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Knowledge, Attitude, and Infringement of Tort Law Among Public Secondary Principle on Students in Osun State, Nigeria

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ABSTRACT: One of the challenges in secondary schools today is infringements on students' rights, in a tortious way that may also constitute breach of the Child's Right Act of 2003 in Nigeria. These breach on rights usually come through the administration of corporal punishments on students, and mainly because the school heads see themselves as loco parentis of the students who can, therefore, enforce any form of punishment on them in the school. This study investigated knowledge, attitude, and infringement of tort law among public secondary school heads on students in Osun State. All the students in Osun State public secondary schools and 723 heads constituted the population. A sample of 54 school heads and 180 students were selected using multi-stage sampling procedure. Two instruments were designed to elicit responses from the respondents. Descriptive and inferential statistics were used to answer the research questions raised for the study. The results showed that school heads do not have adequate knowledge of tort law and that both the school heads and students have poor attitude toward it tort law. The study recommends that short term training on student's right, how they can be legally protected and tort law be organised for school heads.

Keywords: attitude, infringement, knowledge, school head, tort law.

ABSTRAK: *Salah satu tantangan di sekolah menengah saat ini adalah pelanggaran terhadap hak-hak siswa secara melanggar hukum yang juga dapat merupakan pelanggaran terhadap Undang-Undang Hak Anak tahun 2003 di Nigeria. Pelanggaran terhadap hak-hak ini biasanya terjadi melalui pemberian hukuman fisik kepada siswa, terutama karena kepala sekolah menganggap diri mereka sebagai loco parentis siswa yang dapat memberlakukan bentuk hukuman apa pun kepada mereka di sekolah. Studi ini menyelidiki pengetahuan, sikap, dan pelanggaran hukum tort yang dilakukan oleh kepala sekolah negeri terhadap siswa di Negara Bagian Osun. Semua siswa di sekolah menengah negeri di Osun dan 723 kepala sekolah merupakan populasi penelitian. Sampel terdiri dari 54 kepala sekolah dan 180 siswa yang dipilih menggunakan prosedur pengambilan sampel bertahap. Dua instrumen dirancang untuk mengumpulkan tanggapan dari responden. Statistik deskriptif dan inferensial digunakan untuk menjawab pertanyaan penelitian yang diajukan dalam penelitian ini. Hasil penelitian menunjukkan bahwa kepala sekolah tidak memiliki pengetahuan yang memadai tentang hukum tort dan bahwa baik kepala sekolah maupun siswa memiliki sikap yang buruk terhadap hukum tort. Studi ini merekomendasikan pelatihan singkat tentang hak-hak siswa, bagaimana mereka dapat dilindungi secara hukum, dan hukum tort untuk kepala sekolah.*

Kata kunci*: hukum tort, kepala sekolah, pelanggaran, pengetahuan, sikap.*

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INTRODUCTION

A secondary school is made up of mainly teachers and students. The interaction between the duo is the basis for a process in teaching and learning. Each plays its role to achieve the school's desired goals. The students-teachers interaction is, therefore, considered a systematic way by which knowledge is imparted for continuity and development of the society. Like other sectors, law plays indispensable role in the school system. The principal, teachers, students, and the non-teaching staff are all guided by the constitution of the state, fundamental human rights law, child's rights law, and statutory codes. However, when there is conflict between rights and responsibilities of principal, teachers and students, law becomes supreme.

One of the challenges in secondary schools today is infringements on students' rights, in a tortious way that may also constitute breaches of the Child's Right Act of 2003 in Nigeria. These breaches or infringement on rights usually come through the administration of corporal punishments on students, and mainly because the school heads see themselves as *loco parentis* of the students who can, therefore, enforce any form of punishment on them at any time in the school. It is worthy to note that individual's rights under the law include right to education (America Bar Association Fund for Justice and Education, 2001) irrespective of age, sex, religion, financial status, nationality, language, social and cultural background. Students therefore have inalienable rights to speech, patriotic expression, lawful assembly, symbolic expression (dressing and appearance), safety and security. Schools have the responsibility of providing education for the students (White, 2012). As a result, the heads are to uphold the school principals, orderliness, and safety. The school heads have total discretion to control the school as they deem fit and set rules and regulations within the ambit of the law for students and teachers to guide their activities (Darlow, 2011).

In Nigeria, school authorities are vested with the right to use corporal punishment on students and subordinates without adequate legal guidelines (Oyedeji, 2012). It is mostly found that many heads abuse the principle of *loco parentis*, which place children under the care of the school while in the school. Ogbe (2015) informs that this issue is made pertinent given that many parents seem to accept without recourse, the idea of such disciplinary measure as it is being meted on their wards even when they do not understand the reason(s) for the punishments. Corporal punishment, as it is commonly called in Nigeria, could result in fatality and therefore constitute an infringement to right to life; cutting a student's hair or adjusting a student's shirt to a specified measurement in the school could also be an infringement on the right to dignity of human person; barring a student from taking an examination which he has duly registered for is an infringement to right to personal liberty, (Oyedeji, 2012).

The bane of rights infringement in Osun State secondary schools is painful; and its effect is evident on many ills as seen in the nook and cranny of the state

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today. The overriding effects are poor academic attainment; low enrolment in schools, dysfunctional social functioning, job loss, mental health issue and high mortality rate among others (Country Reports on Human Rights Practices for 2015). According to The United Nations Educational, Scientific and Cultural Organization (UNESCO) (2017), sexual and physical violence, including corporal punishment by teachers and other staff, are considerable problems in schools in Nigeria. Consequently, students resort to skipping of classes, avoiding school activities, play truancy or drop out of school and these have, in turn, impacted negatively on academic achievement and future education and employment prospect of the students. It is therefore easy to understand why thuggery, prostitution, terrorism, and suicide are on the increase today.

Certain factors have been underscored to define the tendency to infringe on tort law. These factors include knowledge and attitude of heads and students. The differing possession in knowledge has been used to explain why infringement upon tort law is possible in many studies while students and principals' attitude in keeping to legal rules have also been mooted as potentially influencing infringement of tort law. Tort law, it must be clarified, is that aspect of the law that deals with a civil wrong or wrongful act, whether intentional or accidental, from which injury occurs to another. Torts, therefore, generally include all negligence cases as well as intentional wrongs, which result in harm.

Literature Review

One important factor that is related to infringement of tort law is knowledge. It seems fair to hold responsible those who know of wrongful conduct and not only fail to prevent that conduct but also do something to facilitate it (Stewart, 2007). Knowledge is referred to as information and skills acquired through experience or education. Knowledge of secondary school heads and students encompasses awareness of duo as regards the tort law. With the knowledge of tort law, Obi (2004), informs that the school can be legally held responsible or liable for any injury inflicted on a student during the statutory hours of schooling. Unfortunately, knowledge of tort law is seemingly over-looked in the selection of school heads. Yet, it is one of the aspects that need to be viewed with a large show of seriousness by all stakeholders in education industry. It is not surprising that so many authors have provided insights about how lack of knowledge influences the infringement of law generally in the society (Mestry and Grobler, 2004; Monyatsi, 2005). Knowledge of law entails awareness of legal boundaries and consequences upon one's action. However, heads of schools by virtue of their responsibility are expected to understand certain aspect of the law on consequence of behaviour as a moral guide to their own actions and inactions. Heads' responsibility extends to protecting and supervising students within and, at times, outside the school premises.

According to Alexander (2009), knowledge does not refer to some special category of mental state existing independently of action but to a person's being or

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becoming aware of something. Schimidt (2002) defines knowledge as a feature of practical action which is systematically accomplished within developing course of everyday activities. Ozurumba (2008) is of the view that knowledge is an automatic response to our environment, which we can direct when needed. Knowledge is on-going activities in collaboration with others. According to Gatley (1998), knowledge is the state or ability to perceive, to feel, or to be conscious of events and objects.

The essence of knowledge in the definition of tort of liability has been treated in various studies. Bohlen (2004) confirmed this most especially for those torts that descended from trespass. Levine (2005) stresses that one who embarks on a particular course of action with knowledge and invade another legally protected interest is as culpable as though the act were done for the very purpose of invading interest. Both the individual that acted with purpose of intent and those who acted in knowledge of consequence are both culpable because both have made subjective choice to act in a way that invaded the plaintiff's interest. Levine (2005) maintained that criminal law treats knowledge intent as equivalent of desire intent; and common history of criminal law and tort of trespass were justified using the same definition.

Levine (2005) insisted that not all intentional torts descended from writ of trespass. The connection between the law of torts and criminal law had degenerated, and with it, the justification for equating "knowledge intent with intent". Since it is difficult to formulate definition of intent that would be universally applicable to all cases in which courts declared that intention is essential to the existent or extent of liability, intent would have to be defined anew for each nominate torts. The definition sometimes includes knowledge intent and sometimes not.

Generally, there are areas of legal matters that heads, teachers and students should be aware of. Such areas define their legal boundaries and lack of knowledge of them could be a bound to individuals for liabilities. Some of them include physical punishment, discrimination, threat of violence, search of seizure, dress codes, school uniforms, freedom of expression and disciplinary actions. Ade-Rufus (2019) reports that secondary school student in Lagos State, was denied entry into the school for wearing make-up and fixing artificial eyelashes. This incidence later led to fights between the student's mother and security personnel and other staff of the school. This is an attempt to enforce discipline in the school.

Physical punishment is still practiced in schools and current legislations allow such act by the following provisions: section 55 of the Penal Code (North), reads: "Nothing is an offence which does not amount to the infliction of grievous hurt upon any person and which is done by a schoolmaster for the purpose of correcting a child under 18 years of age entrusted to his charge; or by a master for the purpose of correcting his servant or apprentice." Nevertheless, the Nigerian authorities seem to be satisfied by the actual situation when they say: Corporal punishment in

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Nigeria can only be carried out with the permission of the school head and recorded (Alemika, Chukuma, Lafratta, Messerli and Souckova, 2005).

On the issue of discrimination, all individuals must be afforded equal enjoyment of fundamental rights (Campbell v. Board of Education, 1984 cited in Bailey, 2002). The protection of equal enjoyment requires that individuals affected by school policies be treated equally; in other words, that the rights, privileges, or responsibilities imposed on an identified segment of the population must apply equally to all members of that group (Reynolds v. Sims, 1964, and Cleburne v. Cleburne Living Center, 1985). This does not mean pure or absolute equality; rather, it requires that the government classifications stand on reasonable grounds (Franklin v. Berger, 1989 in Bailey, 2002). What constitutes reasonable grounds will depend on whether the classification or government action affects a fundamental right. In addition, on search of seizure, the level and variety of school violence may place significant pressure on school officials to use a range of methods to intercept dangerous weapons in schools or to respond to threats of violence. Generally, school officials may search students "if the search is justified at its inception and is conducted in a manner reasonably related in scope to the circumstances" (New Jersey v. TLO, 1985). The reasonableness standard is intended "to ensure student's rights (will) be invaded no more than necessary to maintain order in schools," not to authorize all searches conceivable to school officials. Any school official may make this determination depending on the circumstances. Usually, it will be made by a Principal, Vice-Principal or another school official with responsibility for school conduct matters. A search will be justified where there are reasonable grounds for suspecting, a search will reveal contraband or evidence that a student is violating school rules (Rapp, 1999).

In the exercise of its general authority to enact and endorse school regulations, a school may adopt rules regarding personal appearance, dress codes, and school uniforms. These rules must bear some reasonable relationship to the educational mission of the school and its interest in promoting a safe and secure learning environment, and not simply represent a mere matter of preference or taste (Rapp, 1986). Generally, these rules reflect community values and serve to create a positive educational environment. So long as they are consistently applied to achieve the school's inherent educational mission – such as improving school attendance, dropout rates, academic performance, or school safety – they will be upheld (Rapp, 1986).

Dress codes, school uniforms and freedom of expression, however, may function as purely expressive speech related to political, religious, or social purposes. Some statements and words printed on clothing are protected by the constitution as pure speech. Consequently, students may wear clothing with messages related to political candidates, social cases, symbols of ethnic heritage, religious symbols, and words to express ideas or opinions. Content-laden clothing of this type may be prohibited only to prevent a substantial and material interference

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with schoolwork or discipline and must be neutral regarding the views expressed (Tinker v. Des Moines in 2001).

On disciplinary actions, perhaps the most significant disciplinary issue currently faced by schools is suspension and expulsion penalties under zero tolerance policies. Considering the state's clear responsibility to ensure the safety of teachers and students, school officials may expect zero tolerance sanctions to survive legal challenges so long as the school guarantees the student the necessary due process protections.

The word attitude on its own is defined within the framework of social psychology as a subjective or mental preparation for action. It defines outward and visible postures and human beliefs. Attitudes determine what everyone will see, hear, think, and do. They are rooted in experience and do not become automatic routine conduct. Furthermore, attitude means the individual's prevailing tendency to respond favourably or unfavourably to an object (person or group of people, institutions, or events) (Morris and Maisto, 2005). Attitudes can be positive (values) or negative (prejudices).

Attitude is also a variable that may influence the infringement of tort law in secondary schools. It is the disposition and reaction of secondary school heads towards the tort law. The way school heads handle the disciplinary problems depends strictly on their attitude towards tort law (Halawah, 2008). School heads' attitudes toward tort law influence the level of their reaction to students' discipline and infringement of law in the school (Bain, 2010). It is the attitude that makes provisions for what constitutes indiscipline and what does not, as well as the procedure to use in seeking redress (Johnson and Andrew, 2005). The extent to which the law regulates teaching in schools has been demonstrated by Cheng (2011) who notes that school regulations and indeed educational laws do not protect any school administrator who refuses to apply correct or appropriate disciplinary measures when disciplining students or take reasonable care of students. This means that it is the legal duty of a school principal to discipline students and take reasonable care of students in his or her school. The failure of the school principal to carry out the above legal duties in their proper manners makes him/her liable under tort (Halawah, 2008).

According to Kreitner and Kinicki (2007), there are three components of attitudes: affective, cognitive, and behavioural. The affective component is a feeling or an emotion one has about an object or situation. The cognitive component is the beliefs or ideas one has about an object or situation, whereas the behavioural component of attitude reflects how one intends to act or behave towards someone or something. In most situations, the three components appear concomitantly to shape teachers' classroom postures, through direct and indirect interaction between society, school, and teachers.

Morris and Maisto, (2005) posits that attitude is action exerted to a particular situation. It explains the individual's prevailing tendency to respond

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favourably or unfavourably to an object (person or group of people, institutions, or events) (Morris and Maisto, 2005). Attitude toward tort law would therefore mean the efforts put by the administrator or students to escape any form of infringement. Such efforts would cover giving and taking moral education to know more about the rights of people so as not to infringe upon their rights vis-à-vis commit tortuous offence in school. There are vast majority of the teachers, school heads and education officers who have little or no notion of the rights of the child; yet almost all of them had the perception that the rights of a child refer to what the child wants (Cheng 2012). Consequently, they were very apprehensive of the convention on the rights of the child which states in clear terms treatment of children under the law.

In Nigeria, there is also the Child's Rights Act of 2003, a national law that secures the rights of the child and seeks to stimulate the enactment of similar legislation by the States in Nigeria. Indeed, several other States, including Lagos and Osun, have since enacted similar laws in their States. Meanwhile, section 20 of the Child's Right Act 2003 recommends "…necessary guidance, discipline, education and training for the child…" The Act provides elaborately thus: "Every parent, guardian,' institution, person, and authority responsible for the care, maintenance, upbringing,' education, training, socialization, employment and rehabilitation of a child has the duty to provide the necessary guidance, discipline, education and training for the child in his or its care such as will equip the child to secure his assimilation, appreciation and observance of the responsibilities set out in this Part of the Act." The question, therefore, is how to balance the need to enforce discipline with avoidance of infringements of rights. This, no doubt, is a major challenge for schools' administrators.

Now, discipline or rather lack of discipline is a serious problem in many schools and teachers has had a hard time in managing misdemeanour. Teachers mishandling of discipline problems added to teachers' and school heads' qualm to accede to students' rights. Against this scenario, the task of promoting awareness of human rights and human rights education in school was expectedly an arduous one (Cheng 2012). As such, school heads who exert the effort to get awareness of infringement could be said to possess the right attitude. On the other hand, lack of efforts to get awareness on tortious liability or human right amount to wrong or negative attitude. Both right and wrong attitude have implication for all school actors to infringe on torts.

Infringement means violation of another person's right or private right either with or without any actual loss or damage. In such a case, the person whose right has been infringed upon has a good cause of action. It is not necessary for him to prove any special damage because every injury import damage when a man is hindered of his right. Every person has an absolute right to propriety to the immunity of his person and to his liberty and an infringement of this right is actionable per se.

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Generally, schools cannot guarantee safety for all students or teachers while at school. Yet, schools do have a duty to provide reasonable supervision of students and maintain the safety of the school grounds, especially since students are required to be at school under compulsory attendance rules. Acts of violence involving schools may make school officials, teachers, or the school board liable for civil damages for those harmed. This liability may arise from a variety of circumstances and may depend on actions taken (or not taken) by the school itself. Schools may be liable not only for civil claims such as negligence, but claims asserting violation of a student's constitutional rights (guaranteeing due process and equal protection) and a variety of civil rights claims (Fourteenth Amendment and 42 (USC) Section 1983). School administrators may face potential liability for the violent acts of students or non-students when they fail to: supervise a specific area at school where prior instances of violence occurred, warn classes or teachers about a pre-existing danger, including the violent propensities of a student and establish or adhere to a school safety plan (Legal Guidelines, 1995).

Liability may depend on the time and location of the incident. For example, a school may be liable for violence suffered by students while in the school parking lot, or while on their way to and from the school. Normally, a school will not be liable where an incident occurs off-school ground, during non-school hours, as it is not related to school sponsored activities. For instance, a school incurred no liability for the assault of a young female student after an evening of drinking at a local pub and the activity had no relation to school-sponsored events, or where a school student wandered from school premises and was subsequently kidnapped and murdered (Legal Guidelines, 1995). Where a private person, an uninvited guest at the school, or another student causes the harm to a student, the school is liable to protect students even from each other or from the private actions of another person (Legal Guidelines, 1995). A school may also be liable under the Constitution for harm to a student or employee if the school's actions "created" the danger of possible harm.

One important aspect of law mostly related to educational practices is tort. Kodilinye (2013) defined tort as a civil wrong involving a breach of duty fixed by the law, such duty being owed to persons generally and its breach being redressable primarily by an action for damages. In broader law term, tort imposes liability on a party for exposing the plaintiff to the risk of any third-party's wrongdoing (Mckenna, 2011). The areas covered by the law of tort include trespass to person (assault, battery, and false imprisonment), malicious prosecution, trespass to chattel, trespass, negligence, nuisance, vicarious liability, defamation, and deceit among others. A significant aspect of education law is *in loco parentis.* The principle of *in loco-parentis* which literally means "in place of the parents" is often utilized as a contract theory to interpret the student-institution relationship (Nakpodia, 2012). It is believed that educators accept both the public trust and the responsibilities to practice the profession according to the highest possible degree of ethical conduct

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and standards (Teacher Education and Mentoring Programme, 2012). These ethical and professional responsibilities extend to commitment to students' affairs (in term of their emotional and physical safety) as well as healthy environment for them all (National Union of Teachers, 2015).

Infringement of tort law is a very important attribute that is frequently measured by different organisations. Infringement of tort law by school administrators usually affect effective administration of the schools, as administrators often get themselves in the entanglement or web of careless acts to enforce discipline on the students (Ozokwere, 2002). Educational policy makers understand the importance of law in the system; thus, the school administrators need to be conversant with tort related offences because students have certain rights which give some degree of freedom under the Child's Rights Act of 2003 and other statutes such as the Penal Code Act, FCT Abuja, 2007. However, Mawdsley, (2010) concludes that many school administrators lack the knowledge of law that could serve as guidelines to their service**.** The consequences of tort law infringement are found in issues that include absenteeism from schools, low turnover, aggressive behaviour towards colleagues and learners, early exit from the teaching profession and psychological withdrawal from work (Ghazzawi, 2008; Robbins and Judge, 2009).

Tort is a branch of private law. The other main branches are contract, property, education, and restitution (sometimes known as unjust enrichment) (Bouvier, 2005). Tort arises when wrong pertains to individual whereby the individual suffers damage or any form of injury or loss emanating from the wrong done to him or his chattels. According to Mobile System Dictionary (2007), tort is a wrongful act or an infringement of a right (other than under contract) leading to legal liability. It is a violation of duty that causes harm. Its origin is from Latin-tortum **"**wrong or injustice**".** It is a civil law or injury, including action for bad faith which the court of law will provide remedy in the form of an action for damages (Black, 2014). The wrongdoer is called the 'tort-feasor' while joint tort arises when tort is committed by two or more persons acting together.

Tort is one of the major areas of law that contains fundamental principles of liability. Individuals are known to be liable for their actions or inactions when such result in harm to others (Valente, 2010). A civil but legal act that amounts to tort is said to be tortious. Thus, a legal act is said to be tortuous if it is not criminal in nature. To be liable in a legal sense means to be made to suffer in law for an act or omission.

The implication of knowledge on tort liability goes beyond negligent related issues. Knowledge of heads is also needed around trespass. Many heads do not know fully the context and or how to place the right punishment on school student. In many schools, there are many cases of abuse of power applicable to students' misconducts. These situations are not limited to areas of punishment, conducting search on students, judgement on students' dressing, barring a student from taking

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part in an examination which he/she has duly registered for and generally disciplinary measures in suspension, expulsion, etc. Knowledge of administration is impactful because there is only one thin line between the acceptability of such acts and violation of fundamental human rights (Oyedeji, 2012).

Statement of the Problem

One of the vexatious issues with legal implications in the schools today revolves around discipline. Educators relied heavily on the principle of *in loco-parentis* which places the students under their duty care to be inflicted upon with punishment and most often, the nature and context to students' actions or behaviours are not considered by heads before these students are being punished. In fact, what some school heads take to punish students are sometimes their own negligence, carelessness and sometimes ignorance. Therefore, there is no doubt to the fact that many heads in Nigerian secondary schools lack adequate knowledge of law to guide that conduct with their subjects and most especially students.

Their lack of knowledge and right attitude have raised the possibility of infringing upon right of their students and seemingly a redressable offence under the provision of tort law. It is on this premise that this study is set to investigate knowledge and attitude on the infringement of tort law among public secondary school heads on students in Osun State, Nigeria.

Research Questions

The following research questions piloted the study: What is the level of tort law knowledge among school heads? What is the attitude of school heads towards tort law? What is the joint effect of independent variables (knowledge attitude towards tort law) and the dependent variable (infringement of tort law)? What is the relative contribution of each of the variables to the prediction of the infringement of tort law?

METHODOLOGY

The study adopted the descriptive research design. The population for the study comprised all 1,824 secondary school heads (608 Principals and 1,216 Vice-Principals) and students in the 608 public secondary schools (TESCOM, 2018) in the 30 Local Government Areas and one Area Council of Osun State, Nigeria. The multi-stage sampling procedure was adopted in this study to sample 180 school heads (60 Principals and 120 Vice-Principals) and 360 students. First, Osun State was stratified along the three educational zones. From each zone, five Local Government Areas (LGA's) were randomly selected through simple random sampling technique making a total of 15 Local Government Areas. From each of the 15 selected (LGA's) four Senior Secondary Schools were purposively selected making a total of 60 secondary schools selected for the study. Census technique was used to select the entire principals and vice principals of the selected schools. While 360 (6 from each of the

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60 schools selected) SSS2 students were purposively selected from the selected schools.

Two questionnaires were used to collect data for the study by the researcher. One was used to collect data from the school heads with six sections. Section A was made up of items on School Heads Personal Information, Section B was made of items to generate data on School Heads Tort Law Survey (SHTLS) with reliability index of 0.72. Section C was made of items to generate data on School Heads Legal Knowledge Index (SHLKI) with reliability index of 0.69. Section D was made of items to generate data on School Heads' Attitude Towards Tort Law Survey (SHATLS) with reliability index of 0.81. Section E was made of items to generate data on School Heads' Attitude towards Tort Law Scale (SHATLSC) with reliability index of 0.87 and section F comprised items to generate data on School Heads' Infringement of Tort Law Scale (SHITLSC) with reliability index of 0.83 using test re-test method. The second questionnaire was designed to elicit responses from the students. It was divided into three sections. Section A comprised item on student biographic data, section B comprised items on Students' Knowledge of Legal Rights Survey (SKLRS) and section C comprised items on Students' Attitude towards Legal Rights Knowledge Survey (SARKS) with reliability index of 0.77 and 0.74 respectively using test re-test method. Descriptive statistics was used to answer research questions one and two while Analysis of Variance (ANOVA) was used to answer research questions three and four.

Results

Research Question One: What is the level of tort law knowledge among school heads?

Table 1. Frequency and Percentage Distribution of Respondents' information pertaining to Assessment of Knowledge of Tort Law among Respondents (Administrators)

Items	SA (%)	A (%)	D (%)	SD (%)	Mean $\bar{x}$	Std Dev
I know more about law to help me to practice professionally in the school	7 (3.88%)	25 (13.88%)	85 (47.22%)	63 (35%)	1.97	.87
I am aware of the tort consequences in the school	22 (12.22%)	8 (4.44%)	85 (47.22%)	65 (36.11%)	1.94	.93
I am versatile about the implications of different forms of law	13 (7.22%)	38 (21.11%)	87 (48.33%)	42 (23.33%)	2.02	.86
I understand certain aspect of law sufficiently needed as school administrators	17 (9.5%)	40 (22.4%)	76 (42.2%)	47 (25.9%)	2.13	.92

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I have learnt about fundamental rights so as not to violate them	31 (17.2%)	53 (29.3%)	73 (40.5%)	23 (12.9%)	1.49	.93
Weighted Average =1.91						

N=180

Note=Std Dev = Standard Deviation

Responses to the level of the Heads' Knowledge of Tort Law are as shown in Table 1. "I understand certain aspect of law sufficiently needed as school administrators**,** ranks highest by the mean score rating (Std Dev=0.92, $\bar{x}$=2.13) and is followed by "I am versatile about the implications of different forms of tort law" (Std. Dev=0.86, $\bar{x}$=2.02). This is followed by "I know more about law to help me to practice professionally in the school" (Std. Dev.0.87, $\bar{x}$=1.97) while the next is I am aware of the consequences of tort law in the school" (Std. Dev=0.93, $\bar{x}$=1.94). Lastly "I have learnt about fundamental rights so as not violate them" ranks the least (Std Dev.=0.93 $\bar{x}$=1.49). The weighted average is 1.91 which implies that school heads do not have adequate knowledge of tort law.

Research Question Two: What is the attitude of school heads towards tort law?

Table 2. Frequency and Percentage Distribution of Respondents' information pertaining to their attitude towards Tort Law

Items	SA %	A %	D %	SD %	Mean $\bar{x}$	Std Dev
I wish to seek information from legal experts on issues pertaining to school law	14 (7.78%)	26 (14.44%)	78 (43.33%)	62 (34.44%)	2.06	.87
I think my attendance at seminars and symposia will improve my knowledge of tort law	12 (6.9%)	33 (18.1%)	75 (41.4%)	60 (33.6%)	1.97	.89
I have to read newspapers or magazine pertaining educational law	11 (6.0%)	36 (19.8%)	75 (41.4%)	58 (32.8%)	1.94	.86
I should attend court cases sometimes to know more about tort law.	14 (7.78%)	40 (22.22%)	79 (43.88%)	47 (26.11%)	1.78	.79
I should enquire from other administrators on issues pertaining to educational law	17 (9.44%)	38 (21.11%)	88 (48.89%)	37 (20.56%)	1.87	.82
Weighted Average =1.92						

N=180

Note=Std. Dev. = Standard Deviation

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Responses on the Administrators' Attitude to the Legal knowledge are as in Table 2. "I wish to seek information from legal experts on issues pertaining to school law" ranks highest (Std. Dev=0.87, $\bar{x}$=2.06) and is followed by "I think my attendance of seminars and symposia to know more about law" which has a mean score of (Std. Dev=0.89, $\bar{x}$=1.97). "I have to read newspapers or magazine pertaining educational law" with a mean score of (Std. Dev= 0.86 $\bar{x}$ 1.94) ranks next, and followed by "I should attend court cases sometimes to know more about law which has a mean score of (Std Dev.0.79, $\bar{x}$ 1.78) and "I should enquire from other administrators on issues pertaining to educational law" which has a mean score of (Std Dev.0.82 $\bar{x}$=1.87) ranks the least. The weighted average is 1.92 which implies that the school head have poor attitude towards tort law in Osun State secondary schools.

Research Question Three. What is the joint contribution of independent variables (knowledge and attitude towards tort law) on the dependent variable (infringement of tort law)?

Table 3. Joint Contribution of the Independent Variables (Knowledge and Attitude) on School heads' Infringement of Tort Law

R	R-Square		Adjusted R Square	Std. Error of the Estimate	
.764	.583		.576	1.9980	
A N O V A					
Model	Sum of Squares	DF	Mean Square	F	Sig.	Remark
Regression	631.349	2	315.675	79.076	.000	Sig.
Residual	451.099	113	3.992			
Total	1082.448	115				

Table 3 shows that the joint effect of the independent variables (knowledge and attitude) to the prediction of the dependent variable was significant. The table also shows a co-efficient of multiple correlation (R = .764 and a multiple R^2 of .576). This means that 57.6% of the variance was accounted for by the predictor variables when taken together. The significance of the composite contribution was tested at P < .05. The table also shows that the analysis of variance (ANOVA) for the regression yielded an F-ratio of 79.076 (significant at 0.05 level). This implies that the independent variables (Knowledge and Attitude) jointly affect the dependent variable (infringement of tort law).

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Research Question Four*: What is the relative contribution of each of the variables to the prediction of the* infringement of tort law?

Table 4. Relative contribution of the independent variables (Knowledge and Attitude) on School heads' Infringement of Tort Law

Model	Unstandardized Co-efficient		Stand. Co-efficient	T	Sig.	Remark
	B	Std. Error	Beta Contribution			
(Constant)	2.440	1.000		2.440	.016	Sig.
Knowledge	.124	.083	.125	1.491	.139	NS
Attitude	.696	.087	.672	8.017	.000	Sig.

Table 4 reveals the relative contribution of the independent variables to the dependent variable, expressed as beta weights: As obtained, attitude contributed more to the infringement of Tort Law (β = .672, P <.05); however, knowledge contributed less to school heads' infringement of Tort Law (β = .125, P >.05).

Discussion

Majority of the respondents did not have adequate knowledge of the impact and consequences of Tort Law to a school. This might be because the requirement for the appointment of a school head does not take acquisition of knowledge of law into consideration. The result of poor awareness of tort law among school heads is in line with the position of Mawdsley (2010) that school administrators lack the knowledge of the law that could serve as guidelines to their service and support of the findings of Reglin (2009) who gave the areas where educators lacked knowledge of Tort Law as including: finance, corporal punishment, and teachers' rights. It is also in agreement of the findings of White (2012) who also found that few of school heads scored higher on the survey relating to Tort Law knowledge.

The findings on research question two revealed that majority of the students' and school heads' have poor attitude towards tort law. This is expected because lack of requisite knowledge and the right attitude towards a thing is most likely to be poor if the knowledge is not available. The response of most of the school head showed that many of them do not exert much needed efforts to know about legal codes in their various schools.

The finding reveals also that the independent variable (knowledge and attitude towards tort law) jointly contributed to the dependent variables (infringement of tort law). This shows that when the independent variables taken together contributes to infringement of tort law.

Finally, the result shows that attitude contribute more to infringement of tort law while knowledge contribute less when the contribution was analysed independently. This shows that school heads' knowledge of tort law did not independently predict their ability to prevent tortious offences in schools. It could

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also be said that the knowledge does not transform to their ability to stop infringement from being committed either by teachers, non-academic staff ranks or students in school. It was further established that a significant independent effect exists between school heads' attitude and infringement of tort law. This means that the attitude school heads hold towards tortuous offences determines, to a larger extent, the tendency for infringement being committed.

Conclusion

School heads need to seek knowledge concerning knowledge of student's rights and how it can be protected. This can be done by organising short term training, seminars, symposia, and conferences on it and by putting it into practice to avoid infringing on other people's right in the school. They are to put into cognisance, every opportunity they are exposed to in conduct of good students' behaviour void of punishments in suspension and expulsion.

The students and school heads should change their attitude towards Tort Law. Students' misconducts must be addressed with a corrective measure devoid of punitive actions. School administrators are encouraged to seek knowledge of law on their daily operations to stay within the legal ambits of law on related school issues. The knowledge of tortious related offences would help them develop professionally around their leadership oversight because they are also involved in entrenching the rights of students, teachers, and subordinates.

Parents/guardians as stakeholders should be involved in things related to their wards when it comes to school issues and decisions. They are to show concern and cooperatively suggest possible ways of correcting their wards' misbehaviours in school. Equally, they are also expected to train their children to be upright as law is no respecter of none.

The nation's educational policy makers should shoulder the responsibility of incorporating into the country's educational system legal aspects of school laws through consultation with the legislative arms of government, bearing in mind the intricacies of human rights and administrative law to curtail legal tussles emanating from fundamental human rights abuses.

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