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Abstract

In Kenya the problem of examination malpractice keeps on recurring amidst stringent measures. This study gives the perspective where understanding the meaning attached to examination malpractice by the teachers and students helps in minimizing the annual cyclic examination malpractices. Its main objective is to present a phenomenological analysis and evaluation of the meanings attached to examination malpractices by the teachers and students in Secondary schools in Kisii County. The study was carried out in Kisii County, Kenya. It focused on students and teachers in secondary schools in the County who have experienced the problem of examination malpractice. Given that examination malpractice is an ethical problem and those who engage in it justify their actions using certain ethical theories, the study was guided by normative ethical theories. It utilized descriptive survey research design through open-ended questionnaires for data collection. Purposive and snowball sampling procedures were used to pick the respondents whose number was indeterminate given that the study is qualitative and only interested in getting the qualitative data as opposed to quantitative data. This fitted well with the snowball referrals from one relevant participant/interviewee to another. The study adopted hermeneutic and transcendental phenomenological approaches for both prescription and analysis of data. The findings showed that: there are examination malpractice meanings that are popular/conventional such as a deliberate act of a wrong doing and implied/unconventional such as an effect of pressure to get good examination grades; the meanings attached to the examination malpractice by the teachers and students in Kisii County influence the perpetuation of the menace. The study makes the following conclusion: Implied/unconventional meanings influence examination malpractice more than the popular/conventional meanings if the cyclic perpetuation of examination malpractice is to be justified. The study recommends that curbing measures should be directed equally on both the implied/unconventional and the popular/conventional meanings given that paying attention to only the latter has not given the expected educational outcomes.

Keywords: Phenomenology, Examination, Malpractice, Analysis, Evaluation, Meaning





Introduction

Harold and Max (2001) and Czek (2000) note that examination malpractice is a phenomenon that cuts across all continents. It is something that affects all academic disciplines, gender people of all races and nationalities as well as all classes of people (Bullard and Melvin, 2011). Indeed in Kenya, KNEC (2016) reported that examination malpractice has been on the rise with 2015 recording the highest rate in the recent past where a whopping 5101 students were found cheating. Writers such as Omoegun (2013), Dibu-Ojerinde (2001), Makaula (2018) among others bring out the meaning of examination malpractice rotating around its conventional meaning characterized by its negative attributes such as "a misconduct", "a wrong doing" or "an illegal action" that compromise the integrity of an examination as well as its stakeholders. The meaning of examination malpractice as brought out by many scholars is indicative of an unethical behavior which requires to be abhorred instead of being entertained. The irony is that in most cases with available opportunity, there is a tendency to entertain it rather than abhor it. A reflection by Malenya (2014) notes that examination malpractice is in a way a function of education in reversing its own set objectives and which no attention has been given by the education stakeholders. This reversal of the education objectives is likely traceable in the meanings that are attached to the examination malpractice. It is against this backdrop that this paper gives a phenomenological analysis and evaluation of the meanings attached to examination malpractices by the teachers and students in Kisii County. This study basically evaluates the product, the process and the systems involved in national examinations in Kisii County to generate valuable conclusions on how to deal with examination malpractices in this specific County and Kenya. Examination malpractices amount to unethical behavior. Given this situation, the study uses theories of moral obligation i.e. normative ethical theories of ethical egoism, utilitarianism and deontologism to guide it. The ethical principles are used by both those who engage in examination malpractice and those who accuse them to defend their arguments depending on the meanings attached.

Research Question

Which phenomenological meanings are attached to examination malpractices by the teachers and students in Kisii County?

Literature Review

Examination malpractice consists all illegal acts committed by a student single handedly or in collaboration with others including other students, parents, teachers, supervisors and even invigilators during or after examinations in order to obtain undeserved marks or grades. Such acts are perpetrated in different ways including sneaking un-authorized materials into the examination rooms, buying examination papers, changing of grades after examination, impersonation or even using money to earn marks (Zelizer 2002). Nyaswa (2010) has also added manifestations such as Phone text messages during examinations, invigilators assisting students and Smuggling notes to examination halls. This scenario is evident in Kenya. For example, as recent as 2018, incidences of examination malpractices were reported. In Kisii County for example, there were reports that a school had hired non-staff members to facilitate exam malpractice. A further investigation on this case revealed that some of the suspects were found in a house next to the school compound with copies of examination papers of one subject which was still going on at the time (Charo 2018).





While looking at the connection between examination management and examination cheating, Ogunji (2011) observes that bad behavior in handling examinations starts right from teaching in the classroom. This behavior moves the blame of examination cheating from learners to an entire chain of examination management process. By implication everybody including teachers, school administrators, classroom invigilators, examination supervisors, those who examine, secretaries, national and local examination bodies, parents, and law enforcers become part of the examination cheating problem. Perhaps the most relevant factor is anomie whose meaning has been captured by Merton (1968) as a breakdown in the cultural structure due to disjunction between the cultural norms and goals and the socially structured capacity of members of the group to act in accord with them. In this way, the concept of anomie emphasizes the relationship that exists between the societal environment and the learner whose point of convergence is the examination expectations. Everyone pushes the learner to cheat in the examination. The basis is that the learner must make it by passing the examination. This description of the examination malpractice informs us about the fears of failing the examination and the resultant perceived failed individual.

From the foregone, the researchers have identified causes of examination malpractice that seem obvious. The question that remains unanswered is why is it that these causes cannot effectively be addressed? Chaminuka and Ndudzo (2014) in their recommendations suggest a mixture of many deterrence measures such as relevant legislation and enforcement, provision of adequate guidance and counseling services, equipping students with necessary reading skills and using large halls as venues for writing examinations to minimize the incidence of examination malpractice. In Kenya and in many other countries around the world, this approach has been utilized to a great extent yet the examination cheating still persists. It is in this regard that the study focuses on the meaning of examination malpractice in an attempt to answer the question.

Omoegun (2003) defines examination malpractice as a misconduct or improper practice in any Examination with a view to obtaining good results through fraudulent practice. It is a violation of the examination rules and or regulations by the candidate(s)/agents during the examination process to gain advantage over fellow candidates. Dibu-Ojerinde (2001) lists the resultant features of examination malpractice as its proper definition i.e. loss of dignity for offenders, imprisonment of offenders, damage to the image of institutions, wastage of resources, erosion of sanity and a host of other negative outcomes. Examination malpractice is a wrong doing done intentionally to help one student have an unfair vantage point over another one. This understanding is demonstrated by Desai, Pathari, Raut and Solavande (2018). In general, therefore, examination malpractice is an illegal means of obtaining academic success during formal evaluation of students' learning outcomes in continuous assessments, periodic terminal examinations or/and in public/ external examinations. Given such attributes, it compromises the validity, reliability and integrity of any assessment or evaluation system in all institutions of learning. It is an ill-advised process that is exploitative in nature whose end game is unmerited vantage point (Makaula, 2018), Madara and Namango (2016). In a scenario of plagiarism, it becomes a hallmark of laziness on the part of those who purport to be scholars (Cree and Clapton, 2015). Sometimes it is characterized as a fabrication, a style of improvising information and presenting it as researched when indeed it is pure personal opinion (Adeyemi, 2014). The meaning of examination malpractice as brought out by many scholars is indicative of an unethical behavior which requires to be abhorred instead of being entertained. The irony is that in most cases with available opportunity, there is a tendency to entertain it rather than abhor it. The irony shows that the persistent





examination malpractice lies in a certain deep-rooted conceptualization of the menace. This requires an evaluation of the whole system of education to establish the gaps while putting in mind the meaning of examination malpractice.

James (1975) brings out what he calls four programmatic evaluation models: product (summative), process (formative), systems (formative and summative) and phenomenological (formative, summative and intuitive perception). Janus and Brinkman (2010) describe summative evaluation as a method used in evaluation that comes at the end of a unit/course which allows an instructor to measure a learner's understanding against a certain standardized criterion. It is often measured with a grade or a percentage. Examples of summative evaluation include among others written assessments, performance assessments, standardized assessments and oral assessments. Formative evaluation focuses on the process of for example a program. It looks at the value of a program while that program is running. The evaluation is meant to offer checks and balances in the process of teaching and learning. It seeks valuable information to improve the program (Huhta, 2010). Intuitive perception is where deliberate or purposive and wide-ranging moral reasoning is utilized in making judgments. It ignores any uncertainties and equivocations involved (Sonenshein, 2007). The phenomenological model of evaluation has been employed by various writers in different fields of study. For example, Maryam (2006) uses the method to evaluate the teaching professionals in the field of architecture. The study focuses on understanding deeply the lived teaching experiences of studio instructors in the school of architecture. It evaluates project managers' experiences with the implementation of web-based employee service systems (ESS) in Australia. The process involves an account of the experiences of the project managers which reveals "social obstacles and fragility of intraorganizational relationships that demand a cautious and tactful approach". This phenomenological evaluation of teaching by the studio instructors is formative, summative and intuitive. This study agrees with this model and employs it in evaluating the product, the process and the systems involved in national examinations in Kisii County to generate valuable conclusions on how to deal with examination malpractices in this specific County as well as in Kenya.

Method

The research was carried out in Kisii County. The location was picked given its consistency in examination cheating every examination cycle as observed by Ragaa (2001) Ministry of Education (MOE), (2011) and Nyamoita and Otieno (2016). The study used a descriptive survey research design given that it is appropriate in determining the issue at the time of study using the self-report approach by the participant. The main approach to generate data from our questionnaires was qualitative methodological paradigm. Using this approach, teachers and students were identified through a purposive and snowball method. It is purposive given that it incorporates specific criteria to be met by the participants during the time of selection. Snowball entails a referral by one participant to get to the next relevant participant. Teachers and students whose examination cohort sat for the examination in 2015 were targeted. The sample size is indeterminate given that it is not dependent on the quantity, but quality of information sought by the study. The study used openended questionnaires and document analysis as research instruments to collect its data. Permission to conduct research was sought from the relevant authorities that included Kisii University School of Postgraduate Studies for purposes of applying for research permit from the National Commission for Science, Technology and Innovation (NACOSTI) to be allowed to carry out research in the area of study.





The study used a phenomenological qualitative data analysis method that involved a philosophical approach i.e. phenomenological analysis of the emerging themes and evaluation of the meanings as described by Moustakas (1994) and Creswell (2013). It entailed listing each of the relevant expressions by the participants concerning the topic of study giving equal value to each expression under a given category or group; doing a textural description based on questions such as "what are the participants saying"? and grouping relevant topics into units of meaning. This is simplified by Kleiman (2004) who describes it in the following way: read the interview transcript twice to understand it as well as drawing meaning units from the data; make sense of the units drawn; get a free imaginative variation of the meaning units; describe the essential meanings and support your interpretations by revisiting the raw data. Commitment was given towards maintaining the confidentiality and anonymity of the people involved and the assurance that the data collected was only going to be restricted to the stated purpose for which the research was being carried out. This was done by allowing the research interviewees or participants sign an informed consent form.

Findings

To understand the meaning that teachers and students attach to examination malpractice, the study utilized question two of the questionnaire for the teachers and students. This question was framed as follows: "In your view, what is your general understanding of examination malpractice?" Two kinds of meanings were revealed i.e. the popular and the implied meanings. These two kinds of meanings of examination malpractice are captured in tables 1 and 2 below.

Theme Category Code **Frequency** Popular/conventional It is an avenue to undeserving marks 1 50 meaning of examination Activities and processes that go against exam ethical 2 45 malpractice regulations Deliberate act of wrongdoing contrary to rules of 3 36 examination It is unprofessional behavior during examination 4 41 Having prior knowledge about examination yet to be 5 63 done 40 Getting answers to questions in an unfair manner 6

Table 1: Popular (conventional) Meanings of Examination Malpractice and their Frequencies.

It is interesting to know how categories with expressions lacking moral emphasis score highly compared to those with moral saliency. For example, those who said, "examination malpractice is a wrong doing" are fewer than those who said "it is having prior knowledge of the fourth coming examination paper." This means that examination malpractice is perceived more in a latter than in a former. In fact, it would create a big difference in the perception of examination malpractice if the reverse would be the case.





Table 2: Implied (un-conventional) Meanings of Examination Malpractice: Frequencies (FQ) by Teachers and Students

Theme	Category	Code	Fq(teacher)	Fq(student)	Total Fq
Implied or unconventional meaning of exam malpractice					
Understood as an effect (of)	Pressure to get good grades	1	42	23	65
	Low self-esteem in the student	2	50	17	67
	Poor exam preparation among students	3	24	26	50
	Inadequate study materials in the school	4	46	23	69
	Poor invigilation	5	26	23	49
	Poor reflection on student's performance	6	20	6	26
Understood as an incentive	Not cover the syllabus by the teachers	7	29	20	59
Understood as an avenue(to)	Good life and good employment	8	20	50	70
Understood as a source (of)	Confusion in sector of education	9	23	21	44
	Failure in future career	10	42	30	72

From the above responses, it is clear that a new interpretation of examination malpractice is revealed. This interpretation is not conventional as observed in the popular or conventional meanings. In essence examination malpractice is understood as an "effect", an "incentive" an "avenue" and "source".

Discussion

Phenomenological Evaluation of the Meanings of Examination Malpractice

To evaluate is to look at something closely with the purpose of describing the phenomenon as faithfully as possible. The foundation of this evaluation is based on two items that the study has generated: 1) on the popular or conventional meanings established in the earlier scholars and as grounded in this research and





2) on the implied or unconventional meanings that this study has solely generated. This is what qualifies it to be a phenomenological evaluation i.e. an evaluation grounded in the meanings generated by the respondents. This evaluation model is described by James (1975) as formative, summative and intuitive. Summative refers to the input-output process with the individual at the Centre as the product. It focuses on whether the behavioral objectives of the curriculum have been achieved in the student or learner. Formative evaluation refers to the examination of objective perceptions of participants who are involved in the curriculum. It is a process that looks at how participants think on the way things are. Intuitive evaluation refers to the insights that the researcher arrives at.

The study revealed that as much as the popular or conventional meanings of examination malpractice among other aspects1) reflect the expectations of the education policy and curriculum in Kisii and Kenya; 2) are repugnant to educational and societal ethical recommendations; 3) point to unfairness and lack of integrity in the national examinations; 4) attract popular or conventional curbing measures and 5) churns into society a product that keeps on eliciting ills, no lesson has been learned hence the recurrence of examination malpractice at every examination cycle. Ordinarily, previous scholars such as Omoegun (2003), Desai et.al (2018) and Makaula (2018) among others as well as KNEC (2012) align their arguments and definitions of examination malpractice with these popular or conventional understanding. This should not come as a surprise given that the society in general adopt this kind of understanding and finally degenerate into what Merton (1968) calls anomie, a scenario where a dichotomy is established between the cultural/societal goals and the institutional avenues of arriving at those goals. This means that all of us scholars included start thinking in a manner reflective of anomie hindering us from exploiting any other means of correcting the examination menace. The function of examination become misconstrued, agreeing with reflections by Malenya (2014) who cite misconstrued understanding of the function of examinations as the root cause of examination malpractice. It is in this regard that this study breaks new ground by revealing the implied or unconventional underpinnings to examination malpractice. The study notes that the implied or unconventional meanings of examination malpractice as revealed by the study interviewees 1) are hidden in the examination malpractice culprit; 2) seem to be the most predisposing factors of examination malpractice and 3) have limited curbing measures which reflect them. Possibly it is on the basis of these un-conventional underpinnings of examination malpractice that some scholars, though not explicitly, such as Obidoh, Kay and Okere (2013), Animasahun (2013) among others have suggested counseling as a way of attacking the examination malpractice menace. This can only be possible if the unconventional factors revealed in this study are explicitly highlighted. Conceptualization of examination malpractice such as an effect of pressure to get good grades; an effect of low self-esteem in the students; an incentive not to cover the syllabus by the teachers; an avenue to good life and good employment among others must inform the counseling if the positive outcomes are expected. It is worth noting that an individual predisposes himself/herself to examination malpractice depending on whether it is beneficial to him/her. If for example one understands examination malpractice as a source of confusion in the examination sector or as a source of failure in future career, then this kind of predisposition makes him or her avoid engaging in examination malpractice. This is different if one understands it as an avenue to a good life. As predisposing as they look, these implied or unconventional factors have not been given any serious attention by the education stakeholders to generate a serious remedy to examination malpractice.



Whether the popular or conventional and implied or un-conventional meanings of examination malpractice are reflected in the behavior of those who practice it, the answer is yes though the latter has not been detected as much as the former. In KNEC (2012), it is expected that the behavioral objectives of the curriculum are achieved in the learner or the product. However, there is still a perpetuation of examination cheating which is indicative that the expectations of the education policy in Kenya are not properly attained. This means that the stipulated regulations and penalties are either not followed or circumvented leading to unexpected product (results which are not reflective of the student).

Whether behavioral objectives of the curriculum are achieved through producing the right product and whether the participants think the curriculum is taking them to the right direction i.e. the process. The interviewees in this study hold the opinion that unfairness and lack of integrity in national examinations is a failure of the process of evaluation in these national examinations. This means that their opinion on the Kenyan education curriculum is negative. It is a curriculum that is open to abuse and is taking Kenyan leaners as well as the society in general to the wrong direction.

Whether the study has achieved in arriving at new insights which can help in solving the issue of examination malpractice, the answer is yes. This is because the elusive solution to examination malpractice is likely to be ascribed to failure by education stakeholders to detect the implied or unconventional predisposing factors of examination malpractice which this study has uncovered. The last aspect in a phenomenological evaluation is intuitive perception. As already state above, it is where deliberate or purposive and wide-ranging moral reasoning is utilized in making judgments. Examination malpractice is an ethical issue hence involves moral judgments. In this case, the study theoretical framework is handy in bringing out the moral basis that informs examination cheating by those involved. Those who engage in it are always informed by a given ethical theory with which they justify their actions. We locate this reasoning in normative ethical theories suggested in our theoretical framework. First, ethical egoists whose experience with examination malpractice is good tend to ethically justify their actions of examination cheating. Second, the negative ripple effect that is brought about by actions of examination cheating is what society experiences. Based on utilitarianism which says that an action is good if it gives rise to the greatest benefit to the highest number of people in a given society, the ills experienced in society as a result of the examination malpractice tend to be repugnant to the utilitarian theory. However, because this malpractice exists and seems to be entertained by society rather than being abhorred is indicative that maybe examination malpractice has snowballed in society as to be entertained at utilitarian level. The exhortation to act dutifully according to deontologilism is also negated by the examination malpractice, though the level at which examination malpractice has snowballed into anomie can easily neutralize the advocacy by deontologists towards examination integrity. This snowballing should be reduced and one way is giving attention to the impact created by the implied or un-conventional meanings attached to examination malpractice.

Implications of Findings to Educational Management in Kisii County and Kenya

The findings of this study present some implications to educational management in Kisii County and in Kenya. It revealed that implied or unconventional meanings of examination malpractice contribute a lot to the cyclic perpetuation of examination malpractice in Kisii County. It also revealed that the popular or conventional meaning of examination malpractice has mostly been the basis upon which most curbing





measures have been applied with minimal outcomes. This has enabled the menace to snowball to a level where society accepts it creating a situation of anomie. The response by the educational management in Kisii County becomes handicapped by this cultural norm of cheating in the examinations leading to a continuous perpetuation of examination malpractice menace. Therefore, there is urgency in educating all education stakeholders in identifying both the popular/conventional and implied/un-conventional meanings of examination malpractice with a view of slowing down the snowballing of examination malpractice. A lot of emphasis should be placed on value education whose flagship is examination integrity to create a social fabric that abhors examination malpractice.

Additionally, Kenya National Examination Council should be more proactive by coming up with curbing measures that are reflective of both the popular/conventional and implied/un-conventional meanings of examination malpractice so that an integral solution to examination malpractice is achieved. This means that the traditional curbing measures should be reviewed to reflect the complex reality of examination malpractice.

Conclusion

Examination malpractice has far-reaching repercussions for any country. They can be economic, social and political. Examination malpractice is repugnant to the intended educational goals and this means that the attainment of these educational goals continues to be a mirage in the face of this menace. The education system continuously churns out graduates whose competence and skills have been compromised by examination malpractice and therefore the resources of a nation would not be exploited optimally and the graduates would not fit in the global society. The menace leads to loss of credibility internationally such that certificates generated by a system of education whose hall mark is examination malpractice are treated with suspicion. An effort in finding a solution must be integral as to know both obvert and overt factors of examination malpractice.

Recommendations

The study recommends that curbing measures should be directed equally on both the popular/conventional and implied/un-conventional meanings to minimize examination malpractice. Second, the government should create an independent body from that of Kenya National Examination Council to specifically deal with examination malpractice. Third, the government should initiate a comprehensive social re-engineering of society to overcome the anomie issue, the basis of which examination malpractice meanings are grounded. This can create a collective responsibility towards examination integrity.

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