

# Education Laws and Students' Welfare Administration in Secondary Schools in Ondo State, Nigeria

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**Abstract** –This study investigated the extent to which student welfare services in Ondo State secondary schools were being provided and administered within the limits of the state education laws. A descriptive survey research design was adopted for the study. The stratified sampling technique, based on senatorial districts, school and location was used to select 50 out of 253 secondary schools in Ondo State and 10 Local Government areas out of existing 18 LGAS in the state. A structured questionnaire titled “Education Law and Student Welfare Administration Questionnaire” (ELSWAQ) was designed and validated for the study. The reliability of the instrument was established using test-retest method. A correlation coefficient of 0.89 was obtained which was considered high enough for reliability. The instrument was administered on 500 teachers. The data collected were analysed using the likert scale type while t-test statistical tool was used to test the hypotheses. The hypotheses raised to pilot the study were tested at 0.05 level of significance. The results indicated that student’s health services were inadequately provided and poorly administered in the schools. Most of the teachers agreed that the students always complained of shoddy administration of school mid-day meals. Lip-services was being given to student safety devices in the school environment. All these poor administrations of student welfare devices negate the legal provisions in Ondo State education laws. Based on the findings of this study, it was recommended that regular workshops should be mounted for teachers to sensitize them on how to cautiously administer student welfare services within the limits of the legal provisions specified in Ondo State education laws.

**Keywords:** Education Laws, Student welfare, Administration and Secondary education

## INTRODUCTION

Every organisation operates within the limits of public policies. The school as a formal organisation has clearly established policies which guide the conduct and activities of its members. These policies apart from forming the bases of accepted standards in the school, they also provide the framework for general order, which is commonly referred to as education law. The chambers school dictionary [1] defines law as “the collection of rules (some made by parliament, others by custom) according to which a country is governed”.

The term “law” has been variously defined by different authorities on the subjects. Peretomode [2] defined law as “a rule or body of rules to which actions conform”. Also, Taiwo [3] described the law as “a rule written (statute law) or unwritten (common law), recognised by courts”.

Commenting on what law entails, Ogunsanwo [4] affirmed that:

*Law is the written and unwritten rules of actions established by authority status or bills of parliament, customs and traditions, decrees, edicts and so on, recognised as binding on those persons who constitute the status of organisation so that they are imposed and enforced on those persons through appropriate sanctions for any breach by its constituents*

In David [5], law is defined as:

One of the devices by means of which men can reconcile their actual activities and behaviour with the ideal principles that they have come to accept, and do

it in a way that is not too painful or revolting to their sensibilities and in a way which allows ordered social life to continue.

From these definitions, it is apparent that law is a body of principles, standards, rules and regulations which the courts of a particular nation apply in the resolution of controversies brought before them. Since the school is a corporate body established by the law to perform some prescribed functions for the public, it becomes imperatives for teachers and school administrators to discharge their functions and responsibilities within the provisions of the rules and regulations as embodied in the various State and Federal Government Education Laws, Codes, Ordinances, Decrees, Edicts or any legislative procedure. Education law is a compendium of all the rules and regulations endorsed by the state essentially to make provision for education and for purposes connected thereto [6]. Education law makes it possible to establish, operate, structure and regulate the education system. As Taiwo [3] has rightly pointed out “every adult in the school system as proprietor, teacher, parent or guardian should be familiar with education laws of the State in which the school is situated. The awareness level does not need to be the same. The school worker should be exposed to the education law, which relates to the organisation of schools, teachers and their employment and professional conduct”.

Of all the problems facing most secondary school administration in Nigeria today, none is as persistent and agonising as the one relating to the management of student welfare services. Educational institutions are specially set up for students and properly taken care of by the school workers and since school programmes are geared towards the development of students to their fullest capacity, it is therefore expedient that student welfare services are cautiously managed, within the limits of the legal provisions. According to [7], “the pupil is at the centre of the educational process and all activities in the school should aim at developing his total personality to the fullest.” In the school system, the student welfare services are those services available in the school for the well-being of the students and when adequately provided and properly administered, contribute significantly to the physical, mental emotional well-being of the students.

In Ondo state today, parents and guardians are becoming more curious and inquisitive about what happen to their children and wards in the school

system. Quite often, they express their curiosity by asking their children some questions about their activities of the teachers and school administrators. For instance, parents who feel that their children have been denied the right to sit for a particular examination, may institute a legal action against the school. Also, parents, whose children have been dismissed from a school, on the children’s refusal to be indoctrinate with some religious doctrines that against parental wish may sue the school. In case of law of negligence, the school can legally be held responsible or liable for any injury inflicted on the child during the statutory hour of schooling. Furthermore, parents can institute a court action against a teacher who has inflicted injuries on their children while administering corporal punishment. This study is therefore set out to ascertain the extent to which student welfare services are being provided and administered in the secondary schools in line with the provision of Ondo State Education law.

#### **OBJECTIVES OF THE STUDY**

This study is specifically set out to ascertain the extent to which selected secondary school administrators and teachers in Ondo State administer the various student welfare services in their schools, in accordance with the provision of the State education laws. Also, to determine the level of understanding of the principals and class teacher of the legal implications of what they do, particularly in administering student welfare services.

#### **Hypotheses**

Ho1: There is no significant difference between the school location and teachers’ perception of torts of negligence in administering health services.

Ho2: The teachers in Urban and Rural school will not differ significantly in their responses on students’ complaints of shoddy administration of school mid-day meals.

Ho3: There is no significant difference in the teachers’ gender and their responses on safety devices in the school environment.

#### **MATERIALS AND METHODS**

##### **Research Design**

The research design adopted for the study is a descriptive research of the survey type. Descriptive research is systematic investigation into the existing variables to solve a given problem. The study is a

descriptive, as the study describes the existing situations regarding education laws and students' welfare services welfare administration in secondary schools in Ondo State without the manipulation of variables.

### Population

The population of the study comprised all secondary Principals and Teachers in secondary schools in Ondo state.

### The study Sample

Ondo state was the geographical area of the study. The geographical area involved was so large, that stratified sampling technique was used to select ten local government areas, out of eighteen for the study covering the three senatorial districts of the state. A total of fifty secondary schools were selected for the study through the stratified random sampling technique, based on age and location of the secondary schools.

### The research Instrument

A research instrument titled: "Education Law and Student Welfare Administration Questionnaire (ELSWAQ)" was designed by the investigators to provide relevant information on provision and administration of student welfare services in accordance with the provision of Ondo State Education Laws and Torts of negligence in administering student welfare services. The content validity of the instrument was determined through the assistance of some experts in test and measurement in Obafemi Awolowo University (OAU) Ile-ife Osun State, Nigeria. Its reliability was established through test-retest method. A correlation coefficient of 0.85 obtained from the

two scores set of responses, indicates that the instrument quite reliable for data collection.

### Data analysis

A total of five hundred questionnaires were administered to the head teachers and class teachers with a minimum of twelve years teaching experience, they will be able to say much about students' welfare administration in the schools. Only 400 duly completed questionnaires were returned. The analysis was based on 400 (80 %) duly completed questionnaire returned. T-test analysis was used to test the hypotheses.

### RESULTS

Table 1 reveals the school location and teachers' perception of negligence in Administering Student Health Service. The calculated t-value for each of the student health service, that is, for item a (t-value 0.42); item 'b' (t-value 0.89); 'c' (t-value 0.33 and item 'd' (t-value 0.34), is lower than the t- critical value (1.960) at 0.05 level of significance and with 398 degrees of freedom. Thus, there is no significant difference in the perception of the teachers in the urban and rural schools, of the torts of negligence, while administering student health services. Hypothesis one is therefore retained. Taking a mean of above 2.50 as an index of a group's majority agreement to a statement, it is obvious that most of the teachers in urban and rural schools agreed that their school did not conduct medical examination of students before admission. While the school First Aid Boxes were not adequately equipped with drugs and other first aid materials. The school had not been given regular inspection of students to determine their health status in the school system.

**Table 1. t-test analysis on school location and teachers' perception of torts of negligence in administering student health services**

Negligence in student health services	Urban(N=298)		Rural(N=102)		Calculated t-value	Remarks
	X	SD	X	SD		
a. The school does not conduct medical examination of students before admission	2.65	0.98	2.61	0.87	0.42	Not significant
b. The school first aid box is poorly stocked with drugs.	2.51	0.91	2.53	0.93	0.89	Not significant
c. The school gives no regular lectures to students on health education.	2.53	0.83	2.50	0.70	0.33	Not significant
d. Students are not regularly inspected to determine their health status.	2.60	0.89	2.57	0.93	0.34	Not significant

*Critical t-value: 1.960*

**Table 2. t-test analysis on school location and teachers' responses on students' complaints of shoddy administration of school Mid-day meals**

Complaints of poor administration of Mid-day meals	Urban (N=298)		Rural (N=102)		Calculated t-value	Remarks
	X	SD	X	SD		
a. Students always complain of poor quality of school Mid-day meals.	2.57	0.98	2.58	1.11	0.84	Not significant
b. Students always complain of quality of food given to them	2.57	0.86	2.52	0.83	0.82	Not significant
c. Students complain of not serving food punctuality as scheduled.	2.56	0.94	2.59	0.93	0.21	Not significant
d. Students complain of poor sanitary standard of the school food vendors.	2.52	0.89	2.57	0.45	1.39	Not significant

*Critical t-value: 1.960*

Table 2 presents the school location and teachers' perception of students' complaints on shoddy administration of school mid-day meals. It is quite obvious that the calculated t-value for each complaint of the students about poor administration of the school mid-day meals is lower than the critical t-value at 0.05 level of significant with 398 degrees of freedom. Therefore, there is no significant difference in the responses of the teachers in urban and rural schools to the various complaints of the students about the poor administration of the school mid-day meals. The hypothesis is therefore retained. Taking a mean of above 2.50 as an index of agreement of majority of the group to a statement, it is apparent that in table 2 that most of the teachers in urban and rural schools agreed that students always complained of the poor quality of the school mid-day meals, small quality of food given to students; not serving the food punctually as scheduled and the poor sanitary standard of the school food vendors.

Table 3 presents the teachers' gender and their perception about students' safety in the school environment.

As indicated in table 3, the calculated t-value for each safety device that is item 'a' (t-value 1.59); item 'b' (t-value 0.55); item 'c' (t-value 0.33); item 'd' (t-value 0.57) and item 'e' (t-value 1.27) is lower than critical t-value (1.960 at 0.05 level of significance and with 398 degrees of freedom. Thus, there is no significant difference in the responses of the male and female teachers to the safety devices in the school environment. Hence the hypothesis is retained. Taking a mean of above 2.50 as an index of a group's majority to a statement, it is quite obvious in the table that most of the male and female teachers, held the view that the school buildings were not properly maintained, while the classroom were not spacious enough and poorly ventilated. The students' urinals and toilets were not conveniently placed in the schools. Also, most of the teachers disagreed that their schools had adequate number of security personnel and there was no regular portable water supply in the schools.

**Table 3. t-test analysis on Teachers' Gender and their Responses on safety Devices on the school environment**

Safety devices in the school Environment	Male (N=166)		Female (N=234)		Calculated t-value	Remarks
	X	SD	X	SD		
a. School buildings are properly maintained	2.28	1.04	2.44	0.92	1.59	Not significant
b. The classrooms are spacious and ventilated	2.36	0.91	2.30	0.94	0.55	Not significant
c. The students' urinals and toilets are conveniently placed in the school	2.41	0.94	2.45	0.95	0.33	Not significant
d. There is regular portable water supply in the school for students use	2.45	1.05	2.49	1.00	0.57	Not significant
e. The school has an adequate number of security officers	2.48	0.98	2.35	1.00	1.27	Not significant

*Critical t-value: 1.960*

## DISCUSSION

When student welfare services such as student health services and school lunch in urban and rural schools are inadequately provided or poorly administered, the law of negligence becomes inevitable. According to Ukeje [8] "by the law of negligence the school can be legally (whether jointly or individually) held responsible or liable for any injuries or otherwise inflicted on a child during the statutory hours of schooling". Oluchukwu [9] declared that "teachers do have a responsibility to provide reasonable and prudent protection for students under their charges and they are legally liable in tort for injuries arising from their negligence". The question of negligence frequently arises in schools from the teachers' alleged breach of some duties of care owed to the students. The teachers stand in loco-parentis to the students and they must ensure that the student welfare services are adequately provided in schools and properly administered.

As presented in table 1, most of the teachers in urban and rural schools agreed that their school did not conduct medical examination of students before admission. While the school first aid box was not adequately equipped with drugs and first aid materials. The schools had not been given regular lectures to students to determine their health status. These essential health services are neglected in the schools. It was clearly stated in the legal provision that the teacher is liable for pupils' injuries, if it can be proved that the injury was caused by the teacher's negligence. The teachers may be held liable for negligence if epidemic disease occurs in the school that leads to loss of life of many students in the school. On the administration of mid-day meal services, it is apparent that most of the teachers in the urban and rural schools agreed that the students always complain of the poor quality of the school mid-day meals; small quantity of food given to the students leaving in the hostel; not serving the food punctually as scheduled and the poor sanitary condition of the school caterers.

One of the very sensitive areas in student welfare administration in Ondo State relates to the feeding of the student. With the free secondary education in Ondo State, ushered in by the Civilian Governor in the State on 29<sup>th</sup> May, 1999, the State Government has accorded high premium to day-school system. All the secondary schools that are not running boarding system recruited school caterers who provide the students with mid-day meals on the basis of Pay-As-

You-Eat (P.A.Y.E) system. In most of the school sampled, qualified caterers were not employed and as such local women who lack the basic knowledge of nutrition and hygiene were recruited by the school authority as the school caterers. Every human being needs food for existence. Apart from the quantity of food given to students, its quality is of paramount importance. Many secondary school students in Ondo state especially in the rural areas that suffer from dietary ailments are due largely to unbalance diet. Common problems of such students include protruding stomach, sores on the skin and lips, yaw, rashes and scurvy. In some schools the Principal, Vice-principals, Class teachers and even the School Board of Governors have been threatened with court actions for the serious diseases encountered by the students' due to the poor mid-day meals given to them in the schools. Food has been known to be a common source of indiscipline behaviour among the students. As Awokoya [10] had succinctly remarked, "food tops the list among all the factors that lead to students strikes. A hungry student is an angry student. He is difficult to reason with and most amenable to discipline". It was reported in some schools that the students have reacted violently for giving them poor quality mid-day meals. During such student violet demonstration, some students sustained some injuries. Court litigation can be instituted against the school authorities, class teacher or even the Board of Governor for the injuries sustained by students during such violet demonstration over poor quality and quantity of the food sold or serves them as the case may be in the school.

On the maintenance of safety of life of students in the school environment, most of the teachers irrespective of their gender held the view that the school buildings were not spacious enough and poorly ventilated for teaching and learning process. Also, most of the teachers disagreed that schools have adequate number of security personnel and that there was no regular supply of portable water in the school.

A survey of physical facilities in most of the secondary school revealed that the school buildings are poorly maintained. In many schools, the buildings have peeled surface, leaking roofs, crack walls and falling ceilings. Also in the floor of many classrooms there are pot-holes of varying sizes while cross-ventilation was not given priority attention in the design of most of the school buildings. Moreover, some windows and doors in some of the classrooms have sharp edges which can injure the students and the

teachers. In some of the school with electricity, the wiring of the school buildings was not properly done to prevent fire outbreak and other associated hazards, as some faulty electric cables are left unprotected in some classrooms, such faulty electric cables can cause electrocution of the students. When school buildings are poorly maintained, then the life of the students is in constant danger. The Principals and other supporting staff are liable for such negligence if tragedy occurs to any student in the school, arising from poorly maintained school buildings. The work of Adeboyeje [11] supports that maintenance is a potent strategy in the efforts to give adequate protection to school physical plants as well as the users of such plants. Prompt repairs of damaged, grounded or faulty school physical plants are an indication of genuine desire to give adequate protection to school plants and their users (students).

It was further revealed in the study that urinals and toilets in the schools were not conveniently placed in the schools. A survey of these sanitary facilities in most of the schools showed that all the secondary school sampled have pit latrines while only fifteen of the schools have water-closet in addition to the pit latrines. These sanitary facilities are poorly maintained in the schools. Commenting on the poor maintenance of school sanitary facilities, Awokoya [12] remarked that most of our woes is the poor maintenance of school buildings. He went further to say that the health of students is in constant peril when the toilets and the urinals are nor hygienic and the life is in danger when the wall cracks and are likely to fall. It was revealed in the study that all the schools have security guards. However, they are grossly inadequate in number in the schools that recruit them and are not trained as they are ignorant of current techniques of crime protection and detection in the schools. Most of the schools have no regular supply of portable water. Apart from the contribution of water to healthy living of the students, they need water also to clean up after engaging in manual labour and recreational activities in their schools. It was found out that few schools with pipe borne water facilities, the tap only flowed for two or three days in a week. Since pipe borne water was not available in most of the schools, the students often relied on the nearby streams as the main source of water supply in their schools. However, eighteen of these schools have borne-holes for regular supply of water. As the students continue to drink untreated water from the streams, brooks and bore-holes, they are exposed to water borne diseases.

According to Mallmann [13] remarked that water from the lake, and streams become sources of water supply, sewage and industrial waste depositories of people living near them, however, when the sewage wastes contaminated the water supply, enteric diseases resulted. However, if a student is admitted into a hospital or clinic for gastro-intestinal diseases by drinking contaminated water in the school, the school administrator and the teachers concerned could be sued for such act of negligence. In line with this, Ondo state Teachers' service manual (2005) maintained that principals or headmaster must give serious attention to the health and comfort of students and pupils in their schools, to cleanliness and ventilation of the school buildings and the care of all school properties. The legal provision indicates that head-teachers should give high priority to the safety of students in the school environment.

#### **CONCLUSION**

In most of the schools, there has been poor sensitivity of the teachers and school authorities to the welfare services of the students. Student welfare services such as health education, healthy environment, quality mid-day meals, kiosk services, portable water supply and safety in the school environment are not accorded high priority. In the schools, teachers and principals are the loco parentis and should owe it as reasonable careful parents would take care of their own children. The school authorities and teachers are liable for torts of negligence in administering student welfare services. The implications of the study to all stakeholder of secondary school administration was that they should take cognizance's of education law and students' welfare administration as an important aspect of administration in the school system for effective administration of secondary schools.

#### **RECOMMENDATION**

Since a clear understanding and mastery of education laws contributes significantly to the effective administration of students' welfare services in schools, it is strongly recommended that workshops and seminars should be mounted periodically for all principals and teachers of secondary schools to sensitize them on the legal aspects of education, law and order in the administration of the secondary school system. Such seminar or training would enable the Principals and teachers to be more familiar with the basic principles of law and how to apply such to

school administration more importantly student welfare services problems.

Every Principal and teachers in secondary schools should have a copy of the current education law. The teachers and the school principals need to be familiar with this document. It will allow them to know their legal limit in the administration of the schools.

The parents and guardians should not abdicate their responsibility of providing their children and wards with basic welfare needs from home. Government should provide the schools with facilities such as modern toilet, well equipped sick bays, portable water, spacious and well-ventilated classrooms that will contribute significantly to the well-being of the students.

The constraints encountered during this study was the unwillingness and refusal of some of the respondent and delay in some respondent in response to the instrument of this study. Based on generalisation on the results of this study should be done with caution.

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