APPENDIX 1

STRUCTURED INTERVIEWS WITH PRINCIPALS ON AWARENESS OF LEGAL ISSUES IN SCHOOL MANAGEMENT

QUESTIONNAIRE

1. Demographic Questions
   a. Gender
   b. Years of teaching experience
   c. How many years of experience do you have as a principal?
   d. When did you become the principal of this particular school?
   e. What is the size of your student population?
   f. Socioeconomic background (the community that your school serves e.g. high, medium or low)

2. Negligence
   a. Can a teacher be held liable for using defective equipment during a chemistry lesson? Why?
   b. Will the school be held liable for injury resulting from the issuing of improper and ill fitting equipment? Why?
   c. Does a signed permission note by a parent or a guardian release the teacher and the school of liability for injury that took place during a field trip? Why?
   d. Should teachers administer medicine and first aid to students? Why?
e. Is there a duty of care owed to the students during sports practices or during physical education classes? Can you elaborate the duty of care given to the students?

f. Can you correctly identify whom the court would have held responsible for injuries sustained by a 16 year old in a fight that took place during a supervised chemistry lesson?

3. Rights of Teachers
   
a. May a teacher be held liable if a child is injured while running an errand (e.g., buying food from the canteen) for a teacher? Why?

b. Can a teacher be held liable for injuries to a student during an unsupervised sports practice? Why?

c. Can teachers be held liable for offensive/degrading written remarks about a student? Why?

d. Can a teacher be dismissed for sexual activity with a student? Why?

e. Can teachers discuss any controversial issues in the classroom as long as it is related to the curriculum? Why?

4. School Discipline
   
a. Can you list some of the disciplinary problems faced by your school?

b. What are the major disciplinary issues that you have faced as a principal?

c. What are the procedures involved when a student is caught bringing weapons (knives, blades, parang, etc.) to school?

d. Under what circumstances would you expel a student?
e. Under what circumstances would you allow the police to come into the school to arrest a student during school hours?

f. Is corporal punishment (rotan) permitted in schools? If yes, under what circumstances is corporal punishment carried out? Who carries out the corporal punishment and in what manner is it carried out? What is the diameter of the cane used?

5. Legal Rights of Students

a. Must the school administrators have a search warrant in order to search students’ personal belongings? Why?

b. Do you notify students and parents that students’ property may be subjected to searches? If yes, how is this done? Are all these procedures documented?

c. Can a student be legally denied their testimonial and school-leaving certificate or exam results for not paying fees, for not returning books under the “Skim Pinjaman Buku Teks”, etc.? Why?

d. Can students’ grades be reduced for disciplinary purposes? Why?

e. Are parents consulted before any searches are conducted? Why?

f. Do you still carry out the searches if parents refuse to consent?

g. Are parents consulted before any disciplinary action is taken?

h. Do you still carry out the disciplinary action if parents refuse to consent? Why?

i. Do you notify students and parents of school policies, rules and regulations developed by the school? How is this done? Is this information updated regularly?

j. Does the school conduct urine testing? Who carries out the testing?
k. How are the students selected?

l. Are the results confidential?

m. What action will you take if the urine sample of the student is positive?

6. Prevention

a. Do you provide staff to supervise grounds:
   i. before school assembly
   ii. during recess
   iii. 5 to 10 minutes after the last school bell

b. Do you conduct targeted searches (student who is suspected in committing a crime or violating a school rule)? If yes, what kind of targeted searches are conducted?

c. Are random searches conducted (e.g. backpacks, uniforms, classrooms)? If yes, are these kinds of searches directed at all students?

d. Who is in charge of planning and developing policies and procedures to address disciplinary problems in school?

e. Are teachers who are in charge of planning and developing school policies given the resources for identifying and implementing prevention plans? Do they have knowledge on educational policies and law? How did they obtain this knowledge?

f. Is the school staff given training in preventing and minimizing disciplinary problems? If yes, who is in charge of implementing such programs and how regularly are they conducted?

g. Has the school developed crisis procedures for responding to the violent incidents that occur in schools? Is there a clear chain of command?
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Puan,

Kebenaran Untuk Menjalankan Kajian Di Sekolah-Sekolah,  
Maktab-Maktab Perguruan, Jabatan-Jabatan Pendidikan Dan  
Bahagian-Bahagian Di Bawah Kementerian Pendidikan  
Malaysia

Adalah saya dengan hormatnya diarah memaklumkan bahawa  
permohonan puan untuk menjalankan kajian bertajuk:

"Principals' Awareness Of Legal Issues In School Management"

telah diluluskan.

2. Kelulusan ini adalah berdasarkan kepada apa yang terkandung di  
dalam cadangan penyelidikan puan kemukakan ke Bahagian ini.  
Kebenaran bagi menggunakan sampel kajian perlu diperolehi  
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Berkenaan. Sila kemukakan ke Bahagian ini senaskah laporan  
kajian puan setelah selesai kelak.

Sekian untuk makluman dan tindakan puan selanjutnya. Terima kasih.

"BERKHIDMAT UNTUK NEGARA"

Saya yang menurut perintah,

(Dr. Mohd Sahandri Gani bin Hj. Hamzah)  
b.p. Pengarah,  
Bahagian Perancangan dan Penyelidikan Dasar Pendidikan,  
Kementerian Pendidikan Malaysia.
s.k.

Pengarah Pendidikan
Jabatan Pendidikan Wilayah Persekutuan, Kuala Lumpur

Dr. Tie Fatt Hee
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21 Oktober 2003

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53000 Kuala Lumpur.

Puan,

KEBENARAN UNTUK MENJALANKAN KAJIAN DI SEKOLAH-SEKOLAH, MAKTAB-MAKTAB PERGURUAN, JABATAN-JABATAN PENDIDIKAN DAN BAHAHIAN-BAHAGIAN DI BAWAH KEMENTERIAN PENDIDIKAN MALAYSIA

Dengan hormatnya saya diarah memaklumkan bahawa permohonan puan untuk menjalankan kajian bertajuk:-

"Principal's Awareness Of Legal Issues In School Management"

adalah diluluskan tertakluk kepada syarat-syarat berikut:

a) Kelulusan ini adalah berdasarkan kepada apa yang terkandung di dalam cadangan penyelesaikan yang telah diluluskan oleh Kementerian Pendidikan Malaysia.
b) Puan dikehendaki mengemukakan senaskah hasil kajian puan ke Jabatan ini sebaik sahaja ianya siap sepenuhnya.
c) Sila kemukakan surat kebenaran ini ketika berurusan dengan Pengetua/Guru Besar sekolah berkenaan
d) Kehadiran puan tidak mengganggu masa pengajaran dan pembelajaran
e) Kelulusan ini untuk ke SMK(P) Jalan Ipoh, SMK Convent Sentul, SMK Methodist Sentul, SMK Maxwell, SMK Bandar Baru Sentul, SMK Raja Abdullah Wilayah Persekutuan Kuala Lumpur sahaja

Sekian, terima kasih.

" BERKHIDMAT UNTUK NEGARA "

Saya yang menurut perintah,

( ABU SAMAH BIN HASHIM )
Penolong Pendaftar Sekolah
Jabatan Pendidikan Wilayah Persekutuan
b.p. Pendaftar Sekolah dan Guru
Kementerian Pendidikan Malaysia