



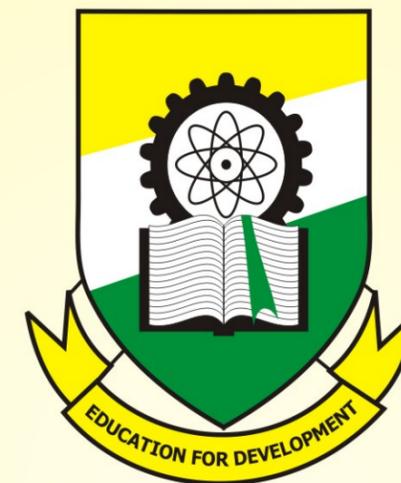
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COMPETITIVENESS IN EDUCATION AND LEGAL ISSUES – A STEP TOWARD QUALITY ASSURANCE IN SECONDARY SCHOOLS IN ANAMBRA STATE

Ezeaku, Stella .N., Ohamobi, Ifunaya .N.

ABSTRACT

The study investigated the competitiveness in education and legal issues with a particular emphasis on quality assurance in secondary schools in Anambra State. The study was guided by three research questions and one null hypothesis stated at 0.05. The population consist of 6987 secondary school teachers in the state from where a sample of 350 respondents made up of 100 principals and 250 teachers were chosen. A structured questionnaire instrument developed by the researchers was used to collect data. The findings of the study highlighted the factors that inhibit educational factors that will enhance teachers' and principals' knowledge and implementation of education laws and strategies towards education to benefit fully from its legalistic framework. A correlation was found between implementation of education laws and realization of goals of secondary education. It was recommended among other things, the need for better fundings of education, sensitization of teachers and principals on the essence of education laws and the need for serious sanctions toward abusers of education laws. The recommendations were based on the conclusion that implementation of education laws will go a long way in ensuring quality assurance at this level of education.

Keywords: *Competitiveness, Education, Legal Issues, Quality*

INTRODUCTION

Education is an instrument that promotes socio-economic development in developing and developed nations. The essence of education is to ensure that a nation is not stagnant in terms of overall development but continue to progress through research into different fields of human endeavours.

O'connel in Hans Weiler (2003) defines education as a social mechanism designed to bring about in the person submitted to it, certain skill and attributes that are judged to be useful and desirable in his society. Milton (2004) states that education is that which leads a man to perform justly, skillfully and magnanimously in all the offices both public and private, of peace and of war. Further, Cermin (2008) asserts that education is the deliberate, systematic and sustained effort to transmit, evoke or acquire knowledge, attitudes and values, skills, and sensibilities, and any learning that results from

the effort, direct or indirect intended or unintended.

Nigeria's educational system has been undergoing changes over the years with an average of success. The National Policy on Education (2004) articulated the broad and specific goals of secondary education in no uncertain terms. The broad goals include preparing individuals for useful living within the society and preparation for higher education. Specifically, secondary education shall:

- i. Offer diversified curriculum to cater for the differences in talents, opportunities and future roles.
- ii. Provide trained manpower in the applied science, technology and commerce at sub-professional grades.
- iii. Develop and promote Nigerian languages, art and culture in the context of world's cultural heritage.

- iv. Inspire students with a desire for self-improvement and achievement of excellence.
- v. Foster national unity emphasis on the common ties that unite us in our diversity.
- vi. Raise a generation of people who can think for themselves, respect the views and feelings of others, respect the dignity of labour, appreciate those values specified under our broad national goals and live as good citizens.
- vii. Provide technical knowledge and vocational skills necessary for agricultural, industrial, commercial and economic development.

The achievement of these goals can only be realized through careful planning and reference to legal aspects of education. There are education laws that spell out the functions of all stakeholders to education. Generally, education laws are aspects of the political context within which the school operates, providing a guide to the actions of school personnel. According to Ndu (1997), the implication of this definition is that the school cannot effectively operate under an atmosphere of lawlessness. Also, Oraemesi (1997) observes that in Nigeria, the federal and state provisions that relate to education are direct outgrowth of the value system and beliefs of the citizens of the nation regarding place and role of education in the lives of people and in governmental structure. He maintains that these provisions are an integral part of comprehensive legal system that constitutes a body of guides and rules for many aspects of human conduct and relations that are prescribed and enforced by legally authorized representatives of the organized society. Furthermore, Oraemesi (1997) explains that the very large population and size of our schools have made the issue of law, order and discipline one of the major concerns of all because school is a complex social institution with many vested interest groups which make the administration of the system difficult.

Education cannot be qualitative without consideration of its legal aspects. Alexander in

Obi (2004) views education law as a generic term covering a wide range of legal subject matter, including the basic fields of contracts, property, torts, constitutional law and other areas of law which directly or indirectly affect the educational and administrative process of the education system. According to Obi (2004), education laws in Nigeria generally stipulate the areas in which policies or regulations can be made and executed; and in addition to education edict and regulations emanating from a state bureaucracy which it represents. He revealed school issues in education law to include the establishment of schools, school plant, furniture and equipments, accommodation, school records, syllabus and curriculum and students' progress. Other issues include teachers' health and medical facilities, school discipline, school services, religious/moral instruction and external agencies.

When the legal aspects of education are taken care of, the quality of education is bound to improve because both teachers and principals are bound to work according to work stipulations. Under this arrangement, teachers' role includes:

- i. Knowledge and understanding of subject matter
- ii. Clearly written lesson notes on a regular basis
- iii. Use of relevant teaching materials and different teaching methods
- iv. Making teaching interesting and inspiring to students
- v. Effective use of time in lesson delivery
- vi. Thorough and constructive marking of work
- vii. Ensuring active learners' participation

On the part of principals, their roles include these:

- i. Formulation of a realistic vision and mission statement that is relevant to national education goals consistent with specified goals for that level of education
- ii. Use of performance data

- iii. Making good use of parent-teacher association to move the school forward
- iv. Involving staff and student in decision-making
- v. Strict supervision of teaching regularly
- vi. Motivation for teachers and students
- vii. Use of committees and staffing structures to promote overall improvement in the school

There will be tremendous improvement in the quality of Nigerian education if all the legal aspects of education are taken into cognizance. The goals of secondary education will be easily realized. The focus of this paper is to investigate competitiveness in education and legal issues, with a particular emphasis on quality assurance in secondary schools.

Statement of the Problem

The standard of education in Nigeria especially at the secondary school level is very poor and embarrassing. After completion of this level of education, many are incapable of showing characteristics of an educated person through writing and speaking. The worst aspect is their final year results through the West African Examinations Council (WAEC) and the National Examinations Council (NECO). Many students have had to attempt the examinations three or more times before securing five credits. This situation is no longer amusing to all stakeholders in education and they want to find solutions to the problem. Perhaps, paying more attention to legal aspect of secondary school education will bring the necessary changes at this level of education. The problem of this paper therefore is to investigate competitiveness in education and legal issues so as to achieve quality assurance in secondary schools.

Purpose of the Study

Generally the purpose of this paper is to investigate competitiveness in education and legal issues as a step toward achieving quality

assurance in secondary schools. Specifically, the objectives of the study are to:

1. Identify familiar and unfamiliar legal aspects of education to teachers and principals
2. Highlight factors that impede teachers and principals, knowledge of and application of legal aspects of education
3. Identify strategies towards enhancing teachers and principals knowledge of and implementation of legal aspects of education

Significance of the Study

The findings of this study will be immense benefit to teachers, principals, parents and the government. Teachers will be sensitized on legal aspect of education and how they are instrumental towards not only realization of educational goals but ensuring quality assurance at the secondary school level of education. Teachers' knowledge of and implementation of legal aspects of education will bring overall improvement to their professional competence.

Principals will also benefit from the findings of this study in the sense that they will ensure that all legal aspects of education are strictly adhered to by teachers under them. They will also know about unfamiliar legal aspect of education that will help to make them better administrators well positioned to enhance realization of goals of education in addition to ensuring quality assurance at the secondary schools.

Parents will also be beneficiaries of the findings of this study because knowledge of legal aspects of education will help them to monitor how their children are treated at school. This awareness will make the parents not to overreact that is physically confronting the teachers, for perceiving maltreatment of their when they are being disciplined in the school.

Government will also benefit from the findings of the study in the sense that they will promote

teachers and principals knowledge of and implementation of legal aspects of education through seminars and workshops. This action will help to make the system function the way it should be to realize the goals of education at this level. They will also be in a position to study factors that prevent teachers and principals from having a good knowledge of and implementation of legal aspects of education to the benefit of the entire system. This is for the fact that legal aspects of education laws are an integral part of the education system.

Research Questions

These research questions were formulated to guide the study:

1. What are the familiar and unfamiliar legal aspects of education to teachers and principals?
2. What factors impede teachers' and principals' knowledge of and implementation of legal aspects of education?
3. What are the strategies that can promote teachers' and principals' knowledge of and implementation of legal aspects of education?

Hypothesis

This hypothesis was formulated to guide the study:

1. There is zero significant difference between urban and rural-based teachers' and principals' knowledge of and implementation of legal aspects of education.

Scope of the Study

The study covers Anambra State which has six educational zones namely: Awka, Otuocho, Nnewi, Aguata, Onitsha and Ogidi. It addressed familiar and unfamiliar legal aspects of education, factors that impede teachers' and principals' knowledge of and implementation of legal aspects of education and strategies towards enhancing teachers' and principals' knowledge

of and implementation of legal aspects of education.

Research Design

Survey design was used for the research. It was designed to determine the competitiveness in education and legal issues as a step towards achieving quality assurance in secondary education. Essentially survey research examines people's opinion, motivations, interests and perception on a subject through the use of questionnaire or interview. As such survey design was considered the most suitable for the research.

Population

The population for the research is 6,987 consisting of secondary school teachers and principals in Anambra State.

Sample

The study made use of 250 teachers and 100 principals from the six education zones. Ten secondary schools were selected from each zone out of which fifty teachers were used as respondents. Stratified sampling method of selection was used to ensure that every zone was adequately represented. The stratification parameter was schools that have the highest number of qualified tutorial staff in terms of first degrees and higher degrees. The selection of schools was randomly done from the bag containing all schools, which were ascribed numbers. Teachers were also selected in the same way as each of the selected schools yielded five teachers.

Instrument for Data Collection

Structured questionnaire was used for data collection. The questionnaire entitled "Competitiveness in education and legal issue questionnaire" was made of 30 items. It was validated through expert opinions of three experts in educational management and policy and measurement and evaluation departments. Cronbach coefficient alpha formular was used to analyze the data collected for reliability. Reliability of 91 was obtained for the instrument.

Method of Data Collection

A total of 360 copies of the questionnaire administered to the respondents by hand (on-the-spot administration) were properly completed and retrieved.

Method of Data Analysis

The research questions were analyzed using the mean and standard deviation. The null hypothesis was tested using t-test. Items that

attracted 2.50 and above on the four-point scale were regarded as “Agreed” but items that attracted less than 2.50 were regarded as “Disagreed”. The t-test was used at .05 level of significant at 334 degree of freedom in testing the hypothesis for the study. The calculated t-value is less than the table value, and was rejected if the calculated t-value is equal or greater than the table value.

Results of the Data Analysis

Table 1: Mean responses of the respondents on legal aspects of education

S/N	Familiar and unfamiliar legal aspects	x	SD	Rmks
1.	A teacher's right on corporal punishment to students	2.25	1.15	Disagree
2.	A principal's right on physical attack on students	2.32	1.05	Disagree
3.	Use of detention after school hours as a form of punishment by teachers	3.00	1.03	Agree
4.	Principals and commercializing premises for crusades and campaigns	3.46	0.77	Agree
5.	Teacher's status on conducting private lessons in the school after closure for fees	3.00	1.03	Agree
6.	Exposure of private information to those press by the teachers or principals	2.15	0.93	Disagree
7.	Law of tort	2.32	1.05	Disagree
8.	Law of vicarious liability	2.25	1.15	Disagree
9.	Disclosure of teacher professional misconduct to public	3.46	0.77	Agree
10.	Principal's status on admission of students	3.55	0.62	Agree

Table 1 revealed differing opinions of the respondents on familiar and unfamiliar legal aspects of education. The conclusion is that their proficiency in those areas can be improved on. In other words, they need to pay more attention to them.

Table 2: Mean responses on factors that impede teachers and principals from acquiring knowledge of implementation of legal aspects of education

S/N	In my opinion, factors impeding their knowledge of legal aspect of education are:-	x	SD	Rmks
11.	Unavailability of books on education laws	3.86	0.36	Agree
12.	Extra duties of principals and teachers	3.35	0.86	Agree
13.	Lack of interest or apathy to legal aspects	2.86	0.36	Agree
14.	Laziness on the part of teachers and principals	3.35	0.80	Agree
15.	Lack of sensitization campaigns	2.56	1.08	Agree
16.	Laxity on the part of government	3.95	0.31	Agree
17.	Parental illiteracy and insensitivity	3.00	1.03	Agree

18.	Absence of knowledgeable administrators to show the way	3.79	0.51	Agree
19.	Non-adherence to legal aspects by all and inaction by the judiciary	3.94	0.31	Agree
20.	Students' laxity and disinterest in education	3.42	0.81	Agree

The data in table 2 revealed the respondents' consensus that items listed here significantly impede teachers and principals from acquiring knowledge of and implementation of legal aspects of education.

Table 3: Mean responses of respondents on strategies that can promote teachers' and principals' knowledge of and implementation of legal aspects of education

S/N	Strategies that can promote teachers' and principals' knowledge of and implementation of legal aspects of education	x	SD	Rmks
	Strategies that can promote these in my opinion are:			
21.	Making available books on education laws in secondary schools	3.46	0.77	Agree
22.	Sensitizing teachers and principals through seminars and workshops	3.42	0.81	Agree
23.	Basing promotion significantly on knowledge of education laws	3.79	0.51	Agree
24.	Strict adherence to education laws in schools	3.00	1.03	Agree
25.	Deployment of knowledgeable principals to schools	3.46	0.77	Agree
26.	Improvement of teachers' welfare packages	3.29	0.85	Agree
27.	Reducing of extra duties of teachers and principals	2.15	0.93	Disagree
28.	Dealing decisively with offenders by the ministry of education	3.96	0.49	Agree
29.	Establishing a vibrant legal unit in each zone	3.79	0.51	Agree
30.	Professionalization of teaching profession	3.42	0.81	Agree

To a high extent, information documented on table 3 depicted homogeneity in responses among respondents in terms of strategies that can promote teachers' and principals' knowledge of and implementation of legal aspect of education.

Table 4: Mean and Standard Deviation of the Responses

Target population	No. of respondent	Means	Standard deviation	Degree of freedom	Level of Significance	t Calculated	t Critical
Principals	100	3.5	0.65	94	0.05	1.83	1.96
Teachers	250	3.16	0.95				

Table 4 has indicated that there is no significant difference between the urban and rural teachers and principals' response with regard to their knowledge of implementation of legal aspects of education.

With mean above 2.5 in all items above, implication of rural and urban teachers' and principals' knowledge of and implementation of legal aspects of education, all the respondents attested to the fact that being unfamiliar with

legal aspects of education leads to many negative outcomes. It implies that teachers and principals need to be familiar with legal aspects of education. The result of the t-test analysis shows that calculated t-values for all the value ratings were more than the critical t-value of 1.96 at .05 level of significance and 334 degree of freedom. Based on the results of the analysis, the null hypothesis was not rejected.

Findings

1. Familiar and unfamiliar legal aspects of education exist in areas of students' corporal punishment, physical attack on students, detention of students, private lessons, commercializing school premises and so on.
2. Factors that impede teachers' and principals' knowledge of and implementation of legal aspects of education include unavailability of books on legal aspects of education, poor sensitization campaigns, laziness, extra duties, students' laxity among others.
3. Strategies that can help to promote teachers' and principals' knowledge of and implementation of legal aspects of education are provision of law books, effective sensitization, sanctions against offenders, establishment of vibrant legal unity among others.
4. The null hypothesis of no significant difference between the mean ratings of the respondents' responses on value ratings on the implications of urban and rural teachers' and principals' knowledge of and implementation of legal aspects of education was not rejected.

Discussion

The study revealed that there are both familiar and unfamiliar areas of legal aspects of education or education laws as far as teachers'

and principals' knowledge of and implementation of such laws are concerned. Some of the unfamiliar area revolved around students corporal punishment and their detention after school hours, use of school premises for other businesses, conduct of private lessons, laws of tort and vicarious liability among others. The findings were consistent with Oraemesi's (1997:45) view that many teachers have never read Nigeria federal constitution or the laws, rules and regulations governing the administration of the school system. According to him, some teachers may not have the teachers' manual and many of those who have it still remain ignorant of the contents and provisions. Further, he contends that many teachers neglect or are not aware of their legal and moral obligations to their employers, their fellow teachers and their students which may eventually result in chaos and mismanagement.

Still on the issue of familiar and unfamiliar areas of education laws, Abone (2009) observed that principals often pay school money into their private account and collect illegal levies due to the fact that they are ignorant of financial regulations which are part of legal aspect of education. According to her, many cart away with school properties and admit students without following the prescribed procedure. The results on factors that impede teachers and principals from adequate knowledge of and implementation of education laws include lack of books on legal aspects of education, laxity on the part of government, inadequate sensitization campaigns, absence of knowledgeable administrators in law among others.

These findings are consistent with the view of Ezeobebe (2008) who asserted that the major factors act as constraints to teachers' knowledge of and implementation of education laws to include teacher-related, student-related and government-related perspective. She identified

laziness, lack of dedication, lack of motivation, unavailability of necessary literature, ignorance are some common factors that impede teachers' and principals' knowledge of and implementation of legal issues on education.

The results further revealed strategies that could promote teachers' and principals' knowledge of and implementation of legal aspects of education. These include making available books, on legal aspect of education, effective sensitization campaigns, teachers' motivation, vibrant legal unit, professionalization or upgrading of teachers status, deployment of knowledgeable and dedicated principals to schools among others. These findings are consistent with the view of Ocho and Nwangwu (2011) that education law has assumed a greater importance presently because of its relevance to teachers due to increased awareness of individual rights in Nigeria. According to them, knowledge of education law is imperative not only to teachers but also to the students and the school administrator for the following reasons:

- a. To understand the legal aspects of education
- b. To learn the basic principles of law and to develop some degree of competence in applying them to education problems
- c. To recognize situation in which it is not safe to proceed without competent legal advice
- d. To recognize that many education decisions with legal implications (e.g. suspension, expulsion etc.) may safely be made in conformity with basic, well-defined principles or laid-down guidelines (Hoeber in Peretomode, 2001:4)

In the same vein, Yoloye (1993) rightly asserted that:

The intention of law in education is to give sufficient exposure that would

make a man recognize and pursue his rights and uphold justice and fair play. In these days when laymen are appointed to courts committees, board and councils which administer or interpret laws and regulations, it is desirable for such men to have been exposed minimally to the rule of law and fundamental rights.

The study revealed implications of urban and rural teachers' and principals' knowledge of an implementation of legal aspects of education or education laws. The findings agreed with Okoye (2010) that urban schools are subjected to constant monitoring and supervision by officials of Post-Primary Schools Service Commission (P.P.S.S.C) in areas like attendance to school and classes, going home before dismissal, extortion of students and marking and recording of tests, assignments and examinations and proper dressing. According to him, teachers in rural secondary schools are not monitored or supervised regularly thus making them to behave in a lawless and unprofessional manner. In conclusion, he said that teachers in urban locations are more likely to implement education laws than their rural counterparts.

Conclusion

Based on the result of the study, we came to conclusion that teachers and principals are not familiar with most legal aspects of education or education law, certain factors conspire to impede their knowledge of and implementation of legal aspects of education. There are some strategies that can be used to correct the situation. It is concluded that teachers' and principals' knowledge of legal aspects of education will not only help in the realization of goals of secondary education but also ensure quality assurance or competitiveness at that level of education.

Recommendations

The following recommendations are made based on the conclusion drawn from the study:

1. There is need for the provision of more literature on legal aspects of education to secondary schools.
2. Making legal aspects of education a significant part of promotion examination for teachers and principals is considered necessary.
3. There is need to improve the teachers' welfare packages to ensure dedication to duty.
4. Appropriate sanctions should be imposed on those legal aspects of education.
5. Initiating a comprehensive and intensive sensitization campaign on legal aspects of education will help improve the educational standards in Nigeria.

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