-Counties

By

**David Otieno Onyango
Enose M.W. Simatwa
Julius O. Gogo**



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Influence of Mental Harassment Ban on Student Discipline in Secondary Schools in Kenya: A Case Study of Ugenya, Gem and Siaya Sub-Counties

David Otieno Onyango, Enose M.W. Simatwa*, Julius O. Gogo

Department of Educational Management and Foundations, Maseno University

*Corresponding Author's Email: simatwae@yahoo.com

ABSTRACT

The Kenya government banned Mental Harassment in schools as stipulated in The Basic Education Act, 2013. This was as a result of the recommendations of the Task Force on Student Discipline and Unrests in Secondary Schools, which revealed that Mental Harassment was one of the major contributors to indiscipline among students. Despite the ban, the level of indiscipline in schools had remained a major concern in Ugenya, Gem and Siaya sub-counties, where cases of indiscipline for the years 2010 – 2015 were 514 (51%) higher than those experienced in Siaya County, 694 (44%) and national, 51,600 (42.7%) for the same period. It is important to note that mental harassment is one of the strategies still used in managing students despite the ban and the fact that it was found wanting and counterproductive at a time when discipline cases among students had hit the ceiling; in the early part of this 21st Century. The high level of indiscipline had been characterized by students' threats against school authorities, arson, vandalism, physical attack on teachers, unrests, strikes, complaints of high-handedness, drug abuse, sexual harassment and terrorist threats. All these infractions were mainly targeted at teachers, school administrators and school prefects. Mental harassment as a strategy of managing student discipline involves: reprimanding, use of abusive and belittling language, sarcasm, sexual harassment, name calling, shouting, verbal warnings, insults, detention, withdrawal of privileges, scolding and unwarranted criticisms that inflict psychological pain or leads to psychological torture. Mental harassment is mainly used to curb infractions like absenteeism, truancy, failure to do homework, lateness, laziness, poor academic performance, insubordination, non-adherence to dress code, noisemaking, lack of participation in class work and disobedience. Mental harassment was outlawed through enactment of the Basic Education Act 2013, The Constitution of Kenya 2010 and The Children Act 2001 based on reports on school indiscipline that had identified mental harassment as one of the major causes of students' indiscipline. The study established that there was a strong, positive and significant relationship between the level of mental harassment ban and students' discipline. The level of mental harassment ban was 60%, while the level of students discipline was 40%. Mental harassment ban accounted for 68.5% of the variation in students' level of discipline. Regression analysis revealed that the increase in mental harassment ban increased student discipline.

Key Words: Influence, Mental Harassment Ban, Student Discipline, public Secondary Schools, Ugenya, Gem Siaya Sub-Counties, Kenya.

INTRODUCTION

Students discipline is critical in the attainment of positive school outcomes. This is because *inter alia* provides a sense of direction among learners besides increasing a teacher's job satisfaction which is a critical correlate of commitment to school goals (Simiyu, 2003). In spite of the crucial role that discipline plays in the overall school outcomes, the condition of students' discipline in Kenya's secondary schools has been disheartening. This is because hardly, a school term goes without incidence of violent behavior being reported in the mass media (Ogetange, 2012). Teachers use different methods to manage discipline in schools. One of the methods used and the most controversial is mental harassment. In Kenya the government enacted the Education Act, 2013, which banned mental harassment in schools.

The Education Act, 2013 does not give details of mental harassment. It is upon the individual teacher to interpret the Act. According to this study, mental harassment includes rebuking a student, insulting students, verbal reprimanding or any form of psychological torture. Alternative methods of student discipline management include guidance and counseling, time off, withdrawal of privileges and suspension. Teachers are of the opinion that these alternative methods of student discipline management are not effective as they take too much time (Busienei, 2012).

The government emphasized on guidance and counseling, as an alternative to mental harassment. According to Kaburu (2006), the use of guidance and counseling to manage student discipline is not effective because teachers lack guidance and counseling skills. This method is also time consuming and schools lack resources for effective guidance and counseling programs. Although, the government has done a lot in order to curb violence and indiscipline in schools, there are still some cases of violence/strikes in schools. Furthermore, many cases of other forms of indiscipline have been reported in the mass media (Murithi, 2010). Schools are now experiencing many forms of indiscipline. Table 1 shows some forms of indiscipline cases experienced in Ugenya, Gem and Siaya Sub-Counties.

Table 1: Reported cases of indiscipline experienced in secondary school in Ugenya, Gem and Siaya Sub-Counties: 2010-2015

Type of Indiscipline	YEAR						Total
	2010	2011	2012	2013	2014	2015	
Strikes	15	14	13	10	10	9	71
Bullying	14	15	18	14	15	13	89
Drugs	10	11	11	14	15	17	78
Mobile phones	7	10	14	19	25	28	103
Cheating/examinations	17	18	20	14	20	25	119
Pregnancy	6	9	8	9	10	12	54

Source: Siaya County Director of Education office, 2015.

Records at Siaya county education office show that the number of reported indiscipline cases in the sub-counties is higher than the national average level (Table 2).

Table 2: Indiscipline Level in Schools in Ugenya, Gem and Siaya Sub-Counties compared to Siaya County and National levels (2010-2015)

Forms of indiscipline	Freq (f)	% age	Siaya County (f)	Siaya County (%)	National level (f)	National level (%)	Gravity of the offence
Strikes	71/168	42.1	63/262	24.2	1918/8600	22.3	-Loss of property -injury
Bullying	89/168	53.2	111/262	42.4	3457/8600	40.2	-Mental torture -physical injury
Drug abuse	78/168	46.4	100/262	38.2	2864/8600	33.3	-Poor performance -drop out
Phones	103/168	61.3	157/262	60.1	5177/8600	60.2	-Confiscation -truancy
Cheating / examinations	119/168	70.6	184/262	70.1	6020/8600	70.0	-Unrealistic results- results withheld
Pregnancy	54/168	32.2	79/262	30.3	2614/5160	30.4	-drop out -repetition
Total	514/1008	51%	694/1572	44.1%	22050/51600	42.7%	

Source: Ministry of Education, Science and Technology, Statistics Section, 2015.

In 1948, the United Nations Convention on the Rights of the Child resolved that children should be protected from physical punishment and non-physical forms of punishment that are cruel and degrading and thus incompatible with the convention. As a signatory to the convention, the Kenyan government therefore banned mental harassment in schools as stipulated in the Education Act, 2013. Furthermore, the Wangai report (Republic of Kenya, 2001a) also recommended the use of guidance and counseling instead of mental harassment. Records at the Siaya County

Education Office show that from 2010 to 2015, the number of reported cases of students physical abuse by teachers was higher in Ugenya, Gem and Siaya Sub- Counties, that is, one hundred and twenty six out of one hundred and sixty eight, (75%) than the Siaya County schools with an average of one hundred and forty two out of two hundred and sixty two (54%). These figures imply that the level of mental harassment use in schools within Ugenya, Gem and Siaya Sub-Counties is higher than the Siaya County level and the national level. This study therefore investigated the influence of mental harassment ban on student discipline in secondary schools in Ugenya, Gem and Siaya Sub-Counties, Kenya.

Research Hypothesis

Ho: There is no statistically significant relationship between mental harassment ban and the level of student discipline in public secondary schools.

SYNTHESIS OF LITERATURE ON INFLUENCE OF MENTAL HARASSMENT BAN ON STUDENT DISCIPLINE IN SECONDARY SCHOOLS

The Report of the Task force on student unrest and discipline in schools in Kenya recommended that school administrators should cultivate democratic and participatory environment in their schools and encourage regular meetings with students where teachers and students are encouraged to express their views, suggestions, and grievances (Republic of Kenya, 2001). This implies that the Report of the Task force on student unrest and discipline in schools (Republic of Kenya, 2001) recommended that schools should be democratized by involving students in management of the schools. Democratization of schools has led to a large decrease in student strikes and violence in schools (Omboto, 2013). Prior to this, there was a wave of strikes and violence in schools. Students responded to oppressive, autocratic leadership by violence. It is therefore evident that students have a negative attitude towards psychological torture or mental harassment. Hence any discipline management method involving mental harassment or psychological torture will be unpleasant to students resulting in indiscipline. This is because students generally have a negative attitude towards mental harassment. In fact, the wave of student violence witnessed in schools in 1990s was attributed to mental harassment (Ajowi, 2007, Simatwa, 2007 & Omboto, 2013). Mental harassment is any unwelcome conduct that causes emotional distress, psychological trauma, embarrassment, and mental distress to the victim. Mental harassment interferes or limits students' ability to participate in or benefit from services, activities, or opportunities offered by a school. Mental harassment includes: threats, insults, rebuking, name calling, humiliation and reprimand.

Cotton (2005) investigated the methods used by teachers to manage student discipline in primary schools. He found out that standing in class, name calling, students being send out of class and insulting the wrong doers were common. This shows that mental harassment is common in primary schools. Kirui (2012) concurs by asserting that teachers often use verbal reprimand, insults and threats to manage student discipline in schools. Gikonyo (2002), Simatwa (2007) and Ajowi (2012) found the following as some of the methods used by teachers to manage discipline in schools: exclusion, standing in class, name calling, verbal warning, negative comments, and reprimand among others. Although the Children Act outlaws the use of mental harassment in schools, it does not specify what methods of discipline management qualify as mental harassment. It leaves it to the teacher to interpret and decides which methods will be regarded as mental harassment. The teachers are the implementers of policies at the school level and they can only implement the policies that they are able to interpret correctly (Kindiki, 2009).

Nduku (2004) and Ouma Ouma, Simatwa and Serem (2013) investigated alternative methods teachers used in the absence of corporal punishment. They concluded that teachers used various methods including mental harassment. These studies are in line with a study carried out by Simatwa (2007) who concluded that teachers use mental harassment to control minor offences. In a related study, Omboto (2012) found that teachers used methods that were punitive and illegal to manage student discipline. The methods used included mental harassment. Studies by Simatwa (2007) and Omboto (2012) investigated methods used by teachers to manage student discipline in schools. Studies by Nduku (2004) and Ouma, Simatwa and Serem (2013) investigated alternative methods to corporal punishment used by teachers to manage student discipline in schools.

CONCEPTUAL FRAMEWORK

The study adopted a conceptual framework based on Douglas McGregor's theory Y (Owens, 1987) as shown in Figure 1.

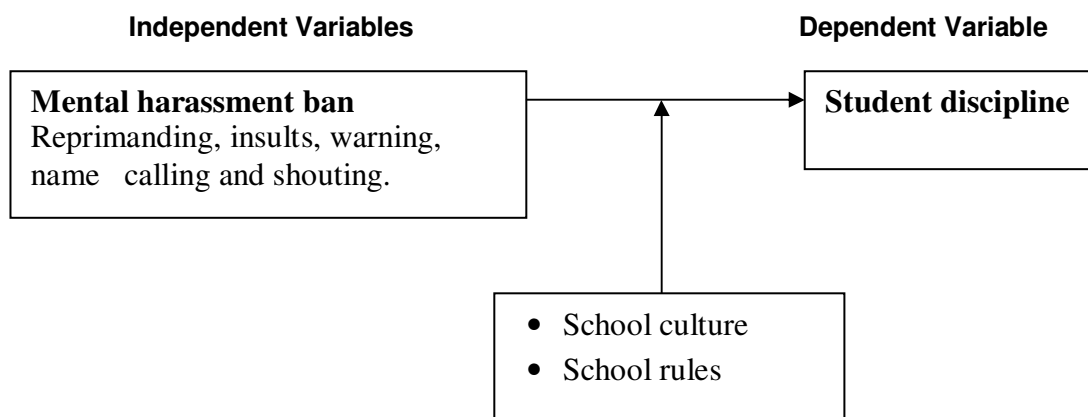


Figure 1: Conceptual Framework showing influence of mental harassment ban on student discipline

The conceptual framework (Figure 1) was based on the concept that when mental harassment is withdrawn and a conducive environment, students are disciplined. Coercion/ punishment is not needed for students to operate orderly and productively. The study investigated the influence of mental harassment ban on the level of student discipline in secondary schools. The conceptual framework postulates that mental harassment, which is the independent variable, affects the level of student discipline, which is the dependent variable. Independent variable is a variable that researchers manipulated in order to determine its effects on the dependant variable. The conceptual framework envisages that the independent variable that is mental harassment ban determines the level of student discipline in schools. From the literature reviewed, mental harassment is more effective in student discipline management compared to alternative methods like guidance and counseling. Students prefer mental harassment ban resulting in high level of discipline. The use of alternative methods of discipline management is less effective and more likely, results in high levels of offences (Busienei, 2012).

The intervening variable is one that moderates the independent variables influence on the dependent variable (Kenya Institute of Management, 2009). The conceptual framework postulates that intervening variables include school rules and school culture. For teachers to manage discipline using any discipline management method, there must be school rules in place. The school rules will guide the teachers as they manage student discipline. School culture determines which discipline management methods are acceptable in a school. Teachers' attitudes towards methods of discipline management determine whether these methods will be effective or not. Teachers are the implementers of policies at the school level (Ouma et al, 2013). Discipline management methods can only have an effect on student discipline level only if they are fully implemented. As a consequent to mental harassment ban in schools, teachers feel that they have been completely stripped of their powers and have no control over their students and they feel they have been given no alternatives. As a result they feel completely helpless (Kopansky, 2002). The attitude of teachers towards government policies on discipline affects discipline management in schools, since teachers are the implementers of policies at the school level. The government emphasizes on guidance and counseling for discipline management in schools. Teachers argue that they lack guidance and counseling skills. They therefore need in-service training in guidance and counseling for them to be able to use it effectively to manage student discipline. Teachers argue that alternative methods of discipline management like guidance and counseling take a lot of time which should be used for learning activities. They argue that such methods are only effective in schools where students have self discipline (Samoei, 2012). School culture determines whether mental harassment can be used effectively to maintain discipline in schools. In some schools, mental harassment is part of the school culture and students accept it. Mental harassment means methods that cause psychological torture like reprimanding, insulting and name calling. Head teacher's management style also determines the effective discipline management method (Kiumi, 2008). For example schools where the head teacher uses democratic style of management is likely to be inclusive, whereby, all stakeholders are involved and hence guidance and counseling method will be effective in discipline management. Suspension and expulsion are used as a last resort where other methods have failed. They are also used in cases of intolerable offences like fighting and destruction of property (Omboto, 2013).

RESEARCH METHODOLOGY

The study was guided by Douglas McGregor's Theory Y (Owens, 1987). The study employed descriptive survey and correlational research designs. The study population was 10,629 respondents. That is, 168 principals, 168 deputy principals, 168 guidance and counseling teachers, 924 class representatives, 9200 form four students, and the Siaya County Director of Education. Stratified random sampling technique was used to select 116 principals, 116 deputy principals, 116 guidance and counseling teachers, 274 class representatives and 400 form four students. Saturation sampling was used to select the County Director of Education. The instruments of data collection were questionnaires, observation guide, interview schedule, focus group discussion guide, and document analysis guide. The content validity of the questionnaires, document analysis guide and interview schedule were addressed by research experts and their comments and suggestions were incorporated in the instruments. To enhance reliability, piloting was done in nine schools. Test-retest method was used to estimate the reliability of the instruments. Quantitative data on level of use of mental harassment ban and level of student discipline collected by use of questionnaires and document analysis guide was analyzed using frequency counts, percentages and means. Regression analysis was used to establish the influence of mental harassment ban on student discipline. Qualitative data collected by use of the in-depth interview, observation guide and focus group discussion was transcribed and arranged into themes as they emerged from the data.

RESULTS

Information on demographic characteristics of deputy principals, guidance and counseling (Guidance and Counseling) teachers and students was obtained through questionnaires and document analysis. The information was tabulated as shown in Tables 3, 4 and 5 respectively.

Table 3: Demographic Characteristics of Deputy Principals

Demographic Data	Frequency (f)	Percentage (%)
Gender		
Female	50	43
Male	66	57
Total	116	100
Deputy headship experience		
1-11 months	39	34
1-2 years	49	42
3-5 years	28	24
Total	116	100

Table 3 shows that 50 (43%) deputy principals were females, while 66 (57%) were males. Table 4.1 also shows that 39 (34%) deputy principals had experience of 1-11 months, 49 (42%) had experience of 1-2 years and 28 (24%) had experience of 3-5 years as deputy principals. Table 4 shows G&C teachers demographic characteristics.

Table 4: Demographic Characteristics of Guidance and Counseling Teachers'

Demographic characteristics	Frequency (f)	Percentage (%)
Gender		
Female	56	48
Male	60	52
Total	116	100
G&C Experience		
1-11 months	50	43
1-2 years	38	33
3-5 years	28	24
Total	116	100

Fifty six (48%) Guidance and Counselling teachers were females, while 60(52%) were males. Table 4.2 also shows that 50(43%) Guidance and Counselling) teachers had experience of 1-11 months as Guidance and Counselling teachers and 38(33%) had experience of 1-2 years, while 28(24%) had experience of 3-5 years. Table 5 shows class representatives demographic characteristics.

Table 5: Demographic Characteristics of Class Representatives

Demographic Data	Frequency (f)	Percentage (%)
Gender		
Male	152	56
Female	120	44
Total Performance	272	100
Above Average	139	51
Below Average	133	49
Total	272	100

Table 5 shows that 139 (51%) students were above average, while 133 (49%) were below average in academic performance. One hundred and fifty two (56%) students were males and 120 (44%) were females.

Table 6: Schools Data

Category of school	Freq(f)	%
Single-stream	51	44
Multi- stream	65	56
Total	116	100

Large student populations are more difficult to control than smaller populations. The schools were therefore categorized according to size. Table 6 shows that 51 (44%) schools were single stream schools and 65 (56%) schools were multi-stream schools.

Research Hypothesis

The hypothesis that was used to establish the influence of mental harassment ban on student discipline was: "There is no statistically significant relationship between mental harassment ban and students discipline in public secondary schools." The first step in data analysis involved descriptive analysis of the stress levels among students and the level of mental harassment ban in the three sub counties. Thus, to establish the influence of mental harassment ban on student discipline, the students' discipline level was first established. The results were as shown Table 7.

Table 7: Level of Student Discipline as Rated by Deputy Principals, Guidance and Counseling Teachers and Students

Indicators of discipline	Resp	Level of Discipline					MR	SD	OMR	ANOVA
		VH	H	M	L	VL				
Vandalism	D/P	4	21	21	44	26	2.42	1.128	2.38	(F(2,501)=0.365,p=0.694)
	G/C	3	21	21	44	27	2.39	1.109		
	S	8	44	44	108	68	2.32	1.106		
Noise making	D/P	2	11	18	53	32	2.12	0.979	2.14	(F(2,501)=0.056,p=0.945)
	G/C	3	12	19	49	33	2.16	1.038		
	S	5	27	44	120	76	2.14	0.994		
Lateness	D/P	10	20	22	40	21	2.59	1.238	2.56	(F(2,501)=0.070,p=0.933)
	G/C	13	12	20	49	25	2.53	1.233		
	S	27	38	49	104	54	2.56	1.235		
Not doing homework	D/P	6	20	23	45	22	2.51	1.138	2.51	(F(2,501)=0.333,p=0.717)
	G/C	6	22	23	45	20	2.56	1.137		
	S	14	44	49	111	54	2.46	1.132		
Sleeping in Class	D/P	3	21	20	35	37	2.29	1.172	2.32	(F(2,501)=0.117,p=0.890)
	G/C	2	21	26	35	32	2.36	1.122		
	S	5	49	54	82	82	2.33	1.137		
Not putting on School uniform	D/P	5	13	24	38	35	2.25	1.141	2.36	(F(2,501)=4.069,p=0.018)
	G/C	4	24	13	36	40	2.30	1.230		
	S	11	44	44	87	86	2.29	0.971		
Vulgar Language	D/P	13	20	20	41	22	2.66	1.278	2.57	(F(2,501)=0.524,p=0.593)
	G/C	10	15	26	41	24	2.53	1.205		
	S	27	38	49	95	63	2.53	1.262		
Vernacular speaking	D/P	14	22	25	30	25	2.74	1.320	2.70	(F(2,501)=0.591,p=0.554)
	G/C	14	20	26	35	21	2.75	1.278		
	S	27	44	60	81	60	2.62	1.265		
Deviant behaviour	D/P	5	20	24	41	25	2.46	1.145	2.43	(F(2,501)=0.099,p=0.905)
	G/C	4	22	22	41	26	2.44	1.144		
	S	11	44	54	98	65	2.40	1.136		
Sneaking	D/P	4	20	12	52	28	2.32	1.124	2.26	(F(2,501)=0.368,p=0.692)
	G/C	3	13	20	48	32	2.22	1.149		
	S	8	38	38	117	71	2.25	1.081		
Boy-girl canal Knowledge	D/P	6	21	23	45	21	2.53	1.138	2.56	(F(2,501)=0.562,p=0.571)
	G/C	6	21	23	45	21	2.53	1.138		
	S	16	54	68	85	49	2.51	1.160		
Fighting in school	D/P	6	30	34	26	20	2.79	1.161	2.85	(F(2,501)=0.320,p=0.726)
	G/C	6	35	35	23	17	2.91	1.139		
	S	14	76	81	57	44	2.85	1.151		

Indicators of discipline	Resp	Level of Discipline					MR	SD	OMR	ANOVA
		VH	H	M	L	VL				
Delinquency	D/P	7	10	21	56	22	2.34	1.072	2.37	(F(2,501)=0.120,p=0.887)
	G/C	7	13	21	55	20	2.41	1.088		
	S	16	27	49	131	49	2.20	1.073		
Cheating in examinations	D/P	3	12	15	44	42	2.05	1.070	2.03	(F(2,501)=0.064,p=0.938)
	G/C	2	11	17	42	44	2.02	1.034		
	S	5	27	33	109	98	2.02	1.024		
Drug abuse	D/P	5	13	40	28	30	2.44	1.121	2.41	(F(2,501)=0.660,p=0.517)
	G/C	4	15	39	30	28	2.46	1.099		
	S	8	27	82	87	68	2.34	1.050		
Bullying School mates	D/P	4	12	45	37	18	2.54	0.990	2.54	(F(2,501)=0.002,p=0.998)
	G/C	5	11	44	37	19	2.53	1.017		
	S	11	27	103	87	44	2.54	1.009		
Theft in school	D/P	3	10	50	30	23	2.48	0.991	2.48	(F(2,501)=1.019,p=0.362)
	G/C	2	9	47	35	23	2.41	0.952		
	S	5	27	121	81	38	2.42	0.915		
Disobedience to teachers	D/P	3	4	35	55	19	2.28	0.873	2.29	(F(2,501)=0.014,p=0.986)
	G/C	2	5	35	56	18	2.28	0.842		
	S	5	16	88	109	54	2.30	0.915		
Truancy	D/P	2	5	23	55	31	2.07	0.892	2.10	(F(2,501)=0.213,p=0.808)
	G/C	3	4	23	57	29	2.09	0.904		
	S	5	16	60	120	71	2.14	0.932		
Defiance (co-Curricular activities)	D/P	3	11	20	55	27	2.21	0.991	2.25	(F(2,501)=0.475,p=0.622)
	G/C	2	12	22	56	24	2.24	0.957		
	S	8	33	54	117	60	2.31	0.038		
Overall	D/P	5	16	26	43	26	2.41	1.128	2.41	(F(2,501)=0.003,p=0.997)
	G/C	5	16	26	43	26	2.41	1.128		
	S	12	37	61	99	63	2.40	1.115		

Key: VH=very high, H=high, M=moderate, L=low, VL=very low. Resp =respondents, MR=mean rate, OMR=overall mean rate, SD=standard deviation. The five point scale used was as illustrated:

Interpretation of mean rating

Mean ratings	Descriptor	Percentage
1.00-1.44	Very low	20
1.45- 2.44	low	40
2.45-3.44	Moderate	60
3.45-4.44	High	80
4.45-5.00	Very high	100

From Table 7, it can be observed that the students' level of discipline was mean rated at 2.41. This means that the student discipline level was low at about 40%. The extent to which mental harassment ban was implemented in Ugenya, Gem and Siaya sub counties was established. The results were as shown in Table 8.

Table 8: Extent of implementation of Mental Harassment ban

Offences	Res	MH Ban					MR	SD	OMR	ANOVA
		VH	H	M	L	VL				
Truancy	D/P	19	35	9	40	13	3.06	1.327	3.01	(F(2,501)=0.33,p=0.719)
	G/C	18	35	9	41	13	3.03	1.318		
	S	41	76	22	95	38	2.95	1.340		
Noise	D/P	11	12	35	41	17	2.65	1.144	2.64	(F(2,501)=0.074,p=0.929)
	G/C	12	11	35	40	18	2.65	1.167		
	S	27	27	76	96	46	2.61	1.173		
Lateness	D/P	10	21	23	44	18	.66	1.94	2.63	(F(2,501)=0.107,p=0.898)
	G/C	9	21	23	44	19	2.63	1.183		
	S	22	49	49	103	49	2.60	1.204		
Not homework	D/P	18	37	21	29	11	3.19	1.244	3.13	(F(2,501)=0.688,p=0.503)
	G/C	17	37	21	29	12	3.16	1.248		
	S	41	65	49	68	49	3.04	1.306		
Sleeping in class	D/P	12	23	25	33	23	2.72	1.276	2.71	(F(2,501)=0.119,p=0.888)
	G/C	12	23	26	32	23	2.73	1.274		
	S	27	54	54	77	60	2.67	1.288		
Improper dressing	D/P	18	21	45	17	15	3.09	1.213	3.05	(F(2,501)=0.426,p=0.653)
	G/C	18	20	45	18	15	3.07	1.214		
	S	38	43	107	43	41	2.98	1.218		
Vulgar Language	D/P	10	18	35	36	17	2.72	1.154	2.69	(F(2,501)=0.080,p=0.923)
	G/C	9	17	35	37	18	2.67	1.140		
	S	22	41	82	81	46	2.68	1.161		
Mother tongue	D/P	10	16	32	35	23	2.61	1.200	2.59	(F(2,501)=0.028,p=0.972)
	G/C	9	16	33	35	23	2.59	1.179		
	S	22	38	76	76	60	2.58	1.206		
Disruptive	D/P	11	18	23	35	29	2.54	1.281	2.54	(F(2,501)=0.013,p=0.987)
	G/C	12	17	23	35	29	2.55	1.294		
	S	27	41	54	77	73	2.53	1.300		
Sneaking	D/P	23	32	37	14	10	3.38	1.184	3.38	(F(2,501)=0.069,p=0.933)
	G/C	23	33	37	14	9	3.41	1.165		
	S	54	76	82	33	27	3.36	1.212		
B/G relationship	D/P	18	32	35	14	17	3.17	1.260	3.16	(F(2,501)=0.012,p=0.988)
	G/C	17	33	34	14	18	3.15	1.267		
	S	41	76	81	33	41	3.16	1.260		
Disobedience	D/P	6	12	25	41	32	2.30	1.136	2.29	(F(2,501)=0.007,p=0.993)
	G/C	6	11	26	40	33	2.28	1.133		
	S	16	27	54	99	76	2.29	1.150		
Delinquency	D/P	6	11	35	35	29	2.40	1.118	2.40	(F(2,501)=0.002,p=0.998)
	G/C	6	12	34	35	29	2.41	1.127		
	S	14	27	82	81	68	2.40	1.119		

Offences	Res	MH Ban					MR	SD	OMR	ANOVA
		VH	H	M	L	VL				
Cheating	D/P	11	33	49	11	12	3.17	1.074	3.16	(F(2,501)=0.251,p=0.778)
	G/C	12	32	49	12	11	3.19	1.071		
	S	24	73	115	30	30	3.11	1.079		
Drug abuse	D/P	23	30	42	11	10	3.39	1.163	3.35	(F(2,501)=0.694,p=0.500)
	G/C	23	30	42	12	9	3.40	1.149		
	S	54	54	99	41	24	3.27	1.196		
Bullying	D/P	6	12	31	35	32	2.35	1.144	2.33	(F(2,501)=0.082,p=0.922)
	G/C	6	11	32	34	33	2.34	1.142		
	S	14	27	68	82	81	2.31	1.149		
Theft	D/P	14	22	49	19	12	3.06	1.121	3.13	(F(2,501)=0.924,p=0.147)
	G/C	14	22	49	20	11	3.07	1.109		
	S	46	52	114	46	14	3.26	1.087		
Fighting/violence	D/P	14	22	51	18	11	2.35	1.121	2.33	(F(2,501)=0.293,p=0.746)
	G/C	14	22	51	17	12	2.34	1.109		
	S	33	52	108	41	38	2.31	1.087		
Vandalism	D/P	6	11	35	35	29	2.40	1.118	2.39	(F(2,501)=0.033,p=0.968)
	G/C	6	12	35	34	29	2.41	1.127		
	S	14	27	76	87	68	2.38	1.117		
Defiance	D/P	11	18	26	37	24	2.61	1.243	2.57	(F(2,501)=0.924,p=0.398)
	G/C	12	17	27	37	23	2.64	1.247		
	S	27	41	41	87	76	2.47	1.308		
Overall	D/P	13	22	33	29	19	2.84	1.237	2.81	(F(2,501)=0.104,p=0.901)
	G/C	13	21	33	29	20	2.82	1.234		
	S	30	48	75	69	50	2.78	1.250		

Key: VH=very high, H=high, M=moderate, L=low, VL=very low, MR=mean rate.

Resp=respondent, **OMR**=overall mean rate, **SD**=standard deviation, **S**=students,

D/P=Deputy Principals, **G/C**=Guidance & Counseling teachers.

The five point scale used was as illustrated:

Interpretation of mean rating

Mean ratings	Descriptor	Percentage
1.00-1.44	Very low	20
1.45- 2.44	low	40
2.45-3.44	Moderate	60
3.45-4.44	High	80
4.45-5.00	Very high	100

From Table 8, it can be observed that the level of mental harassment ban in Ugenya, Gem and Siaya Sub-counties was mean rated at 2.81. This means that the level of mental harassment ban was at about 60% student discipline level was low at about 40%. The data on the level of mental harassment ban and student level of discipline ban was correlated using Pearson Product Moment Correlation coefficient to determine the strength and direction of relationship so as to infer the influence of mental harassment ban on student discipline. The results were as shown in Table 9.

Pearson's r correlation coefficient was computed to establish the relationship between mental harassment ban and students discipline. The results were as shown in Table 10.

Figure 10: Correlation Analysis of the Influence of Mental Harassment Ban and the Level of Student Discipline

		Student discipline
Mental harassment ban	Pearson Correlation	.828
	Sig. (2-tailed)	.000
	N	504

From Table 10 it can be noted that there was a strong, positive and significant relationship between mental harassment ban and student discipline ($r = .828$, $N=504$, $p < .05$).

To estimate the influence of mental harassment ban on student discipline, coefficient of determination was computed. The results were as shown in Table 11.

Table 11: Regression analysis of the influence of Mental Harassment Ban and the Level of Student Discipline

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.828 ^a	.685	.685	.625

a. Predictors: (Constant), extent of mental harassment ban implementation

From Table 11, it can be observed that mental harassment ban accounted for 68.5% of variation in student discipline as signified by the Adjusted R square (R^2) .685. This implied that 68.5% of the total variance in the level of student discipline was accounted for by mental harassment ban. The other 31.5% was due to other factors.

To establish whether mental harassment ban was a predictor of student discipline, ANOVA was computed. The results were as shown in Table 12.

Table 12: ANOVA of Mental Harassment Ban and Student Discipline

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	427.223	1	427.223	1.093E3	.000 ^a
	Residual	196.205	502	.391		
	Total	623.429	503			

a. Predictors: (Constant), mental harassment ban

b. Dependent Variable: Student discipline

From Table 12, it can be noted that mental harassment ban was a predictor of student discipline ($F(1, 502) = 1.093$, $p < .05$).

To establish the actual influence mental harassment ban on student discipline, simple regression was computed. The results were as shown in Table 13.

Table 13: Simple Regression analysis of mental harassment Ban and the Level of Student Discipline

Model		Unstandardized Coefficients		Standardized Coefficients		Sig.
		B	Std. Error	Beta	t	
1	(Constant)	.331	.069		4.819	.000
	extent of mental harassment ban	.741	.022	.828	33.062	.000

Dependent Variable: level of student discipline

Pearson correlation between the variables; mental harassment ban and the level of student discipline, is 0.828.

From Table 13, it can be noted that one unit increase in mental harassment ban can improve students discipline by .331 units. The regression equation is $Y = .331 + .741X$

A scatter plot was used to illustrate the relationship between mental harassment ban and student discipline. (Figure 2)

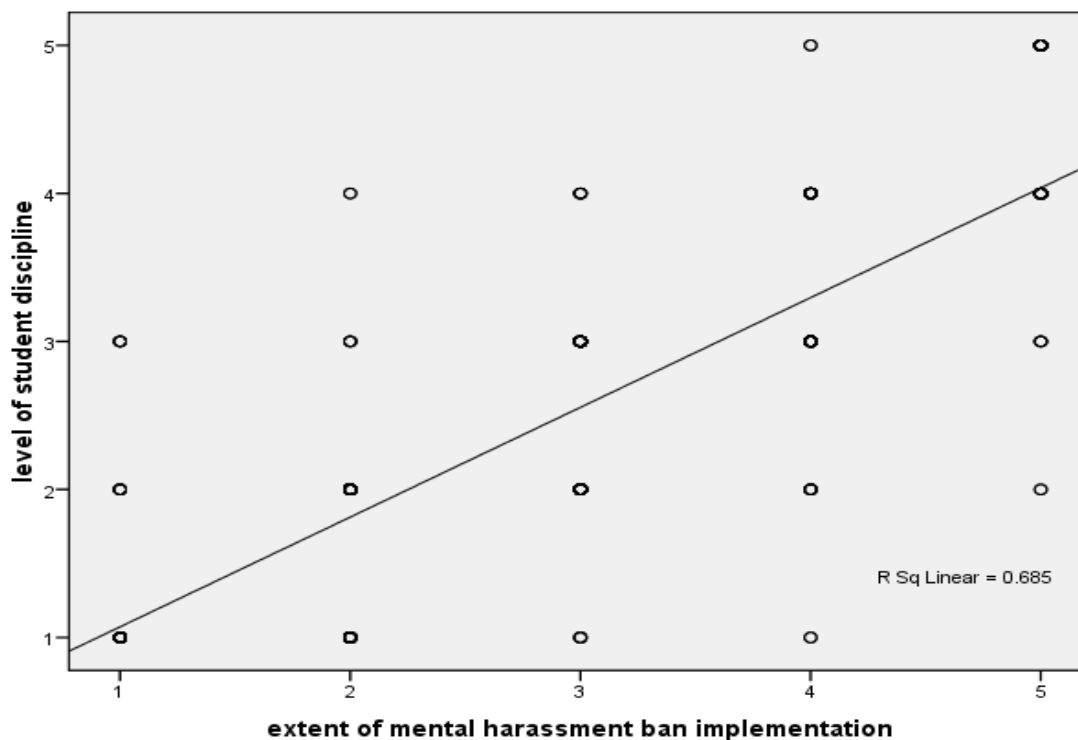


Figure 2: Scatter plot illustrating the relationship between mental harassment ban and student discipline

The scatter plot indicates that there was a linear positive relationship between mental harassment ban and student discipline. That is, increase in implementation of mental harassment ban increases the level of student discipline. This means that if the ban is fully implemented the level of student discipline will be very high.

DISCUSSION

Deputy principals, guidance and counseling teachers, and class representatives rated the extent of mental harassment implementation as moderate with respect to sneaking. This indicates that mental harassment is

moderately used to control sneaking. Sneaking is a major offence and students who sneak from school are suspended from school (Gikonyo, 2002). Deputy principals, guidance and counseling teachers and class representatives rated the extent of mental harassment implementation to be moderate, with respect to its use to control drug abuse. This indicates that mental harassment is moderately used to control drug abuse. Students who take drugs are usually sent home to call their parents (Gikonyo, 2002). Deputy principals, Guidance and Counseling teachers and class representatives rated the extent of mental harassment ban implementation at moderate with respect to its use on students who do not do homework. This indicates that mental harassment is moderately used to punish students who do not do homework. Deputy principals, Guidance and Counseling teachers and class representatives rated the extent of mental harassment ban implementation at moderate with respect to truancy. This indicates that mental harassment is moderately used to control truancy. Truancy is a minor offence in school. With mental harassment ban, teachers tend to ignore minor offences like truancy (Miriti, 2008, Mophosa & Shumba, 2010).

Deputy principals, guidance and counselling teachers and class representatives rated the extent of mental harassment ban implementation to be low, with respect to disobedience. This indicates that mental harassment is highly used to control disobedience. The researcher witnessed several instances in different schools whereby teachers on duty gave orders as they shouted and threatened the students who disobeyed them with dire consequences. Deputy principals, guidance and counseling teachers and class representatives rated the extent of mental harassment ban implementation to be low with respect to disobedience. This indicates that mental harassment is highly used to control disobedience in schools. Equally rated low was fighting in school which was also rated at 2.33. Deputy principals, guidance and counseling teachers and class representatives rated the extent of mental harassment ban implementation to be low with respect to fighting in school. This indicates that mental harassment is highly used to control fighting in school. Deputy principals, guidance and counseling teachers and class representatives rated the extent of mental harassment ban implementation to be low, with respect to vandalism. This indicates that mental harassment is highly used to control vandalism in school. During the focus group discussion a student lamented: "Some teachers shout at students and others even abuse them when they disobey the teachers." The researcher observed many cases where teachers on duty abused students while they supervised manual work. This was common in big schools with large student population. During the focus group discussion, it came out clearly that students seemed not to be aware of mental harassment ban. The teachers could be taking advantage of this. Take for example a student who said: "I think the new constitution does not allow teachers to cane students. I do not think this includes shouting at students and warning them."

Mental harassment ban has not been fully implemented in schools. Teachers are still using mental harassment to manage discipline in schools. This finding is supported by Simatwa (2007) who found that teachers used mental harassment to control minor offences in schools. Further, evidence came from a principal who commented on mental harassment ban: "Teachers know about mental harassment ban but they do not take it seriously. A parent may take legal action against a teacher who canes his child and hurts him but not one who reprimands the child." Indeed the researcher observed several cases where teachers pointed fingers at students and in some cases calling them names and threatening them. Another principal added: "The Education Act does not clearly state which methods are categorized as mental harassment. Sometimes, teachers may avoid using the cane but they may resort to methods considered as mental harassment without actually knowing." This shows that sometimes teachers may violate mental harassment ban unknowingly. The study established that mental harassment ban in Ugenya, Gem and Siaya sub-counties was moderate. This finding concurs with studies carried out by Gikonyo (2002, Nduku (2004), Simatwa (2007) and Ouma et al (2013). These studies investigated the methods used by teachers to manage discipline in schools but they did not investigate the extent of mental harassment ban in schools. The current study established that mental harassment ban in schools in Siaya, Gem and Ugenya Sub Counties was moderate. Therefore this is the new knowledge generated by this study.

Schools that have implemented mental harassment ban have high level of discipline. In these schools, teachers use alternative methods of discipline management like guidance and counseling (Busienei, 2012). Since these methods are learner friendly, the students will cooperate with the teachers. The students will not rebel against methods that they find acceptable and pro-human rights (Republic of Kenya, 2001). Furthermore, the guidance and counseling will make students to be self disciplined (Masitsa, 2008). The related studies did not relate mental harassment ban and level of student discipline. The current study did establish that there is a high positive relationship between the level of mental harassment ban and student discipline.

The Report of the Task force on student unrest and discipline in schools in Kenya recommended that school administrators should cultivate democratic and participatory environment in their schools and encourage regular meetings with students where teachers and students are encouraged to express their views, suggestions, and grievances (Republic of Kenya, 2001). This implies that the Report of the Task force on student unrest and discipline in schools (Republic of Kenya, 2001) recommended that schools should be democratized by involving students in management of the schools. Democratization of schools has led to a large decrease in student strikes and violence

in schools (Omboto, 2013). Prior to this, there was a wave of strikes and violence in schools. Students responded to oppressive, autocratic leadership by violence. It is therefore evident that students have a negative attitude towards psychological torture or mental harassment. Hence any discipline management method involving mental harassment or psychological torture will be unpleasant to students, resulting in indiscipline. The findings of this Tusk force support the findings of the current research in that both reveal that mental harassment ban will result in high level of student discipline. Gikonyo (2002), Simatwa (2007) and Ajowi (2012) found that the following as some of the methods used by teachers to manage discipline in schools: exclusion, standing in class, name calling, verbal warning, negative comments, and reprimand among others. Kirui (2012) concurs by asserting that teachers often use verbal reprimand, insults and threats to manage student discipline in schools to control minor offences in schools. With the enactment of mental harassment ban, teachers tend to ignore minor offences resulting in low level of student discipline (Mophosa & Sumba, 2010). These research studies support the current research in that low extent of mental harassment ban result in low level of student discipline in schools.

During the focus group discussion, one student contributed on mental harassment by saying: "When we joined this school, teachers used to insult and abuse us a lot. We were humiliated and reprimanded on assemblies and in class rooms. Worse was for those who performed poorly in tests and examinations. They could be paraded before other students and called names. Peers could laugh at us and we got quite embarrassed. Nowadays, teachers just pass as students make noise and even some students do not do homework. I see from one, students coming to school late and the teachers on duty just look at them. In fact, that it is why there is too much noise in the lower forms." This contribution by the student shows that teachers are no longer using mental harassment to control minor offences. Instead teachers just ignore the minor offences. The students attribute this to an increase in indiscipline cases like noise making, students not doing homework and lateness. This finding tends to contradict the findings of the current research. Teachers seem to have implemented mental harassment ban but the level of discipline is low. This discrepancy can be explained by the fact that though teachers have stopped using mental harassment they just ignore minor offences. The teachers should implement mental harassment ban by taking the legal corrective measures to make students stop committing minor offences. For example, guidance and counseling will make students understand their mistakes and make effort to behave well as per the school rules and regulations. Merely ignoring minor offences is unethical and cannot make a student behave well (Dietz, 2000). The cited studies did not relate mental harassment ban and level of student discipline. The current study did establish that there was a high positive relationship between level of mental harassment ban and student discipline in Ugenya, Gem and Siaya Sub-counties.

It is important to note that as mental harassment ban increased (became more positive), the level of students discipline increased. The study found that the overall mental harassment ban rating was 2.819 (60%) which corresponded to moderate ban and the level of student discipline was rated at 2.41 (40%), which corresponded to low level of discipline in Ugenya, Gem and Siaya-Sub counties. The expectation was that moderate mental harassment ban would have resulted in moderate level of student discipline. But according to the findings of the study, the level of student discipline was low. This discrepancy between the real results and the expected outcome could be explained by the fact that mental harassment ban accounted for 68.5% of students' level of discipline and other factors accounted for 31.5%, hence the discrepancy.

CONCLUSION

The study established that the extent of mental harassment ban in schools in Ugenya, Gem and Siaya Counties was moderate with an overall mean rate of 2.81(60%). The study established that there was a strong relationship between mental harassment ban and the level of student discipline in secondary schools. Thus, the higher the extent of mental harassment ban, the higher the level of discipline. According to the findings of this study, the low level of student discipline in Ugenya, Gem and Siaya Sub-Counties could be attributed to a moderate level of mental harassment ban in management of student discipline. Student discipline level was low probably due to the fact that mental harassment ban had not been fully implemented.

RECOMMENDATIONS

There is need for schools to implement mental harassment ban as stipulated in The Basic Education Act, 2013. The government should ensure that this policy is implemented in all schools. This can be done by Quality Education and Standards Officers frequently visiting schools to ensure that all schools comply with the requirements of the ban. They should also organize follow up visits which would ensure that teachers fully implement mental harassment ban.

Students should be sensitized on mental harassment ban. They should be enlightened that is, on what constitutes mental harassment ban. This would prevent teachers from taking advantage of students' ignorance and violating the ban as students would be in a position to caution them on the violation.

The government should organize in-service training courses to further train teachers on student discipline management using the alternative methods like guidance and counseling to help them steer away from use of mental harassment.

Teacher training colleges and universities should train teachers on student discipline management using alternative methods to mental harassment. The curriculum can be designed to include this aspect of management.

The government should solicit teachers' views on the problems and challenges they face in implementing mental harassment ban in school and discuss with the teachers, the solutions to these problems and the way forward.

Benchmarking trips should be organized for teachers whereby teachers would visit schools that have successfully implemented mental harassment ban. This will motivate teachers to try it in their respective schools.

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