

## Influence of Most Violated Children's Rights on Student's Academic Performance in Public Secondary Schools in Ugunja Sub-County, Kenya

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### ABSTRACT

*This study explored the influence of student rights awareness on academic performance in public secondary schools in Ugunja Sub-County, Kenya. It is established the most violated children's rights and their influence on academic performance in Ugunja Sub-county Public Secondary Schools. The study targeted Ugunja Sub-County Director of Education, 25 School Principals, 393 teachers, and 15,502 students enrolled in Secondary Schools in this Sub-County. This research was anchored on Mathew Kramer's Best interest theory of a child that advocates for maximum protection of the best interest of a child. A descriptive survey design was adopted. Slovin's formula was applied to obtain a sample size of 390 participants. Questionnaires and interview schedules were employed as the research instrument. Their validity was tested through sharing and getting views from members of the cohort. Split-half method was featured in testing the reliability of research instruments by determining the correlation between scores for both halves. The quantitative data from the questionnaires was analyzed using the Statistical Package for Social Science [SPSS] version 20.1. This data was then presented using tables, graphs, pie charts, frequency distribution and percentages so as to make it easily understood. Qualitative data generated from the interview schedules involving the Sub-county Director of Education and Principals was analyzed using thematic analysis. Findings revealed that a total of 97% of students of both gender claimed that there was child right violation in their schools. They were supported with 90% of teachers and 100% of the key respondents (Principals/SCDE). The most commonly violated rights according to both teachers and students was through corporal punishment, bullying, sexual harassment and proper use of school resources where some learners said that they were denied the proper use of some school items such as computers and laboratory apparatus. Other rights that they were denied include, right to play, freedom of expression and discrimination in terms of colour and religion, thus affected the academic performance of the students in secondary schools. It was clear from the study that most teachers and students were aware of the students' rights, but they were ignorant of the consequences of violating the rights. The research concluded that, among the most commonly violated rights that the study found out were in form of corporal punishment, sexual harassment and cases of bullying respectively. The main sources of children rights in Ugunja Sub-county were television/radio, school and church. There was an observation that none of the sampled schools had posters against child right violation within their compounds. It came out clearly from this study that violation of student's rights lead to poor academic performance. The study recommended that government should ensure that there are copies of children right act booklets provided to Public secondary schools so that each learner can have a copy as a reference material, Kenya Institute of Curriculum Development should incorporate topics that deal with children rights in the syllabus so that learners can as well acquire information progressively, the school administration should introduce clubs and societies that address student rights. Students can be guided to be active members of the clubs.*

**Keywords:** Academic Performance, Constitution, Human Rights Commission, Violation of Human Rights

### I. INTRODUCTION

Education is a pillar of the World's vision. It promotes critical thinking, boosts creativity, promotes communication skills, and enhances civilization. The fight for human rights started with Cyrus the Great in 539 BC (Hopgood, 2018). After that in 1215, King John of England violated several ancient laws and his subjects forced him to sign the Magna Carta that contained the following rights; the right of citizens to own property, the right of the church to be free from government interference, and right for protection against excess taxes (Gibson, 2016).

In 1787, the United States of America made a constitution and then in 1791, it formed a bill of rights that protected freedom of speech, freedom of religion, First-generation rights including the right to life, freedom of religion, fair trial, voting rights, and equality before the law were then given priority during the First World War in July 1918. Randall and Bohnert (2012). During World War II in 1939, there was a mass violation of human rights. This led to a widespread movement calling for the protection of human rights worldwide (Freeman, 2022). Delegates from fifty countries attended the 1945 United Nations Conference in San Francisco (Edwards, 1945). Their goal was to form an international body that would promote peace.

The Polish Government proposed that drafted constitution on rights in 1978 and amended it in 1979 by the United General Assembly (Quennerstedt et al., 2018). The convention was thereafter adopted by the United Nations General Assembly on 20th November 1989 when the declaration of the rights of the child was initiated (Smith, 2022). In September 1990, it came into force and several countries were involved.

In Africa, a meeting on the rights of a child was organized from 27th May to 1st June 1992 in Cape Town, South Africa (Abebe, 2019). They raised concerns about children who stay in areas with rampant cases of crime, poverty, and violence. Sexual exploitation, abuse, corporal punishment, racial discrimination, and denial of school facilities remain the most common among others. Recently, United Nations Children's Fund (UNICEF), reported that countries are in different stages to eliminate child rights violence in and around schools (UNICEF, 2020). It affirmed its support for African governments to fight against children's rights abuse in different sectors.

In Togo, Komla and Koffi (2022) in their exploration of the international laws and regulations on child trafficking in Togo found that the country still lags in achieving full protection of the children's rights. The situation is same in Malawi where government has not successfully eradicated the violations in various sectors and institutions (Gondwe, 2019). Malawian Human Rights Commission affirmed its approach to developing safe programs to promote children's rights protection in learning institutions.

In Nigeria, the organization for World Peace in their report of 2018 indicated that children in Nigeria undergo rape, are maimed, starved, deprived of their education, neglected, and engaged in child labor (Oraka, 2018). Despite the championing for the children rights by various organizations such as organization for World Peace, the violation of children's right is rapid and wingspread across all the states in Nigeria. This means that countries are out to find ways of protecting the rights.

In Siaya County, Several Public Secondary Schools have been on spot over violation of student rights. A recent case reported by Citizen Television, Ebru Television, and Star News Paper on 31st July 2022 about some students in a specific Boys' High School in Ugunja sub-county who were denied school meals and not allowed to attend classes for four days because they had not paid school fees. In the same month, a male teacher in a school within the same locality was found guilty in Ukwala Law Court of impregnating a sixteen years old form two girl. The worrying global statistics, continental, Kenya, Siaya County, and Ugunja Sub County on gross violation of the rights of children warrant this study to determine the influence of the awareness of the children's rights on the student's academic performance and achievement in public secondary schools in Ugunja Sub County.

### 1.1 Statement of the Problem

Children are part of the society that represents the future generations (Third, et al., 2019). Kenya participated in the United Nations Convention on the Rights of a Child in 1960. Since then, the government has played a role in consistently making laws that protect children in all environments (Kaviti, 2018). Violence against children survey in Kenya indicated that 46 percent of school girls and 52 percent of boys had faced at least one type of violence that was physical, emotional, or sexual (as cited in Odhiambo, 2019). In Siaya, the overview protection statistics released by the County Government in 2018/2019 revealed that there are cases of gross violation of children's rights in the county (Odhiambo, 2019). The Children's Affairs Coordinator, Jenim Konyango stated that a total of 286 cases of neglect had been reported, 12 cases of defilement, 26 cases of child labor, and 35 cases of emotional abuse while the rest of the cases were abduction, child truancy, and abandonment. The statistics in Siaya County cuts across all the sub-counties such as Ugunja Sub-county.

In Ugunja Sub-county, a number of Public Secondary Schools have been on spot over violation of student rights. A recent case reported by Citizen Television, Ebru Television and Star News Paper on 31st July 2022 about some students in a specific Boys' High School in Ugunja sub-county who were denied school meals and not allowed to attend classes for four days because they had not paid school fees. This led to students missing lessons hence could make them not perform well in exams. On the same month, a male teacher in a school within the same locality was found guilty in Ukwala Law Court of impregnating a sixteen years old form two girl. This being another form of violation of student rights that contributes to school drop-out and poor academic performance among girls. Thereafter, a number of parents in the same area demonstrated over mass corporal punishment that led to injuries in some secondary schools in the area. They claimed that this was the reason behind truancy that was common in their underperforming schools. These could just be few examples of many other cases within the sub-county hence promoting the repercussions of the violation of Children rights. Therefore, issues of concern arise whether students are aware of their rights in schools. What could be the most common rights violated in schools? How does the awareness of student rights influence the academic performance? It is therefore important to assess in details the cause and influence of students' right violation in schools in Ugunja Sub-County.

## 1.2 Research Objective

To establish the most violated children's rights and their influence on academic performance in Public Secondary Schools in Ugunja Sub-County.

## II. LITERATURE REVIEW

### 2.1 Theoretical Review

#### 2.1.1 Best Interest Theory, Mathew Kramer

According to the theory, any action or decision made for and on behalf of children with a person who can make such decisions and actions must consider the best interest of the child to whom the decision or action is undertaken (Salter, 2012). This theory emphasizes that decision-makers and educational stakeholders must focus on achieving the best interest of the children in the teaching and learning environment, adopt strategies and mechanisms in an educational setting that promote the well-being of the learners, and balance the needs of the learners with policies, regulation, and rules of the learning institution (Stefkovich & Begley, 2007). Furthermore, the Best Interest of a Child Theory claims that if children do not have a right, then we would not control how they handle their lives. It concludes that the best interest of a child should be promoted to the maximum.

The theory not only reinforced the educational practices that promote the welfare and well-being of the learners, and shape the teaching and learning methodologies, curriculum, and core curriculum activities but also promoted the protection and upholding of the rights of children in the teaching-learning environment. Therefore, the theory brought a perspective that foresaw children learning as an individual's development that is reflected in the organization of many systems of Education where learning is individualized and students are measured on individual performance. In addition, the theory focuses on how the resources and learning environment are structured to fulfill the best interest of the learner. Stefkovich and Begley (2007) emphasized that there should be a focus on the process of child rethinking, not just its product. The theory reflected on the ways that can promote children's rights awareness to reduce the cases of children's rights violation in Ugunja Sub-county to generate their academic progress and child rights protection.

### 2.2 Empirical Review

#### 2.2.1 Common Malpractices that Violate the Rights of the Learners in Secondary Schools and Most Violate Children's Rights in Schools

Globally, various governments have taken a major role in promoting children's rights but despite the measures, there seems to be no or less change (Lundy & Sainz, 2018). It is taken for granted that children should be controlled and they must be obedient. This is correct yes but to what extent? It has come to my knowledge that many children are forced to work, are denied enough playtime; children have no voice, and are sexually harassed and bullied. Some children complain of racial discrimination and even mass corporal punishments by teachers. Some things that children undergo are even hard to explain. These are the reasons why some of them keep silent with a lot of problems that should be exposed for government intervention. Schools are among the areas that we expect our children to be safe in though vice versa is the result of the current world of ignorance.

In the United States, all Children have the right to free public education despite their status of immigration (Plyler v. Doe, 1982). This was a ruling by the U.S. Supreme Court case. School districts must make sure that children are not blocked from joining schools based on the immigration status of their parents or themselves (U.S Department of Education, 2015, p.7). This is contrary to the past when parents used to pay a lot of money for their kids to go to school. Even though it has not been so free at least there is a cost-sharing between the government and parents.

According to Rodríguez-Gómez and Russell (2022) in their assessment of structural violence in schools in New York City, they found much work was still yet to be done. The number of children dropping out was increasing and children who were being sexually abused were at threat of getting aids. They recommended that there should be specific centers where children are held to protect them from being abused by adults. He further claimed that corporal punishment was becoming so serious and several children had committed suicide due to such punishments. The observation and recommendation of Rodríguez-Gómez and Russell (2022) were so right though he did not suggest an alternative option for corporal punishment.

Costantino et al. (2019) in a study to determine the interventions to present bullying in secondary schools in Palermo, Italy, found that bullying has a long-term effect such as a feeling of being weak and challenged in trusting others. Students who are bullied may not concentrate in class. Children who are bullied tend to dislike school. They at times become a bully to other children. Some of these children experience long-term psychological effects that make them so unfit to grasp necessary concepts in schools. However, this study failed to explore the impact of such bullying on the academic performance of students in secondary schools.

On gender equality rights, focusing on prevention and response to sexual violence in emergencies stated boys and girls are equal. It made provision to meet some needs of girls, women, boys, and men in all their diversity to promote human rights. It encourages taking into account the interests of both genders to consideration. This means that both boys and girls have the same right to education and they should all have the same experience and favor within the school set up Van Bavel (2022) affirmed creating space for women and girls safe so that they can live free from gender-based violence. South Africa has also organized several regional and national human rights meetings to prevent school-related gender-based violence to learners to create a safe learning environment in their quest to practice their right to education namely; The International Civil and Political Rights (ICPR, 1966). This is a real indication that there has been a trial by some international bodies to overcome these violent practices against gender. An issue of concern is that most of these organizations tend to concentrate more on girl children and in a way forget that these are problems that cut across both genders.

A cross-sectional survey of Australian school students indicates that racial discrimination is prevalent in Australian secondary schools (Ammanuel, 2021). The Racial Discrimination Act of the Australian Parliament of 1975 makes it unlawful to discriminate against a person because of her or his color, race, ethnic origin, national origin, and descent or immigrant status. In addition, Priest et al., (2020) observed that the effects of such racial discrimination are far-reaching and affect the social, emotional, psychological, and educational life of the learners wholesomely. However, this study failed to explore the impact of such racial discrimination on the academic success and performance of the learners.

According to the Human Rights Watch Organization in Africa, the organization in their survey found that the African government has gone a step in protecting the rights of the students in secondary schools (Human Rights Watch Org., 2021). However, there still exist potential violations. For instance, Countries such as South Africa, Tanzania, Seychelles, Mozambique, Zimbabwe, Sierra Leon, Uganda, and Sao Tome e Principe have adopted restrictive and non-discriminatory policies to allow all learners in schools.

In Kenya, the violation of the student's rights is no different from the scenario witnessed around the globe or in the African continent. The Kenyan Government held that students have a right to acquire education in any part of the country regardless of their race or social background. For instance, in Kenya, the prohibition of racial discrimination stood when six Asians were given notices to quit their stand in the Nairobi municipal market resolution.

In addition, children in school have a right to play. Some teachers take game time as extra time for issuing assignments to children. It is clear in Article 31 of the United Nations Convention, (1989) that play is the right of every child and not a privilege. Furthermore, freedom of expression is also among the most fundamental rights of a child. Students can write articles, speak, form groups, and petition school officials on issues related to child rights. Secondary public school students have a right to speak freely. A student can express his/her opinion orally and in writing. In *Tinker v. Des Moines* (1968), freedom of expression is the only way a student can communicate his mind which should also be considered in case of decision making.

Allan (2004) an advocate for children's rights, exposed and recommended reforms for the protection of weak young stars through the law. Allan called for a ban on smoking or hitting children. He believed that the law was the best tool to use against child rights violations. He felt anger whenever he heard of a mistreated child and claimed that it is a collective responsibility to look after a child. This was a wide idea since some of the discussions of the 1989 United Nations conversation on child protection were included in constitutions across the globe. Ferrara et al. (2019) in his study in schools in Ghana and Botswana came out that more than half of children whose rights are abused experience difficulty in school including disciplinary and poor class attendance. Herman (2012) in a study on trauma and recovery; he found that the result of child rights violations are likely to be early pregnancy, anger, and drug use. All destroy the lives of children while still in school leading to dropouts.

### **2.2.2 Child Rights and Academic Performance in Public Secondary Schools**

Child rights abuse and academic performance research done by Ferrara et al. (2019) on childhood violence, crime, and abuse found that rights violations in children affected children's school performance through higher rates of school dropout, increased absence, and disciplinary cases. Absenteeism and indiscipline only are just enough to affect a student's performance to the worst. Teachers find it challenging to teach undisciplined students (Adler-Greene, 2019). School performance of students whose rights were violated and those who were well treated differs significantly (Adler-Greene, 2019). The result was that both groups performed lower on overall school performance. Teachers compared both abused and neglected as more chaotic. Teachers added that such students were of low self-esteem and they were bullies to other students. Such like students never concentrate in class and they also appear weak during playtime. A positive comment was that older students among the maltreated appeared to be gradually improving in their behavior as they grew up getting to their senses.

In Nigeria, Aboderin and Govender (2023) in a study to explore parental incomes, children's rights, and academic performance found that the level of awareness of students about their rights determines their success in the teaching and learning environment. They concluded that students whose rights were violated in the teaching and learning environment perform poorly in their examinations and achieve low academic general performance. In addition, this study found that students whose rights were abused at schools developed absenteeism tendencies and behavior.

Bugembe (2009) conducted her research on children's rights and their academic performance in Kampala schools, Uganda, and found out that reading deficiencies were the main cause of child abuse in Uganda. This was confirmed by lower grades from 85 students who presented a measure as below; a section of students said that child abuse causes a psychological impact. Kasera (2019) reaffirmed that child rights abuse affects the child's behavior. He advocates that children whose rights are abused look weak and afraid. They believe that violence is the solution to a mistake.

Mireles-Rios et al. (2020) opined that violation of a child's right can affect his performance in school in many ways including increased absence and school dropout. Many children who drop out of school have such cases of child abuse. Child rights can either be abused at school or any other environment therefore the public must be ready to help in the protection of our children to have positive results in future studies.

Mullins and Panlilio (2021) reported that maltreated children scored significantly below expectations in both math and reading. More results revealed that they were more likely to repeat grades and drop out of school. They did have much discipline compared to other students that were well taken care of. Lessard et al. (2021) explained that many children who suffer physical violence experience fear and find it difficult to well associate with others. Deformities and disabilities can be among the physical violence results. Teachers should be very observant to avoid such physical assaults on the student because it promotes slow development of a child, it can make a child run out of school, and can also lead to wounds that do not easily heal.

In Kenya, a research study done by Nellah (2022) in Nakuru Kenya, found that violation of the student's rights contributes to poor performance. Similarly, Kasera in her study to determine the "Effects of Childhood capability deprivation on Academic performance" found that students whose rights are violated recorded poor performance (Kasera, 2019). Child rights in school can be violated in many different ways; according to Van Bavel (2022), female genital mutilation becomes another form of child abuse witnessed in Northern Kenya. It is a common practice in Samburu, Turkana, and among Maasai communities. Such cultural practices are so involving that girls get challenged in attending school sessions and therefore it is obvious that their results in their national exams cannot be impressive as some also drop out of school. The cultural practices violated the rights of students and led to poor academic performance. However, there is limited research conducted to test these findings in Ugunja Sub-county in Siaya County to generalize various countries in Kenya.

### III. METHODOLOGY

#### 3.1 Research Design

The researcher used a descriptive survey design. It was based on quantitative and qualitative research to provide relevant information. Qualitative research was used to collect data in terms of numbers. Quantitative research was appropriate in gathering data from many respondents and testing hypotheses, statistical analysis, numbers, graphs, tables, closed-ended, and replicability. Through it, the data collected was interpretive and entailed depth description. It also aimed at answering research questions by describing a given phenomenon. Goddard and Melville, (2004); explained that the descriptive survey design is effective in engaging the participants to achieve the research objectives. This research design was selected because it enabled the researcher to gather data on the state of children's rights awareness without any form of manipulation of study variables. Therefore, the descriptive survey design was effective in helping the researcher gain a deeper knowledge of the research problem, exploring the why, what, how, where, and when components of the topic under study.

#### 3.2 Target Population

This study targeted 25 secondary schools in Ugunja Sub-County. The target population for this study was 1 Sub-County Director of Education, 25 principals, 394 teachers, and 15,502 Students from the 25 schools in Ugunja Sub County as shown in Table 1. These respondents were targeted since they are within the study circle and they interact directly with the research problem. They therefore provided first-hand information.



**Table 1**

*Target Population*

Category	Target Population
Sub County Director of Education	1
Principals	25
Teachers	394
Students	15,502
<b>Totals</b>	<b>15,922</b>

Source: Ugunja Sub-county Director of Education

### 3.3 Sample Size, and Sampling Procedure

#### 3.3.1 Sample Size Determination

Sample size determination is a process of choosing the number of participants for a study (Goddard & Melville, 2004). It is important because enabled the researcher to achieve the goal of making inferences about the entire population. This study used Slovin's Formula to obtain the sample size (Slovin, 1960).

$$n = \frac{N}{1 + N(e)^2}$$

Where

n = sample size

N = population size

e = level of precision (5%). Or error term

$$15,922 / (1 + 15,922(0.05)^2)$$

$$\text{Sample size} = 390.197$$

$$\text{Research participants} = 390$$

#### 3.3.2 Sampling Size

The sample size in this study was 390 Distributed as shown in Table 2 below.

**Table 2**

*Sampling Frame for Respondents*

Category	Target Population	Proportion	Sample Size
Sub County Director of Education,	1	100%	1
Principals	25	100%	8
Teachers	394	25.88%	102
Students	15,502	1.355%	210
<b>Totals</b>	<b>15,922</b>		<b>390</b>

#### 3.3.3 Sampling Procedure

Probability and non-probability sampling was used to get samples. Under probability sampling technique; Cluster sampling technique was preferred to determine the number of teachers and students to be sampled. The researcher first defined the population, divided the sample into two clusters, randomly selected clusters to use as samples and then collected data from the sample. The technique was easily done and was cheap. The researcher also used Simple sampling technique to select a subset of schools, students and teachers as it was free from errors in classification. The researcher defined population, selected sample size to determine population units, assigned numerical values and then selected random values. On non-probability sampling, Purposive sampling technique was used to sample Principals. In this technique, researchers use their experience to choose participants who help the study to meet its goals.

### 3.4 Data Collection Instruments

The instruments of data collection consist of the devices and methods that were adopted by the researcher to collect data in the topical areas within the period of research (Goddard & Melville, 2004). This study involved the use of questionnaires and interview methods of data collection to obtain information. Questionnaires were more effective because they are cheap and less time-consuming (Goddard & Melville, 2004). They also helped the study acquire information from more people at a time. Questionnaires provided confidential information from respondents. They at the same time provided structured and standardized responses hence making the analysis process more streamlined. It accommodated diverse respondent needs and it was as well cost effective. The interviews were also suitable for data collection in this study because they helped in getting more detailed information from educational administrators.

Interviews allowed the researcher to obtain original and unique data from a source. Reliable results were acquired through these tools. Asking accurate questions through interview provided direct and deep information about a subject.

### 3.5 Data Analysis Methods

Hair et al. (2009) explained that data analysis is a systematic application of statistical and logical techniques to describe, illustrate, condense, recap, and evaluate the collected data in a research process. The quantitative data from the questionnaires was analyzed using the Statistical Package for Social Science [SPSS] version 20.1. This data was then presented using tables, graphs, pie charts, frequency distribution and percentages so as to make it easily understood.

Besides that, qualitative data generated from the interview schedules involving the Sub-county Director of Education and Principals was analyzed using thematic analysis by the researcher. The researcher became familiar with the data, generated initial codes, searched for themes, defined themes and made a write up. This gave out an opportunity to the researcher to go through data in a methodical and thorough way.

## IV. FINDINGS & DISCUSSION

### 4.1 Questionnaire Return Rate

Questionnaire return rate refers to the number of respondents who were able to in turn respond to the questionnaires when they were involved and engaged in the research study to achieve the research objectives. The sample size of this research study was 1 SCDE, 8 Principals, 102 Teachers, and 210 Students. The response rate therefore in this study was as follows.

**Table 3**

*Response Return Rate*

No:	Category	Target population	Sample size	Response rate	Percentage
1.	SCDE	1	1	1	100
2.	Principals	25	25	8	32
3.	Teachers	394	102	90	88
4.	Students	15,502	210	190	90
5.	<b>Total</b>	15,922	338	279	83

According to Table 3, One Sub-County Director of Education responded. This was 100 % of the sample size. Out of 25 Principals, 8 responded. This was 32% of the sample size. A total of 90 out of 102 teachers also participated. This represented 88% of the sample size. Finally, 190 Students out of 210 that were sampled responded and actively participated in the study. They represented 90% of the sampled size. This means that the above response met the expected response rate (Goddard & Melville, 2004).

#### 4.1.1 Bio-data of Respondents

The Bio data covered in this study included gender, age, class, academic qualification and working experience.

#### 4.1.3 Gender of the Respondents

A question was posted in the questionnaire that helped to determine the gender of the respondents. The responses were as indicated on Table 4.

**Table 4**

*Gender of the Respondents*

Gender f(%)	Students f(%)	Teachers f(%)	Principals/SCDE f(%)
Male	92(48)	50(56)	6(67)
Female	98(52)	40(44)	3(33)
<b>Total</b>	<b>190(100)</b>	<b>90(100)</b>	<b>9(100)</b>

Based on the above table, 52% of students who participated in the study were female students while 48% were male. On teachers, 56% were male while 44% were female. The Principals and SCDE that responded represented 67% of male and 33% of female. The fair distribution of gender on this study ensured no gender bias in the process.

#### 4.1.4 Age of the Respondents

The Study required the age of the respondents to be noted. In this case a question was posed and responses were as follows in Table 5.

**Table 5**

*Age of the respondents.*

Age bracket f(%)	Students f(%)	Teachers f(%)	Principals/SCDE f(%)
12-14	30(16)	–	–
15-17	103(54)	–	–
18-25	52 (27)	–	–
26-35	–	38(42)	–
36-45	–	32(36)	–
46-50	–	18(20)	3(33)
51 and above	–	2(2)	6(67)
No response	5 (3)	–	–
<b>Total</b>	<b>190(100)</b>	<b>90(100)</b>	<b>9(100)</b>

It is clear from Table 5 that 54% of students who participated in the study were between the 15-17 years old, 27% were between 18-25 years and the minorities were between 12-14 years which was 16%. Mainly, teachers who participated in the study were between 26-35 years which was 42%, followed by those between 36-45 years which was 36% and finally the minorities were between 46-50 making 20%. Most of the Principles and SCDE who participated were above 51 years.

#### 4.1.5 Class/Form of Participants

A question was posted to determine the class/forms that the student who participated came from in the study. The question gathered the following responses. The findings were presented in Table 6.

**Table 6**

*Class of Students who Participated*

Class/Form	Frequency	percentage %
One	50	26
Two	50	26
Three	45	24
Four	45	24
<b>Total</b>	<b>190</b>	<b>100</b>

From the table above, it is clear that there was a fair sampling and distribution of the respondents. Both form one and two had an equal share of 26% while form three and four students who participated were 24%. Gender balance was considered during the sampling process per class. All the 190 sampled students across the classes participated fully with a lot of cooperation.

#### 4.1.6 Academic Qualification of the Respondents.

It was as well necessary to gauge the academic qualification of teachers according to this study. This was to determine the views of teachers based on their academic qualification. The data collected was as follows in the table below.

**Table 7**

*Academic Qualification of Respondents*

Academic qualification	Teachers (%)	Principals/SCDE(%)
Masters	5 (6)	2 (22)
Bachelor degree	68 (76)	7 (78)
Diploma	17 (18)	–
<b>Total</b>	<b>90(100)</b>	<b>9(100)</b>

Table 7 indicates the academic qualification of the respondents above. Those who hold Bachelor Degree are 76% of teachers, 78% of Principals/SCDE. Diploma is held with 18% of teachers and finally, those who have Master degree are the minority; 6% of teachers and 22% of Principal/SCDE.



#### 4.1.7 Working Experience

The duration of work in a certain place makes one acquire experience in the specific field of concern. Teachers who have stayed in the profession may have a different experience of students' rights violation compared to the new ones. The table below shows the working experience of teachers and Principals/SCDE.

**Table 8**

*Working Experience*

Working experience	Teachers (%)	Principal/SCDE(%)
Less than one year	6(7)	1(11)
2-5years	26(28)	4(43)
6-10years	43(48)	2(22)
Over 10 years	15(17)	2(22)
<b>Total</b>	<b>90(100)</b>	<b>9(100)</b>

Data from Table 8 indicates that 7% of teachers and 11% of Principals/SCDE had worked in Ugunja Sub-county for less than a year. 28% of teachers and 43% of Principals had worked in the Sub-county for between 2-5 years. It was even clear from the study that teachers who have worked in Ugunja Sub-county between 6-10 years were 48% and Principals 22%. Those with working experience of over 10 years were about 17% teachers and 22% Principals/SCDE. The working experience of these respondents was necessary because those who had worked there for a longer time would understand more, the influence of children's rights awareness on the student's academic performance in Ugunja Sub-county compared to those who have not worked there for a longer time.

#### 4.1.8 Types of Schools

All the school types were well represented as shown in Table 9. This was important as students' rights awareness may as well be affected by the school type.

**Table 9**

*Type of Schools*

Type of School	Frequency	Percentage
Mixed Day	45	24
Girls Boarding	51	27
Boys Boarding	42	22
Mixed & Boarding	52	27
<b>Total</b>	<b>190</b>	<b>100</b>

On the above, 24% of students were from mixed day school, 27% were from girls' boarding school, 42% were from boys boarding while 27% were from mixed and boarding school.

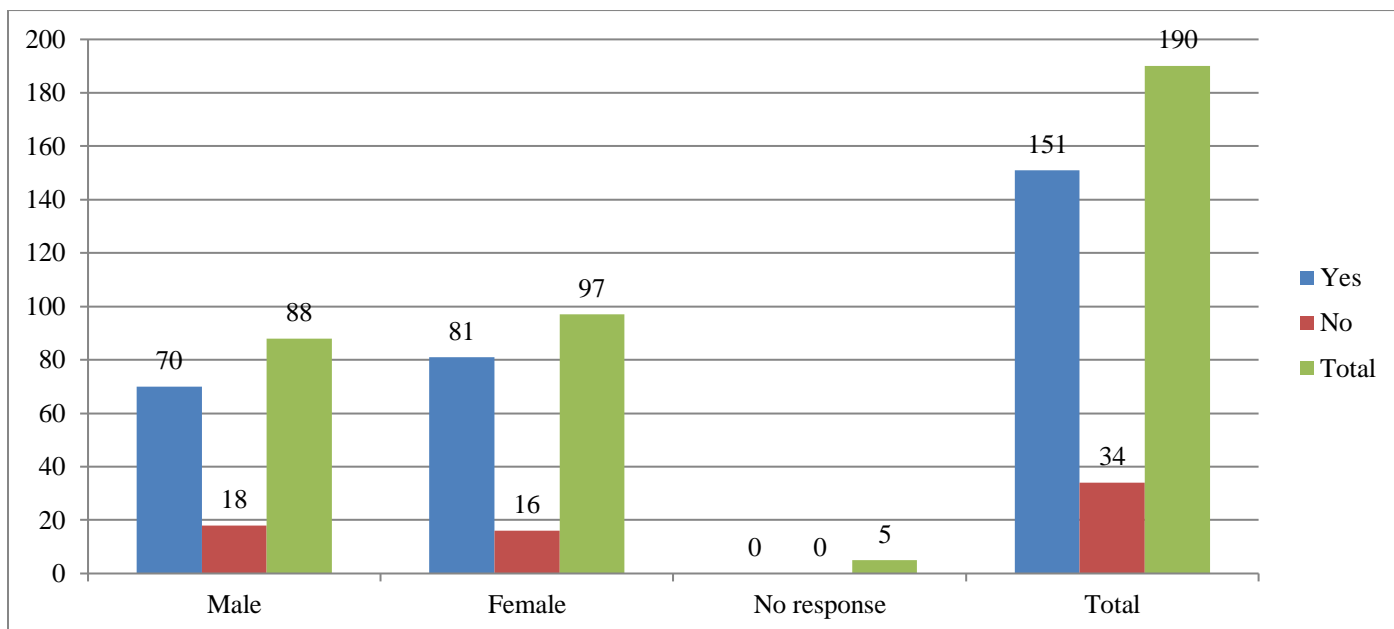
#### 4.1.9 Commonly Violated Rights in School

This study wanted to determine the most commonly violated children rights in public secondary schools in Ugunja Sub-county. Both teachers and students responded. They started with the response to the definition of the word 'child right'. The study expected them to determine if the definition of the word 'child right' on the questionnaire was right or not. On this, 82(91%) of teachers were able to correctly define it while about 18(9%) ignored the question and never responded. However, 63(33%) of students were able to define it well as per the questionnaire. Approximately 88(46%) of the students did not know the definition of 'child right'. No response was received from 39(21%) of the students. A clear picture of the response is as indicated on Table 10 below.

**Table 10**

*Students' Response on Whether there is Children Right Violation in their Schools*

	Yes	No	Total
	f (%)	f (%)	f (%)
Male	70(37)	18(9)	88(46)
Female	81(43)	16(8)	97(51)
No response	—	—	5(3)
<b>Total</b>	<b>151(79)</b>	<b>34(17)</b>	<b>190(100)</b>



**Figure 1**  
*Students' Response on Whether there is Children Right Violation in their Schools*

According to table 10 and Figure 1, on the data collected and analyzed basing on the possibility of children right violation in public secondary schools of Ugunja Sub-county, 46% of those who responded represent male students. Out of that number, 37% agreed that their rights were being violated in schools while 9% marked on the questionnaire that there was no children right violation in their schools. The response of female students was not far from that of male students. 51% of them responded and out of that, 43% marked on the questionnaire that there was child right violation in their schools while 8% marked that there is no violation of children rights in the Sub-county. 3% represented the total number of those who did not respond. This concur with the study done with UNICEF (2001) which claimed that today, children live in a world which is hostile to their rights.

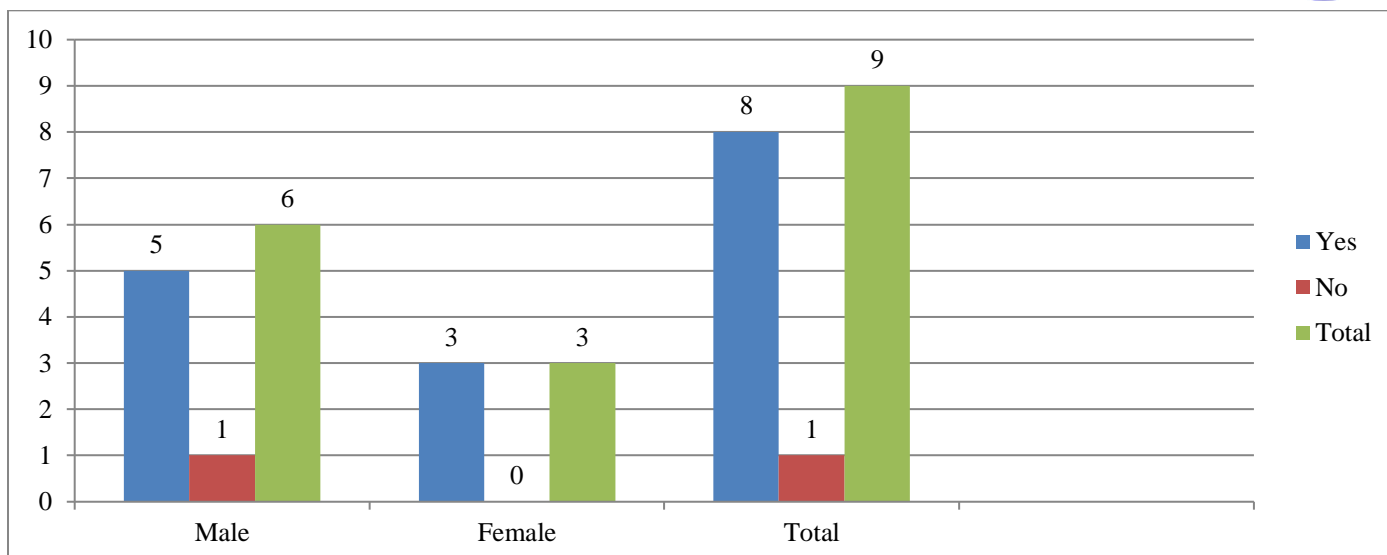
**Table 11**  
*Teachers' Response on Whether there is Children Right Violation in their Schools*

Gender	Yes	No	Total
	f (%)	f(%)	f(%)
Male	15(16)	35(39)	50(26)
Female	13(9)	27(14)	40(21)
No response	—	—	—
<b>Total</b>	<b>28(15)</b>	<b>62(33)</b>	<b>90(100)</b>

With reference to table 11 and in relation to data collected and analyzed on the possibility of children's rights violation in public secondary schools of Ugunja sub-county, teachers' who responded were 90. Only 16% of male teachers marked on the questionnaire that there is child right violation in the schools while 39% of them marked that there is no child right violation in the schools. Female teachers who agreed that there is child right violation in those schools were 9% while those who refused about the existence of these practices were 14%.

**Table 12**  
*Principals/SCDE Response on Whether there is Children Right Violation in Schools*

Gender	Yes	No	Total
	f(%)	f(%)	f(%)
Male	5(55)	1(11)	6(66)
Female	3(33)	—	3(33)
<b>Total</b>	<b>8(89)</b>	<b>1(11)</b>	<b>9(100)</b>



**Figure 2:** Principals/SCDE Response on Whether there is Children Right Violation in Schools

Table 12 and Figure 2 above shows the response of Principals/SCDE on the possibility of Children rights violation in their Public secondary Schools in Ugunja Sub-county. Their response was different from that of teachers as in this case, Most of them agreed that there is Children right violation in the schools unlike response of most teachers. 55% of male Principals/SCDE marked the presence of Children right violation while only 11% marked that there is no child right violation. Apart from that, all the female Principals/SCDE (33%) indicated that there is children right violation in their Public Secondary schools in Ugunja Sub-county. Key (Indicate using 1-Strongly Agree, 2-Agree, 3-Disagree, 4-Strongly disagree)

**Table 13**

*Students’ Response on most Commonly Violated Rights in Public Secondary School*

	RIGHTS VIOLATED	SA	A	D	SD	TOTAL
		F (%)	F (%)	F (%)	F (%)	F (%)
<b>A</b>	Discrimination in terms of color, religion or of any kind	12 (6.32)	5(2.63)	84 (44.2)	89 (46.8)	190(100)
<b>B</b>	Sexual Harassment	86 (45.2)	47 (24.7)	42 (22.1)	15(7.9)	190(100)
<b>C</b>	Corporal Punishment	102(53.7)	67 (35.3)	12 (6.3)	9(4.7)	190(100)
<b>D</b>	Freedom of Expression	6 (3.2)	12 (6.32)	92 (48.4)	80(42.1)	190(100)
<b>E</b>	Proper use of School Resources for Academic purposes	30(15.8)	43 (22.6)	43 (22.6)	74(38.9)	190(100)
<b>F</b>	Right to Play/Free time	1 (0.53)	3 (1.6)	88 (46.3)	98(51.6)	190(100)
<b>G</b>	Cases of Bullying	77 (40.5)	83 (43.7)	9 (4.7)	22(11.6)	190(100)

Majority of students at 46.8% strongly disagree that discrimination of colour and religion was present among students while 45.2% of students strongly agreed that sexual harassment is common in secondary schools of Ugunja Sub-county. 53.7% of students strongly agreed of mass corporal punishment. A question of freedom of expression was posted and 42.1% of learners strongly disagreed that they are denied that freedom. On proper use of school resources for academic purposes, only 15.8% agreed that they are denied the right to have maximum use of the school resources. About 51.6% of students also strongly disagrees that they were denied their right to play. Cases of Bullying, being common in schools, it was also tested and 40.5% of students strongly agreed that such cases were valid in their schools.

**Table 14***Teachers' response on most commonly violated rights in schools.*

	RIGHTS VIOLATED	SA	A	D	SD	TOTAL
		f(%)	f(%)	f(%)	f(%)	f(%)
A	Discrimination in terms of color, religion of any kind	1(1.1)	1(1.1)	62(68.8)	26(28.8)	90(100)
B	Sexual Harassment	22(24.4)	48(53.3)	13(14.4)	17(18.8)	90(100)
C	Corporal Punishment	16(17.7)	36(40)	14(15.5)	24(26.6)	90(100)
D	Freedom of Expression	6(6.6)	21(23.3)	33(36.6)	30(33.3)	90(100)
E	Proper use of School Resources for Academic purposes	4(4.4)	11(12.2)	63(70)	12(13)	90(100)
F	Right to Play/Free time	2(2.2)	8(8.8)	72(80)	8(8.8)	90(100)
G	Cases of Bullying	22(24.4)	39(43.3)	14(15.5)	15(16.6)	90(100)

On discrimination in terms of colour and religion, 68.8% of teachers disagreed with the fact that there could be such cases in their schools. 53.3% of teachers agreed that sexual harassment was present in the secondary schools within the sub-county. Apart from that, 40% of teachers agreed that corporal punishment was rampant in schools and 36% of teachers disagreed with the fact that students were denied freedom of expression. About 70% of teachers also disagreed that students were denied the access to proper use of schools resources for academic purposes. 80% of teachers at the same time disagreed that students were denied the right to play since teachers obeyed the time table. A number of teachers, 43.3% supported that cases of bullying were evident in many schools in the Sub-County.

**Table 15***Principals/SCDE response on most commonly violated rights in schools*

	RIGHTS VIOLATED	SA	A	D	SD	TOTAL
		f(%)	f(%)	f(%)	f(%)	f(%)
A	Discrimination in terms of colour, religion of any kind	1(11.1)	1(11.1)	3(33.3)	4(44.4)	9(100)
B	Sexual Harassment	1(11)	1(11)	1(11)	6(67)	9(1000)
C	Corporal Punishment	1(11.1)	4(44.4)	3(33.3)	1(11.1)	9(100)
D	Freedom of Expression	-	-	6(67)	3(33.3)	9(100)
E	Proper use of School Resources for Academic purposes	-	-	4(44)	5(56)	9(100)
F	Right to Play/Free time	-	-	6(67)	3(33)	9(100)
G	Cases of Bullying	1(11.1)	2(22.2)	4(44)	2(22.2)	9(100)

On the interviews conducted with Principal/SCDE, 44.4% of them strongly disagreed that there was discrimination in terms of colour and religion. About 67% of the respondents also strongly disagreed that there was students' rights violation in terms of sexual harassment. Those administrators who agreed that corporal punishment was common in their schools were 44.4% while 11.1% disagreed. Up to 56% strongly disagree that students were denied the proper use of resources for academic purposes. A good number of principals/SCDE (67%) disagreed that students were denied the right to play. A question on cases of bullying was also raised and only 11.1% of the Principals/SCDE agreed that such cases were common.

## V. CONCLUSION & RECOMMENDATIONS

### 5.1 Conclusions

Child right awareness remains to be among the most important aspects in the educational life of a student. The purpose of this study was to investigate the influence of students' rights awareness and its influence on academic performance in public secondary schools in Ugunja Sub-county. The study revealed that there is child right violation in Public secondary schools in Ugunja Sub-county which promote truancy among students and this may negatively influence the academic performance in Ugunja Sub-county. It was clear from the study that despite the fact that most teachers and students were aware of the students' rights, they were ignorant of the consequences of violating the rights. Among the most commonly violated rights that the study found out were in form of corporal punishment, sexual harassment and cases of bullying respectively. The main sources of children rights in Ugunja Sub-county were

television/radio, school and church. There was an observation that none of the sampled schools had posters against child right violation within their compounds. It came out clearly from this study that violation of student's rights lead to poor academic performance. Violation of a child's right can affect his academic performance through ways such as absence, truancy and school dropout hence resulting to poor academic performance.

## 5.2 Recommendations

This study recommends government should ensure that there are copies of children right act booklets provided to Public secondary schools so that each learner can have a copy as a reference material. In addition, Kenya Institute of Curriculum Development should incorporate topics that deal with children rights in the syllabus so that learners can as well acquire information progressively. Also, the school administration should introduce clubs and societies that address student rights. Students can be guided to be active members of the clubs. Finally, this study recommended that individual students and teachers should be informed of the importance of knowing their rights. Further studies can be done on influence of children's rights awareness in private secondary schools in another Sub-county. In addition, studies can be done on the influence of children rights awareness on their behavior in secondary schools in urban areas.

## REFERENCES

- Abebe, T. (2019). Reconceptualising children's agency as continuum and interdependence. *Social Sciences*, 8(3), 78-82.
- Aboderin, O. S., & Govender, D. W. (2023). Predictors of academic performance of distance e-learners in a Nigerian University. *International Journal of Research in Business and Social Science*, 12(1), 296-307.
- Adler-Greene, L. (2019). Every Student Succeeds Act: Are schools making sure every student succeeds. *Touro L. Rev.*, 35(4), 11.
- Allan, L. (2004). A passionate advocate for children's right. *Children Journal*, 11(2), 1-80.
- Ammanuel, E. (2021). The cost of institutional racism and its ethical implication for healthcare. *Journal of Bioethical inquiry*, 18(1), 45-58
- Bugembe, E. (2009). Implementation of Children's Rights and Discipline at School on the Academic Performance: A Case Study of Kawempe Division, Kampala District. Doctoral dissertation, Makerere University
- Costantino, C., Casuccio, A., Marotta, C., Bono, S. E., Ventura, G., Mazzucco, W. & Restivo, V. (2019). Effects of an intervention to prevent the bullying in first-grade secondary schools of Palermo, Italy: the BIAS study. *Italian journal of pediatrics*, 45(1), 1-9.
- Edwards K.M, (1945). Evaluation of a bystander focused Interpersonal violence prevention program with high school students. *International journal of Prevention science*, 20(6), 488.
- Ferrara, P., Franceschini, G., Villani, A., & Corsello, G. (2019). Physical, psychological and social impact of school violence on children. *Italian journal of pediatrics*, 45(1), 1-4.
- Freeman, M. (2022). Human rights. *Feminist Legal Theory*. New York.
- Gibson, E. (2016). Multi-disciplinary approach on Magna Carta. New York.
- Goddard, W., & Melville, S. (2004). *Research methodology: An introduction*. Juta and Company Ltd.
- Gondwe, (2019). Effects of Violation of children rights. *The people's Concern*, 2(1), 8-63.
- Hair Jr, Black and Anderson. (2009). *Multivariate Data Analysis.. 17th edition practice hall*, Upper saddle River.
- Herman, (2012). Indiscipline & Academic performance. *Students Journal Article*, 1(4), 8-39.
- Hopgood, S. (2018). *The endtimes of human rights*. Cornell University Press. <https://student-rules.tamu.edu/rights/>
- Human Rights watch Org, (2021). World Report. <https://www.hrw.org.com>
- ICPR. (1966). International Convention on civil and Political Rights. Office of the United Nations High Commissioner of Human Rights. *Rights and Permissions*. 1(4), 1-17
- Kasera, N. A. (2019). Effects of Childhood capability deprivation on Academic performance: a case of Primary School Pupils in Rhonda Slums, Nakuru Sub-County Kenya. Doctoral dissertation, St Paul's University.
- Kaviti, L. (2018). The New Curriculum of Education in Kenya: a Linguistic and Education Paradigm Shift. University of Nairobi. *Journal of humanities and social sciences. IOSR-JHSS*, 1(1), 84~95
- Komla, E., & Koffi, L. (2022). Exploration of International Law and Regulations of Child Trafficking in Togo. *American Journal of Law and Political Science*, 1(1), 58-68.
- Lessard, L. M., Lawrence, S. E., & Puhl, R. M. (2021). Weight-based victimization and school performance in adolescence: Can teachers help reduce academic risks?. *School Psychology*, 36(1), 69.
- Lundy, L., & Sainz, G. M. (2018). The role of law and legal knowledge for a transformative human rights education: Addressing violations of children's rights in formal education. *Human Rights Education Review*, 1(2), 04-24.
- Mireles-Rios, R., Rios, V. M., & Reyes, A. (2020). Pushed out for missing school: The role of social disparities and school truancy in dropping out. *Education Sciences*, 10(4), 108.

- Mullins, C. A., & Panlilio, C. C. (2021). Exploring the mediating effect of academic engagement on math and reading achievement for students who have experienced maltreatment. *Child abuse & neglect*, 117, 105048.
- Nellah, K. J. (2022). Implementation of Individualized Educational Plan and Academic Achievement of Students in Ngala Secondary School for the Deaf, Nakuru County, Kenya (Doctoral Dissertation, Kenyatta University).
- Odhiambo, O. (2019). Why Child neglect is on the rise in Siaya. Retrieved from <https://www.standardmedia.co.ke/nyanza/article/2001305423/child-neglect-on-the-rise-in-siaya>
- Oraka, O. (2018). Violations of the Rights of the Child: The Nigeria Example. Retrieved from <https://theowp.org/reports/violations-of-the-rights-of-the-child-the-nigeria-example/>
- Priest, N., Chong, S., Truong, M., Alam, O., Dunn, K., O'Connor, M. & Kavanagh, A. (2020). Racial discrimination and socioemotional and sleep problems in a cross-sectional survey of Australian school students. *Archives of Disease in Childhood*, 105(11), 1079-1085.
- Pylor v. Doe. (1982). A Latrix Resource Guide: Civil rights cases and events in the United States.
- Quennerstedt, A., Robinson, C., & I'Anson, J. (2018). The UNCRC: The voice of global consensus on children's rights. *Nordic Journal of Human Rights*, 36(1), 38-54.
- Randall, E.T, and Bohnet, A.M. (2012). Understanding Threshold Effects of Organized Activity Involvement in Adolescents: Sex and Family Income as Moderators. *Journal of Adolescence*, 35(7), 107-118.
- Rodríguez-Gómez, D., & Russell, S. G. (2022). Human Rights Violations through Structural Violence: A Case Study of Human Rights Education in New York City. *American Educational Research Journal*, 59(1), 38-72.
- Salter, E. K. (2012).Deciding for a child: a comprehensive analysis of the best interest standard. *Theoretical medicine and bioethics*, 33(7), 179-198.
- Slovin, E. (1960). Slovin's Formula for sampling technique. <https://prudencexd.weebly.com>
- Smith, R. K. (2022). Rights in Education. International human rights law. Oxford University Press.
- Stefkovich, J., & Begley, P. T. (2007). Ethical school leadership: Defining the best interests of students. *Educational Management Administration & Leadership*, 35(2), 205-224.
- Third, A., Livingstone, S., & Lansdown, G. (2019).Recognizing children's rights in relation to digital technologies: Challenges of voice and evidence, principle and practice. *Research handbook on human rights and digital technology* Elgar Publishing.376-410.
- Tinker v. Des Moines. (1968). Independent Community School District.(n.d.) Oyez. Retrieved September 11,2024,from <https://www.oyez.org/cases/1968/2021>
- U.S Department of education. (2015). Education for all. National Review, *United Nations Education*. 1(7), 114.
- UNICEF (2001) Nigeria and the right of the child: *Lagos UNICEF country office*.1 (2), 32-54.
- UNICEF (2020) Child right violence. (<https://data.unicef.org/resource/jme>
- United Nations Convention. (1969). Centre for Human Rights Learning. ([www.unicef.org/crc](http://www.unicef.org/crc)).
- Van Bavel, H. (2022). Education, Class, and Female Genital Cutting among the Samburu of Northern Kenya: Challenging the Reproduction of the "Ignorant Pastoralist" Narrative in Anti cutting Campaigns. *Violence against women*, 28(15-16), 3742-3761.