

EFFECT OF LEVEL OF ENFORCEMENT OF KNEC RULES AND REGULATIONS ON THE PREVALENCE OF EXAMINATION MALPRACTICE IN PUBLIC AND PRIVATE SECONDARY SCHOOLS IN KISII COUNTY BETWEEN 2008 - 2014

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Abstract

Examination malpractice in Kenya Certificate of Secondary Education examinations in Kisii County has been on the increase despite the strict enforcement of Kenya National Examinations Council (KNEC) rules and regulations that govern the exercise. This study set out to examine the effect of the level of enforcement of KNEC rules and regulations by invigilators on the prevalence of examination malpractice in Kisii County. This study employed ex post facto and survey research design. The target population comprised of 363 principals, 726 invigilators and 30 examination officers drawn from 317 public and 46 private secondary schools in Kisii County. A sample of 109 principals, 218 invigilators and 10 examination officials was selected through stratified random sampling. The study utilized questionnaires and interview schedules to collect both qualitative and quantitative data. Pearson Correlation Coefficient was computed using SPSS to analyze quantitative data. Qualitative data were analyzed thematically; related themes were summarized and reported in prose. The study found that level of enforcement of KNEC rules contributed to the high level of examination malpractice. Pearson correlation results were as follows: Level of enforcement of KNEC rules and regulations ($r = 0.087$; $p = 0.275$). The study recommended that: KNEC should consider engaging in extensive sensitization campaigns aimed at regularly reminding all concerned stakeholders and that, the school management should consider organizing prior assessments to check on compliance levels in respect of the set KNEC rules and regulations.

Key Words: *KNEC Rules and Regulations, Examination Malpractice, Kisii County*

Introduction

Recent empirical studies show that cheating by secondary school students is prevalent in all four corners of the globe, including such far-flung nations such as Australia, Germany, Costa Rica, Austria, Japan, South Africa and Morocco (Benmansour, 2000). In Africa, examination malpractice is a great challenge and a great concern to governments across the continents. For instance, in Nigeria, Eynestboi (2013) In Zambia, Maheka (2015) and Dagyenga (2013) observe that examination malpractice is far from being resolved. Studies in Kenya reveal that academic dishonesty is commonplace at both the national and state levels. Cheating during examinations is a widespread practice in Kenya, especially in Kenya Certificate of Secondary Education (KCSE) examinations and Kenya Certificate of Primary Education (KCPE) examinations. The problem with examination malpractice is that students carry along with them this bad practice to other institutions of higher learning such as colleges, universities and polytechnics. The end result is that half-baked students who are not skilled enough to join the job market (KNEC, 2012). This study is carried out in Kisii

County, because it has the highest number of secondary schools in the country, and it has been the most affected by examination irregularities with the release of KCSE examination every year leading to cancellation of results for the affected candidates. (MoE, 2011).

The World Bank Group (2001) indicates that learners get involved in examination irregularities and malpractice mainly because, success in a public examination can have profound, immediate and long-term impact on a candidate's life. Appropriate assessment preparation activities promote quality, long-term learning. Examinations and assessment bodies over the world should agree that the best way to promote assessment practices is to help teachers and administrators become aware of what is and is not an acceptable practice (Michigan Department of Education, 2005). Kenya National Examination Council (KNEC) Act, cap 225A (1980) states that, any person:

- i. Who gains access to examination materials and knowingly reveals the content, whether orally or in writing, to an unauthorized party, either a candidate or not or
- ii. Willing fully and maliciously damages examination materials or
- iii. Is not registered to take part in a particular councils' examination but, with intent to impersonate, presents or attempts to take part of an enrolled candidate shall be guilty of an offence and is liable to imprisonment for a term not exceeding twelve months or a fine not exceeding five thousand shillings or both imprisonment and a fine.

The KNEC Act (2012), which was enacted in 2013, provides for stiff penalties for examination offences. Anyone found leaking papers or committing other examination malpractices are liable, upon conviction, to imprisonment for a term not exceeding five years or a fine not exceeding Ksh1 million or both. Furthermore, anyone caught impersonating a candidate risks serving a jail term not exceeding two years or two million Kenya shillings fine, or both. They will also be prohibited from taking an examination conducted by or on behalf of the council for a period not exceeding three years.

In the year 2009, 199 examination centres were involved in examination malpractice across the country, up from 118 centres in the previous year. This shows that the vice has been on the increase. Examination dishonesty, also popularly known as cheating, is a vice that has bedeviled the Kenyan education system for many years. This malpractice not only occurs in primary, but also in secondary school examinations (Nyamwange, Ondima & Onderi, 2013). This vice has been phenomenal in Kisii County (Opiyo, 2015). There have been instances of breaches of KNEC measures, leading to high examination malpractices (KNEC, 2012).

Cases of cheating in national examinations in Kisii County have been reported over the years. For example, in the year 2001, 1.5% of students who sat for KCSE examination were reported to have cheated in the examinations (Opiyo, 2015). In the year 2008, KCSE examinations in Masaba District had 0.56% cases of cheating, second to Migori District which had 0.79%, while most districts in Nyanza had no cases of cheating (Ministry of Education, Kenya, 2008). In the year 2013, Education Cabinet Secretary,

Prof Jacob Kaimenyi, said 3,353 candidates who sat Kenya Certificate of Secondary Education exams in 2013 would not receive their results due to cheating. Siringi (2009), Khaemba (2008) and Republic of Kenya (2008), merely reported examination malpractice but failed to investigate the effects of existing rules and regulations in managing examinations cheating in public and private secondary schools in Kisii County, Kenya. Cheating cases in Kenya between the year 2008 and 2014 were as shown in Table 1.

Table 1: Cases of Examination malpractice in Kenya

Year	Cases	No. of Students
2008	2	218
2009	3	145
2010	3	197
2011	4	58
2012	7	94
2013	3	147
2014	6	241
2015	17	294

Source, MOE (2017)

According to Gibendi (2016), there was a 70% increase in examination malpractice in KCSE 2015 compared to KCSE 2014. Interestingly, Kisii County was among the leading counties in examination malpractice in 2015. In the 2016, Kisii County had 1,062 under-age candidates, the highest number in the country (MoE, 2017). Registration of underage is in itself a form of examination malpractice.

In spite of KNEC's efforts in tightening rules and regulations in managing KCSE examinations, there is persistent and increasing evidence of examination cheating in Kisii County, especially through collusion, impersonation, and smuggling of pre-prepared information in examination rooms and use of mobile and other electronics devices. It is on this basis that this current study set out to determine the level of enforcement of KNEC rules and regulations by invigilators on the prevalence of examination malpractice in public and private secondary schools in Kisii County, Kenya.

Research Hypotheses

H₀₁: There is no significant relationship between level of enforcement of KNEC rules and regulations by invigilators and examination malpractice among public and private secondary schools in Kisii County.

Scope of the Study

The study focused on the effects of KNEC rules and regulations in managing examination malpractice in public and private secondary schools in Kisii County. The respondents will be invigilators and principals in both public and private secondary schools, as well as KNEC officials. The study investigated the phenomenon as represented in the period between 2008 and 2014. The researcher collected data from

principals, teachers and examination officers from different sub-counties in Kisii County to supplement each other for accuracy of the information given by any one party. The data from the principals, teachers and examination officers helped the researcher fill the gaps for each of the study subjects' misinformation.

LITERATURE REVIEW

Why Students Engage in Examination Malpractice

Although many students believe that examination malpractice is wrong, many students still engage in it (Godfrey *et al*, 1998). Research shows that there are personal, institutional, and social reasons why students engage in examination malpractice (Brimble 2005). Students engage in examination malpractice because they want to pass. Fear of failure is one of the primary reasons for examination malpractice (Sheard *et al*, 2003). Fear of failure could be due to personal factors, like the time pressure when preparing for examinations (Shraw *et al*, 2007). Schab (1991) shows that some variables motivate students to engage in examination malpractice: fear of failure, too lazy to study, parents demanding good grades, desire to keep up with others, it is easy to engage in examination malpractice and not enough time to study.

Examination Malpractice

A study carried out by Grimes and Rezek (2005) on secondary school students in six transitional economies, Belarus, Croatia, Kyrgyzstan, Lithuania, Russia and Ukraine, along with students in the USA. The results indicated that the most consistently significant determinants were personal beliefs about the ethics and social acceptability of cheating and various attributes of the classroom environment. With the exceptions of Lithuania and Ukraine, students in each transitional economy had a higher probability of cheating relative to students in the USA, *ceteris paribus*. The relative differences ranged from 8.9% for Belarus up to 17.1% for Croatia. For Russia, the difference was a relatively high 15.4%. The results also showed that a majority of students in each nation feared the punishment of being caught cheating, but many students also believed that cheating was socially acceptable behaviour.

Ogunji (2011) observed that from Africa to Europe and to America, the issue of examination malpractice, or academic dishonesty has become a concern for educators. In Zambia, Munachonga (2014) carried out a study to analyse the causes and effects of examination malpractices on educational standards, the moral character of those involved and socio-economic performance from an ethical perspective. The research revealed that examination malpractices were a big problem in Lusaka as they tended to virtually destroy the moral integrity of the persons involved. This results in a society with a corrupt and incompetent future workforce. By distorting the very essence of education, society tended to be more at a loss than a gain in terms of socio-economic performance because, most often, the certificates achieved did not reflect the actual capabilities of the holder.

According to the West African Examination Council (WAEC) (2015), examination malpractices among students are increasing at an alarming rate. According to the exam body, a lot of these malpractices are detected by markers. In Ghana, the Brong Ahafo

region alone, about 4,000 students were caught cheating in last year's Senior High Schools final examinations. Having a negligible number of five breaking the examination's rules and regulations, the Upper West Region placed last in the scheme of cheaters. In 2011 the figure jumped to 4,201, and 2012 recorded 3,439 incidences. Also students caught cheating in 2013 stood at 5,653, while in 2014 the entire Ghanaian country recorded a total of 8,051 of examination malpractices, of which 4,000 came from one region. This was quite alarming and this supports the argument that examination malpractices are a common occurrence across Africa. Eynestboi (2013) noted that examination malpractice has become one of the canker worms that have eaten deep into the fabrics of the Nigerian society.

According to a study by Nyamoita and Otieno (2016) examination malpractices have always been there in Kenya. Data in Table 2 gives a summary of the malpractice trend in the country for some of the years showing the number of students involved in examination malpractices.

Table 2: Examination Malpractice Trend in Kenya

Year	No. of Candidates Affected
2011	2,927
2010	2,393
2009	1,711
2008	1,875
2007	679
2006	375
2005	1,874
2004	1,022
2003	1,265
2002	1,208
2001	2,880

Source, Nyamoita and Otieno, 2016.

In 2000, the candidates involved in examination malpractice in Kenya were 2,880. Nyanza province to which the current Kisii County belongs had 21 centres affected out of 100 centers affected countrywide. Kisii Central, North Kisii and Kisii South sub counties led in the examination irregularities during this period according to Saitoti (2001).

Ragaa (2001) added that these sub counties of Kisii had reported irregularities for five consecutive years. In 2001, a total of 121 centres were involved in the examination malpractices in Kenya. Nyanza province had 22 centres affected by the examination malpractice (Nyambala, 2002). In 2002, 1,265 candidates were involved in examination malpractices in Kenya with the then Nyanza province having 368 students involved (Ragaa, 2003). In 2003, 1,022 cases of examination malpractice were recorded in Kenya with the province having 40 schools involved in examination malpractice. The leading

sub counties were Kisii Central, Gucha and Kisii North that had 12, 10 and eight schools respectively involved in the examination malpractices (Gakunga, 2004).

In 2010, the Education Minister noted that there was a significant decrease in malpractices from 1,711 to 534. The minister as well noted that the numbers may appear low when compared to the candidature but it is a painful experience when results of even one candidate are cancelled due to cheating (Muindi, 2012). Muindi also noted that in 2011, 2,927 candidates in 154 examination centres had their results with Kisii County having seven schools affected by examination malpractice. In 2012 Nyanza province had 32 schools whose examination results were cancelled (Miruka, 2013).

Level of Enforcement of KNEC Rules and Regulations by Invigilators and the Prevalence of Examination malpractice

Enforcement of KNEC rules and regulations is key, if curbing of examination cheating is to materialize. However, it is not clear what the level of enforcement of KNEC rules and regulations have played in relation to examination cheating. This is not unique to Kenyan situation; it is a global phenomenon. Loock, Govender and Cesare (2007) in a study titled “Dealing with Examination and Assessment Irregularities in an Era of Rapid Change: A South African Judicial perspective” concluded that everyone who participates in the development or implementation of examination and assessment systems has a responsibility in ensuring that it adheres to the requirements of validity, reliability and fairness. In order to maintain public confidence in high stakes examinations in an era of rapid change, educational managers should continuously review the effectiveness of internal control measures including compliance validation and monitoring procedures. Non-compliance should be countered within the framework of the applicable legislation, in a manner that is judicially and constitutionally acceptable.

Njeru (2008) found out that poor invigilation of examinations was found to be a leading factor in examination malpractice. Teachers do not invigilate examinations well but rather spend time marking papers, or reading newspapers or novels. This provides a fertile ground for students to cheat. The study established that there was poor invigilation of examinations in Masaba District schools as some teachers invigilate from outside examination rooms while others sleep in class during the examination period. This gives students the freedom to cheat in the examinations. Poor invigilation of examinations was also found to be a leading factor in examination malpractice. Njeru (2008) in Thika District found that teachers do not invigilate examinations well but rather spend time marking papers, or reading newspapers or novels. This provides a fertile ground for students to cheat. The study established that there was poor invigilation of examinations in Masaba District schools as some teachers invigilate from outside examination rooms while others sleep in class during the examination period. This gives students the freedom to cheat in the examinations.

Studies by Alutu and Aluede (2006) and Kpangban, Ajaja and Umudhe, (2008), indicates that students, parents\guardians, school’ management and their staff, Ministry

officers and examination officers are all involved in examination malpractice. According to Kpangban, Ajaja and Umudhe (2008), at the secondary level, parents provide the resources, school heads create the enabling environment, teachers do the solving and assist in cheating, Ministry officers and examination body officials cover cheats and write that all is well in centers of interest, students copy freely while supervisors collect gratifications and all forms of inducements.

Some workers in Kenya National Examinations Council have been suspected and accused of leaking out or selling examination papers to selected potential candidates (Iqbal & Khan, 2011). Such suspicion is corroborated by the Ministry of Education's frequent suspension of examination results from some schools at the end of each examination season. A good number of our interviewees accused some university lecturers for the vice. For example, when some lecturers delay giving out results of some students at the end of a semester or alter their marks, this too may be interpreted as an examination malpractice. The magnitude of examination irregularity cannot be underestimated. Hence, the parents, and teachers are apprised of the dangerous practice of cheating and its adverse effects on the moral, intellectual and social development of the youth (Iqbal & Khan, 2011).

Theoretical Framework

This study was guided by the following theories; Regulation theory by Brenner and Glick (1991), Game theory by Hendricks and Hansen, (2007), Ross (2008); and the Agency theory by Mitnick, (1975).

Regulation Theory

According to the regulation theory by Brenner and Glick (1991), public interest can further be described as the best possible allocation of scarce resources for individuals and collective goods. In western economies, the allocation of scarce resources is to a significant extent coordinated by the market mechanism. In theory, it can even be demonstrated that, under certain circumstances, the allocation of resources by means of the market mechanism is optimal (Arrow, 1985). Because these conditions are frequently not adhered to in practice, the allocation of resources is not optimal and a demand for methods for improving the allocation arises (Bator, 1958). One of the methods of achieving efficiency in the allocation of resources is government regulation (Arrow & Shibuk, 1970). According to this theory, government regulation is the instrument for overcoming the disadvantages of imperfect competition, unbalanced market operation, missing markets and undesirable market results.

In Kenya admissions into colleges is determined by the grades one attained in KCSE examinations. The type of college one is admitted in determining the type of course and later employment. Employers too look at college attended to allocate job carriers to our young men and women hence the relevance of this theory, whereby the allocation of resources as far as education level is concerned, that may be the cause of cheating in KCSE examinations. Those who cheat gain advantage over others. Its relevance and foundation stems from the fact that government regulation is needed to ensure that citizens do not take undue advantage and that there is fair play in economic and social activities. In this case, exam cheating is not fair play and needs to be regulated.

Agency Theory

Agency theory is a concept that explains why behavior or decisions vary when exhibited by members of a group. Specifically, when it describes the relationship between one party called the principal, that delegates work to another called the agent. It explains their differences in behavior or decisions by noting that the two parties often have different goals and, independent of their respective goals, may have different attitudes towards the risk. The concept originated from the work of Adolf Augustus Berle and Gardiner Coit Means, who were discussing the issues of the agent and principle as early as 1932. Berle and Means explored the concepts of agency and their applications toward the development of large corporations (Mwanza, 2013). They saw how the interests of the directors and managers of a given firm differ from those of the owner of the firm, and used the concepts of agency and principal to explain the origins of those conflicts (Murtishaw & Sathaye, 2006).

Jensen and Meckling shaped the work of Berle and Means in the context of the risk-sharing research popular in the 1960s and '70s to develop agency theory as a formal concept. Jensen and Meckling formed a school of thought arguing that corporations are structured to minimize the costs of getting agents to follow the direction and interests of the principals (Mitnick, 1975). The theory essentially acknowledges that different parties involved in a given situation with the same given goal will have different motivations, and that these different motivations can manifest in divergent ways. It states that there will always be partial goal conflict among parties, efficiency is inseparable from effectiveness, and information will always be somewhat asymmetric between principal and agent. The theory has been successfully applied to myriad disciplines including accounting, economics, politics, finance, marketing, and sociology (Nikkinen & Sahlström, 2004).

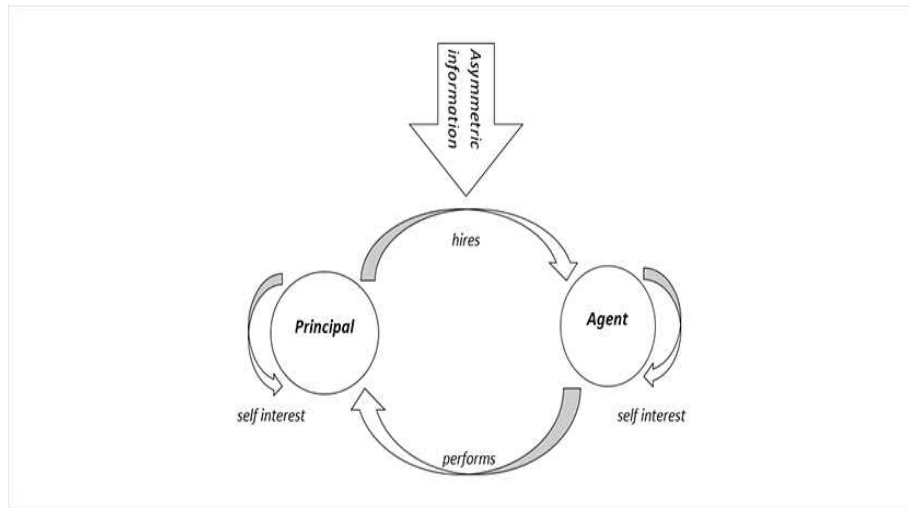


Figure 1: Illustration of Agency Theory

Source: Chelniciuc (2014)

The principals, teachers and invigilators are agents of the government who should protect the interest of the public by ensuring that there is no examination malpractice.

However, the interests of the government (public) and the interest of the agents (teachers) differ and the agents take actions that are not in the best interest of the principal (government/public). This is evidenced by corrupted invigilators, mismanagement of human resources (poor remuneration of teachers), poor board oversight in school activities.

Research Methodology

Research Design: A research design establishes procedures to obtain cases for study and to determine how scores was obtained from those cases (Schwab, 2005). The study adopted both survey research design and retrospective *ex post facto* research design. The merit of *ex post facto* design is that it is useful where simple cause-and-effect relationships are being explored as it is the case in this study. Given the fact that the study also collected qualitative data using interview schedules, survey research design was also adopted to add value to the study. survey research design was considered ideal, since the study also involved collecting data in order to answer questions about the current status of examination malpractice and related regulatory framework, and used formal instruments to study preferences, attitudes, practices, concerns or interest of a sample. In addition, the researcher was able to gather information regarding the respondent's opinion, perceptions, attitudes and views in a highly economical way.

Location of the Study: The study was carried out in Kisii County, Kenya. Kisii is located east of Nairobi and is approximately 239 kilometres from Nairobi. The secondary schools are distributed in the following sub-counties, Kitutu Chache North, Kitutu Chache South, Nyaribari Masaba, Nyaribari Chache, Bomachoge Borabu, Bomachoge Chache, Bobasi, South Mugirango and Bonchari.

Target Population: Kisii County has a total number of 363 secondary schools of which 317 were public schools and 46 private secondary schools. The study population included principals, invigilators and examination officials in Kisii County. This formed the target population (Mugenda & Mugenda, 1999); For the purpose of this study the target population comprised of 363 secondary school principals, 726 invigilators (two teachers per school, that is, those teachers who participated in the examinations invigilation / supervision exercise) drawn from 317 public and 46 private secondary schools, and 30 examination officials.

Sampling Procedure and Sample Size: The researcher used 30% of the population to arrive at the sample (Gall, Gall & Borg, 2003). Stratified random sampling enabled the researcher to capture the invigilators, examination officers, and principals in two strata, from public and private secondary schools. The researcher got 95 principals, 190 invigilators from public secondary schools and 14 principals and 28 invigilators from private secondary schools.

Research Instruments: The study utilized questionnaires to collect data from the principals and invigilators, while interview schedules were used for collection of data from examination officers. Prior to collection of data, the instruments were pilot tested and subjected to validity and reliability.

Data Analysis Methods: Quantitative data was obtained using closed ended questions and was analyzed using descriptive and inferential statistics with Pearson r as a methods for testing relationships. This technique shows the direction and magnitude of the relationship between given variables (Mugenda & Mugenda, 2003). All the variables were tested based on themes and relationships and were meant to supplement each other. The statistical package for social science (SPSS) programme version 21 was used to aid in data analysis for quantitatively collected data. Results of the analysis were presented using tables, charts and graphs. Secondary data for schools on examination irregularities at County offices was analyzed using descriptive analysis.

Findings and Discussions

Response Rate: 337 questionnaires were prepared and administered to the Principals, Invigilators, and Examination Officials, 10, 218 and 109 questionnaires respectively. However, 9 respondents were not in position to help in filling the questionnaires thus only 328 were completely responded to. This translated to a response return rate of 98%. This was sufficient to enable the researcher come up with reliable conclusions and recommendations.

Demographic Characteristics of the Respondents

Gender: 51% of the invigilators, 40% of the examination officials and 68% of the Principals that provided information were male, while 49% of the invigilators, 60% of the examination officials and 32% of the Principals were female. The findings show that information provided reflects the views of both gender in respect to the effect of existing KNEC rules and regulations in managing KCSE examination malpractice in public and private secondary schools in Kisii county.

Principals' Working Experience: majority of the principals (83.0%) had served in their current place of work, as principals for a period 3 years or above, while 17.0% of the principals had served for a period of less than 2 years. Having worked in their respective schools for these periods, placed them a position to comment on the schools' efforts in the fight against examination malpractice.

Level of Invigilators Integrity and the Prevalence of Examination malpractice: The findings in Figure 4 show that 69% of the invigilators indicated that KNEC made arrangements to ensure that Invigilators are trained on integrity to improve the standards of examination, while 31% disagreed. This implied that invigilators were trained well enough to improve standards of examination in KCSE. It also suffices that not all those participating in the invigilation exercise were well trained for this purpose.

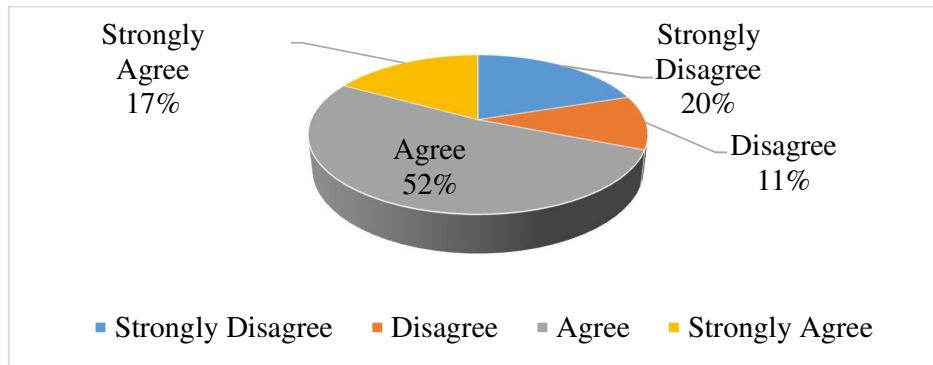


Figure 2: Effect of Invigilators training on Integrity on KNEC rules and regulations

Level of Invigilators Motivation: invigilators were well motivated, hence were committed to ensuring level of enforcement of KNEC rules and regulations for control of examination malpractices. Arguably poor motivation leads poor invigilation. Njeru (2008) found out that poor invigilation of examinations (9.58%) was also found to be a leading factor in examination malpractice. Teachers do not invigilate examinations well but rather spend time marking papers, or reading newspapers or novels.

Kenya National Examinations Council Staff colluding in selling Examination Papers: 76% of the respondents indicated that they did not believe that Kenya National Examinations Council staff colluded with students in selling examination papers to selected potential candidates. On the hand, 24% agreed to this assertion. This implied that most of the invigilators did not think that there was a collusion between students and KNEC staff. However, some did not want to disagree or agree, thus implying that there was collusion to some extent.

Level of enforcement of KNEC rules and regulations on the prevalence of examination malpractice: The study found that despite efforts to train the invigilators the situation of examination malpractice has not changed in Kisii County. Invigilators are motivated well enough to pick up the task of enforcing the KNEC rules and regulations, yet it appears that loopholes still exist in the system. The findings rule out collusion with the school management or teachers with those involved in the malpractices. However, it suffices that KNEC rules and regulations are not enforced to the letter. This could mean that invigilation was not properly done. Past studies link poor invigilation to examination malpractice. According to Badmus (2006), extraneous variables such as poor working conditions, societal pressures and inadequate remuneration affect the school environment making students vulnerable to examination malpractice given that teachers and support staff lack necessary motivation or incentive to work hard.

Hypothesis Testing

The findings in Table 23 shows that there is a positive correlation between level of enforcement of KNEC rules and regulations and prevalence of examination malpractice at 0.087. This level is higher than the test significance level at 0.05; that is, $P < 0.05$, thus we reject the null hypothesis. In addition, 0.087 is less than 0.139, the study

therefore, accepts the null hypothesis which read that “There is no significant relationship between the level of enforcement of KNEC rules and regulations by invigilators and the prevalence of examination malpractice among public and private secondary schools in Kisii County.” The findings show a positive influence of the level of enforcement of KNEC rules and regulations on the prevalence of examination malpractice. This implied that level of enforcement of KNEC rules and regulations did influence the prevalence of examination malpractice in Kisii County. It means that the low level of enforcement of KNEC rules and regulations resulted in high levels of examination malpractice in the County.

Table 3: Pearson Correlation between Level of Examination malpractice and level of enforcement of KNEC rules and regulations

		Level of Examination malpractice	Level of enforcement of KNEC rules and regulations
Level of Examination malpractice	Pearson Correlation	1	.087
	Sig. (2-tailed)		.275
	N	212	212
Level of enforcement of KNEC rules and regulations	Pearson Correlation	.087	1
	Sig. (2-tailed)	.275	
	N	212	212

$\alpha = 0.05$; $df = 212$, $P < 0.05$; Critical $r = 0.139$

KNEC Officials View on Level of Enforcement of KNEC Rules and Regulations by Invigilators: KNEC officials that were interviewed using interview schedules indicated that they were taking examination irregularities more seriously and if the council finds sufficient evidence linking any head teacher or deputy head teacher to examination fraud they shall take action. Interestingly almost all (8 out of 9 examination officers) respondents believed that the level of enforcement of the KNEC rules and regulations. For instance, respondent 5 stated as follows: *“The level of enforcement of KNEC rules and regulations in the school I invigilated in was to the required standard.”* According to the officers continued examination malpractices could not be blamed on the level of enforcement of KNEC rules and regulations by invigilators.

This was not the same view with the 9th respondent (examination officers) who indicated that he did not believe that the enforcement of KNEC Rules and regulations by invigilators in Kisii County carried out as required and suggested that more efforts need to be put in place that the level of enforcement of these rules and regulations is enhanced. 9th Respondent *“In some instances, there is laxity, given that, some of the invigilators do not take their work seriously”*

The arguments by the KNEC officials are contrary to an earlier study by Njeru (2008) who found out that poor invigilation of examinations was found to be a leading factor in examination malpractice. According to Njeru, teachers do not invigilate examinations well but rather spend time marking papers, or reading newspapers or novels. This provides a fertile ground for students to cheat. Njeru argued that examination malpractice was a function of lack of seriousness on the part of the invigilators.

Conclusion of the Study

The study concludes that the level of laxity in the enforcement of KNEC rules and regulations by invigilators to a large extent had a negative effect on the prevalence of examination malpractice in the County. The study found that despite efforts to train the invigilators the situation of examination malpractice has not changed in Kisii County. Invigilators are motivated well enough to pick up the task of enforcing the KNEC rules and regulations, yet it appears that loopholes still exist in the system. The findings rule out collusion with the school management or teachers with those involved in the malpractices. However, it suffices that KNEC rules and regulations are not enforced to the letter. This could mean that invigilation was not properly done. Past studies link poor invigilation to examination malpractice. For instance, Njeru (2008) found out that poor invigilation of examinations was found to be a leading factor in examination malpractice. Teachers do not invigilate examinations well but rather spend time marking papers, or reading newspapers or novels. Perhaps the problem here would be whether invigilators are performing their tasks diligently. The irony would be in cases of examination leakages periods before examination, but then if the KNEC rules and regulations are enforced to the letter, this can be checked. There are still malpractices that the KNEC system has not been able to detect. Low level of enforcement of KNEC rules and regulations by invigilators could be due to collusion between invigilators and students. This is an aspect that needs to be investigated by KNEC.

Recommendations

The study recommends the following:

- i. KNEC should engage in extensive sensitization campaigns, aimed at regularly reminding all concerned stakeholders; principals, teachers, invigilators, and parents of the consequences of examination malpractice. Joint school talks can be organized by KNEC officials. Other means of sensitization approaches can be adopted for instance the media and social gatherings.
- ii. The schools Board of Management through the Ministry of Education should consider organizing prior assessments to check on compliance levels in respect of the set KNEC rules and regulations. These assessments should be done within a reasonable period before examinations to form four students, at the beginning of the examination year.
- iii. Examination malpractice methods are constantly undergoing changes with the changing technologies, therefore, KNEC should consider mobilizing resources for carrying out investigative surveys (research) on the exact nature and causes

of examination malpractices. There is need to explore through empirical research behaviour characteristics that lead to dishonesty and dealing with anxiety so as to come up with measures that can help reduce elements of these, more so, student groups prone to cheating such as the lower achievers. Worse still, these take on a regional dimension.

Suggestions for Further Studies

While carrying out this study, certain issues emerged. Since such issues did not fall entirely within the spectrum of this study. The researcher suggests as follows: The study sought to examine the effect of level of enforcement of KNEC rules and regulations on the prevalence of examination malpractice in public and private secondary schools in Kisii County. The study did not examine the challenges facing the various stakeholders in enforcement of KNEC rules and regulations. Questions remain unanswered as to whether there are any difficulties experienced and how this can be addressed. A study to examine the challenges faced by various stakeholders in enforcing KNEC rules and regulations for managing examination malpractice in public and private secondary schools in Kisii County.

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