

INTERNATIONAL JOURNAL OF RESEARCH IN COMMERCE & MANAGEMENT

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PERFORMANCE CONTRACTING IN THE PUBLIC SCHOOLS IN KENYA: GAINING THE TEACHERS' ACCEPTANCE

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ABSTRACT

A Performance Contract is a freely negotiated performance agreement between the employer and the employee. It clearly specifies the intentions, obligations, responsibilities and powers of the parties. The concept of performance Contracting was first introduced in the management of state corporations in 1989. Two parastatals signed it; Kenya Railways in April 1989 and National Cereals and Produce Board in November 1990 but failed. The performance contracts of Kenya Railways Corporation and the National Cereals and Produce Board had failed because of lack of political goodwill to drive this process (it was perceived as donor-driven). It was re-introduced in state corporations on a pilot basis in 2004. Sixteen state corporations signed the performance contracts by December 2004. Currently it is being implemented in a total of four hundred and sixty two (462) public institutions. However teachers have resisted introduction of performance contracting in public schools. The paper has adopted literature review method to establish reasons for refusal hence recommend ways of gaining teachers acceptance. The reasons offered for the refusal include inadequacy of performance measurement criteria, disparities in operating environment sabotage by trade unions and teachers' low exposure to what performance contracting entails among others. Based on these reasons it has been recommended that a more acceptable tool for measuring teachers' performance is developed, teachers are trained on what performance contracting entails, adequate resources are availed in time, the government strives to win the support of unions and targets are set depending on the unique environment in which each school operate.

KEYWORDS

Education, Evaluation, Performance Contracting, Public Schools.

INTRODUCTION

Performance Contracting is a branch of management science referred to as Management Control Systems and is a contractual agreement to execute a service according to agreed-upon terms, within an established time period, and with a stipulated use of resources and performance standards. Performance contracting is one element of broader public sector reforms aimed at improving efficiency and effectiveness, while reducing total costs (Domberger, 1998 as cited by Letangule and Letting, 2012). A performance contract constitutes a range of management instruments used to define responsibilities and expectations between parties to achieve mutually agreed results. It is a useful tool for articulating clearer definitions of objectives and supporting innovative management, monitoring and control methods and at the same time imparting managerial and operational autonomy to managers (Letangule and Letting, 2012 citing Greer et al., 1999)

Performance Contract System originated in France in the late 1960s. It was later developed with great deal of elaboration in Pakistan and Korea and thereafter introduced to India (OECD, 1997). It has been adopted in developing countries in Africa, including Nigeria, Gambia, Ghana and now Kenya. Performance contracting has been found to be quite successful in a large and diverse set of countries such as France, Pakistan, South Africa, Australia, Canada, Malaysia, South Korea, Ghana, and India, for example. However, the debate about 'subjective' versus 'objective' measures of performance still continues, whether performance is measured in the context of a PC or otherwise (Van Dooren and Van de Walle, 2008). The definition of Performance Contracts itself has been a subject of considerable debate among the scholars and human resource practitioners. Performance Contracting is a branch of management science referred to as Management Control Systems. It is an agreement between two parties that clearly specify their mutual performance obligations. Kobia and Mohammed (2006) quoting Suresh Kumar (1994) defines performance contract as a Memorandum of Understanding (MOU). MOU is rooted in an evaluation system, which not only looks at performance comprehensively but also ensures forces improvement of performance managements and industries by making the autonomy and accountability aspect clearer and more transparent.

Applied to the public sector, performance contract is a freely negotiated performance agreement between government, acting as the owner of the agency and the agent. It clearly specifies the intentions, obligations, responsibilities and powers of the parties. It addresses economic, social and other tasks to be discharged for economic or other desired gain. The fundamental principle of performance contracting is the devolved management style where emphasis is management by outcome rather than management by processes. It therefore provides a framework for changing behaviors in the context of devolved management structures (Kobia & Mohammed, 2006). It is a useful tool for articulating clearer definitions of objectives and supporting innovative management, monitoring and control methods and at the same time imparting managerial and operational autonomy to public service managers. Therefore, public officials can apply it as a management tool for ensuring accountability for results since it measures the extent to which they achieve targeted results (Public Sector Reforms and Performance Contracting website, www.psrpc.go.ke).

PERFORMANCE CONTRACTING IN KENYA

The government accords high priority to economic recovery and improving the performance of public service to deliver results to the people. Up to this point, the goal of public sector reform was the restoration of its glory so as to equip it well in order to play a pivotal role in national development. This called for fundamental changes in the way the public sector operates in institutional organization and relationships, and in individual and collective behaviour of those serving in the sector. The aim of reform is to enhance efficiency and effectiveness together with probity and integrity. In an effort to achieve the objectives and targets of Economic Recovery Strategy (ERS) and to manage performance challenges in public service, the Government adopted performance contracting (PC) in public service as a strategy for improving service delivery to Kenyans.

Performance contracting was first introduced in Kenya in the year 1989 when two parastatals: Kenya Railways in April 1989 and National Cereals and Produce Board in November 1990 signed it. However, it failed because of lack of political goodwill to drive this process (it was perceived as donor-driven), the PC's did not conform to the requirements of the three sub-systems of PC's as they lacked the performance incentive system and there was no provision for the impact of external factors such as changes in government policy, inflation and exchange rate fluctuations that would have made evaluation fair (Kobia and Mohammed, 2006). Kenya decided to re-introduce performance contracting in 2003. The process of performance contracting commenced with the establishment of a Performance Contracts Steering Committee in August 2003 and the issue of Legal Notice No. 93, The State Corporations (Performance Contracting) Regulations, August 2004.

The government made a decision to introduce PC in state corporations on a pilot basis in 2004. Sixteen state corporations signed the PC's by December 2004. The criteria for selecting the pilot companies included representation of diverse sectors and corporations, the government extended the process to public service beginning with permanent secretaries and accounting officers. . Currently it is being implemented in a total of four hundred and sixty two (462) public institutions (Kobia and Mohammed, 2006).

The Government in general and Ministries in particular had committed to efficient service delivery to citizens. In doing so, Ministries were implementing the performance contract signed by Ministers and Permanent Secretaries on one hand, and by the Head of Public Service and Secretary to the Cabinet, and countersigned by the Prime Minister on behalf of the government on the other hand. Internally, all Heads of Departments have signed Performance Contract

with the Permanent Secretary. The internal Performance Contract and Annual Work-Plans translate the ministerial contract into a performance measurement instrument to be realized through the service delivery charter. Initially, the Ministries had no scorecard that guided the daily, weekly, monthly, quarterly, and annual work performance and therefore evidence gathered so far revealed that it needed to go an extra mile to deliver on the promises made to the public (Republic of Kenya, 2008)

PERFORMANCE CONTRACTING AND PUBLIC SECONDARY SCHOOLS

There has been a persistent belief that the fundamental issues and problems in education could be resolved or at least better managed if schools and those who teach in them were more 'accountable' (Wangui 2012 citing Wagner, 1989. Wagner (ibid) further asserts that there is general agreement that school performance and the quality of school program runs are best understood in terms of results and output and that agencies, have a right to know about these results and the cost/benefits associated with their schools. He also points out that many proposals on accountability focus on the accountability of teachers because they assume that teachers are responsible for student performance. Of the various forms of accountability proposed for education, the concept of performance contracting is often cited as the most effective strategy to assure accountability for results (CER, 1997 as cited by Wangui, 2012).

In Education, PC involves first establishing a fairly definitive set of performance or learning objectives, followed by evaluating or measuring student progress - which reflects teacher performance- toward the set objectives over a period of time. There is then reporting of the progress as measured after which rewards are assigned or withheld on the basis of such performance. The teachers are mainly held accountable because it is assumed they are responsible for the management of the school plant and student performance - the output which defines the school quality (Eshiwani, 1993 as cited by Wangui 2012).

When the Teachers' Service Commission (TSC), a government organization responsible for employment of teachers serving in the public schools wanted to introduce performance contracting in 2007, the Kenya National Union of Teachers (KNUT), strongly objected and the decision was shelved (Nyamu, 2007, Nafukho et al., 2009)

ISSUES OF PERFORMANCE MEASUREMENT

According to Wango (2009), accountability for performance in schools focuses on the accountability of teachers because they assume that teachers are responsible for the students' performance. In Kenya effectiveness of secondary schools is measured through schools mean scores in the national examinations. Schools with high mean scores are seen to be effective. According to Goddard and Emerson (1992) in Wangui (2012), individual teacher performance is generally evaluated in terms of students' performance in their subject areas. In particular, high student achievement scores in the examinations are taken to be an indication of good performance.

However various scholars in the field of education have criticized the view that teachers' performance can be determined through students' scores in examinations, Wagner (Ibid) argues that a diagnosis of the schools performance problem that focuses on outputs (Students' performance) fails to inform about the antecedent causes (inputs and practice). Eshiwani (Ibid) agrees with the Wagner's views, he points out that learning is not an exclusive responsibility of teachers and it is not solely as a result of their classroom experiences. They propose that parents, students themselves and other groups bear responsibility for the experiences that students have while they are in school which also influence learning as well as behaviour. Other factors that the scholars mention as influencing students performance include the economic advantage available resources, emotional well being, intelligence of the child language proficiencies and class size among others (Pordgusky and Solmon, 2006).

There exists argument among educators that students learn more from schools than just academic skills that achievement examinations measure. wagner (Ibid) argues that there are important excellences in education that cannot be defined in behavioral terms since they are of an indeterminate nature. He therefore opines that performance contracting as a form of educational accounting would either be unacceptable as an educational practice or limited in its application to the extent that such excellences do exist. Pordgusky and Solmon, (2006) raised similar concerns- that test scores are a very narrow indicator of a child's performance (and the teachers' performance to the extent that it is used to gauge the teachers performance). Furthermore the unwritten curriculum might be more important and longer lasting than any other subject learned.

STATEMENT OF THE PROBLEM

The benefits of performance contracting cannot be overemphasized. The various government institutions that have embraced performance contracting attest to its benefits. As Oswago (2005) observed; Persistent resistance to performance contracting by Kenyan teachers has led to speculations that "teachers do not fully understand the concept and benefits of PC or that if they do, then they have fundamental reasons for the outright rejection of the idea." This paper therefore sought to establish reasons underlying the teachers' resistance to this strategy and make recommendations on what can be done to win the teachers' acceptance

RESEARCH OBJECTIVES

The aim of the study is to recommend measures that the government can put in place to overcome the teachers' resistance to performance contracting. The study therefore aimed at addressing the following specific objectives:

1. To find out from empirical studies what teachers cite as the main reasons for refusing to sign performance contracts.
2. To establish the attitude of the teachers towards performance contracting were all their concerns to be addressed.
3. To make suggestions on measures that can be put in place to mitigate the teachers' apathy to performance contracting.

METHODOLOGY

The methodology used in this paper is the review of performance contracting empirical literature. The paper particularly focused on studies that aimed at establishing the reasons for the resistance by the public school teachers to assign the performance contracts. A total of ten such studies were reviewed and content analysis done to establish the most common factors found to be the cause of teachers' resistance to the signing of performance contracts and these formed the basis of the recommendations.

THEORETICAL LITERATURE REVIEW

1. SCIENTIFIC MANAGEMENT THEORY

The main proponent of this theory was Fredrick Winslow Taylor in 1911. The theory has its roots in the industrial revolution which begun in England in around 1750 AD. The proponents' main concerns were: increasing the productivity of individuals performing work; and increasing the productivity of organizations within which work was performed (Taylor, 1911). The theory posits that, workers should be assigned tasks which are clearly defined and that will take a day's effort to complete, and should be given standard conditions to complete the task. This theory underpins performance contracting because the aim of performance contracting concept in the public sector is to increase efficiency and productivity of government employees. Just like the theory suggests that workers be assigned clearly defined tasks, PC too does the same as the employees negotiate targets with the government. Just as the theory suggests that the tasks assigned should take a day's effort to complete, in PC too, the targets have to be met within a specified period of time – usually one year. Provision of resources by the government in order for negotiated targets to be met is a replica of the assertion by the scientific theory that standard conditions have to be provided for the target to be met.

2. GOAL SETTING THEORY

Locke (1968) first proposed the idea that working towards goals was in itself a motivator. His research indicated that performance improved when individuals set specific rather than vague goals for themselves. When these specific goals are demanding, performance was even better. Other important factors include goal-

commitment, which is the extent to which the individual is committed to pursuing the goal even when things get tough and self-efficacy, which is the perception that one has the ability to achieve the goal. Goal commitment is likely to be enhanced when goals are made public and when they are set by the individual rather than imposed externally. Goals motivate people to develop strategies that will enable them to perform at the required goal levels (Lunenburg, 2011). This theory effectively underpins performance contracting strategy: In performance contracting model, Performance contracts (PCs) or agreements specify standards of performance or quantifiable targets which a government requires public officials or the management of public/state-owned agencies or ministries/departments to meet over a stated period of time, (The targets negotiated in PCs can be equated to the goals advocated for in the goal theory) and also provides incentives for achieving these targets (Hope, 2001, 2008). Further as the goals become motivating if set by the employee and not imposed from outside, similarly in performance contracting the employees freely negotiate the targets to be met with the government.

EMPIRICAL LITERATURE REVIEW

In a paper presented in the African Association for Public Administration and Management in Arusha on 4th – 8th December 2006 Kobia and Mohammed (2006) in their paper titled “the Kenyan experience with performance contracting” observed that: a solid legal framework, which sets out the basic premises and the status of the contract, may avoid ad hoc and fragmented solutions. The current arrangements lack enforcement legal capacities. Sanctions can be questioned as in the case of the 7 senior officers from Kenya Revenue Authority who are seeking legal redress after jobs were terminated as a result of not meeting their performance targets.

Stability of resources enhances the motivating effect of the contract. When resources are not available or availed late, the staff involved gets frustrated. The majority of respondents in the public service expressed this view. Some of the problems experienced during the implementation of the performance contract include lack of adequate resources, resources not being released on time; some performance targets were highly ambitious and unplanned transfer of staff. Respondents went ahead to suggest ways of ensuring performance contract is successful in their

work place. Some of the suggestions given by a significant (over 30) number of participants include continuous training on PC, allocation of adequate resources; develop a reward system for performers, increase salaries, enhance teamwork and availing the resources on time in that order. However the data was collected from civil servants that had already signed the performance contracts and there was no mention of whether given a choice they would freely sign performance contracts. Further 280 respondents is a very small percentage of the civil servants and therefore may not be sufficient for generalization.

Gaconi (2007) did a descriptive study on the Challenges Facing the implementation of performance contracting in the teaching profession in Kenya. The study established the following as some of the major challenges that are being experienced in the implementation of PC: Lack of sensitization of the teachers by the government, lack of resources as well as late release of fund by the government for projects, sabotage by the teachers union as well as lack of a well thought-out reward system for the best performers by the government, among others. This implementation is perceived to be a good idea by all government officials but union officials were disappointed that they have not been incorporated into the process by the government. However the study had a serious limitation in that it used a sample size of only 23 drawn from the union officials and PC steering committee from the ministry of education.

Nzyoka (2009) in his study on Teachers' Opposition to PC in Yatta- Kenya established that teachers were opposed to introduction to PC due to different operational environments for schools and difficulty in setting targets. Other challenges identified in the implementation of PC in Kenya include limited resources, highly ambitious targets, inadequate training of staff involved and negative attitude due to disparities between PC and other performance management tools and instruments (Kenya PC Review Report, 2010).

Rono (2011) did a case study of Kaiboi technical training institute on factors shaping the teachers' attitude towards PCs in tertiary institutions in Kenya. She used a sample of thirty one respondents. The chi square results training to handle performance contracting had a significant relationship with teachers' attitudes towards PCs. However the study found out that teachers had a favourable attitude towards performance contracts. Roselenty, M. L (2011) did a study on factors influencing tutors' perceptions towards performance contracting in public teacher training colleges in western and rift valley provinces of Kenya. The study found out that challenges facing implementation of performance contracts included resources not being well allocated, information on the policy is skewed and proper management structures are not in place at the institutions to carry out the process.

Wangui (2012) carried out a study on the teachers' perception of performance contracting in public secondary schools in Laikipia Central district. The following findings; big proportion of the teachers had a relatively low exposure to PC procedures and did not clearly understand what PC entails. Most of the respondents had not seen a PC document and had not received any training in PC. The teachers' main sources of information on the proposal to introduce PC to teachers, was the media and union officials. A significant number of teachers also expressed doubt over whether PC could effectively evaluate teachers' performance and an equally large number were of the opinion that PC would be used to dismiss ineffective teachers. The study established that there was great reluctance by teachers to accept PC, with the majority indicating that teachers and schools should not be placed on PC. Among the reasons given for the reluctance was that the evaluation process to be employed may not be all-inclusive of the many activities and responsibilities involved in teaching, and may only focus on academic aspects. Others were of the opinion that teachers were already being adequately evaluated through the national examinations and inspections carried out by the quality assurance and standards directorate.

A study by Oyugo (2012) on factors influencing the teachers, levels of preparedness in signing performance contract in public secondary schools in Migori district – Kenya found sensitization on PCs, physical facilities and rewards and sanctions as among the factors that influence the teachers levels of preparedness in signing performance contracts. The study was employed a descriptive survey design in which a total of 236 respondents comprising of six education officers at the district, 111 heads of departments and 126 secondary schools teachers. The study concluded that teachers are not against PCs per se but are ill prepared to enter into contract with the government.

Gatere et al (2013) in their study titled “The impact of performance contracts on service delivery at the teachers service commission in Kenya sought to find out from the respondents understanding of performance contracting. It was found out that a majority of respondents claimed to have a good understanding of the concept of Performance Contracting process; while 18% of the respondents had a fair understanding and that only a few (4%) did not understand. This enhanced understanding maybe attributed to the explanatory guide of performance contracting process in meetings and/or by the supervisor. This may, in essence, have ensured that there was a widespread understanding of the performance-contracting concept. It was noted that a majority of the respondents had not attended any training though it was encouraging that about a third of the respondents had been trained on performance contracting. Training on performance contracting would be assumed to be important because it would deepen the understanding of performance contracting concept. The fact that training had not been conducted for such a majority of the staff was therefore worrisome. They also discovered some of the challenges their respondents faced during the implementation of performance contracts.

One of the challenges cited by respondents included inadequate consultation or lack of involvement when drafting targets for Performance Contracts. This was further emphasized by those who stated that there was lack of ownership of the targets amongst staff since they were not involved in the formulation of the targets in the performance contract. This might explain why some targets are never achieved. Limited resources in terms of staff, working tools, finance amongst others also proved a challenge when meeting the set targets. Communication and especially feedback to the service areas was cited as difficult because they did not know how they had fared in meeting their targets. Bureaucratic procedures in the procurement of needed goods and services caused delays or poor achievement in meeting agreed upon targets.

Mbugua and Kalai (2013) did a study of factors influencing the implementation of performance contracts in primary teacher colleges in Kenya. The study was a descriptive survey where a sample size of 56 was surveyed using judgmental sampling method. The findings of the study indicate that the administrative experience and the level of training in performance contracting influence the implementation of PCs to a very large extent. Age and level of education were rated as influencing implementation of PCs to a large extent. A sample of 58 from all the colleges in Kenya is relatively a small sample and also the judgmental sampling may limit the generalisability of the results.

Mugambi et al (2014) did a descriptive study titled “Nexus between resources and acceptance of performance contracting in Kenyan secondary schools” where they sampled 73 out of the 239 teachers employed by the government in public secondary schools in Imenti central district of Meru county. The study sought to

establish whether the respondents' school required additional resources from the government to accept performance contracting. The study findings indicated that 69% of the respondents felt that their schools required additional resources from the government to accept performance contracting. Results revealed that financial resources, human resources, learning resources and physical resources were all required for acceptance of performance contract to take place in the respondents' schools. Results of Pearson moment correlation analysis showed that acceptance of performance contracting was positively correlated with resources while regression analysis results revealed that resources were statistically significant in explaining acceptance of performance contracting by employees in secondary schools.

However the R-square of 42.9% is an indication that resources are not the only prerequisite for teachers to accept performance contracting. The author of this paper has therefore included empirical literature from other authors in an attempt to obtain as many reasons as possible to why secondary school teachers have refused to sign performance contracts. The study could also have extended its sample to other districts to ensure that local conditions do not influence the opinion of teachers towards performance contracting. Muthee (Undated) did an exploratory study titled "Challenges affecting the implementation of performance contracts in Kiambu district Kenya where he sampled 132 out of a total population of 1227 teachers. The study identified negative influence by trade unions, lack of training of teachers in performance contracting and unclear or non-existence guidelines as the factors that affect the implementation of performance contracts.

THE TABLE BELOW SUMMARIZES THE MAJOR FINDINGS OF THE ARTICLES REVIEWED

AUTHOR	ARTICLE TITLE	MAJOR FINDINGS (Why the Resistance)
Kobia M, Mohammed N(2006),	The Kenyan Experience With Performance Contracting	<ul style="list-style-type: none"> Stability of resources the influence motivating effect of the contracts. Some performance targets highly ambitious
Gaconi, W. (2007).	Challenges Facing the Implementation of Performance Contracting in the Teaching Profession in Kenya	<ul style="list-style-type: none"> Trade Unions sabotage PC implementation because they were not involved in it. There is lack sensitization of teachers on the PC concept.
Nzyoka, B.M. (2009).	An Investigation into Teachers Opposition to Introduction of Performance Contracting	<ul style="list-style-type: none"> Different operational environments for schools. Difficulties in setting targets Limited resources highly ambitious targets and Inadequate training of staff
Rono, A (2011)	Factors shaping the teachers' attitude towards PCs in tertiary institutions in Kenya.	<ul style="list-style-type: none"> training to handle performance contracting had a significant relationship with teachers' attitudes towards PCs.
Wangui, M.P (2012)	Teachers' Perception of Performance Contracting In Public Secondary Schools	<ul style="list-style-type: none"> Low exposure to PC procedures Doubt over whether PCs can effectively evaluate teacher' performance.
Oyugo, O.J. (2012)	factors influencing the teachers levels of preparedness in signing performance contract in public secondary schools in Migori district – Kenya	<ul style="list-style-type: none"> sensitization on PCs, Physical facilities and Lack of rewards and sanctions
Gatere, A.W, Keraro, V.N and Gakure, R.W (2013)	The Impact of Performance Contracts on Service delivery of the Teachers Service Commission in Kenya	<ul style="list-style-type: none"> There was lack of involvement of employees during target setting. Limited resources in terms staff, working tools and finance. Poor communication and especially feedback. Bureaucratic procedures in the procurement processes.
Mbugua,J.N and Kalai, J.M (2013)	Individual Factors influencing Implementation of PCs in Primary teacher colleges-Kenya	<ul style="list-style-type: none"> Administrative experience and The level of training in performance contracting influence the implementation of PCs to a very large extent
Mugambi,H.N, Gakure,R.W and Orwa, G.O. (2014)	Nexus between resources and acceptance of performance contracting in Kenyan secondary schools	<ul style="list-style-type: none"> Financial resources, human resources, learning resources and physical resources are all required for the acceptance of PCs by teachers.
Muthee, K.M (Undated)	Challenges affecting the implementation of performance contracts in Kiambu district Kenya	<ul style="list-style-type: none"> negative influence by trade unions, lack of training of teachers in performance contracting and unclear or non-existence guidelines

DISCUSSION

From literature reviewed pertinent issues on teachers' reluctance to sign performance contracting emerge. All the ten empirical studies found that teachers had relatively low exposure to performance contracting procedures and do not clearly understand what it entails. Research has shown that teachers are seldom trained on performance contracting. Similarly there is very poor flow of information from the ministry of education or the teachers' employer in Kenya (Teacher Service Commission) regarding performance contracting. Teachers are left to obtain information from the media that may not be necessarily objective or may not be exhaustive in their coverage of the issue. The other source of information on performance contracting for the teachers is the trade union officials who are themselves already biased against the idea because they claim that they were not incorporated by the government in the process.

There is evidence that acceptance of performance contracting is positively correlated to availability of sufficient resources (financial, human, learning and physical resources). Other than sufficiency, timely provision of the resources is also important in the acceptance of performance contracting by the teachers. But time and again we hear of secondary school principals complaining that the amount allocated by the government per students through the free secondary education program is never enough to run the operations of the school. They too often complain of the delay in the disbursement of the allocated funds. The government therefore can win teachers acceptance of the performance contracts by provision of the necessary resources and in good time and that during the evaluation the results are weighted down in terms of the extent to which the resources the government undertook to supply and how timely they were availed to the schools. Other reasons cited as causing the teachers resistance to performance contracting include: Lack rewards to those who would meet their targets. As an incentive the government could have devised a reward to teachers who meet their targets and sanctions for those who fail to meet their targets without sufficient reasons. Other probable causes of teachers' outright rejection of PCs as per the reviewed literature include lack of their involvement in the planning process, sabotage by trade unions, highly ambitious targets as well as different operational environments in different schools. Various studies have pointed out that all in all teachers are not opposed to performance contracting but the issues mentioned above need to be addressed to make the performance contracting in public schools a success.

CONCLUSION

It emerges that a more acceptable tool for measuring the teacher's performance need to be developed. A tool akin to the balanced score card need to be developed for evaluation of school performance where emphasize is not only on the academic performance of students (just as balanced scorecard does not over emphasize on profits) but one in which other aspects of education are included. Further the students examination scores should be weighted taking into account the antecedents of academic performance. The indeterminate aspects of the teachers' performance should also be included in the evaluation through

proxy. For example the government can adopt the Singapore model where teachers' grades are based on the criteria of performance (students' test results, teacher observation and feedback from stakeholders); contribution to extra-curricular activities); and estimated potential.

To alleviate the impact of low exposure of teachers to performance contracting, it is recommended that the government rolls out a capacity building programme to reach all the teachers so that they are able to make informed decisions. The government can roll out a programme similar to the SMASE (Strengthening of Mathematics And Science Education) programme. That targeted in servicing of all science and mathematics teachers in Kenya and it achieved considerable success. This implies that it is possible to train all the teachers in Kenya on performance contracting before further attempts are made to introduce it to the teachers.

If the teachers unions agreed to the introduction of performance contracting in public schools, teachers would most likely accept it too. Government should therefore strive to win support of the teachers' unions regarding the introduction of performance contract to secondary schools. In fact reaching a compromise with the trade unions is among the recommended ways of reducing resistance to change. The government as the Principle should in the course of negotiating the performance targets undertake to provide all the necessary resource for the attainment of such agreed targets to the schools. There should be an agreement to match each unit of the target score required of the teacher/school to each unit of the resource supplied by the principle and in the right time. And that failure to timely provision of the resources will be matched by likelihood of failure to meet the agreed performance target.

As regards the disparity in the operating environment of various schools, it is recommended that the performance targets should be contingent upon the conditions of each school. The level of difficulties in each area as well as the entry behavior of the students should be critically analysed and the performance targets set in accordance to the circumstances of each school and the ranking of the schools at the end of the period under consideration only compares schools with similar operating conditions to avoid frustrating those schools that put a lot of effort to meet the targets but get limited the environment in which they operate.

Finally, that performance contracting is a useful strategy of improving service delivery in the public sector is not in doubt. The government has introduced and re-introduced this strategic response to the hitherto ineffective public service. Performance contracting as a tool for measuring the efficiency has gained momentum since its re-introduction in the year 2003 and there is evidence that despite the challenges, it has contributed to improving service delivery and management of public resources. It has also enhanced accountability. However attempts to introduce this practice in the public secondary schools has been met with resistance and so far the government has not succeed in convincing the teachers or even coercing them to adopt this strategy. Hopefully the suggestions made in this study can assist the government in making teachers accept the performance contracting strategy.

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