Gender and Education in Kenya and Re-Alignment of Education to the Constitution

GENDER MAINSTREAMING AS A PRACTICAL TOOL FOR GENDER EQUITY

ITP HUMAN RIGHTS TOWARDS GENDER EQUALITY SEMINAR,NAIROBI

23rd MAY, 2012

Dr. Geoffrey Wango, University of Nairobi
Mercy Musomi, Girl Child Network
Carolyn Akinyi, Forum for African Women Educationalists (Kenya)

GENDER AND EDUCATION IN KENYA AND RE-ALIGNMENT OF EDUCATION TO THE CONSTITUTION

Dr. Geoffrey Wango, Mercy Musomi and Carolyn Akinyi

Dr. Geoffrey Wango is a Lecturer in Counselling, University of Nairobi. Email. gwango@uonbi.ac.ke; Mercy Musomi is the Executive Director, Girl Child Network, Email. gcn@girlchildnetwork.org and Carolyn Akinyi is a Lecturer at Egerton University and a Board Member of the Forum for African Women Educationalists, Kenya Chapter (FAWE-K), Email cmgakinyi@yahoo.co.uk.

Abstract

This paper argues that as education in Kenya is aligned to the Constitution, the need to empower girls and women through education is vital to achieve the Bill of Rights. Kenya as a developing country must be geared towards gender equity through quality of education at all levels. This will entail concerted effort by Government and civil society through taking an audit of the existing policies and adopting best practices including resource allocation and organisation of education.

Keywords: Gender equity, Constitution, Education, Developing Country.

Introduction

There is need to recognize the importance of exploring the link between gender and education particularly girls' education and the overall national development. First, this is critical in order to empower both females and males through education and skills development so as to reduce the social and economic inequalities in society. Secondly, there is need globally, regionally and nationally to adopt specific strategies to ensure equity in opportunities including education. Kenya recognizes the role of basic education in ensuring sustainable socio-economic and human resource development, empowerment and good governance. In order to achieve the relevant EFA and MDG goals and objectives, Kenya continues to strengthen national and international level partnerships. The achievement of the aims and objectives are aligned to the Constitution and Vision 2030. The Constitution is very comprehensive while vision 2030 aims to make the country an industrialized nation. Commitment to these goals in education is demonstrated by the increased budgetary allocation and various intervention strategies.

Gender equity in education will entail the four sections as outlined by the Task Force on the re-alignment of the education sector to the Constitution of Kenya:

1. *The Bill of Rights*. Chapter 4 of the Constitution embodies the Bill of Rights and affirms the right of all Kenyans to education; every child has a right to free and compulsory education. State has a fundamental responsibility to observe, respect, protect, promote and fulfil the rights outlined in the Bill of Rights.

2. *Devolution*. There is devolution and decentralisation of powers to the Counties, yet the values and quality of education must be upheld.

3. *Resource allocation.* This includes recruitment procedures and the qualification framework, as well as enhanced public partner relationships.

4. *Organisation of education.* Overall policy and planning, standards and regulations, education management and information systems will require to be enhanced.

The vision of the Ministry of Education is to create a globally competitive quality education, training and research for Kenya's sustainable development. The mission is therefore to provide, promote, co-ordinate quality education, training and research for empowerment of individuals to become caring, competent and responsible citizens who value education as a lifelong process.

Education must of essence focus on the acquisition of knowledge and skills as well as the provision of lifelong learning. Government must create a conducive environment to enable learning to take place. Emphasis will be placed on the provision of a holistic quality education, training and research. Such as system of education is based on a philosophy that advances the cognitive, psychomotor and affective domains of learners, instilling values such as patriotism, equality of all persons, peace, security, honesty, humility, mutual respect, tolerance, cooperation and democracy. Teacher parent cooperation to enhance learning, emotional intelligence and multiple intelligence are part of that education.

Gender Policy Highlights
1. The Government is committed to develop, nurture and promote the participation of all persons especially women in national development. The Kenya Vision 2030 highlights

gender, youth and other vulnerable groups as key to social, economic and political development, and in decision making processes. Access to quality and relevant education is one of the highest priorities on the development agenda. This is because it is through education that the Government will provide a globally competitive and quality education, training and research.

2. The Ministry of Education is guided by three key aspects; access, equity and quality. Gender in Education is therefore a very significant development as it provides the framework for the planning and programming of gender responsive education at all levels through the Gender Policy in Education

3. Girls' and women's empowerment, and the participation of boys from urban informal settlements and the socially disadvantaged, as well as vulnerable children are seriously impended by several factors, such as, cultural and religious practices, inadequate policy guidelines and effective implementation, poverty, and lack of community awareness. These have continued to impact negatively on access, participation and performance at all levels in education, training and research. The aspects are effectively addressed in various policy documents and programmes.

4. There is need to refocus education in tandem with modern times through development of effective educational strategy that not only focus on sending more children to school as it is interpreted by many, but also on maintaining and enhancing the quality of life and schooling. This highlight issues such as peace education, life skills education, guidance and counselling, health, food and nutrition, HIV and AIDs prevention, harmonious living and an enhanced understanding among different communities. These promote national unity, health, life skills promotion as a major strategy to enhance national development through mutual understanding to augment unity in diversity of religion and culture.

5. Access to raise schooling levels with be continuous expanded with attention to the quality of education. The education system accentuates access, equity and quality that align reward with reliable outcomes. This is through increased ability in decision making and autonomy, coupled with accountability and governance that will lead to improved social economic and political development. Equity and quality schooling will be statistically significant related to social economic growth. Such specifications enlarge access to education with quality in an institutional framework, and hence gender mainstreaming.

The institutional framework of access and quality are the openness of a competitive education system for a robust individual in a globalised world economy.

Factors that Hinder Girls and Boys Education

The introduction of Free Primary Education (FPE) in 2003 and Free Day Secondary Education (FDSE) in 2008 to enable every child access to primary education (standard 1 – 8) and secondary education (form 1 – 4) did not mean that every child is in school. Still, it is estimated that 9% of primary education school age, less than 10% of children with special needs and 68% of secondary school age population are not in school. A majority of the 1.9 million children aged between 9 - 13 years old still out of school are found in urban informal settlements, disadvantaged homes and rural and pastoralist parts of the country. Still, most of these children are girls, children with disability and children infected and affected by HIV and AIDS. Pupil to Teacher Ratio (PTR) still remains high at 80:1 in some parts of the country. The conditions of infrastructure in many of the public schools are equally wanting. Factors to consider include HIV and AIDS, health and sanitation, EMIS, accountability and governance, retrogressive cultural practices and to create child friendly schools.

Girls Education	Boys Education
- Long distances to schools especially in Arid and Semi-Arid Lands (ASAL) - Schooling is in competition with basic survival needs - Girls continue to be an important source of labour and wealth - Most parents are still unable to meet the high direct cost of education and therefore continue to prefer to send the boy child to school - Early pregnancies and early marriages are still persistent in some areas - Curriculum is over-emphatic on formal academic achievements rather than functional / life skills - Teachers' attitude towards girls especially in Science, Mathematics and Technical (SMT) subjects. - Females are often denied, or refuse to accept	- Child labour - Drug addiction, drug and substances of abuse and trafficking of drugs - Lack of functional and effective guidance and counselling in schools - Truancy and general indiscipline - Frequent school riots and strikes - Poverty and inherent issues - General lack of interest in school - Poor role modelling - Yearning for economic gains - Cultural factors e.g. Rearing animals

leadership positions ▪ Poor school facilities and lack of teaching learning resources ▪ Shortage of teachers especially females who act as role models ▪ Inadequate guidance and counselling in schools ▪ Female Genital Mutilation and its consequences such as early marriages ▪ Sexual and physical harassment in and out of schools is still prevalent	

Achievements and Programmes in Gender and Education

Kenya is committed to gender equality in all spheres of development and in measures to address existing inequalities. Among the EFA goals and targets, as articulated at the Jomtien Conference and reaffirmed at the World Education Forum in Dakar, was to eliminate gender disparities, and achieve gender equality in education, with a focus to ensuring girls' full and equal access to, and achievement of basic education of good quality. Kenya is a signatory to major international conventions and agreements on human rights and gender equality.

- In 2007, the Gender Policy in Education was officially launched and disseminated to the implementing entities. Gender policy was worked out with various stakeholders in education including Development Partners particularly USAID, Girl Child Network, Forum for African Women Educationalists (FAWE-K) and others.

    The policy highlights key gender concerns in education such as:
    - Disparities in enrolment, retention, and transition rates;
    - Negative socio- cultural practices and attitudes which inhibit especially girls' access to schooling;
    - Teaching and learning environment that is not conducive to girls and boys education;
    - Stereotyping in learning materials and in actual class teaching; and,
    - Drop out of girls due to pregnancy and early marriages, among other issues.

- The Policy recognizes gender equality as central to the achievement of EFA and proposes a number of strategies to address gender concerns in education.

- In 2003, the Kenya Government introduced Free Primary Education. This led to an increase in enrolment of children in primary schools from 5.9 million in 2002 to 7.2 million in 2003 and further rising to 8.2 million in 2008 and rose to 8.6 in 2009 (Boys 4.4 and Girls 4.2) representing a 42.3% rise. In terms of financial resources, a substantial amount has been spent on the instructional materials public primary schools countrywide.

- In 2008, the Free Secondary Education was introduced and this greatly enhanced girls and boys transition from primary to secondary, attendance and retention in secondary schools nationwide.

- It is rewarding to note that with the two Government initiatives the overall gender disparities at primary and secondary level are diminishing and gender parity is rapidly being realized. The gender parity index at primary level averaged about 0.95 in 2007.

- However, gender disparities still persist in certain regions especially in Arid and Semi-Arid Areas, and in urban informal settlements, while in others the boy child is disadvantaged.

- The Ministry of Education developed a HIV and AIDS Sector policy, and established an Aids Control Unit and a Voluntary Counselling and Testing unit. Through the HIV and AIDS Sector policy, the MOE has successfully undertaken school based HIV and AIDS education and behaviour change interventions in schools. The interventions have been extended to Teacher Training Colleges and secondary schools. The Ministry recognizes the role of curriculum in mitigating HIV and AIDS, subsequently; various curriculum reforms have been undertaken at various levels of education.

- The Ministry has developed a Life skills curriculum in school.

- The enactment of the Children's Act and the Sexual Offences Act are key in gender.

The Ministry of Education, in partnership with other stakeholders, has put in place several targeted interventions, aimed at promoting girls and women attendance, participation and retention in schools and in education.

These include the following:

1. Since 1996, the Ministry has a policy on readmission of school age girls who get pregnant while in school.

2. The Government has established boarding and mobile schools especially for girls in Arid and Semi Arid Lands. For instance, in North Eastern Province with low enrolments and participation especially of girls.

3. Provision of water and sanitation that focuses on toilets, water and other facilities including water tanks.

4. Provision of sanitary towels to needy girls in arid and semi arid areas, pockets of poverty and in urban informal settlements.

5. Girls' empowerment through participation in peer education, guidance and counselling, life skills education and empowerment programmes such as '*Tuseme*' (speak out, FAWEK) and Child Rights Clubs (Girl Child Network).

6. Females are admitted two points lower to enhance access to public universities.

7. Mentoring of girls from the arid and semi arid regions especially in secondary schools.

8. Capacity building of principals of secondary schools and head teachers in primary schools on gender issues in education, HIV and AIDS, life skills education, sexual maturation and its management, and puberty education.

9. Construction of boarding schools for girls including equipping of science laboratories to improve girls' enrolment and performance in science and technical subjects.

10. The establishment of schools that serves as centres of excellence for girls.

11. Rescue centres for girls who have been salvaged from early marriages and female genital mutilation.

12. Advocacy for girls' education through community social mobilization campaigns, media and role modelling.

13. Empowerment and sensitization of communities on inhibitive cultural practices to girls' education such as FGM and early marriages.

14. Affirmative action especially for girls and women to access further education and training. For instance, in award of bursaries to girls and scholarships through the Constituency Bursary Fund.

15. In-service training of teachers and school managers in child centred and gender responsive teaching, peer education, guidance and counselling, peace education and school management.

16. Institutionalisation of child friendly schools through the development of a school safety manual.

17. Collection of sex disaggregated data in education to enhance monitoring and evaluation, and targeting.

18. UNICEF through the Ministry of Education has provided full support to 120 girls from North Eastern Province in secondary schools to increase access.

19. Enhanced peace education initiatives including development and dissemination of psychosocial materials.

These interventions have contributed to the following achievements:

a. National net enrolment rate in primary schools is 92.9% (from 83% in 2005) and 35.8% (from 14.1% in 2000) in secondary schools; and,

b. Gross enrolment in secondary schools at 45.3% (from 29.9% in 2000)

The Gender Policy in Education addresses gender concerns in education namely;

- Making the learning environment conducive to both boys and girls.

- Promoting gender sensitive curriculum.

- Strengthening the capacity of both parents and education personnel at all levels to address gender issues.

- Strengthening legal and policy instruments to check gender violence, sexual harassment and child abuse.

- Affirmative action in allocation of bursaries, encouragement of admission of girls to universities, and appointment and promotion of qualified female education managers in schools and administrative levels.

- Re-admission of school age girls who become pregnant while in school.

- Affirmative policy on admission of girls to post-secondary institutions.

- Gender parity-based recruitment and deployment in management / decision making positions.

- Female genital mutilation has been outlawed.

- Balancing gender during intake of teacher trainees and in deployment of teachers in schools.

- Bursary allocation at secondary level has been enhanced and girls score higher points and receive an additional 5% bursary allocation in every constituency.

- Establishment of Gender Desk in all MOE Directorates and all Semi Autonomous Government Agencies (SAGAs) and Teacher Training Colleges.

- Initiated social support programmes (conditional cash transfer) and most vulnerable children support grant.

- Making monitoring and evaluation systems more sensitive to gender issues. Other policy and legal interventions that, in particular, target girls include: collection and correlation of sex disaggregated data, bursaries and scholarships for needy children.

Emerging Challenges and Concerns in Gender and Education

Though there has been marked progress towards achievement of universal primary education in the country, realization of the MDGs and EFA continue to experience a number of challenges such as:

- Overcrowding in schools especially those in urban informal settlements, ASAL areas, and densely populated areas as a result of free primary and free secondary education.

- Inadequate physical facilities due to increased enrolment and dilapidated infrastructure;

- High pupil / teacher ratios in some schools.

- Gender based violence against children which includes rape and sexual violence. This includes increased cases of incest.

- High cost of special education equipment/facilities and materials to cater for children with disability and special needs.

- Low quality of education offered through alternative provision models such as Non-Formal Education Centres and lack of clear linkage with the formal education system.

- Inadequate in-servicing of teachers to adopt alternative methods of curriculum delivery, and other contemporary issues in education.

- Diminished support by communities mainly due to poverty and attitudinal change.

- Gender, socio-economic and regional disparities that impact negatively on access, retention, participation and quality.

- Conflicting role of the girl child at home and schools coupled with poverty and other cultural factors that limit the chances of completion and result in school dropout.

- Regional variations of female to male literacy ratios pose challenges to the national literacy achievements.

- In Kenya, the EFA target is seriously threatened by the HIV and AIDS pandemic and the most devastating and far reaching effect is the impact it has on the education system. HIV and AIDS is draining the supply of education, eroding its quality, weakening demand and access, drying up the countries pool of skilled workers and increasing sector cost which is already high in relation to available public resources. AIDS orphans and other vulnerable children pose a challenge in education.

- Girls and women's empowerment through education is impeded by a number of factors such as cultural and religious attitudes and practices, infrastructural limitations, inadequate policy guidelines, poverty, HIV and AIDS, lack of community awareness as well as lack of adequate female role models especially in the rural areas.

- Gender Identity Disorders (GID) for children who experience significant discontent with their biological sex. These children are often ridiculed by others and tend to feel a misfit.

- The boy child suffers from child labour practices and lack of male role models in the poor urban areas such as slums.

Way Forward

In an endeavour to enhance access, quality, equity, retention and relevance in the provision of education, the Government will use best practices. Some of the intervention strategies include:

- Enforced re-entry policy especially for school girls who drop out of school due to pregnancy.

- Accelerated infrastructure development to enhance access.

- Enhanced retention strategies especially in Arid and Semi Arid lands (ASALs) and urban informal settlements.

- Enhanced security such as North Eastern regions.

- Increased funding on peace and disaster management.

- Aspects that affect either gender will need to be specifically and collectively addressed, including in regions.

- Increased number of special units in schools.

- Encourage partnership with development partners and other stakeholders forging stronger partnerships such as mobilization of funds for OVC programmes and fast tracking of specific programmes.

- Replacement of teachers who leave the service.

- Expansion of existing secondary schools through additional streams in existing schools.

- Construction of more day schools to reduce the cost of secondary education and enhance access.

- Increased bursary funding to schools to capture more needy students.

- Improved quality of all education programmes.

- Continuous capacity building for decentralized management.

- Strengthened Education Management Information System (EMIS).

- Increased financing monitoring and evaluation for governance.

- Training of education managers and other personnel involved in education at all levels.

- Inclusion of boys and girls, females and males in gender activities so that gender mainstreaming will ultimately achieve more.

- Gender advocacy and sensitisation to ensure detailed and enhanced understanding of gender issues and concerns especially in education and at the level of the school.

- Collaboration and partnership in school, home and community need to be linked. In addition, organisations need to identify best intervention strategies and share experiences in target areas and in schools and enhanced community accountability.

- Adaptations of best practices as institutions / organisations learn from each other, and improve results.

- Continued research in various aspects so as to improve on current and future practice.

- Continuous monitoring and evaluation need to be enhanced to assess impact.

- Data on sexual offenders and teachers accused of molesting pupils and students in schools by Teachers Service Commission thus making it possible to trace offenders.

- Implementation of other policies such as Nomadic Education and Alternative provision of Basic Education and Training.

These aspects will remain a priority for Government and civil society organisations.

Conclusion

Kenya has made remarkable progress towards the realization of the AFA goals (2015). For example, more teachers have been trained than was the case before the launch of the Kenya Education Sector Support Programme (KESSP); more girls and boys are now in school; the gender gap has been narrowed; several laws that out-law Child Labour and other practices have been passed, and adult literacy has improved considerably. The gender in education plan of action includes the six EFA goals outlined at the Dakar Framework for action: Early childhood development; Access to Primary School; Lifelong Skills; Adult Literacy; Gender Equality in Education; and, Quality of Education. These efforts have been accelerated by the adoption of the Sector Wide Approach to programming (SWAP) to finance the education sector through the development of Kenya Education Sector Support Programme (KESSP) in 2005.

The education sector still faces a number of challenges as we adopt the Constitution and work towards the realization of EFA and MDG goals. For example, high poverty contributes to a decline in pass rates; attendance at schools is often erratic due to increased poverty levels and as a result the drop-out rate is likely to increase especially in ASAL regions. Due to high prevalence of HIV and AIDS, staff attrition rate is high. Though the Government through the Ministry of Education has invested a lot of funds in the schools infrastructure, there still exist a huge gap which hinders access and transition. The Government therefore requires strong networking and collaboration with all the stakeholders to overcome the challenges facing the education sector in its attempt to meet its local and international obligation. The Government also requires enhancing public – private partnership and strengthening public awareness to increase their voices in calling for financial and administrative accountability. These aspects require to be discussed extensively and best intervention strategies adopted forthwith.

Selected References

Republic of Kenya (1967). *The Teachers Service Commission Act*. Nairobi: Government Printer.

Republic of Kenya (1999). *Totally Integrated Quality Education and Training (TIQET) Report of the Commission of Inquiry into the Education System of Kenya*. Nairobi: Government Printer.

Republic of Kenya (2001). *The Children's Act*. Nairobi: Government Printer.

Republic of Kenya (2005a). *Sessional Paper No. 1 of 2005 on a Policy Framework for Education, Training and Research*. Nairobi: Government Printer.

Republic of Kenya (2005b). *Kenya Education Sector Support Programme (2005 - 2010). Delivering Quality Education and Training to all Kenyans*. Nairobi: Ministry of Education, Science and Technology.

Republic of Kenya (2005c). *Guidelines for Antiretroviral Drug Therapy in Kenya*. Nairobi: Government Printer.

Republic of Kenya (2006a). *The Sexual Offences Act* (Revised 2007). Nairobi: Government Printer.

Republic of Kenya (2006b). *Code of Regulations*. Nairobi: Ministry of State for Public Service.

Republic of Kenya (2007). *Gender Policy in Education*. Nairobi: Ministry of Education.

Republic of Kenya (2009). *Kenya National AIDS Strategic Plan, 2009/10 – 2012/13: Delivering on Universal Access to Services*. Nairobi: National AIDS Control Council.

Republic of Kenya (2010). *The New Constitution of Kenya, 2010*. Nairobi: Government Printer.

Republic of Kenya (2012). *The Report on the Re-Alignment of the Education Sector to the Constitution of Kenya, 2010*. Nairobi: Ministry of Education.

Teachers Service Commission (2002). *Operational Manual on Teacher Management*. Nairobi: The Jomo Kenyatta Foundation.

Wango, G. M. (2006a). *The Proposed New Education Act*. Nairobi: Paper Presented to the Task Force on the Review and Harmonization of the Legal Framework on Education, Training and Research in Kenya.

Wango, G. M. (2006b). *The Legal Framework for Kenya's Educational System*. Nairobi: Kenya Education Staff Institute (KESI).

Wango, G. M. and Mungai, E. K. (2007). *Counselling in the School: A Handbook for Teachers.* Nairobi: Phoenix Publishers.

Wango, G. M. (2009). *School Administration and Management: Quality Assurance and Standards in Schools*. Nairobi: The Jomo Kenyatta Foundation.

Wango, G. M. (2011a). Provision of Sanitary Towels to Needy Girls in Public Primary Schools in Kenya, *Journal of Education Management Vol. 1 (1) pp 159 – 169.*

Wango, G. M. (2011b). *Kenya New Constitution and Education: Education in Kenya Under the New Constitution*, Paper Presented to the Task Force on the Re-alignment of the Education System to the New Constitution. Nairobi: Ministry of Education.

Wango, G. M. and Gatere, A. W. (2013). *School Finance Management: Fiscal Management to Enhance Governance and Accountability*. Nairobi: The Jomo Kenyatta Foundation.