Statement of Original Authorship

Name of Candidate: V MALATHY A/P V VISVANATHAN
Registration No.: PGDX01004
Name of Programme: MASTER OF EDUCATIONAL MANAGEMENT
Title of Project Paper/Research Report: PRINCIPALS' AWARENESS OF LEGAL ISSUES IN SCHOOL MANAGEMENT

Area of Specialisation:

I confirm that the materials contained in this Project Paper/Research Report are my own work. Where the works of others have been drawn upon, whether published or unpublished (such as books, articles, or non-book materials in the form of video and audio recordings, electronic publications and the internet) due acknowledgements according to appropriate academic conventions have been given. I also hereby declare that the materials contained in this Project Paper/Research Report have not been published before or presented for another programme or degree in any university.

Signed: Malathy
Date: 20 FEBRUARY 2004
PRINCIPALS' AWARENESS OF LEGAL ISSUES IN
SCHOOL MANAGEMENT.

V MALATHY A/P V VISVANATHAN

A PROJECT PAPER SUBMITTED TO THE FACULTY OF EDUCATION,
UNIVERSITY OF MALAYA IN PARTIAL FULFILMENT
OF THE REQUIREMENT FOR THE DEGREE OF
MASTER OF EDUCATIONAL MANAGEMENT

2004
PRINCIPALS’ AWARENESS OF LEGAL ISSUES IN
SCHOOL MANAGEMENT

ABSTRACT

Today, the nature of a principal’s job is fundamentally different as a result of the tide of litigation. In addition the traditional function as a mentor, instructional leader, chief disciplinarian, site manager, the principals’ function has taken on new overtones. Principals of the 21st century now must have a working knowledge of educational related law. The knowledge of educational law is more effective as a protector than a healer and it is better to have a solid understanding of educational law. The aim of this study is to determine the level of legal awareness among principals in secondary schools and the application of this knowledge in the daily running of the school in which these principals manage. This study was conducted using a qualitative approach to obtain the necessary information. The data was collected through structured interviews. It involved six principals of secondary schools located in Wilayah Persekutuan Kuala Lumpur. Interviews were set up with the principals with a focus on legal awareness in daily management of schools especially in areas of negligence, teachers’ rights, students legal rights, school discipline and prevention programs in schools. It is heartening to know that principals in these schools have been exposed to legal knowledge and with the help of this knowledge they may make better decisions, which will be more proactive rather than reactive decision makers. As a consequence the schools will be physically and legally, a safer environment to work and to learn.
KESEDARAN PENGETUA TENTANG ISU-ISU PERUNDANGAN DALAM PENGURUSAN SEKOLAH

ABSTRAK

ACKNOWLEDGEMENT

This project paper would not have been possible if not for the financial assistance and the study leave provided by the Ministry of Education through its “Skim Latihan Pegawai Perkhidmatan Pendidikan.”

I wish to express my sincere gratitude and appreciation to several individuals who contributed to the completion of this project paper. Without their assistance and cooperation this study could not have been accomplished.

I am indebted to Associate Professor Dr. Tiew Fatt Hee, who patiently supervised and guided this study from beginning to completion. He has been extremely generous with time, invaluable criticism, and above all encouragement.

My gratitude goes out to the Education Planning, Research and Development unit of the Ministry of Education and the Department of Education Wilayah Persekutuan for allowing me to conduct my study in six selected schools in Kuala Lumpur. My sincere gratitude is also extended to the six principals who participated in this survey. Without their cooperation and their willingness to share, this project paper would not have been realized.

Finally I would like to thank Ms. Geetha Govindasamy for her encouragement and who unselfishly assisted me at moments of great need. I would like to convey my warmest thanks to my family and those concerned who have contributed in many ways towards the completion of this study.
CHAPTER 1 INTRODUCTION

1.0 Introduction 1
1.1 Statement of problem 4
1.2 Significance of the study 5
1.3 Purpose of study 6
1.4 Research question 7
1.5 Limitations of study 7
1.6 Definition of terms 8
   1.6.1 Legal Awareness 8
   1.6.2 Negligence 8
   1.6.3 Teachers’ and students’ legal rights. 8
   1.6.4 School Discipline 9
   1.6.5 Prevention 9
CHAPTER 2 REVIEW OF LITERATURE

2.0 Introduction 10
2.1 Negligence 10
2.2 Rights of teachers 16
2.3 School discipline 17
2.4 Legal rights of students 18
2.5 Prevention 23
2.6 Conclusion 25

CHAPTER 3 RESEARCH METHODOLOGY

3.0 Introduction 26
3.1 Research location 26
3.2 Research instrument 28
3.3 Method 29
3.4 Sampling 29
3.5 Research administration 30

CHAPTER 4 FINDINGS

4.0 Introduction 31
4.1 Principal of school A 31
   4.1.1 Negligence 31
4.1.2 Rights of Teachers 33
4.1.3 School Discipline 34
4.1.4 Legal rights of students 38
4.1.5 Prevention 39

4.2 Principal of school B 40
4.2.1 Negligence 40
4.2.2 Rights of Teachers 41
4.2.3 School Discipline 42
4.2.4 Legal rights of students 43
4.2.5 Prevention 44

4.3 Principal of school C 45
4.3.1 Negligence 45
4.3.2 Rights of teachers 46
4.3.3 School Discipline 47
4.3.4 Legal rights of students 48
4.3.5 Prevention 49

4.4 Principal of school D 50
4.4.1 Negligence 50
4.4.2 Rights of Teachers 51
4.4.3 School Discipline 52
4.4.4 Legal Rights of Students 52
4.4.5 Prevention 54
4.5 Principal of school E

4.5.1 Negligence

4.5.2 Rights of Teachers

4.5.3 School Discipline

4.5.4 Legal Rights of Students

4.5.5 Prevention

4.6 Principal of school F

4.6.1 Negligence

4.6.2 Rights of Teachers

4.6.3 School Discipline

4.6.4 Legal Rights of Students

4.6.5 Prevention

4.7 Conclusion

CHAPTER 5 SUMMARY, RECOMMENDATIONS AND CONCLUSION

5.0 Introduction

5.1 Discussion

5.2 Implications of the study

5.3 Recommendations

5.4 Risk management

5.5 Conclusion

REFERENCE

APPENDICES
LIST OF TABLES

1. Table A. Demography of the schools 28

LIST OF APPENDICES

1. Questionnaire 76

2. Letter granting permission to conduct surveys in 6 schools in Wilayah Persekutuan Kuala Lumpur by the Ministry of Education. 80

3. Letter granting permission to conduct surveys in 6 schools in Wilayah Persekutuan Kuala Lumpur by the Department of Education Wilayah Persekutuan. 82