

Ethics in Educational Governance and Its Implications on Development in Kenya

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Abstract: This paper seeks to address the question “What are the implications of ethical considerations in educational governance on development in Kenya?” The purpose is to describe ethical considerations in educational governance and their implications on development in Kenya, so as to establish what can be done to enhance ethical considerations in educational governance for development. The paper is focused by the following themes: legal provisions on ethics in educational governance, measures the government has taken to ensure ethics in educational governance, the public involvement to ensure ethics in educational governance, the strides made on ethics in educational governance, and the drawbacks on ethics in educational governance. This paper is a review of related literature. The review focused on legal documents, previous studies and theories. Legal provisions have been put in place to facilitate ethics in educational governance. The government has provided guidelines and regulations to aid operationalization of the existing laws and policies. The existing laws have made provisions for public participation in ensuring ethics in educational governance. There have been continuous efforts, to ensure ethics in educational governance. There have been hindrances to ethics in educational governance. There is need to address the setbacks to ethics in educational governance so as to achieve the anticipated development.

Key Words: ethics, educational governance, development, Kenya

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I. Introduction

Kenya is a country which is a former colony of Britain. It attained its independence in 1963. Kenya inherited British education system and practices. Since independence Kenyan education system has undergone tremendous reforms; ranging from education systems 7.4.2.3, 8.4.4 and the yet to be implemented proposed 2.6.3.3.3. Regardless of the education system, the most important is what the system holds and how it is managed to produce the desired results. A country could have the best curriculum ever, however, to ripe the best out of it, depends majorly on the governance and ethics upheld in the management of the process.

Ethics implies the moral obligation people have to the society they are serving. It compels individuals and groups to work towards achieving the common good. Education is the life long process of acquisition of knowledge, skills and attitudes for life survival. Educational governance is the management of educational processes in order to produce the desirable knowledge, skills, attitudes and practices. Development implies progression towards self dependent and actualization. For long time Kenya has tended to rely on other countries for survival and sustenance. It seems like Kenya needs other states to exist than they do. For instance in the budget of 2017 – 2018, out of 2.6 trillion shillings, the state expects to raise 1.7 trillion shillings from taxpayers, the rest is to be borrowed, donated and sourced from private sector, despite 3.6 trillion shillings existing national debt, (Standard Digital, 30/3/2017); such situation is not dependable.

Kenya needs development for self-dependence, just like the arguments on education for self-reliance advanced by Nyerere; where education should be relevant to society, serve the society, provide solutions to problems and be work oriented, (Nyerere, 1967). Since, independence, education has been seen as the key to development. Education is important in development (Muricho & Chang'ach, 2013). For education to deliver development the people who are managing education must have the motive of achieving for the common good. This will assure development leading to self dependent. The Kenyan community has been waiting for such time. Issues to do with moral decay, money maniac, and egocentricity among educational managers may obscure accomplishment of development anticipated from education.

This paper seeks to address the question “What are the implications of ethical issues in educational governance on development in Kenya?” The purpose is to describe ethical considerations in educational governance and their implications on development in Kenya, so as to establish what can be done to enhance ethical considerations in educational governance for development. The following objectives focus the discourse:

- i. To identify legal provisions on ethics in educational governance and implications on development in Kenya.
- ii. Find out what measures, the government has taken to ensure ethics in educational governance and implications on development in Kenya.
- iii. To determine the public involvement to ensure ethics in educational governance and implications on development in Kenya.
- iv. To establish strides made on ethics in educational governance and implications on development in Kenya.
- v. To ascertain drawbacks on ethics in educational governance and implications on development in Kenya.

II. Methodology

This paper is a review of related literature on ethics in educational governance and its implications on development in Kenya. The review focused on legal documents, previous studies and theories. The review was based on major themes of the paper, which were focused on the purpose of the paper.

III. Literature Review And Theoretical Analysis

3.1 Legal Provisions on Ethics in Educational Governance and its Implications on Development in Kenya

The governance of education in Kenya is guided by laws and legal provisions for the common good anticipated to bring development in the nation. The Kenya Constitution (Republic of Kenya 2010), affirms the right of all Kenyans to education, in the bill of rights. The constitution designates education as a national responsibility. This calls for credible governance of education sector for common good, so as to achieve development.

The Public Officer Ethics Act Cap 183 (Republic of Kenya, 2009), provides code of conduct and ethics for public officers, which includes educational governance officers. This is expected to help education lead to development in the nation. The Act prohibits use of one's office or position for personal gain in expense of the common good. The Employment Act (Republic of Kenya, 2012), safeguards the rights and obligations of the employees and employers in Kenya, to ensure that service provision is for common good without exploitation. This may lead to development in the nation. When the employees and employers are happy, there is likelihood of high productivity. This includes the education sector; leading to achievement of the expected results.

The Basic Education Act (Republic of Kenya, 2013), provides for governance and management of basic education and training. This is meant to ensure that there is order and procedure to guide management of education at this level of education. The guidelines provided safeguards on governance for the common good to facilitate development in the long run.

The Universities Act (republic of Kenya, 2013b), provides for governance and management of universities. This is meant to ensure order and procedure necessary to govern education at this level. This ensures that all is done for the common good, which may eventually lead to development in the nation.

3.2. Measures Government has taken to Ensure Ethics in Educational Governance for Development in Kenya

The Kenyan government has established bodies to ensure education governance is ran as per the established laws. The Commission for University Education was established in line with the requirement for University Act (Republic of Kenya, 2013b). This was to ensure the governance of education at this level is for the common good, consequently development in the nation.

The Basic Education Act (Republic of Kenya, 2013), recognizes the role of Board of Management and Parents Teacher Association. These bodies ensure that the interests of the community are taken care of. It is anticipated that finally this will lead to development in the nation.

The Kenyan government has ensured that policies and regulations drawn from the existing legal documents are formulated to operationalize the existing laws. For instance, the Legal Notice No. 39, Basic Education Regulations 2015, (Republic of Kenya, 2015) was formulated to operationalize Basic Education Act 2013. This was meant for the common good and eventually development in the nation.

The Legal Notice No. 176 the Kenya National Examination Council Rules 2009 (Republic of Kenya, 2009b), was formulated to operationalize the rules on management of Kenya Certificate of Secondary Education Examination. It is the core business of Kenya National Examination Council, which needs operationalization. This was meant for the common good and development in the nation.

The various government undertakings portray the commitment to ensure ethics in educational governance. These efforts are meant the common good. It's hoped they are to translate to development in the nation.

3.3 Public Involvement to Ensure Ethics in Educational Governance for Development in Kenya

The law and the government has provided and facilitated the involvement of the public to ensured ethics in educational governance for development in the nation. This has been provided for in the law. For instance, the Basic Education Act (2013), provides for Board of Management in schools, whose membership is drawn from the community, parents, teachers and students. In addition more public involvement is provided for through parents Teachers association. These provisions safeguards ethics in educational governance, assuring development anticipated from education.

3.4 Strides Made on Ethics in Educational Governance for Development in Kenya

Since independence in Kenya, laws have been formulated to safeguard ethics in educational governance, for development in the nation. These laws and policies have been informed by various commissions, working parties and task forces. These include among other: the Kenya Education Commission (the Ominde Report, 1964), which proposed an education system that would foster national unity and African socialism; the National Committee on Educational Objectives and Policies (Gachathi report, 1976); the Mackay Report (1981), recommended removal of Advanced Level of secondary school and adoption of 8.4.4 system; Kamunge report of 1988; and Koech report of 2000. Key of the laws and policies to mention, are the ones which saw the introduction of involvement of various stakeholders in the educational governance; that is, the members of the community, the parents, teachers, learners and government educational administrators.

3.5 Drawbacks on Ethics in Educational Governance for Development in Kenya

There have been hindrances to ethics in educational governance in Kenya. Cheating in national examination has been big setback in ensuring ethics in educational governance for development in Kenya. On Wednesday, May, 19 2016, the cabinet secretary for education was reported by the Daily Nation news paper, announcing changes in school calendar and administration of national examinations lamenting that the government was desperate to ensure national examinations regain their credibility; following rampant cheating orchestrated by teachers, police and Kenya National Examination Council officers. With cheating in examinations, ethics in educational governance are at stake together with the development associated with education.

In March, 10, 2016 it was reported in The Star news paper, that, Kenya was losing a third of its state budget (about Kenya shillings 608 billion) to corruption every year, as per the then Ethics and Anti-corruption Commission chairman. Such money if it is lost, it affects education and every development associated with it in Kenya. On Thursday May 26, 2016, the Daily Nation news paper reported that, head teachers and school boards were misusing Free Primary Education cash on overseas trips, sting allowances and other irregular activities. It was further reported they also exaggerated enrolment records to attract more money, which they diverted to their personal needs. This was according to Ethics and Anti-corruption Commission report. Such practices are against ethics in educational governance, hence, denying Kenyans the development associated with education.

In November 18, 2015 The Star news paper reported how parent blamed a school on negligence for the death of her child on road accident. If the school was to blame, then there was breach on ethics in educational governance. Such case subsequently, denies the development associated with education.

IV. Conclusion

Substantial legal provisions have been put in place to facilitate ethics in educational governance and eventual development in Kenya. The government has provided guidelines and regulations to aid operationalization of the existing laws and policies. The existing laws have made provisions for public participation in ensuring ethics in educational governance for development in the nation. There have been continuous efforts, to ensure ethics in educational governance, especially through legal provisions guided by commissions, committees and working parties. However, there has been hindrances to ethics in educational governance among others includes: irregularities in administration of national examinations, corruption leading to loss of colossal amount of education funds and negligence in educational governance. Hence, there is need to address the setbacks to ethics in educational governance so as to achieve the anticipated development. This can be achieved through research and evaluation of the issues related to ethics in educational governance and their implication to development in Kenya.

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