

PRINCIPALS AND TEACHERS PERCEPTION ON LEGAL ISSUES IN SECONDARY SCHOOLS ADMINISTRATION IN WARRI SOUTH LOCAL GOVERNMENT AREA OF DELTA STATE

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ABSTRACT: The study investigated principals and teachers' perception on legal issues in secondary schools administration in Warri South Local Government Area of Delta State. To direct the study, five research questions were raised and five hypotheses formulated for the study at a significance level of .05. The design of the study was the descriptive research design. The population of the study is comprised of all public secondary schools' principals and teachers in Warri South Local Government Area of Delta State, while two hundred and twenty (220) respondents from public secondary schools in Warri South Local Government Area made up the sample. The instrument for data collection was a researcher developed questionnaire. In analyzing the data collected the researcher used mean and standard deviation to answer the research questions, while the hypothesis was tested using z-test at .05 alpha level. The result of the study among others showed that there is a significant difference between principals and teachers perception on negligence as legal issue in secondary schools' administration in Warri South Local Government Area of Delta State. It further revealed that there is a significant difference between principals and teachers' perception on tort as legal issue in secondary schools' administration in Warri South Local Government Area of Delta State. The result equally indicated that there is no significant difference between principals and teachers' perception on in-loco-parentis as legal issue in secondary schools administration in Warri South Local Government Area of Delta State. Moreover, the result showed that there is a significant difference between principals and teachers perception on accident as legal issue in secondary schools administration in Warri South Local Government Area of Delta State. Based on the result, it was recommended that educational law should be made a compulsory course in the educational management post-graduate programme so that trained educational managers will be abreast with sufficient knowledge of educational laws as applicable in educational system.

Keywords: Legal Issues, Secondary Schools, Administration, Negligence, Tort, In-Loco-Parentis, Accident

Reference to this paper should be made as follows:

Mukoro, S. A., & Asiafa, R. O. (2025). Principals and teachers perception on legal issues in secondary schools administration in Warri South Local Government Area of Delta State. *International Journal of Leadership, Quality Education and African Development*, 2(4), 661-677. <https://doi.org/10.5281/zenodo.18176403>.

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INTRODUCTION

Schools are established to facilitate learning. Schools are structures set up by the society to inculcate desirable values in the students. The school is body with legal status. It can sue and sued. Therefore, the school as a hazardous place according to Biokoro (2019) has many legal

issues involving legal implications that should not be ignored by the school administrator and teachers such as student and staff discipline, infringement of students' right, search and seizure of students items, writing of reports on students and personnel/teaching conditions, physical safety of students, school attendance, maintaining order and students right among others. Thus, legal issues comprise a wide range of legal subject matters which may range from torts, contracts, constitutional laws, negligence and other areas that affect the operation of the school. The importance attached to legal issues in the educational sector has helped to create awareness to the point that school management which comprised the principal, teachers and all that are related to the school such as students' and parents are now every conscious of what goes on in the school system.

The importance of the knowledge of legal issues in secondary schools has been recognized by experts in school management and administration. For instance, Kayode and Adedeji (2017) remarked that principals and teachers who possess knowledge of education law in schools maybe better positioned to make informed decisions concerning legal issues in the administrative practices. They may be better able to anticipate legal problems that may arise from their disciplinary actions that may infringe on students' rights. Also, they may be able to consider the legal implications and respond appropriately. Furthermore, Manga (2018) averred that legal knowledge of education enables school principals and teachers to encourage respect for the rule of law and fundamental principles of justice built into international human right treaties. In this regard, Gallant in Biokoro (2019) maintained that school principals and teachers should be knowledgeable and aware about school laws not only as a response to growing numbers of education related cases but also as a proactive way of providing an effective defense against possible litigation. As such the school principals and teachers in the process of enforcing discipline should follow lay down procedures, rules and regulations must be consistent with the provisions of the constitution as they affect teachers, students, parents and other stakeholders in the school system.

Consequently, the rules and regulations available for principals and teachers to manage students in schools may stem from natural, customary, constitutional orders and government policies and directives. In specific terms, legal aspects which relate to students' management in secondary schools find their sources from the constitution, legislation in form of decrees, edicts, bye-laws, common laws (courts decisions or judge-made laws), administrative and executive directives (memos, circulars letters and guidelines) from the Ministry of Education, National Policy on Education and School Handbook. Legal provisions in education that relate to students management are with various attendant implications to the principal and teachers bordering on issues such as students' rights, students' discipline, duty of care and students' management. In this regard, there may be the need for the principal and teachers to be acquainted with the legal provisions and common legal pitfall to enhance their effectiveness in managing students. This is because the principal and teachers are the hubs of the system with their knowledge and abilities applied in the management of the students under their care in order that the students acquire the rightful skills, values, behaviours, attitudes and knowledge transmitted to him in the classroom.

However, there are indications that principals and teachers may not perceive some issues such as negligence, tort and tort liability, doctrine of in-loco-parents, accident and examination malpractice among others in the administration of secondary schools as legal issues. Therefore, it becomes imperative for the researcher to conduct a study on principals and teachers perception on legal issues in secondary school administration in Warri South Local Government Area of Delta State. According to Johnson (2019), most secondary school principals are not aware of and

understand the nuances of a recent court decision or a newly enacted statute or administrative regulation. He stressed that most principals and teachers are not accurately aware and understand that negligence constitute a legal issue in the administration of secondary school. Negligence in schools involves an employee in breach of a proscribed duty. Negligence could be seen as the act of carelessness, paying no proper attention over situation(s) and causing someone or something to be at risk of being harmed. The harm could be physical injury suffered by students that may lead to litigation due to principal and teacher negligence. Negligence may be by act of commission or omission. It is therefore, important that principals and teachers be aware of how the law of negligence operates, what is acceptable and unacceptable practice to avoid infringement. The researcher personal observation and experience in public secondary schools in Warri South Local Government Area of Delta State have shown that most principals and teachers are not aware of what negligence entails as there are several cases of negligence that have resulted in physical injury suffered by students. The unawareness of principals and teachers equally manifested in the case of Sylvester Oromoni versus Dawey College in Lagos, where the 11 years Sylvester Oromoni was bullied, injured and eventually died as a result of severe complications.

Admittedly, another issue that principals and teachers may perceived to be legal issue are tort and tort liability. Tort and tort liability are legal obligations of one party to a victim as a result of a civil wrong or injury. A tort liability arises because of a combination of directly violating a person's right and the transgression of public obligation cause damage or a private wrong doing. Tort may also be negligence torts and strict liability torts. Negligence torts can occur when a party fails to demonstrate the kind of care a prudent person would take in the same situation and an injury results from the action or inaction, while strict liability torts are similar to negligence. In these instances, the defendant may be responsible for damages even if the defendant was not negligent. In this way, Mawdsley (2017) reported that injury as a result of principal and teachers wrong doing or conduct may not have to be physical but may be imaginary and issues of examination malpractice cause by the school and its teachers. The principal of negligence according to Okunamiri (2019) occupies central stage in tort liability and it seems to be more common litigation against schools and their teachers in dealing with their students. There have been litigations against principals and teachers as a result of students' accident and injuries in secondary schools in Warri South Local Government Area of Delta State.

Admittedly, principals and teachers may vary in perception on the way teachers act in loco parentis, that is, in place of parents, with respect to the education of their children. In exercising this responsibility, teachers enter into an unwritten contract with parents to perform some of the duties and functions which the parents would have performed with regard to the education of their children (Ogunu, 2011). He stressed that to guide the behaviour of the children under their care, school authorities can make rules and regulations for students conduct which is applicable and enforceable whether in or out of school, during or after school hours, during school session or school vacation or holidays. He further maintained that teachers have the right and authority to inflict punishment on their students for offences which breach school rules and regulations. He concluded that the punishment inflicted must be appropriate and reasonable and it should not be given out of malice; rather it should be aimed at correcting the offender.

Therefore, principals and teachers are expected to work within the legal framework which gives them rights to act in the place of the parents in the control of students conducts. However, it may be thought of that principals and teachers may not be aware that punishment

inflicted on students much be appropriate, reasonable, aimed at correcting the offender and should be within the existing legal provisions available in school handbooks, edicts, common law, administrative and executive directive, and from the Ministry of Education. As such when punishment inflicted or disciplinary decision taken do not conform to the basic principles of justice and equity, there may be bound to be constitutional and civil problems. When this happens the principal and teachers or school could be challenged in the court of law by parents/guardians for wrong inflicting of punishment on their children/wards. Researches have shown that there have been cases of litigations against principals and teachers on their actions or inactions in relation to their role performance in the school system (Ozurumba, 2017; Igwe, 2019). The causes of such litigations were as result of school official inadequate awareness of legal aspects of education that guide secondary school administration bordering on students' management (Igwe, 2019; Koko, 2013; Kalagbor, 2017). In Nigerian today, unlike in the past, many parents are quite enlightened. Most of them are highly aware of inalienable rights as contained in the constitution. This means that parents who are enlighten will not want such rights interfered with and will questioned the rationality for the violation of certain rights of their children/wards in school.

Also, there are many cases where students governance and disciplinary control may either violate or disrespect certain fundamental rights of the students as contained in the constitution. This may be due probably to teachers' lack of knowledge of the existing education law that supposed to have guide them in enforcing rules and regulations for students conducts. In essence the law empowers the teachers to act in loco parentis, yet the same law will not exonerate them when they violate the legitimate rights of the students. It follows therefore, that when a school principal and teacher violate or harm a student maliciously he could be sued for constitutional wrong or tort liabilities or criminal wrong such as assault or battery.

Furthermore, the researcher's experience and observation have shown that there are several instances where principals violate teachers' rights in secondary schools. One of the most potent likely reasons for such state of affairs could be that most teachers, though trained in education, are not aware of their rights, duties, obligations and responsibilities under the existing education laws. Peretomode (2014) gave credence to this stressed that in Nigeria most teachers are not aware of their rights, let alone those of others. He noted that most teachers are equally ignorant of the rules and regulations governing their employment, even though the teachers have a status before the law worth of protection and as such can seek redress in court with a reliance on the Nigerian constitution for their rights not to be infringed upon. The teachers' rights are those rights recognized by the Nigeria constitution which are availed to all Nigerians. Moreover, location of school and years of experience of the teachers and their levels of awareness of existing education law cannot be waved aside. Despite this great emphasis, there is no empirical assessment of the level of teachers' awareness of existing education laws in school. This present study, therefore, is intended to empirically investigate the perception of principals and teachers on legal issues in secondary school administration in Warri South Local Government Area of Delta State.

THEORETICAL FRAMEWORK

The theoretical framework to the present study was hinged on the system theory (Von Bertalanffy, 1972). This theory posits that it is not only important to understand the parts, but also the relationship and interactions among the parts. This theory analyzes the functions of an

organization in terms of input-processing-outputs and views organization as open system (Peretomode, 2014). Mullins (2018) pointed out the system theory focused on the total work organization and the inter-relationships of structure and behaviour, and the range of variables within the organization. The system theory, therefore, encourages managers to view the organization both as a whole and as part of a large environment. The idea is that any part of organization activities affects all parts and thus the organization as a whole.

Azelame (2018) maintained that the system theory entails that every organization can be given birth to and it can be healthy. According to him, when an organization is efficiently managed on one hand and where its goals are relevant to the need of the environment on the other the system is said to be healthy. He noted that the theory refers to this as goals subsystem that usually contained the law, the rules and regulation, system of rewards and punishments, accounting procedures, time-tabling among others.

Essentially, von Bertalanffy (1972) system theory appears to be a reasonable and sound explanation to principals and teachers perception of legal issues in administration of secondary schools. This is because the system theory allows the organization (schools) to have goals subsystem that contained the law, the rules and regulations, system of rewards and punishments among other that help the system to strive live by fighting. The system theory helps to relate educational problems to several other factors existing in other systems. In effect the system theory may enable principals and teachers to identify the existing legal issues in secondary school administration.

CONCEPTUALISATION

Concept of Legal Issues

Legal issues comprises a wide range of legal subject matters which include torts, contracts, constitutional laws, negligence and other areas that affect the operations of the school (Maduagwu, 2019; Oleuramir, 2019). The importance attached to legal issues in the educational sector has helped to create awareness to the point that school management which comprises the school administrators and all that are related to the school such as teacher, students, parents are now very conscious of what goes on in the educational sectors. Legal issues in school management in relation to safety are concerned with how secured and safe a child is at school and within the school surroundings. It is also important for their learning growth as well (Uduma, 2018). Therefore, legal issues in school management look at the legal implications in managing people and materials in the school sector and how such actions are related to various laws, rules and regulations in the administration of education in the country.

Existing Education Laws in Schools

Societies including Nigeria, expect schools to assist in molding the characters and personalities of students under their care. The school with its formal setting intentionally transmits to the children something worthwhile in a normal acceptable manner. Education is thus seen as being generally for an immediate introduction into the larger society and a preparation for adulthood (Fafunwa, 2014). To achieve this, the schools generally have rules and regulations which help school governance and discipline practices. These rules which are regulations governing schools are derived from the constitution of the land. The laws are rules established by a governing

power to maintain peace, secure justice for its members, defined the legal rights of the individuals and the community and to punish offenders for legal wrongs. Every administrator is empowered therefore, by the established rules and regulation derived from the law. The administrator also has legal power to make decision within a specific area of responsibility. In carrying out his functions, he has to be guided by the law. This is because the area of responsibility defines the activities over when he has legitimate power. These powers are at times delegated to teacher by the administrator for effective and efficient day-to-day running of the school. They do appreciate the power vested on the authority: acknowledging the fact that the authority (administrator and teachers) has rights to issue directive while they have the obligation to comply. According to Lawai (2017), when directives from the authority are accepted without questions, they fall within the subordinate zone of indifference.

The relevance of the constitution to education is very crucial. Government agencies are required by law to treat all persons with dignity. The principals, teachers, security guards and all other government employees of the school are employees of the government and therefore have a legal duty towards the government. A certain degree of voluntary compliance must be associated with legitimate commands. Authorities making commands are to ensure that those that will be obeyed by the given group of persons, authority do not include every mode of exercising power or influence over other persons. Where a school adopts disciplinary practice that are intended to educate, but which invade on the fundamental human right of the 'students, there are bound to be conflicts and challenges from the students. The 1999 constitution of the Federal Republic of Nigeria, section 41(a) shows that, legally, schools may only set constitutionally in its control and disciplinary matters. The school has to be treated as a community within the larger community. This is because the school functions as a micro community under the canopy of a larger complex system (Taiwo, 2016). Court decisions about educational issues reveal that the constitutional theory is fast gaining grounds in courts about control practices. The theory stipulates that like other governments, the school should therefore be required to obey the constitution in its dealings with students (Nwagwu, 2017). Thus, they have a status before the law worth of protection and as such can seek redress in court with a reliance on the Nigerian constitution for their rights not to be infringed upon. Their rights are those rights recognized by the Nigerian constitution which are availed to all Nigerians.

The violation of student's rights is often as a result of corporal punishment, unsafe environment such as unprotected pit latrine as well as teachers negligence in the case of student's supervision. These are seen as torts which are civil wrongs against private rights (Peretomode, 2014). The knowledge of tortuous liability is of great importance to school administrators and teachers, since most cases resulting from school activities fall within the category of civil actions. In the Education Act, the school functions under the enactment of the Ministry of Education which imposes a strict supervisor and default regulations on both private and public schools. The Nigerian constitution went further to spell out areas of jurisdiction of the Federal, State and Local Government as it affects schools. The school teacher is thus expected to know the laws which he administered to the students and their implications. These laws ought to be interpreted by the teacher and carryout his activities in conformity with the constitution. It thus becomes mandatory for him to know and understand the law that guides his activities. Thus, Peretomode (2014) noted that in Nigeria, most teachers are not aware of their rights, let alone those of others. Teachers may be ignorant of the rules and regulation governing their employment. The teacher should not be left behind in the development trend in this century. In recent time in Nigeria, there is the awareness of the increased attention given to individual rights

especially, those described as fundamental human rights of the citizen are citizens waiting their rights protected just as any other citizen.

Statement of the Problem

The aim of secondary education enshrined in the National Policy on Education (FRN, 2014) is provide the highest level of basic education geared towards preparing the child for future challenges in tertiary institutions and in the society. To ensure effective instructional delivery and maintenance of standards in secondary school effective administration and control is of utmost importance. Teachers may control the conduct of their students through the enforcement of school rules, regulation and discipline.

For instance, the Nigeria educational system is plagued with disciplinary problems characterized by tension and uneasiness. In fact students' unrest and crises in schools have been great cause of concern for school authority, teachers, parents, guardian and the general public. But there are policies, strategies and practices within the framework of education law to regulate the governing of students' behaviours to ensure their compliance and restraints in secondary schools. However, it seems that many principals and teachers at the secondary school may not perceive the existing legal issues as acts that violate the fundamental right of their students. This situation raises a lot of concern because the poor perception of knowledge of existing legal issues by the principals and teachers may make them to inflict punishment on students thereby doing wrong to the students. This may eventually lead to litigation. Therefore, the problem of this study posed as a question is: what is the level of teachers' awareness of education law in secondary schools in Warri South Local Government Area of Delta State.

Aim and Objectives of the Study

The aim of the study is to ascertain principals and teachers perception on legal issues in secondary schools administration in Warri South Local Government Area of Delta State. Specifically, the study intended to:

- Assess principals and teachers perception on negligence as legal issue in secondary schools administration in Warri South Local Government Area of Delta State
- Determine principals and teachers perception on tort as legal issue in secondary schools administration in Warri South Local Government Area of Delta State
- Ascertain principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration in Warri South Local Government Area of Delta State
- Determine principals and teachers perception on accident as legal issue in secondary schools administration in Warri South Local Government Area of Delta State

Research Questions

The following research questions were raised to guide this study:

- What are the principals and teachers perception on negligence as legal issue in secondary schools administration in Warri South Local Government Area of Delta State?

- What are the principals and teachers perception on tort as legal issue in secondary schools administration in Warri South Local Government Area of Delta State?
- What are the principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration in Warri South Local Government Area of Delta State?
- What are the principals and teachers perception on accident as legal issue in secondary schools administration in Warri South Local Government Area of Delta State?

Hypotheses

The following hypotheses were formulated to guide the study at .05 significant level:

- There is no significant difference between principals and teachers perception on negligence as legal issue in secondary schools administration in Warri South Local Government Area of Delta State
- There is no significant difference between principals and teachers perception on tort as legal issue in secondary schools administration in Warri South Local Government Area of Delta State
- There is no significant difference between principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration in Warri South Local Government Area of Delta State
- There is no significant difference between principals and teachers perception on accident as legal issue in secondary schools administration in Warri South Local Government Area of Delta State

METHODOLOGY

The descriptive survey design was used for the study. It was deemed suitable because the study sought in a systematic way the principals and teachers perception on legal issues in secondary schools administration in Warri South Local Government Area of Delta State. Ali (2006) explained that a descriptive survey is a study which uses the sample in an investigation to describe, and explain what is existent and non-existent on the present status of a phenomenon being investigated. The descriptive survey research design was therefore, considered appropriate for the present study.

The population of the study is comprised of all public secondary schools principals and teachers in Warri South Local Government Area of Delta State. Available statistics indicated that there are one thousand two hundred and forty-five (1,245) teachers in public secondary schools in Warri South Local Government Area of Delta State as reported by the Post-Primary Education Board as at November (2021).

The sample size of this study is made up of two hundred and twenty (220) respondents. The multi-stage sampling technique was employed. First, stratified random sampling was used to get ten (10) secondary schools from the local government area. Having done that, simple random sampling technique was adopted to pick one (1) principal and one (1) vice-principal from each secondary schools leading to a total number of twenty (20) principals. Third, twenty (20) teachers from each of the secondary schools were selected leading to a total number of two hundred (200) teachers.

The instrument used for this study was the researchers developed questionnaire titled: Principals and Teachers Perception on Legal Issues in Secondary Schools Administration Questionnaire (PTPLISSAQ). This questionnaire contained two sections, A and B. Section A elicited demographic information bothering on the names of respondents school, sex, status (principal or teacher), and experience. Section B was designed to obtain information from principals and teachers on their perception on legal issues in secondary school administration. The response categories of the instrument was based on a Likert four-point scale of measurement weighted as Strongly Agree (SA) (4 points), Agree (A) (3 points), Disagree (D) (2 points) and Strongly Disagree (SD) (1 point).

The validity of the research instrument was obtained through the scrutiny of the researcher's project supervisor and two other experts in Educational Management from the Ignatius Ajuru University of Education, College of education Warri. Based on their inputs, corrections and suggestions made by the experts were effected to produce the final copy of the questionnaire. The reliability of the instrument was determined using split half method after a single administration of the questionnaire. This was done by administering the instrument to thirty (30) teachers in public secondary schools in Warri South Local Government Area of Delta State, which is part of the study population but not involved in the study. The data collected was analyzed using Pearson Product Moment Correlation Coefficient statistics and a reliability coefficient of .88 was obtained.

The questionnaires were administered by the researcher herself. The researcher ensured that the questionnaires were collected back after being duly responded to by the respondents. The research questions were analyzed using mean and standard deviation while the hypotheses were tested using the z-test statistics at 0.05 level of significance. The mean for the scale was 2.50. The decision was that any item that scored a mean of 2.50 and above was regarded as high awareness while any item that scored below 2.50 was regarded as low awareness. For the hypotheses, if z-calculated is less than or equal to the z-critical, do not reject the null hypothesis, but if vise-versa, then reject the null hypothesis.

Results

Research Question 1: What are the principals and teachers perception on negligence as legal issue in secondary schools administration in Warri South Local Government Area of Delta State?

Table 1: Mean Scores and Standard Deviation on the principals and teachers perception on negligence as legal issue in secondary schools administration

S/N	Items	Principals			Teachers		
		Mean	SD	Decision	Mean	SD	Decision
1.	Out of carelessness constitute negligence in secondary school administration	3.16	1.26	Agree	3.02	0.70	Agree
2.	Paying no proper attention to students constitute negligence in secondary school administration	3.21	1.00	Agree	2.94	0.41	Agree
3.	Coursing students physical harm constitute negligence in secondary school administration	2.50	1.06	Agree	3.02	0.70	Agree
4.	Putting students in the risk of been harmed constitute negligence in secondary school administration	2.93	0.73	Agree	3.13	0.10	Agree
5.	Breach of legal duty to exercise due care when there	3.20	0.42	Agree	3.32	0.98	Agree

	is a foreseeable risk or harm to students constitute negligence in secondary school administration						
6.	Failure to make efforts to reduce risk of harm to students constitute negligence in secondary school administration	3.16	1.26	Agree	3.16	1.26	Agree
7.	Failure to facilitate effective teaching and learning constitute negligence in secondary school administration	3.21	1.00	Agree	3.21	1.00	Agree
8.	Failure to provide reasonable standard of care for all students constitute negligence in secondary school administration	2.50	1.06	Agree	2.50	1.06	Agree

Table 1 above showed the principals and teachers perception on negligence as legal issue in secondary schools administration. The table above indicated that the items 1-8 had weighted mean scores above the benchmark of 2.50 and were indicative of the principals and teachers perception on negligence as legal issue in secondary schools administration. In summary, principals and teachers agreed that out of carelessness constitute negligence in secondary school administration, cursing students physical harm constitute negligence in secondary school administration, putting students in the risk of been harmed constitute negligence in secondary school administration, failure to make efforts to reduce risk of harm to students constitute negligence in secondary school administration, failure to facilitate effective teaching and learning constitute negligence in secondary school administration and failure to provide reasonable standard of care for all students constitute negligence in secondary school administration among others are the principals and teachers perception on negligence as legal issue in secondary schools administration in Warri South Local Government Area of Delta State.

Research Question 2: What are the principals and teachers perception on tort as legal issue in secondary schools administration in Warri South Local Government Area of Delta State?

Table 2: Mean Scores and Standard Deviation on the principals and teachers perception on tort as legal issue in secondary schools administration

S/N	Items	Principals			Teachers		
		Mean	SD	Decision	Mean	SD	Decision
9.	Harm to students as a result of unreasonable of staff constitute tort in secondary school administration	3.18	0.55	Agree	3.03	0.68	Agree
10.	Invading the right of students constitute tort in secondary school administration	2.55	1.77	Agree	3.12	1.00	Agree
11.	Antagolism of students constitute tort in secondary school administration	2.70	1.00	Agree	3.37	0.79	Agree
12.	Malicious acts constitute tort in secondary school administration	2.66	1.81	Agree	3.53	0.24	Agree
13.	Failure demonstrate kind care to students that result in injury constitute tort in secondary school administration	3.30	1.04	Agree	3.55	0.16	Agree
14.	Students injury that may result from action or inaction of staff constitute tort in secondary school administration	3.16	1.26	Agree	2.55	0.12	Agree

Table 2 above showed the principals and teachers perception on tort as legal issue in secondary schools administration. The table above indicated that the items 9-14 had weighted mean scores above the benchmark of 2.50 and were indicative of the principals and teachers perception on tort as legal issue in secondary schools administration. In summary, principals and teachers agreed that harm to students as a result of unreasonable of staff constitute tort in secondary school administration, antagonism of students constitute tort in secondary school administration, malicious acts constitute tort in secondary school administration, failure demonstrate kind care to students that result in injury constitute tort in secondary school administration and students injury that may result from action or inaction of staff constitute tort in secondary school administration among others are t the principals and teachers perception on tort as legal issue in secondary schools administration in Warri South Local Government Area of Delta State.

Research Question 3: What are the principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration in Warri South Local Government Area of Delta State?

Table 3: Mean Scores and Standard Deviation on the principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration

S/N	Items	Principals			Teachers		
		Mean	SD.	Decision	Mean	SD.	Decision
15.	Improper molding of students moral character constitute in-loco-parentis legal issue in secondary school administration	2.77	0.24	Agree	3.53	0.24	Agree
16.	Failure to assist students in their mental development constitute in-loco-parentis legal issue in secondary school administration	3.21	1.88	Agree	3.55	0.16	Agree
17.	Failure to assist students in their physical development constitute in-loco-parentis legal issue in secondary school administration	3.30	0.65	Agree	2.55	0.12	Agree
18.	Failure to foster the spirit of national consciousness in students constitute in-loco-parentis legal issue in secondary school administration	2.97	0.01	Agree	3.03	0.24	Agree
19.	Promoting improver teaching and learning atmosphere in the school constitute in-loco-parentis legal issue in secondary school administration	2.95	0.72	Agree	3.07	0.12	Agree
20.	Failure to guide students towards good conduct that guarantee peace constitute in-loco-parentis legal issue in secondary school administration	2.89	0.72	Agree	3.40	0.50	Agree
21.	Failure to guide students towards good behaviour that guarantee peace constitute in-loco-parentis legal issue in secondary school administration	2.60	0.65	Agree	3.20	0.49	Agree
22.	Failure to create environmental conditions that are conducive for sport activities in the school constitute in-loco-parentis legal issue in secondary school administration	2.69	0.51	Agree	3.07	0.35	Agree
23.	Failure to provide first aid box/materials for students during sport activities constitute in-loco-	3.33	0.43	Agree	2.66	0.34	Agree

	parentis legal issue in secondary school administration						
24.	Failure to instill fundamental lessons of self-discipline in students in schools constitute in-loco-parentis legal issue in secondary school administration	2.50	0.49	Agree	3.44	0.24	Agree
25.	Failure to regularly maintain available school facilities that result in students injury constitute in-loco-parentis legal issue in secondary school administration	2.95	0.72	Agree	3.00	0.48	Agree

Table 3 above showed the principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration. The table above indicated that the items 15-25 had weighted mean scores above the benchmark of 2.50 and were indicative of the principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration. In summary, principals and teachers agreed that improper molding of students moral character constitute in-loco-parentis legal issue in secondary school administration, failure to assist students in their physical development constitute in-loco-parentis legal issue in secondary school administration, failure to foster the spirit of national consciousness in students constitute in-loco-parentis legal issue in secondary school administration, failure to guide students towards good conduct that guarantee peace constitute in-loco-parentis legal issue in secondary school administration, failure to create environmental conditions that are conducive for sport activities in the school constitute in-loco-parentis legal issues in secondary school administration and failure to regularly maintain available school facilities that result in students injury constitute in-loco-parents legal issue in secondary school administration among others are the principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration in Warri South Local Government Area of Delta State.

Research Question 4: What are the principals and teachers perception on accident as legal issue in secondary schools administration in Warri South Local Government Area of Delta State?

Table 4: Mean Scores and Standard Deviation on the principals and teachers perception on accident as legal issue in secondary schools administration

S/N	Items	Principals			Teachers		
		Mean	SD	Decision	Mean	SD	Decision
26.	Failure to act on circumstances that lead to student accident	3.00	0.68	Agree	2.95	0.72	Agree
27.	Failure to prefect circumstance that result in physical injury	3.03	1.18	Agree	2.89	0.72	Agree
28.	Failure to remove faulty equipment from playground that result in physical injury	3.37	0.79	Agree	3.12	0.65	Agree
29.	Failure to observe students at the time of injury	3.00	0.24	Agree	2.69	0.51	Agree
30.	Failure to observe students at the exact time of the injury	3.00	0.16	Agree	3.33	0.43	Agree
31.	Failure to pay close attention to students that display dangerous tendencies	3.22	0.12	Agree	3.50	0.49	Agree
32.	Improper care for work way layout that result injury	3.53	0.24	Agree	2.95	0.72	Agree
33.	Designing of classroom without safety in mind that eventually result in physical injury	3.12	0.12	Agree	2.89	0.72	Agree

Table 4 above showed the principals and teachers perception on accident as legal issue in secondary schools administration. The table above indicated that the items 26-33 had weighted mean scores above the benchmark of 2.50 and were indicative of the principals and teachers perception on accident as legal issue in secondary schools administration. In summary, principals and teachers agreed that failure to prefect circumstance that result in physical injury, failure to remove faulty equipment from playground that result in physical injury, failure to observe students at the time of injury, failure to pay close attention to students that display dangerous tendencies, improver care for work way layout that result in injury and designing of classroom without safety in mind that eventually result in physical injury among others are the principals and teachers perception on accident as legal issue in secondary schools administration in Warri South Local Government Area of Delta State.

Hypothesis 1: There is no significant difference between principals and teachers perception on negligence as legal issue in secondary schools administration in Warri South Local Government Area of Delta State.

Table 6: z-test analysis of the significant difference between principals and teachers perception on negligence as legal issue in secondary schools administration

Variables	N	Mean	SD	DF	z-cal.	z-crit.	Level of Sig.	Decision
Principals	20	23.87	7.79	218	9.87	1.96	0.05	Rejected
Teachers	200	24.3	6.21					

Data in Table 6 showed the significant difference between principals and teachers perception on negligence as legal issue in secondary schools administration. The result of the z-test revealed that the calculated z-value of 9.87 is greater than the critical value of 1.96. The null hypothesis is therefore rejected. Thus, there is a significant difference between principals and teachers perception on negligence as legal issue in secondary schools administration in Warri South Local Government Area of Delta State.

Hypothesis 2: There is no significant difference between principals and teachers perception on tort as legal issue in secondary schools administration in Warri South Local Government Area of Delta State

Table 7: z-test analysis of the significant difference between principals and teachers perception on tort as legal issue in secondary schools administration

Variables	N	Mean	SD	DF	z-cal.	z-crit.	Level of Sig.	Decision
Principals	20	17.55	7.43	218	30.3	1.96	0.05	Rejected
Teachers	200	19.15	2.99					

Data in Table 7 showed the significant difference between principals and teachers perception on tort as legal issue in secondary schools administration. The result of the z-test revealed that the calculated z-value of 30.3 is greater than the critical value of 1.96. The null hypothesis is therefore rejected. Thus, there is a significant difference between principals and teachers

perception on tort as legal issue in secondary schools administration in Warri South Local Government Area of Delta State

Hypothesis 3: There is no significant difference between principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration in Warri South Local Government Area of Delta State.

Table 8: z-test analysis of the significant difference between principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration

Variables	N	Mean	SD	DF	z-cal.	z-crit.	Level of Sig.	Decision
Principals	20	32.16	7.02	218	1.45	1.96	0.05	Accepted
Teachers	200	34.5	3.28					

Data in Table 8 showed the significant difference between principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration. The result of the z-test revealed that the calculated z-value of 1.45 is lesser than the critical value of 1.96. The null hypothesis is therefore accepted. Thus, there is no significant difference between principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration in Warri South Local Government Area of Delta State.

Hypothesis 4: There is no significant difference between principals and teachers perception on accident as legal issue in secondary schools administration in Warri South Local Government Area of Delta State.

Table 9: z-test analysis of the significant difference between principals and teachers perception on accident as legal issue in secondary schools administration

Variables	N	Mean	SD	DF	z-cal.	z-crit.	Level of Sig.	Decision
Principals	20	25.27	3.53	218	5.14	1.96	0.05	Rejected
Teachers	200	24.32	4.96					

Data in Table 9 showed the significant difference between principals and teachers perception on accident as legal issue in secondary schools administration. The result of the z-test revealed that the calculated z-value of 5.14 is greater than the critical value of 1.96. The null hypothesis is therefore rejected. Thus, there is a significant difference between principals and teachers perception on accident as legal issue in secondary schools administration in Warri South Local Government Area of Delta State.

DISCUSSION OF FINDINGS

Analysis based on research question one, as presented in Table 1, the result indicated that both principals and teachers agreed that out of carelessness constitute negligence in secondary school administration, coursing students physical harm constitute negligence in secondary school administration, putting students in the risk of been harmed constitute negligence in secondary school administration, failure to make efforts to reduce risk of harm to students constitute negligence in secondary school administration, failure to facilitate effective teaching and

learning constitute negligence in secondary school administration and failure to provide reasonable standard of care for all students constitute negligence in secondary school administration among others are the principals and teachers perception on negligence as legal issue in secondary schools administration in Warri South Local Government Area of Delta State. The result of hypothesis one as presented in table 6 showed that there is a significant difference between principals and teachers perception on negligence as legal issue in secondary schools administration in Warri South Local Government Area of Delta State. This result confirmed that of Peretomode (2014) that negligence is the breach of duty, act of omission or commission. According to him, principals who fail to provide for an adequate arrangement for supervision of the school's activities, e.g. morning assembly, closing, extracurricular activities may be held liable for tort of negligence if tragedy occurs.

Analysis based on research question two, as presented in Table 2, the result indicated that both principals and teachers agreed that harm to students as a result of unreasonable of staff constitute tort in secondary school administration, antagonism of students constitute tort in secondary school administration, malicious acts constitute tort in secondary school administration, failure demonstrate kind care to students that result in injury constitute tort in secondary school administration and students injury that may result from action or inaction of staff constitute tort in secondary school administration among others are the principals and teachers perception on tort as legal issue in secondary schools administration in Warri South Local Government Area of Delta State. The result of hypothesis two as presented in table 7 showed that there is a significant difference between principals and teachers perception on tort as legal issue in secondary schools administration in Warri South Local Government Area of Delta State. The result is in agreement with that of Alexander (2016) that a tort liability is a legal obligation of one of one party to a victim as a result of a civil wrong or injury. He noted that a tort liability arises because of a combination of directly violating a person's right and the transgression of a public obligation causing damage or a private wrong doing.

Analysis based on research question three, as presented in Table 3, the result indicated that both principals and teachers agreed that improper molding of students moral character constitute in-loco-parentis legal issue in secondary school administration, failure to assist students in their physical development constitute in-loco-parentis legal issue in secondary school administration, failure to foster the spirit of national consciousness in students constitute in-loco-parentis legal issue in secondary school administration, failure to guide students towards good conduct that guarantee peace constitute in-loco-parentis legal issue in secondary school administration, failure to create environmental conditions that are conducive for sport activities in the school constitute in-loco-parentis legal issues in secondary school administration and failure to regularly maintain available school facilities that result in students injury constitute in-loco-parents legal issue in secondary school administration among others are the principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration in Warri South Local Government Area of Delta State. The result of hypothesis three as presented in table 8 showed that there is no significant difference between principals and teachers perception on in-loco-parentis as legal issue in secondary schools administration in Warri South Local Government Area of Delta State. This study confirmed that of Nakpodia (2017) that doctrine of in-loco-parentis is a legal doctrine under which an individual assumes parental right, duties and obligations without going through the formalities of legal adoption.

Analysis based on research question four, as presented in Table 4, the result indicated that both principals and teachers agreed that failure to prefect circumstance that result in physical

injury, failure to remove faulty equipment from playground that result in physical injury, failure to observe students at the time of injury, failure to pay close attention to students that display dangerous tendencies, improper care for work way layout that result in injury and designing of classroom without safety in mind that eventually result in physical injury among others are the principals and teachers perception on accident as legal issue in secondary schools administration in Warri South Local Government Area of Delta State. The result of hypothesis four as presented in table 9 showed that there is a significant difference between principals and teachers perception on accident as legal issue in secondary schools administration in Warri South Local Government Area of Delta State. The result is in agreement with that of Robertson (2017) who stated that when teachers fail to observe a child at the time of injury, it will constitute an accident.

CONCLUSION

From the findings as revealed by the study, the researcher concluded that there is no significant difference between principals and teachers perception on teachers right as legal issue in secondary schools administration in Warri South Local Government Area of Delta State. It is also concluded that there is a significant difference between principals and teachers perception on tort as legal issue in secondary schools administration in Warri South Local Government Area of Delta State.

Recommendations

Based on the findings of the study and the conclusion reached the following recommendations were made:

- As a matter of urgency, practical step should be taken by the Ministry of Education to make available to teachers, printed copies of the document containing the educational laws.
- Workshops on educational laws should be organized for in-service teachers on a regular basis to keep teachers abreast of the provisions of the education laws as it pertains to teacher-student's relationship.
- Educational law should be made a compulsory course in the educational management post-graduate programme so that trained educational managers will be abreast with sufficient knowledge of educational laws as applicable in educational system.
- A statutory body within the educational system should be set up to settle educational laws dispute to prevent litigations in conventional courts.

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