

# GLOBAL JOURNAL

## OF HUMAN SOCIAL SCIENCES : E

# LINGUISTICS & EDUCATION

DISCOVERING THOUGHTS AND INVENTING FUTURE

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## CONTENTS OF THE VOLUME

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- i. Copyright Notice
- ii. Editorial Board Members
- iii. Chief Author and Dean
- iv. Table of Contents
- v. From the Chief Editor's Desk
- vi. Research and Review Papers
  
- 1. Teacher, Parent, Student Factors and Job Opportunities as Determinants of Students' Choice of History of Education in Selected Universities in Nigeria. **1-6**
- 2. Limitation of Liability of the Rail Carrier Operator Based on CIM Rules. **7-12**
- 3. Principals' Attitude Towards Corporal Punishment in Nigeria Secondary Schools. **13-17**
- 4. Demographic Predictors of Sexual Risk Susceptibility among Undergraduates in Two Universities in Nigeria. **19-24**
- 5. Teachers' Responsibilities in-LoCo-Parentis in Secondary Schools in Abraka Metropolis, Delta State, Nigeria. **25-36**
  
- vii. Auxiliary Memberships
- viii. Process of Submission of Research Paper
- ix. Preferred Author Guidelines
- x. Index



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## Teacher, Parent, Student Factors and Job Opportunities as Determinants of Students' Choice of History of Education in Selected Universities in Nigeria

By Dr. B.O. Lawal

*University of Ibadan, Nigeria*

**Abstract** - This paper examined teacher, parent, student factors and job opportunities as determinants of students' choice of History of Education in selected universities in Nigeria. An expo facto research design was adopted. 108 respondents were sampled from the 3 selected universities from Northern, Western and Eastern Nigerian. A self-designed questionnaire was used to elicit information from the sampled respondents and data collected were coded and analyzed in line with the four generated research hypotheses using Person Product Moment Correlation Co-efficient. The findings show that teacher, parent, student factors and job opportunities are determinants of students' choice of History of Education in the Nigerian Universities. At last, recommendation such as the need for National Universities Commission to enforce law for all the universities in Nigeria offering teacher education programme to employ experts in History of Education to teach the course, as this will improve the students' interest in the course and provide for the experts in the field.

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# Teacher, Parent, Student Factors and Job Opportunities as Determinants of Students' Choice of History of Education in Selected Universities in Nigeria

Dr. B.O. Lawal

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## I. BACKGROUND TO THE STUDY

The history of Western Education has been documented by Fafunwa (1974), Osokoya (1987), Taiwo (1980), Boyd (1960) and a host of others. All the historians of Education agreed that the history of Western Education in Nigeria dates back to 24th September, 1842, with the arrival of Revd. Birch Freeman and Mr. and Mrs. De Graft of Wesleyan Methodist Church at Badagry. Other Missions who later joined in educational provisions included the Church Missionary Society, the Roman Catholic and Presbyterian Mission. However, their efforts had great educational impact on Nigeria. Since the inception of formal Western Education in Nigeria, Education has been the only instrument for effecting national growth and reduction of poverty. Perhaps, the publication of the National policy on Education in Nigeria in March 1977 further strengthened the relevance of Western Education for sustainable national development.

No wonder the Federal Government of Nigeria in National Policy on Education (2004), stipulates that

Education has been adopted as an instrument per excellent for effecting national development. Thus, investment in education is notified by optimistic assumptions. The first being that an educated population contributed to the socio-economic development of the society as a whole and the second that education contributes to the well being of the individuals within the society (Schultz, 1980). This widespread belief that education is a major means of achieving industrialization permeates the world and both technologically developed and developing countries attempt to design educational programmes to achieve their economic goals (Osokoya, 2008). The enhanced education of its population has been the goal of every country seeking to enhance the productivity of its people.

In Nigeria therefore, the importance of education made the government to adopt the system of education which is broad enough to give the citizens ample opportunities to choose courses of their choice. At the University level, the curriculum cut across sciences, social sciences, management science, Arts, Education, etc. Therefore, the students' choice of the above areas is determined and hampered by one factor or the other. Similarly, the students' academic performance, achievement and learning outcome in the mentioned disciplines is connected to vast factors, such as teachers factors (qualifications, experience personal characteristics), students factors (ability level, self-concept, maturity), parents factors to mention but a few. Therefore, history of education as one of the general education courses and an area of specialization at post graduate level is scarcely or rarely being offered by the students. This perhaps is connected to the small number of students specializing in the area as well as absolutely small personnel in the area, compared to other disciplines. It is in the light of the above that the researchers deem it fit to examine Teacher, Parent, Students factors and Job opportunities as determinants of students' choice of history of education in selected universities in Nigeria.

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## II. STATEMENT OF THE PROBLEM

A cursory look at the students' enrolment at Post Graduate level in Nigeria Universities revealed low number of students specializing in History of Education. Similarly, there are speculations that Teacher, parent, student factors and job opportunities are determinants of students' choice of History of Education. There is however, the need to ascertain the extent to which the above assumptions are true. It is in this regard that this study examines Teacher, parent, student factors and job opportunities as determinants of students' choice of History of Education in selected Universities in Nigeria.

## III. RESEARCH HYPOTHESES

For the purpose of this study, the following null hypotheses are formulated:

$H_{0_1}$ : There is no significant relationship between parent factors and students' choice of History of Education in Nigerian Universities.

$H_{0_2}$ : There is no significant relationship between teacher factors and students' choice of History of Education in Nigeria Universities.

$H_{0_3}$ : There is no significant relationship between student factors and their choice of History of Education in Nigeria Universities.

$H_{0_4}$ : There is no significant relationship between students' interests and students' choice of History of Education in Nigerian Universities.

## IV. SCOPE AND LIMITATION OF THE STUDY

This study examines teacher factors, parent factors, student factors and job opportunities as determinants of students' choice of History of Education in Nigerian Universities. It focuses on the relationship between teacher factors and students' choice of History of Education, student factors and their choice of History of Education and job prospects and students' choice of History of Education in Nigerian Universities.

The study ought to have considered all the universities in Nigeria but because of time and financial constraints; it is limited to selected universities in Nigeria. The universities selected are:

- 1) University of Ilorin, Ilorin, Kwara State, representing Northern Nigeria.
- 2) Obafemi Awolowo University, Ile-Ife, Osun State, representing Western Nigeria.
- 3) University of Port Harcourt, Port Harcourt, River State, representing Eastern Nigeria.

## V. THE MEANING OF HISTORY OF EDUCATION

According to Osokoya (1989), the field of Educational history is a very wide area of history. He furthered that it is concerned with the study of how societies have transmitted culture from one generation

to another. It is also the study of how Education became a tool of problem solving activity and its evolution down the ages. History of Education is a sub-discipline, focussing on the historical aspects of the educational system of a society. In his own submission, Abrahams (2004) defined history of Education as the systematic study of record of all the policies, efforts and their consequences with particular reference to the way and manner societal culture is being transmitted from one generation to another. It also refers to the sequence of events designed by a society for the socialization of its young ones.

According to Taiwo (2003), history of Education in Nigeria embodies the development of Education at various levels and the growth of knowledge and ideas that have been serving as bases for that development in Nigerian educational system. It takes into account the knowledge of the traditional or indigenous educational system, the Islamic system of Education and the Western system of Education. It also distinguishes between formal, informal and non-formal types of Education.

## VI. SOME CATEGORIES OF HISTORIANS OF EDUCATION

Without necessary falling into the excess of a rigid typology, there is the propensity for historians of Education to prefer one approach, one kind of subject matter, as, one particular way of managing and interpreting data that concern their calling. This leads to the categorization of these historians of education into the following, depending on their orientation:

### a) *The Scholar :*

This one Historians of Education has been activity research into both hold but especially new sources of documentation. His ambition is either to provide working instruments or collections of intellectual picture as precise and complete as possible of some doctrine work, institutions or educational practice. He funds a treasure, race documents rich with premises, but does not take even a broad remain like the parachutist. The scholar historian of Education synthesizes, basing his analysis on the work of scholarship in painting broad canalises whether synchronic or diaphonic of suns educational institutions are in certain cases outline the laws underlining their trends.

### b) *The philosophical Historian of Education :*

Basic to the precincts of his scope is the analysis of the work of major educational writers. He does this in order to extract for intelligible discuss the evolution of the goals of Education to follow the changes which have occurred in the understanding of an attitude to learners. The heritage of Plato, Aristotle, Socrates, Evasmels, etc. become significant.

c) *The Sociological Historian of Education :*

Many historians are rather interested in the study and analysis of the working of a particular sectors of the Education system such could for example be aspects of education relating to the recruitment, curriculum etc. expressed interims of the functions fulfilled by the school, the conclusion of such sociological Historians of Education serve to feed the couturiers regarding the 'new history'. Sociological historians may also be interested in the statistics of educational growth and development viz the level of Education among Farmers, the Police, army, etc. prevalence of adult Education and correspondence, out of school opportunities, gender issues into a particular epoch, etc.

## VII. QUALITIES OF HISTORIANS OF EDUCATION

As with other professional like medical doctors, engineers, lawyers, etc, Historians of Education need to passes certain qualities. According to Abraham (2004). A few of these are listed below:

- i. A profound knowledge, an the basis of original sources, of at least one sector of the history of Education.
- ii. A good knowledge of world history form an ancient time to the present day.
- iii. An extensive knowledge of the history of Education with respect to ideals, institutions, individuals, practises, and results.
- iv. A liberal Education including literature, aesthetics, philosophy, the psychology of Education, mathematics, etc.
- v. A mastery of historical research methods.
- vi. Acknowledge of the history of historiography.
- vii. The ability to read easily the languages used in the writing of history.
- viii. The possessions of the knowledge and capacity needed to carry on a dialogue implied by the strengthening at links between history of education and other human sciences.

## VIII. RESEARCH METHODOLOGY

a) *Research Design*

Ex-post facto research design was employed in this study. According to Kerlinger (1976), descriptive research is the collection of data in order to answer research questions (hypotheses) on the subject matter of research project.

b) *Population*

The population for this study includes parents, teachers, students and the stakeholders in Education.

c) *Sample and Sampling Techniques*

Of all the universities in Nigeria, three (3) universities were selected, one each form Northern, Western and Eastern region. 8 teachers (lecturers) and

50 students of Faculty of Education were selected form the 3 universities. Also, 50 parents were sampled by means of purposive sampling technique. On a whole, 108 respondents were sampled for his study.

d) *Research Instrument*

Questionnaire was used to elicit information from the sample respondents. 3 questionnaires were designed by the researchers. They are: student factors, Job prospects and Choice of History of Education Questionnaire (SFJPCHEQ), Teachers factors and students' choice of History of Education Questionnaire (TFSCHEQ) and parent factors and students' choice of History of Education Questionnaire (PFSCHEQ). The questionnaires contained two sections, Section A and B. Section A contained demographic data of the respondents while Section B contained 40 items altogether, well-structured based on the subject matter of this research work. The response to the items is based on the likert's four rating scale: Strongly Agree (SA), Agree (A), Disagree (D) and Strongly Disagree (SD).

e) *Validity of the Instrument*

Face and content validity was employed. In that, copies of the questionnaires were given to experts for comments, suggestions and corrections. Their corrections were incorporated into the final copies before the instruments were finally and subsequently administered.

f) *Reliability of the Instrument*

Cronbach Alpha analysis was adopted. In that, the questionnaires were administered on the sampled of respondents which were not part of the respondents used in the main study twice. Hence, scores from the first and second administration were correlated using Pearson Product Moment Correlation Co-efficient.

g) *Procedure for Data Collection*

The researchers personally went to the sample schools and administered the questionnaires. The questionnaire for the parents was administered with the help of the students. This personal effort of the researchers enabled them to interpret and explain part of the items of the questionnaire to the respondents and this yielded high rate of return of the questionnaire.

h) *Method of Data Analysis*

Data collected from the respondents were collated and coded. Hence, Pearson Product Moment Correlation Co-efficient was used to analyse the data in line with the earlier formulated research hypotheses at 0.05 level of significance.

## IX. RESULTS AND DISCUSSION

*Research Hypothesis One (HO<sub>1</sub>)* : There is no significant relationship between parent factors and students' choice of History of Education in Nigerian Universities.



**Table 1 :** Analysis of the relationship between parent factors and students' choice of History of Education in Nigerian Universities.

Variables	N	$\bar{X}$	Df	r-calculated value	r-critical value	Decision
Parent factors	50	18.7	99	0.946	0.196	HO <sup>1</sup> : rejected
Students' Choice of History of Education	50	18.7				

As shown in table 1 above, the r-calculated value of 0.946 is greater than the r-critical (table) value of 0.196 at 0.05 level of significance and for 99 degree of freedom. Hence, the null hypothesis is rejected.

**Research Hypothesis Two (HO<sub>2</sub>) :** There is no significant relationship between teacher factors and students' choice of History of Education in Nigerian Universities.

**Table 2 :** Analysis of the relationship between teacher factors and students' choice of History of Education in Nigerian Universities.

Variables	N	$\bar{X}$	Df	r-calculated value	r-critical value	Decision
Teachers factors	50	23.8	99	1.366	0.196	HO <sup>2</sup> : rejected
Students' Choice of History of Education	50	17.5				

As indicated in table 2 above, the r-calculated value of 1.366 is greater than the r-critical value of 0.196 at 0.05 level of significance and for 99 degree of freedom. Hence, the Null hypothesis is rejected.

**Research Hypothesis Three (HO<sub>3</sub>) :** There is no significant relationship between students factors and their choice of History of Education in Nigerian Universities.

**Table 3 :** Analysis of the relationship between student factors and their choice of History of Education in Nigerian Universities.

Variables	N	$\bar{X}$	Df	r-calculated value	r-critical value	Decision
Student factors	50	9.29	99	0.268	0.196	HO <sup>3</sup> : rejected
Choice of History of Education	50	4.64				

As shown in table 3 above, the r-calculated value of 0.268 is greater than the r-critical value of 0.196 at 0.05 level of significance and for 0.99 degree of freedom. Therefore, the null hypothesis is rejected.

**Research Hypothesis Four (HO<sub>4</sub>):** There is no significant relationship between student's interests and their choice of History of Education in Nigerian Universities.

**Table 4 :** Analysis of the relationship between students' interests and their choice of History of Education in Nigerian Universities.

Variables	N	$\bar{X}$	Df	r-calculated value	r-critical value	Decision
Students' factors	50	20.2	99	0.757	0.196	HO <sup>4</sup> : rejected
Choice of History of Education	50	19.8				

As indicated in table 4 above, the r-calculated value of 0.757 is greater than the r-critical value of 0.196 at 0.05 level of significance and for 99 degree of freedom. Hence, the Null hypothesis is rejected.

#### a) Discussion of Findings

The tables presented above are hereby discussed as follows:

It was discovered from research hypothesis one that there is significant relationship between parent factors and students' choice of History of Education in Nigerian Universities. This means that parents dictate, choices, etc influence the students' choice of History of Education. Some parents see History as inferior subject compared to other science and management related courses. Some prefer their children to offer uncreative courses like Banking and Finance, Accounting and others instead of History. Hence, all these beliefs of the parents influence their children choice of History of Education. This therefore make some children not to specialize in History of Education at higher Degree level because they belief their parents will vehemently frown at such a discipline.

The research hypothesis two was also rejected. It means that there is a significant relationship between teacher factors and students choice of History of Education in Nigerian Universities. This follows that the qualification, experiences and the methodological approaches of the teachers in teaching History of Education go along way in influencing the students choice of History of Education. For example, if History of Education as a course is taught by competent lecturers with good and adequate methodology to facilitate the interest of the students, it helps to improve their choice of the course. However, if otherwise, the students' choice of History of Education will be negatively affected and hampered. Hence, there is need to encourage teachers at higher degree level to use various approaches that can facilitates the students' choice of History of Education at that level of Education. Research hypothesis three was also rejected by implication; it follows that significant relationships exist between students' factors and their choice of History of Education. This ranging from the perceptions of the students towards teaching and learning of History of Education to their opinions on the employability after offering such a course. Thus, if all the aforementioned are negative, it affects their choice of History of Education and vice versa.

Similarly, research hypothesis four was rejected, meaning that there is a significant relationship between students' interests and their choice of History of Education. This means that the interests of the students, whether positive or negative go along way in influencing their choice of History of Education. It is therefore, important to note that the positive interests of the

students positively influence their choice of History of Education while their negative interests hamper the choice of the course, History of Education.

## X. CONCLUSION

There is no gain saying the fact that various factors jeopardize the choice of History of Education at higher degree level. However, based on the outcomes of this study, it can be concluded that there was a significant relationship between teacher factors and students' choice of History of Education, parent factors and students' choice of History of Education, students factors and their choice of History of Education and students' interest and their choice of History of Education. Thus, teacher, parents, students factors and job opportunities are determinants of students' choice of History of Education in Nigerian Universities.

## XI. RECOMMENDATIONS

Teachers of History of Education in Nigerian Universities should ensure that appropriate and relevant teaching methods are employed to arouse the interests of the students on the course.

Parents should be sensitized on the benefits of making their children to specialize on History of Education in the universities.

The appropriate body like National Universities Commission (NUC) should enforce law that will make all the Nigerian universities having programme in teacher education to employ experts in History of Education to teach the course. This undoubtedly will help to create more job opportunities and prospects for the students offering the course at Higher Degree Level.

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## Limitation of Liability of the Rail Carrier Operator Based on CIM Rules

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**Abstract** - Generally accepted rule of CIM like other conventions about carrier operator is that in case of any damage related to contract of carriage the liability of carrier such as railway or rail transportation institutes will not exceed a certain ceiling except those cases predicted in regulations. The ceiling of carrier liability is payment of seventeen units of account at most for each kilogram of non-net weight of goods.

**Keywords** : *Limitation of Liability, Compensation, Units of Account, COTIF Convention, International Monetary Fund (IMF).*

**GJHSS-E Classification** : *FOR Code: 160510, 160507*



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## I. INTRODUCTION

The notion of international uniform rules establishment in order to remove differences of national rules led to establishment of the COTIF Convention in 1980. This convention was formed during the integration of two uniform regulations of CIM and CIV which were considered as the oldest international documents of carriage of goods and passengers by rail. The COTIF regulations of modern form were passed in Bern, Switzerland in 1980 and due to its defects it was first corrected in 1982 and some complementary rules were added to it. Then in 1985 it was officially implemented. By implementing the rules, their defects were gradually observed [1-2]. Due to suggestion of some countries it was corrected again in 1992. Due to economic policies aimed at reducing government activities and allowing legal persons to act, private laws of transportation were passed in 1999 in Vilnius City. This Convention includes seven annexes that in transporting by rail have the capability of implementation among those countries which joint it. One of the most important of this Convention is its annex II which is devoted uniform rules about international carriage of goods by rail (CIM). The above rules predict specific regulations about transporting goods by rail which are the most advanced rules in the field of rail way [3-4]. This Convention is accepted and implemented by 42 countries in the world. This article investigates the amount of compensation which the person in charge of transportation by rail should pay in accordance with CIM rules and it also studies its unit of account and the quality of its assessment.

## II. AMOUNT OF COMPENSATION AND ITS UNIT OF ACCOUNT

### a) Amount of Compensation

The generally accepted rule of CIM (1980/1999) is that the liability of carrier is limited to a certain sum. It means that in case of any damage related to carriage contract such as loss or waste of products and delay in delivery the liability of carrier (such as railway or rail way transportation institute) will not exceed a certain ceiling except those cases predicted in regulations. In fact this matter is not a new subject but it is also observed in other conventions about transportation and the carrier is only liable to compensate a certain amount of damage. Any way based on each two discussed rules the specified sum as the ceiling of carrier limitation is payment of seventeen units of account at most for each kilogram of non-net weight of goods. In accordance with article 40, 2 of regulations of 1980 "Compensation shall not exceed 17 units of account per kilogram of gross mass short, subject to the limit provided for in article 45." Also according to article 30, 2 of corrected rules of 1999 "The compensation should not exceed seventeen units of account of each kilogram." since the maximum damage of goods is that the goods are lost or wasted, then the compensation of loss or waste of goods is the criterion.

### b) Unit of Account

In order to have a scale of assessing time and place for different sums (the maximum compensation, costs and so on) which are predicted in the COTIF Convention, the aforementioned convention with some exceptions has established a general unit of calculation that is Special Drawing Right (SDR) of IMF. This solution which is popular under the title of "London Formula" is accepted by international conventions related to other ways of transportation. In fact in uniform rules, SDR is the determinant of unit of account which is predicted as the criterion of compensation payment. In CIM in 1980 the concept of unit of calculation and SDR are described and defined. In accordance with article 7, 1 the above rules, "The value in Special Drawing Right of the national currency of a State which is not a member of the International Monetary Fund shall be calculated by the method determined by that State. The calculation must express in the national currency a real value approximating as closely to that which would result from



approximating as closely to that which would result from the application of 1.” The Article 9 of COTIF Convention defines unit of account in this way, “Unit of account which is predicted in annexes and defined in IMF is SDR.” Now according to above information we should know that what SDR is and how it is evaluated in different countries. In a general definition of SDR it is said that,” SDR is in fact an artificial currency and its value is equivalent to the value of basket of currencies in which there are the currencies of five countries as follows: Dollar of America 42%, Mark of Germany 19%, Franc of France 12%, Pound of England 12%, yen of Japan 15%”, although before 13/12/1980 this basket of currencies included sixteen different countries. This unit of account has a general advantage which is since it is assumed that by decreasing the value of one currency the value of others will increase, then the possibility of degradation of SDR is lower than its currencies [5-6].

About methods of calculating SDR in uniform rules, some rules have been predicted as follows:

1. About those countries which are the members of IMF, SDR, the value of national currency is computed in a way that IMF uses for its special operation and trades which is equivalent with three Francs of gold weighting 100/31 gram and 900% carates fine.
2. About those countries which are not the members of IMF, SDR is the value of national currency in a way that that country specifies. But it is necessary that the value of national currency is defined in a way that it is near to the value defined by IMF (from Article 7, 2 of 1980 rules and Article 9, 3 of general rules of 1999 Convention).
3. About those countries which are not the members of IMF and their legal system don't allow implementation of the above matters. The predicted SDR is the equivalent of three Francs of gold weighting 100/31 gram and 900% carates fine. Meanwhile, the exchange of gold Franc to the national currency should be in a way that it is near to real value defined by IMF. (Article 7,3 of 1980 rules and Article 9, 4 general rules of 1999 Convention).

Countries which joint OTIF Organization are responsible to inform OTIF whenever there is a change in their method of computation or the value of national currency to share them with other joint governments. In accordance with 1980 rules the railways should share the rates which usually people need them in printed. These rates are as follows:

- The exchange rate with which foreign currency is exchanged to domestic currency of the country.(Exchange Rate).
- The rate with which foreign currencies are accepted for paying money.

### III. PAYMENT OF COMPENSATION AND ITS ASSESSMENT

#### a) *Compensation Payment in Different Kinds of Damages*

##### i. *Compensation in case of Loss or Wasting of Goods*

Before going to details, it is necessary to give an exact definition of the word “LOSS” which is repeated a lot in the Convention text. In the legal system of England the word of “LOSS” is used in two meanings: 1. Damage and Wasting. 2. Losing the Goods. In majority of legal texts of Judgment System of this country this word is used interchangeably of these two meanings. However conceptually they are totally different. In fact when goods are lost, they may not be damaged and wasted but they are unavailable for their owners for a limited or unlimited period of time. Then there is the possibility of finding and restoration of their ownership. Since it has been predicted in CIM regulations (1999/1980) in case of finding the lost goods, the rightful can require the restoration of the property by paying the sum which has been given to them as compensation. The word “wasting” is used in conditions when due to the defects in goods, it couldn't generally be used and it couldn't return to their first phase. Since the liability of the warrantor is the same in both “losing” and “wasting”, then because of this these two words are used interchangeably.

##### ii. *Compensation in case of Losing Goods*

Losing goods can be assumed really and presumptively. In losing goods presumptively, by expiration of the dead line of delivery and no delivery on behalf of the warrantor it is assumed that the goods are lost. This presumptive losing in different systems of transportation is predicted in C.M.R about transporting international carriage of goods by road and no delivery during thirty or sixty days means their losing. In each both rules when during thirty days the goods are not delivered on the exact time till to the end of this dead line they are supposed to be lost. According to Article 39, 1 of 1980 rules and Article 29, 1 of 1999 rules: “ The person entitled may, without being required to furnish further proof, consider the goods lost when they have not been delivered to the consignee or are not being held at his disposal within thirty days after the expiry of the transit periods.”

For measuring goods compensation in case of losing there are three kinds of rates:

1. Index Rate: Prices which are determined on behalf of national or international stock markets for specific goods and are presented to the customers as price list.
2. Market Price: When the lost goods have not the stock markets and index rate, stock market rate or their market prices are the bases for determining the

price. By market price we mean the market price of the country in which the goods have been lost.

**Normal and Common Value of Goods:** When there are no market prices or market rates, the paid compensation will equal with the normal and common value of goods with the same quality and type in the place and at the time of accepting the goods. In this way their values may be higher or lower from the values in the place where they have been lost. (Article 40, 1 rules of 1980 and Article 30, 1 rules of 1999).

Generally the compensation which is paid based on each above sums shouldn't exceed the authorized ceiling, it means seventeen units of account for per kilogram of non-net weight of goods.

Another subject about compensation of the lost goods which should be discussed is those cases which were added into rules of 1999 while they weren't in the rules of 1980. The subject is that payment of compensation in case of the rail vehicle losing or the railway equipments which are carried as goods. According to Article 30, 3 rules of 1999 of carriage contract there is the rail vehicle moved on their wheels or a combined unit of transportation at first then they would be lost for the compensation the recompense would be the normal value of vehicle or the combined transportation unit or their parts at the day or in a place of being lost and in this case the index rate or market wouldn't be applied. When it is not possible to determine the day and the place of being lost the compensation would be limited to the place and day of the liability acceptance.

### iii. *Compensation in case of Wasting Goods*

As it was mentioned before, wasting the goods happens when they have generally been wasted or they have lost their quality or their usage. Wasting goods may be total or partial. Partial wasting is in fact wasting parts of the goods because of some defects, but the rest of goods can be used (like wasting five gunnies of rice out of one hundred gunnies). In case of wasting goods totally or partially, the maximum compensation which should be paid by the carrier is the same in both rules and it would be similar to what is said in case of being lost and briefly we can say that compensation equals with the general value of goods if it doesn't exceed the authorized maximum (seventeen units of account for per kilogram of non-net weight).

### iv. *Compensation in case of Damaging Goods*

By damaging goods, it means that due to the created defects the goods economic values decreases but they can be used. The compensation which the carrier should pay equals with the devaluation of damaged goods. In another words, the compensation which the carrier should pay equals with the value decreases in result of damaging goods. To calculate

this sum, the value of goods is measured based on index rate or market price or the value of such goods in the same place and time of liability acceptance (Article 42, 1 rules of 1980 and Article 30, 1 rules of 1999).

The amount of this sum is determined by determined rates and in accordance with the percentage of decreased value of goods in destination which can't be higher than the compensation paid in case of wasting goods (seventeen units of account per kilogram). The sum should be paid is subtracting of the price of safe goods and price of damaged goods in accordance with determined value in destination. However the compensation shouldn't be higher than the following sums:

- a) If due to the damaging goods all of consignments are devaluated, the compensation which would be paid shouldn't be higher than the compensation in case of losing all of them.
- b) If only a part of consignment/cargo is devaluated because of damaging, the compensation shouldn't be higher than the compensation of losing a part of it. In another words the amount of compensation will equal with the very part of goods which are devaluated (Article 44, 2 rules of 1980, Article 32, 2 rules of 1999).

According to Article 33, 3 rules of 1999, "In case of damaging vehicle which moves on their wheels and is carried as goods or a combined vehicle or their parts, the amount of compensation except of other damages limits to the cost of repair and the amount of compensation shouldn't be higher than the sum in case of losing. In addition to the above compensation, the carrier should pay the cost of carriage, customs duties and other sums which were got because of goods carriage except of indirect taxes of goods circulated during the above rights suspension (Article 40, 4 rules of 1980, Article 32, 4 rules of 1999).

### v. *Compensation in case of Delay in Delivery*

If there is a date determined in the contract for goods delivery and if there is not a date, based on predicted legal grace period the carrier should deliver the goods to the person who is determined as a receiver in the bill of landing on deadline. Obviously in case of delay in delivering when damaging happens the carrier should compensate it. But the subject studied here is that only those damages because of delay in delivery could be demanded or only damages which happen because of delay in delivery could be demanded. There is a doubt in Article 43 rules of 1986 which is "In case of damages due to delay in delivery of goods, the railway should pay the compensation. As it is seen the Article has been arranged as if only those damages happen to goods due to delay in delivery could be demanded and other damages wouldn't be included in this article. In

order to avoid any misinterpretation, the above article was corrected in the circulation of the Convention verification and was arranged in a way that it obviously mentions that in case of any damages related to delay in delivery, the carrier should compensate it. The maximum compensation due to delay in delivery in the rules is not the same. In rules of 1980, the maximum sum equals with three times of goods agreed rent. According to Article 43, 1, "In case of damaging due to delay in delivering of goods, the railway should pay the compensation which is not higher than three times of goods rent." According to Article 23, 1 the mentioned rules, "In case of damaging due to passage of delivery deadline the carrier should pay the compensation which should not be higher than four times of goods rent.

#### *b) Measurement of Damages*

Measuring damages is presented in all cases when the carrier is responsible for the compensation of loser and in case when the amount of compensation is lower than the defined maximum sum (seventeen units of account) and also in case that the carrier doesn't accept the announcement of goods value more than the sum as certain ceiling. The matter discussed here is that first which damages could be demanded, second how place and time of measuring damages could be determined. In accordance with the first question, we say that in common rules it only refers to this subject when damaging happens and it's not also one of the exemption he is responsible to compensate it. In accordance with this matter it is necessary to refer to general rules of liability about this case which damages could be demanded two conditions: 1) to be direct 2) to be able to predict damages are criteria of actions. Of course it is necessary to mention that the above conditions can be deduced from the Articles related to the carrier's liability (Article 36, 2 rules of 1980 and Article 23, 2 rules of 1999). Based on above regulations if the damages are because of events which the carrier couldn't avoid them or prevent their circumstances the carrier will be exempted from the liability. The damages which are not predictable, commonly they are not avoidable. On the other hand, according to third paragraphs of above articles it is understood when damages are not related to the carrier (they are not directly because of their action) if he can prove this matter, they couldn't be demanded. About time of measuring damages, it is necessary to mention that based on general rules of liability time of issuing order is the criterion of action. Because of this first before issuing order the debtor is responsible to pay the compensation then the judgment sentence get formed these obligations and commitments and change them into monetary debt.

Second, in this case the damage caused by lack of commitment is completely compensated and the

status of the loser becomes to the expected status. But in accordance with predictability of damages is one of the conditions of its compensation, this subject is the matter of doubt, because the carrier is not considered as the person who is responsible for price rise of goods or devaluation.

According to Article 40, 1 in case of wasting the whole or part of the goods the railway should calculate and pay the compensation based on market exchange rate and in case of lack of exchange rate, based on day market price and in case of neither of them based on common and current value of goods of the same type and quality of the place and time which is accepted. Also Article 30, 1 1999 corrected rules mentions, "About losing the whole or part of goods, except other damages the carrier should pay the compensation which is calculated based on exchange rate or in case of lack of this criterion, based on market rate and in case of neither of them this criterion common value of goods of the same type and quality in a day and place which are accepted.

As we can see both regulations are determined as measurement criteria of damages in only one situation that goods don't have exchange or market rate and it is, "the day when goods are accepted for carriage." As it was mentioned before in arranging rules of 1980, there are a lot of borrowings from C.M.R which is about international transportation by rail. One of these examples is Article 40, 1 uniform rules of 1980 which is in fact equal with Article 23, 1 C.M.R regulations.

According to Article 23, 1 C.M.R regulation, "When the carrier is responsible for paying compensation of the whole or part of goods, this compensation is calculated based on the value of goods in the place and time of acceptance for carriage." The second paragraph of this Article also mentions, "The value of goods is determined based on day market price and if the exchange price and day market is not clear, the common value of goods of the same kind and quality would be considered. In comparison between this Article and Article 40 of uniform rules of 1980 and also Article 30 corrected rules of 1999 we can understand that in fact CIM rules (1999/1980) have both combined each two paragraphs of CMR Article 23 and stated them in one Article. In 1999 CIM regulation it has been predicted another criteria about time of measuring damages which happen to railway vehicles and railway equipments. In case of damaging goods such as railway vehicles moved on their wheels on a combined transportation unit or their parts, there are two criteria for time of damage measurement:

1. When the time of losing goods is clear and certain, that time will be the criteria of measuring.
2. When such time can't be determined, the day of liability acceptance will be the criteria of time measurement. (Article 30, 2 1999 rules).

But about those damages due to delay in delivery or delivery date expiry, it can be concluded that when due to delay in delivery some damages happen to goods, the time of damage measurement is the time of liability acceptance but if there aren't any damages, we should refer to the general rules of liability which the court is responsible for that. However the amount of compensation shouldn't be higher than three times of freight based on 1980 rules or four times of freight according to 1999 regulations. At the end, it is necessary to pay attention to some notes:

First, the matters stated about the time of measuring damages are also true about its place. In another words, in any case which damages are measured based on time of liability acceptance, the place of measuring damages is also the place of accepting goods for carriage (Article 40, 1 and Article 30, 1 1999 rules) and also in those cases which goods have been lost, when the place of losing is clear that place is the place of measuring damages (Article 30,3 1999 rules) and if the place is not clear, the place of liability acceptance of goods would be the place of measuring damages.

Second when the court wants to compensate the damages, usually compensating damages is usually done by paying money. In other words, the most common way of compensating damages is paying money and usually judges prefer to avoid other ways of paying and the two partners prefer to know clearly their right and duty to each other.

In uniform regulations (1999/1980) when it speaks about compensation, its amount is determined with money. But it doesn't mean that the above regulations ignored other ways of compensating damages. One of the ways of compensating is restoration of the exact goods. As it was mentioned when goods are not delivered to the sender or receiver after expiry of deliver day during thirty days, goods are considered being lost and the carrier should compensate damages and money which equals with goods value not higher than seventeen units of account. But the person who is rightful can announce that whenever goods are found during one year, the carrier should deliver them.

Third the last point presented as a question is that due to uniform rules (1980/1999) the carrier such as railway or railway transportation institute) should be condemned the maximum compensation which means seventeen units of account for each kilogram non-net weight of goods. How and when should this amount of currency change to domestic unit of currency?

To answer this question we should say that based on accepted general rules in the most legal systems about compensating damages, time of exchanging foreign currency to domestic currency is the time of pronouncement. In CIM rules (1999/1980) this

approach is followed. According to Article 4, 4 1980 regulations, "In calculating compensation if it is necessary to exchange the determined sums, the exchanging of currency would be done based on the day rate in a place which compensation is paid. Then the time of exchanging foreign currency to the domestic currency is the time of payment and that time is the time of pronouncement, because until the final pronouncement, the committed is not responsible for paying. The place of exchanging is in fact the currency of a country in which the compensation should be paid; then the value of that place currency at the time of pronouncement is the criterion of action.

After signing the contract and carrier's acceptance of the carriage liability of consignment if the consignment is damaged or lost or wasted or delivered in delay, the carrier should compensate the damages to the beneficiary due to the violation of his commitment in the contract and as far as it has mentioned the maximum amount of compensation that the carrier should pay is equivalent with seventeen units of account (SDR) for each kilogram of non-net goods and three or four times carriage cost in case of delay. In this part at first the amount of compensation that the carrier should pay in different matters are discussed, then the method of evaluating and assessing the damages are investigated.

#### IV. CONCLUSION

As we understand according to CIM rules, in case of damages the carrier is responsible for per kilogram non-net weight of goods seventeen units of account. However if the amount of damage is lower than this amount the loser is only rightful for receiving compensation as the same proportion. By unit of account, it means special drawing rights. About damages caused by delay in delivery maximum three times of freight is acceptable as compensation which the carrier should pay. In CIM rules it is predicted that when goods won't be delivered to the rightful person during thirty days from the defined date, at the end of this date it is assumed that they are lost. In this case, the amount of compensation which the carrier should pay is compensation which is equivalent with exchange rate, market rate or common value of goods of the same type and quality of the time and place which the goods liability is accepted. In case of damaging goods the compensation of damaging is equal with the value of goods which shouldn't be higher than the maximum certain ceiling (seventeen units of account for per kilogram non-net weight. Also in case of damaging goods the amount of compensation is equal with decreased value of damaged goods. In these rules in places where the goods don't have exchange or market rate the criterion for measuring damages is: The day when the goods are accepted for carriage if not the



criterion for measuring damages is the time of accepting the liability of goods and the place of measuring is also the place that goods are accepted for carriage.

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## Principals' Attitude Towards Corporal Punishment in Nigeria Secondary Schools

By Dr. E.D. Nakpodia

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**Abstract** - This paper dealt with principals' attitude towards corporal punishment in Delta State secondary schools. It discussed an overview of corporal punishment in schools, justification and criticism of school corporal punishment, guidelines in imposing corporal punishment in schools, effects of corporal punishment on students, and reason why school corporal punishment should be banned. It is therefore recommended that government should introduce and pass legislations prohibiting the use of corporal punishment in public schools, and that teachers and school administrators should be provided with tools and resources necessary to develop safe and effective methods for encouraging positive student's behavior. It also recommended that the use of corporal punishment be discouraged in the school system and there is need for principals to employ better disciplinary techniques that would yield better results.

**Keywords** : *Attitude, Secondary School Heads, Corporal Punishment, Nigeria.*

**GJHSS-E Classification** : *FOR Code: 130303, 160506*



*Strictly as per the compliance and regulations of:*



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Dr. E.D. Nakpodia

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## 1. INTRODUCTION

School corporal punishment, a form of corporal punishment, covers official punishments of school students for misbehaviour that involve striking the student a given number of times in a generally methodical and premeditated ceremony. The punishment is usually administered either across the buttocks or on the hands, with an implement specially kept for the purpose such as a rattan cane, wooden paddle, slipper, leather strap or a wooden yardstick. Less commonly, it could also include spanking or smacking the student in a deliberate manner on a specific part of the body with the open hand, especially at the elementary school level.

Advocates of school corporal punishment argue that it provides an immediate response to indiscipline and that the student is quickly back in the classroom learning, rather than being suspended from school. Opponents believe that other disciplinary methods are equally or more effective. Some regard it as tantamount to violence or abuse.

Infact, teaching in schools goes beyond gathering students for learning. It is all encompassing and discipline forms a major part of it. For Africans, especially in Nigeria, not sparing the rod is one essential

aspect of discipline. Unfortunately, flogging, as an example of corporal punishment and as a disciplinary measure is fast declining in most Nigerian schools, a situation many attribute to the decadence among students these days. Many teachers believe flogging students has no place in today's education. To them, the advancement of technology has made it imperative that teachers develop better ingenious ways of correcting students when they err instead of resorting to corporal punishment while others believe that teaching must necessarily include the use of the cane in a world indiscipline has eaten too deep into the moral fabric of the society.

However, it will become unacceptable when flogging gets to the extreme. Some teachers are just too harsh and over a little provocation, they descend on students and beat them with any kind of stick available and in the process inflicting severe injuries on their body, the scars of which may have to live with them forever. Such types of correctional measure should not be allowed in school and also at home.

Corporal punishment entails physical chastisement of a pupil in a school. It is a punitive response to students' misbehaviour and even has a extensive biblical support in the book of Proverb 22:15 and 23:12, which says:

*Apply thine heart unto instruction and thine ears to the words of knowledge... foolishness in bound in the heart of a child; but the rod of correction shall drive it far from him... withhold not correction from the child; for if thou bestest him, he shall not die. Thou shalt beat him with the rod, and shall deliver his soul from hell.*

Today, the desirability and effectiveness of corporal punishment had been called to question (Peretemode, 1992). While some school administrators and teachers support its use, others are strongly opposed to its use.

However, school administrators and teachers have power and authority to administer a school disciplinary programme. This power to control and discipline students for infractions is traceable to the age doctrine of in-loco-parentis (in place of parents). This position of principals and teachers with regard to disciplinary control of students, especially in imposing corporal punishment is well explained in the Corpus

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Julis Secundum (79 CJS: 493). As a general rule, school principals to a limited extent at least, stand in-loco-parentis to pupils under his charge and may exercise such powers of control, restraint and corrections over them as may be reasonably necessary, he is subject to such limitations and prohibitions as may be defined by law. The court in democratic societies all over the world has also viewed school officials as standing in-loco-parentis, allowing them to regulate the students in any manner subject only to the standards and restraints that the parents would use in supervising the welfare of the child (Nakpodia, 2011).

Over the years, the inflation of corporal punishment on recalcitrant children in the country has become an accepted method of promoting good behavior and instilling notion of responsibility and decorum into the heads of mischievous students (Nakpodia, 2011). It is presumed that any parent who sends a child to school gives this authority to school officers. But the desirability and effectiveness of corporal punishment have been called to question in recent times. While some parents, teachers and school principals favour the use of corporal punishment, others are strongly opposed to its use in schools. Gregory (1995) cited in Nakpodia (2007) made the following points in support of corporal punishments that some students only respond to corporal punishment; and that corporal punishment is effective because it makes students to think twice before committing the same offence. In addition, the use of physical punishment can

be a deterrent to other students who might violate a rule in the absence of such punishment.

On the other hand, Rathiff (1980) also cited in Nakpodia (2007) opposed corporal punishment based on the following reasons "that it is cruel; unreasonable corporal punishment is too difficult to prove in court, holds considerable potential for child abuse and tends to be discriminating; and also there are more effective non physical alternative that can be used in correcting student misbehavior.

Each year, hundred of thousands of students are subjected to corporal punishment in public schools despite the many problems associated with the hitting or paddling of students. Aside the infliction of pain and the physical injuries which often result from the use of physical punishment, these violent disciplinary methods also impact students' academic achievements and long – term well-being even after school. Despite significant evidence that corporal punishment is detrimental to a productive learning environment, there is still no federal prohibition on the use of physical discipline against children in public schools.

On the other hand, corporal punishment tends to prevent students from committing any serious offence; it creates fear in the minds of pupils and reforms the offender because pupils generally do not like their names to go into such books. Below is a format of a corporal punishment book; as one of the major pillars of punishment in general:

Table 1 : Corporal Punishment Book.

DATE	PUPIL'S NAME	SEX	AGE	CLASS	OFFENCES	PUNISHMENT	BY GIVEN	WHOM	PRINCIPAL'S REMARK
5/01/2012	Akpasubi Joel	M	12	1A	Fighting and injuring Obornodje Gloria	10 strokes of the cane and a field to cut	Vice Principal Mr. Onosakponome		As a deterrent

## II. CORPORAL PUNISHMENT IN SCHOOLS: AN OVERVIEW

In Nigeria, the administration of corporal punishment has led to the loss of lives and permanent injury or disfigurement of pupils. The results of such unreasonable brutal and excessive corporal punishment has on several occasions led to legal suits by parents or guardians against the teacher concerned and the state Ministry of Education. Most state Ministries of Education in the country have therefore responded by restructuring the category of staff who can administer the cane.

According to Peretomode (1992), Imo State Education Edict in 1989 in Nigeria states that:

*All punishment shall be reasonable, taking into account the age and sex of the offender and the nature of the offence. Corporal punishment shall be administered only by the school head, and no male teacher shall administer corporal punishment on a female student (p.11).*

The Rivers State Ministry of Education Circular Letter of May, 1984, referred to in the chapter, even went steps further to dictate the maximum number of strokes (6) that may be administered and the offences that may attract such punishment. The dangers and fears associated with corporal punishment are very real. For instance, in the case of Fadahunsi Kokori v. A.I. Ukhure and the Benin Board of Education (1977), a student lost one of his eyes consequent upon the corporal

punishment administered by his teacher in the classroom. The teacher was charged for tort liability and negligence. The teacher's action contravened the fundamental right of the student – the respect for dignity of the human person, freedom from any form of torture, or inhuman or degrading treatment and the right to life, as entrenched in the 1999 Nigerian Constitution. The Benin High Court awarded the student N20,000.00 as damages.

The National Association of School Nurses define it as “the intentional infliction of physical pain as a method of changing behavior, which may include methods such as hitting, slapping, punching, kicking, pinching, shaking, use of various objects (paddles, belts, sticks or other), or painful body postures. Wikipedia free Encyclopedia sees school corporal punishment as covering all official punishments of school student for misbehaviors that involves striking the student a given number of times in generally methodical and premeditated ceremony, the punishment is usually administered either across the buttocks or on the hands with an implement specially kept for the purpose.

The American College Dictionary, (1953) defines corporal punishment as “physical injury inflicted on the body of one convicted of a crime and including the death penalty, flogging, sentence to a term of year etc,” The Californian Educational Code, (1990) Compact Edition, Section 49001 defines it as “the willful infliction or willfully causing the infliction of physical pain on a pupil”.

### III. TYPES OF CORPORAL PUNISHMENT

Corporal punishment which is a kind of physical punishment that involves a deliberate infliction of pain as retribution for an offence is mainly divided into three (3) types:

1. *Parental or Domestic Corporal Punishment* : This involves that inflicted by parents on their ward because most parents believed nothing else has worked except corporal punishment. It encompasses all forms of corporal punishment administered at home by parents or guardians.
2. *Judicial Corporal Punishment* : This is part of a criminal sentence ordered by a court of law, closely related to, it is prison corporal punishment ordered either by the prison authorities or by a visiting court.
3. *School Corporal Punishment* : These are corporal punishment undertaken within schools, when students are punished by teachers or school administrators for wrong done against rules and regulations.

### IV. JUSTIFICATION AND CRITICISM OF SCHOOL CORPORAL PUNISHMENT

The issue of school corporal punishment have raised a lot of problems round the world as most

people and countries sees it as inhuman, a physical and psychological danger to its receivers and a source of abuse to the child.

During the 18th century, the concept of corporal punishment was attacked by some philosophers and legal reformers, some believe merely inflicting pain on miscreants is inefficient, since corporal punishment influences the subject only for a short period of time and effects no permanent change in their behavior whose purposes should be reformatory and not retribution.

Poole, Ushkow and Nader (1991), supporters of corporal punishment in schools say that “as soon as the student has been punished he can go back to his class and continue learning in contrast to out-of-school suspension which removes him from the education process and gives him a free holiday.” Berrigan, a catholic priest also justifies the use of corporal punishment as it saves much staff time that would otherwise have been devoted to supervisory detention classes or in-school suspension.

Most people take school punishment as a disregard to humanity, unreasonable, holds considerable potential for child abuse, tends to be discriminatory with children from poor home etc.

### V. GUIDELINES IN IMPOSING CORPORAL PUNISHMENT IN SCHOOLS

Gorton (1983) identified the following ten guidelines extracted from various court cases and often recommended by educational authorities:

- a. Corporal punishment should not be used at all except when the acts of misconduct are so antisocial in nature or so shocking to the conscience that extreme punishment seems warranted – Actus Rea “actual performance of the act” as opposed to Mens Rea.
- b. The particular offences that will result in corporal punishment should be specified.
- c. Evidence that other non-physical methods were used earlier in attempt to help improve the students' behaviour should be required before corporal punishment is employed.
- d. Corporal punishment should not be used in those situations where physical restraint is more properly called for.
- e. If possible, a neutral party, specifically identified should administer the punishment, rather than the person who was in conflict with the student.
- f. Corporal punishment should be administered only in the presence of another or administrator (or parent) as witness, an individual who was not in conflict with the student – Amicus Curiae “a friend in the matter, one who is not a party to the case but appears to call his attention to some point of law or facts”. Also, the school administrator can authorize another



teacher to inflict the punishment "colore – extending one's authority by the virtue of his office", "exofficio – by virtue of his office".

- g. Exempt from receiving corporal punishment those students who have psychological or medical problems.
- h. Provide due process before administering the corporal punishment, including informing the student of the rule that has been broken presenting the student with the evidence indicating that the student has violated the rule and providing the student with an opportunity to challenge the allegation – Audi Alterem Partem "give the other side a chance; judgment can only be passed after hearing both parties to a case".
- i. Specify the kinds of documentation that will be required for administering corporal punishment.
- j. Forbid corporal punishment to be used on a continuing basis for those students whose behaviour does not improve after it has been initially administered.

## VI. EFFECTS OF CORPORAL PUNISHMENT ON STUDENTS

Harsh physical punishments do not improve students' in-school behavior or academic performance but one way or the other cause more harm than what we have already. The following are some effects of school corporal punishment:

1. Causes depression, fear and anger.
2. Causes withdrawal from school activities.
3. Lowered school achievement.
4. Difficult with concentration.
5. Antisocial behavior.
6. Intense dislike of authority.
7. Somatic complaints and lose of respect.

The above mentioned effects of school corporal punishment have made some organizations opposed to the sue of corporal punishment in our schools nowadays.

## VII. REASON WHY SCHOOL CORPORAL PUNISHMENT SHOULD BE BANNED

Due to the lasting effects placed on pupils when given these painful punishments, some countries have banned the use of corporal punishment in schools, while some still regards it as good means of punishment because it serves as a means of determent to others. The reasons why it should be banned are:

1. It has no place in the education of children. Corporal punishment is not allowed in the military, mental institutions and prison, research shows that children who are beaten and abused are more likely to be prone to depression, low self esteem and suicide.
2. It perpetuates the cycle of abuse.

Despite the above two reason why corporal punishment should be banned, 20 states still permit it in its schools. They are Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Idaho, Indian, Kansas, Kentucky, etc.

## VIII. CONCLUSION AND RECOMMENDATIONS

The study revealed that corporal punishment is the most frequently used form of punishment in secondary school; corporal punishment is not an effective tool in disciplinary control; and finally, there was significant difference between public and private secondary schools in the use of corporal punishment. It was recommended that the use of corporal punishment be discouraged in the school system and there is need for principals to employ better disciplinary techniques that would yield better results. The simple fact that corporal punishment as a disciplinary measure is not part of any education curriculum indicates that education at every level knows that corporal punishment has no place in the classroom; discipline can and should be taught by examples. In order to prevent the continued use of violence or the imposition of corporal punishment against children in our schools, the following recommendations were made.

1. Government should introduce and pass federal legislation prohibiting the use of corporal punishment in public schools.
2. Teachers and school administrators should be provided with tools and resources necessary to develop safe and effective methods for encouraging positive student's behavior.

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## Demographic Predictors of Sexual Risk Susceptibility among Undergraduates in Two Universities in Nigeria

By S.E. Oladipo (PhD)

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**Abstract - Purpose :** This study investigated gender, religious affiliation, institution of learning and academic level as factors predicting sexual risk susceptibility among university undergraduates drawn from two Universities in South-Western Nigeria.

**2. Methods :** Using an ex-post facto survey research design and random sampling methods, a total of 320 participants were selected for the study. 118 (36.9%) were male, 202 (63.1%) were female. Validated scale was used for data collection. Four hypotheses were stated, two of which were analyzed using t-test of independent means, while the remaining two were analyzed using a univariate analysis of variance.

**Keywords :** *Demographic, Sexual risk, Susceptibility, Undergraduates.*

**GJHSS-E Classification :** *FOR Code: 160505, 169901*



*Strictly as per the compliance and regulations of:*



# Demographic Predictors of Sexual Risk Susceptibility among Undergraduates in Two Universities in Nigeria

S.E. Oladipo (PhD)

## Abstract -

1. **Purpose** : This study investigated gender, religious affiliation, institution of learning and academic level as factors predicting sexual risk susceptibility among university undergraduates drawn from two Universities in South-Western Nigeria.
2. **Methods** : Using an ex-post facto survey research design and random sampling methods, a total of 320 participants were selected for the study. 118 (36.9%) were male, 202 (63.1%) were female. Validated scale was used for data collection. Four hypotheses were stated, two of which were analyzed using t-test of independent means, while the remaining two were analyzed using a univariate analysis of variance.
3. **Results** : Result of analysis showed that gender, religious affiliation and institution of learning were significant predictors of sexual risk susceptibility respectively, ( $df = 318$ ,  $t = 3.2$ ,  $p < .05$ ;  $df = 2$ ,  $ms = .81$ ,  $F = 3.41$ ,  $p < .05$ ;  $df = 318$ ,  $t = -2.96$ ,  $p = < .001$ ). However, academic level did not have a significant influence ( $df = 3$ ,  $ms = .24$ ,  $F = 1.02$ ,  $p > .05$ ).
4. **Conclusion** : The research thus established that demographic variables are significant predictors of sexual risk susceptibility among undergraduates.

**Keywords** : Demographic, Sexual risk, Susceptibility, Undergraduates.

## 1. INTRODUCTION

An observation of events as they unfold on a global scale has constantly affirmed that the Human Immune Deficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) are global health problems with serious medical, social, economic and psychological implications. The World Health Organization estimated that about 33.4 million people worldwide are infected with HIV (WHO, 2000). The pathetic side of the story is that, 22.5 million of the estimated people who are infected live in the sub-Saharan Africa. It has been reported that, although Sub-Saharan Africa contains only 10% of the world's population, it accounts for more than two thirds of the world's HIV infected people (DeCock, Mbori-Ngacha, & Marum, 2002).

In establishing the fact that Africa has been hit hard by the 'hydra-headed monster' of HIV/AIDS, Adam and Mutungi, (2007) have also noted further that; of the more than 25 million people who have died from HIV/AIDS worldwide, more than 14 million are from Africa. In other words, 56% of the total death from HIV/AIDS worldwide is from Africa. Within the West African sub-region the HIV prevalence rate ranges between 2% - 8%, with the exception of Cote d'Ivoire and Togo, reporting rates of 8% - 32%. Senegal, on the other hand, is below 3%. However, the likelihood of adults in sub-Sahara Africa becoming HIV infected is ten times greater than for an adult in North America and 20 times greater than an adult in Western Europe (WHO, 2000). This therefore portends that it is a problem that demands urgent attention in order to forestall further spread of the virus.

With a population of about 150 million people, Nigeria is the most populous African nation and in Nigeria, research has shown that the HIV epidemic is growing at an alarming rate, with sero-prevalence rates increasing from 0.9% in 1990 to 1.8% in 1992, 3.8% in 1994, 4.5% in 1996, and 5.4% in 1999 (Federal Ministry of Health, 1996). In specific sub-populations the rates are very significantly higher. For example, Esu-Williams et al (1997) reported that in 2,300 subjects from five states in Nigeria, HIV appears in over 60% of female commercial sex workers, 8% of male clients of commercial sex workers, 8% of blood donors, 9% of truck drivers, and 21% of STD patients. While the HIV epidemic may have been slower to impact Nigeria than many other African countries, these rates suggest that HIV prevalence is high and widely distributed in Nigerian society (Ezedinachi et al., 2002).

Because of their sexual behaviors, Nigerian youths between the ages of 15 and 24 years, like their counterparts in the West, are the most vulnerable groups to HIV/AIDS. Although the data may be a decade old, it is still disturbing to learn of a 10% prevalence rate among Nigerian youths ages 15-24 years (Makinwa, Adebuseye & Pauline, 1991) and there is no reason to believe that the rate today is not significantly higher. Similarly, Olayele et al (1993) found the highest prevalence rate in their study sample among 20-29 year olds. In the absence of extensive HIV sentinel studies, no one is sure of the accurate rate of HIV

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infection in Nigeria. At the current rate of transmission, the outlook is quite gloomy.

Based on the foregoing, it is established that the most vulnerable set of people to HIV/AIDS are the youths. In fact, college/university students have been particularly identified as the most at risk for engaging in sexually risky behaviours (Cohen, 2009). Approximately 80-90% of college students report being sexually active and only one third report using condoms on a regular basis (Abbey, Parkhill, Buck & Saenz, 2007 and Eisenberg, 2001). Abbey, et al., (2007) and Eisenberg (2001) reported that college students are likely to have multiple sexual partners, averaging six or more partners, which invariably increases their sexual risk susceptibility. According to Gullette and Lyons (2006), college students may engage in unprotected intercourse, have multiple sex partners, attend wild parties, seek novel social experiences and thereby expose themselves to serious risks and dangers. It is therefore necessary to pay attention to them, with the aim of helping them out of their risky sexual behaviours and for them to live a wholesome life.

While many populations in Nigeria are at risk for HIV infection, college and university students, due to unsafe sexual behaviors, experimentation with alcohol and drugs, and failure to see themselves at risk of infection, are particularly vulnerable to this disease (Ubuane et al., 1999). The poor economic conditions in Nigeria exert great pressure on young people to engage in unsafe sexual activities and many youths, especially females who are in the universities, have turned to commercial sex work to supplement their income (e.g., to help pay their fees at school, take care of themselves and lots more). In many cases, wealthy older men, referred to as "sugar daddies," entice these young women with money to have unprotected sex. Such circumstances may have contributed to HIV/AIDS infection among youths (Eke-Huber, 2000).

Risky sexual behavior among university students remains a serious problem and these behaviors may even be on the increase (Pluhar, Fongillo, Stycos & Dempster-McClain, 2003). Casual sex is common on university campuses and hook-ups are considered a normal sexual practice among this category of students too (Grello, Welsh & Harper, 2006; Paul & Hayes, 2002). A significant percentage of college students have reported engaging in risky sexual behavior, such as not engaging in safe sex communication, using drugs or alcohol prior to or during sexual activity, having sex with multiple partners and inconsistently using condoms during sexual intercourse (Baldwin & Baldwin, 2000; Plannery, Ellingson, Votaw & Schaefer, 2003 and Gullette & Lyons, 2006). Although, the report given above is from the West, it can be generalized based on the influence of Globalization, a phenomenon that has transferred a lot of foreign

practices to the developing countries in the name of civilization and Westernization.

It is no longer news that sexual risk taking can lead to a number of negative consequences, which may include damage to social reputations, health problems, unintended pregnancies and sexually transmitted infections (STIs), including HIV/AIDS. In 2001 in the United States of America, the rates of unintended pregnancies were highest among women aged 18-24years, compared to other age groups, with 1 out of 10 women reporting an unintended pregnancy (Finer & Headshaw, 2006). This is particularly pathetic because; pregnant adolescents may become adolescent mothers, who drop out of school and face economic disadvantage. Similar outcomes (as reported above) may occur in less-developed countries such as Nigeria where this present study is carried out.

Because sexuality is an important aspect of one's life and can alter an individual's familial, societal, and cultural environment as a whole (Askun & Ataca, 2007), studying risky sexual behaviors is important because they (such risky behaviors) can threaten both physical well-being and social interactions (Miller et al., 2004). The choice of university students as participants in this study has been because they have been identified as a vulnerable group (Adam and Mutungi, 2007). Secondly, university students represent the future business, educational, and government leaders of any country; the potential to multiply the impact of an effective intervention in university students is high because they will graduate and move into all regions of the country (Adam, and Mutungi, 2007). The study will be significant in using the findings to provide data regarding the predisposing characteristics to sexual risk susceptibility among university students with the view to suggesting steps to reducing or eliminating sexual risk susceptibility among this set of population.

## II. THEORETICAL BACKGROUND

Adolescent risk-taking behavior can be analyzed from several different perspectives. Risk-taking theories based on dispositional traits examine individual differences between persons that might account for a propensity to take risks (Kaplan, 1980; Botvin, 1986; McCord, 1990; Petersen, Compas, Brooks-Gunn, Stemmler, Ey, & Grant, 1993). However, although it is established that an individual's dispositional traits can greatly influence his risk taking propensity, most of the researches in this area are not conclusive enough to state that dispositional traits are causal factors in adolescent risk-taking (Milistein & Igra, 1995).

Biological models of adolescent risk-taking examine genetic factors, neuro-endocrine influences, and pubertal events (Irwin & Millstein, 1986; Cloninger, 1987; Udry, 1988, 1990). Another approach entails using the developmental perspective to explain risk-taking in



light of the bio-psychosocial changes that occur during adolescence. Risk-taking is seen as a way of coping with normal developmental tasks such as exploration and achieving autonomy (Lavery, Siegel, Cousins, & Rubovits, 1993; Millstein & Igra, 1995) and difficulties adolescents face in making decisions (Furby & Beyth-Marom, 1992).

Another perspective is to examine stable differences such as sensation-seeking or locus of control (Zuckerman, Eysenck, & Eysenck, 1978; Millstein & Igra, 1995). Bronfenbrenner's (1979) ecological theory describes the social world of adolescents in several microcosms of contact. Parental monitoring of adolescent behavior has also been associated with adolescent risk-taking (Millstein & Igra, 1995). In reviewing the theories, it appears that none offers conclusive insight into the risk-taking behavior of adolescents, hence, the eclectic approach is applied regarding the theoretical application.

### III. REVIEW OF EMPIRICAL STUDIES

In general, involvement in high-risk activities has been positively associated with personality factors, such as social maladjustment, and with perceived benefit of risk (Lavery, Siegel, Cousins, & Rubovits, 1993). Researchers reported that persons who engaged in high-risk behaviors had higher scores on such variables as: affiliation, desirability, dominance, exhibition, and self-esteem and they exhibited significantly higher sexual risk, smoking risk, driver and passenger risk, venturesomeness, and impulsiveness (Jackson, 1984; Moore & Rosenthal, 1993). In other words, these researchers are of the opinion that personal psychological factors of an individual as well as the perceived benefit to be derived from the risk taken can motivate the person into risky behaviors.

In a study conducted by Adam and Mutungi, (2007) to examine sexual risk behavior among Kenyan university students; a total of 1,917 participants were sampled and they reported that more males than females had earlier sexual debut than their female counterparts. In other words, they are more at risk than the females. These authors also found that students' year at the university affected their sexual behaviour, for both genders rates of sexual activity varied with their year at the university.

In a study by Adam and Mutungi, (2007); Fischtein, Herold, and Desmarais (2007), the researchers concluded that men thought about sex more frequently than did women, were more likely to engage in oral sex, and lost their virginity at a younger age. Specifically, those persons who were single, had higher education, and did not attend religious services on a regular basis were more likely to engage in risky sexual practices. (In other words, what Fischtein et al. (2007) are saying is that, participants' marital status,

academic level, and level of religiosity influenced their sexual risk susceptibility) The progression from thoughts of sexual activities and reality was not discussed. The researchers also noted that a larger difference exists between the number of lifetime partners between males and females, with males reporting higher numbers of sexual partners than females. However, it is important to note that the researchers found that men and women may be using different strategies to determine the number of partners with whom they have had intercourse, and, therefore, this discrepancy may account for some of the gender differences within the literature.

Based on the foregoing, the following hypotheses were stated and tested in this study.

- Undergraduates who are males will be significantly more susceptible to sexual risk than female undergraduates.
- Religious affiliation of students will significantly predict their sexual risk susceptibility
- Students' institution of learning will significantly influence their susceptibility to sexual risk.
- Students' academic level will have significant influence on their sexual risk susceptibility.

### IV. METHOD

#### a) Design

The study adopted an ex-post facto survey research design which was seemed appropriate for the study because no variable was consciously or deliberately manipulated in the study, they had already occurred and were measured as such.

#### b) Participants

Participants in this study were 320 undergraduates who were randomly selected from two Universities in South-Western Nigeria.

#### c) Instrument

Instrument of data collection used for this study was the 4-item, Sexual Risks Scale - Perceived Susceptibility (SRSP), which was developed by DeHart and Birkimer (1997). The scale is in the likert format, with responses ranging from Strongly disagree (1), Disagree (2), Neutral (3), Agree (4), Strongly agree (5). The authors reported an Alpha reliability co-efficient of .84, while for this study an Alpha reliability co-efficient of .78 was recorded. Demographic data was collected in the first part of the questionnaire which was included for the purpose of this study. A mean score and scores below the mean are interpreted as low sexual risk susceptibility, while a score above the mean is regarded as high sexual risk susceptibility.

#### d) Research Ethics Committee Approval

Before the administration of the questionnaires on participants, the proposed work was submitted to the University's Research Ethics Committee for approval.

The approval was given for the conduct of the research and this was used in the two schools where samples were drawn for the study. Though it took about three weeks before the committee gave the approval, which eventually elongated the proposed time-line for the conduct of the research.

#### e) Administration of Questionnaire

Contacts were made in the Universities that were used in this study, and assistance was sought from lecturers in speaking with the students and seeking their willingness to participate in the research. Those who indicated interest in participating were included in the research. Research instrument was administered to students on an agreed date. This was possible because the students had already been approached and intimated with the research aims and objectives and those who indicated interest in participating in the study were informed of the date and venue of the test. On the agreed date, test instrument was administered to participants and retrieved on the same day.

### V. RESULTS

Four hypotheses were stated in all, the t-test for independent samples was used to analyse hypotheses 1 and 2, while the univariate analysis was done for hypotheses 3 & 4. The result of analysis is presented in this section. The result shows that gender is a significant predictor of sexual risk susceptibility among undergraduates ( $df = 318, t = 3.2, p = <.05$ ). The mean difference showed that male students were more susceptible to sexual risk than females. In other words, male undergraduates are more ready to take sexual risks than their female counterparts. The second hypothesis was also accepted; i.e. religious affiliation was a significant predictor of sexual risk susceptibility ( $df = 2, ms = .81, F=3.41, p <.05$ ). The third hypothesis which stated that Students' institution of learning will significantly influence their susceptibility to sexual risk was accepted also ( $df = 318, t = -2.96, p = <.001$ ). However, the fourth hypothesis which stated that Students' academic level will have significant influence on their sexual risk susceptibility ( $df = 3, ms = .24, F= 1, 02, p >.05$ ) was rejected since the result of analysis did not show any significant influence. It therefore follows that the level in which a student is (i.e. whether first, second, third or fourth year) does not necessarily influence his level of sexual risk susceptibility.

### VI. DISCUSSION

More males than females are more susceptible to sexual risk. The mean difference showed significant difference between male and female undergraduates. This is in line with the findings of Adam et al., (2007) and Fischtein et al., (2007) who in different researches, carried out at different locations reported that male

students are more prone to sexual risk than their female counterparts. One may deduce from the findings that, sexuality of young people appears to be the same all over the world, despite differences in location, culture and other such variables. In other words, the possibility of generalizing possible solution for the amelioration of sexual risk behavior is high. Because of their adventurous nature, male ego and possibly the cultural practice that has always put the male above the female; male students may see themselves as manifesting their masculinity and sociability (as it is more or less supported and portrayed in the culture), by having many sex partners. It is not news that men in most African setting marry more than one wife at the same time, while it is considered an absurdity for a woman to be married to more than one husband at the same time. This is more of the practical manifestation of Bandura's Social Learning theory. One can say that the male undergraduates have learnt vicariously from the models they have in the society i.e. married men who have more than one sex partners, hence their vulnerability to sexual risks than their female counterparts.

The result of data analysis also showed that those who did not affiliate with any religious organization, or did not show any serious religious commitment are more susceptible to sexual risk. This is also in line with the previous finding of Fischtein et al. (2007) who have reported that an individual's level of religiosity will significantly influence his sexual risk behavior. For the present study, it was discovered that those who are not affiliated with any religious group are significantly more susceptible to sexual risk than those who have religious affiliation. Although, there is a dearth of literature on this particular variable in relation to sexual risk susceptibility, yet it seems logical to explain that religion plays a very significant role in the inculcation of moral values in its adherents. Every religion (Christianity, Islam and Traditional), teaches morality and sanctity, particularly with regard to one's sexual life and practices. It is taught with such emphasis that sexual promiscuity attracts severe punishment from God. Hence it is not expected of any faithful to get involved in sexual immorality. This way, religion has attempted to curb or reduce sexual risk among its adherents and this could therefore explain the finding that more people who do not have religious affiliation are significantly more susceptible to sexual risk than those who have religious affiliation.

Result also showed that the third hypothesis is accepted, i.e. Institution of learning significantly influenced participants' sexual risk susceptibility. As mentioned above, samples for the study were drawn from two universities in Southwestern Nigeria. One of the Universities operates and enforces dress codes for the students, while the other university does not. It was discovered that more participants from the university where dress code was not in used were significantly

higher on sexual risk susceptibility than those who are in the university where there is dress code. It is only logical to say that, since the school authorities are monitoring students' dressing, to the point that whoever is caught flaunting the rule is punished severely, many students (particularly females) were deterred from dressing indecently and this invariably reduced if not completely eradicated provocative dressing on campus hence the eradication of rape and other forms of sexual harassment on campus. On the other hand, on a campus where everyone is free to dress 'anyhow', more students dressed provocatively and thereby increase the incidences of rape, sexual assault and similar offences on campus. The result thus suggests that dress code in the university may significantly influence sexual risk behavior of university undergraduates.

Finally, the fourth hypothesis was rejected. This is because the result of analysis showed that students' academic level did not significantly influence their sexual risk susceptibility. This implies that, the class of a student i.e. whether in first year (100level) or second year (200level) or even higher levels (300 and 400levels) is not a significant factor that influences undergraduates' sexual risk susceptibility. It sounds more like sexual risky behavior is not a behavior that is acquired on campus per se, it is more of a thing that must have been innate in the individuals involved. Care has to be taken however not to overlook the possibility of peer influence on students on campus (although that is beyond the scope of this present study, it could be a suggestion that such variable as peer influence could be included in further studies).

## VII. RECOMMENDATIONS

I will love to suggest that university authorities should pay more attention to male students on campus in order to educate and re-orientate them for cognitive and behavioral change that will be geared towards reducing their sexual risk susceptibility. This does not however mean that the females should be completely left out.

It is also recommended that university authorities should consider the introduction of dress code on campus with the aim of reducing provocative dressing that has been found to account for sexual harassments and other offenses on campus.

Although religion has generated so much crisis and brouhaha at different times and different parts of the country, the fact remains that if it is well practiced, it has its own advantages, particularly in the area of moral development and the teaching of virtues that are opposed to sexual promiscuity.

## VIII. CONCLUSION

It is interesting to conclude that demographic variables of sex, religious affiliation, and institution of

study are significant predictors of sexual risk susceptibility among university undergraduates. However, level of students in school does not have significant influence on their sexual risk susceptibility.

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## Teachers' Responsibilities in-LoCo-Parentis in Secondary Schools in Abraka Metropolis, Delta State, Nigeria

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**Abstract** - This paper examined teachers' responsibilities in loco- parentis in secondary schools in Abraka metropolis, Delta State, Nigeria. It highlighted some applied precedent cases of in-loco-parentis doctrine in secondary schools using variables such as experience, location of school and size of school in the area of study. Three research questions and three hypotheses were formulated and tested with t-test statistic. The population of teachers used was 124 out of which 24 were sampled using stratified random sampling technique. An instrument was constructed for data collection and the result showed that experienced teachers who have courses in school law improved their knowledge of the legal aspect of school operation in in-loco-parentis doctrine. Disciplinary measures were effective in the rural schools because there was room for personal interaction. The teacher's duty of governance, discipline, care and safety were now taken more seriously. Based on the conclusions, it was recommended that in service training should be organized for less experienced teachers to enable them know their rights and those of students to avoid infringement and to play their role as parents in the school system.

**Keywords** : *Teachers' Responsibilities, In-LoCo- Parentis, Nigerian Secondary Schools.*

**GJHSS-E Classification** : *FOR Code: 130313, 160506*



*Strictly as per the compliance and regulations of:*





# Teachers' Responsibilities in-Locho-Parentis in Secondary Schools in Abraka Metropolis, Delta State, Nigeria

Dr. E.D. Nakpodia

**Abstract** - This paper examined teachers' responsibilities in loco-parentis in secondary schools in Abraka metropolis, Delta State, Nigeria. It highlighted some applied precedent cases of in-locho-parentis doctrine in secondary schools using variables such as experience, location of school and size of school in the area of study. Three research questions and three hypotheses were formulated and tested with t-test statistic. The population of teachers used was 124 out of which 24 were sampled using stratified random sampling technique. An instrument was constructed for data collection and the result showed that experienced teachers who have courses in school law improved their knowledge of the legal aspect of school operation in in-locho-parentis doctrine. Disciplinary measures were effective in the rural schools because there was room for personal interaction. The teacher's duty of governance, discipline, care and safety were now taken more seriously. Based on the conclusions, it was recommended that in service training should be organized for less experienced teachers to enable them know their rights and those of students to avoid infringement and to play their role as parents in the school system.

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## I. INTRODUCTION

The concept of in-locho-parentis has historically been used by teachers and administrators as a prominent component of the legal and sometimes ethical rationale for the disciplining of students under their charge. The literal translation of the term in-locho-parentis means "in place of the parents" was the foundation which American school of thought developed in the colonial and pre – revolutionary war era. The doctrine was traced as far back as Blackstones commentaries on the land of England, which said in part:

*"A parent may also delegate part of his parent authority, during his life, to the tutor or school master of his child; who is then in-locho-parentis and had such a portion of the power of the parent, viz; that the restraint and correction, as may be necessary, to answer the purposes for which he is employed"*

In Nigerian educational system, teachers are placed in a position to discipline and care for students' safety through reasonable roles and regulations under the in-locho-parentis doctrine, in the place of a parent. It is a legal doctrine under which an individual assumes parental rights, duties and obligations without going through the formalities of legal adoption.

The loco-parentis doctrine seemed to be in full force as schools are tempted to safeguard students, (Nakpodia, 2007). Many Nigerian educational institutions enacted controversial rules governing dress codes and so called hate speech, all in the name of protecting students. and violence in campuses, however, became a very real threat.

Since time immemorial, the doctrine of 'in-locho-parentis' has empowered teachers to act in the place of parents to enable the control of students' conduct. It becomes possible to adopt some practices which can make claim necessary for the control of their school. Were the teacher take disciplinary actions which do not conformed to the basic principles of law of natural justice (*nemo iudex in casua sua*) and equity, there is bound to be some problems constitutionally. Students represent directly their parents, who are immensely concerned with how the school treats such children (Thakur et al, 1980). In most cases students' governances and discipline, may either violate or disrespect certain Fundamental Rights of individuals. The Nigerian constitution (1999) contains fundamental rights and roles which constitutes inalienable and supreme rights of the individuals.

From the constitutional standpoint, parents expect that their children's welfare and certain school discipline practices may lead to student conflicts which may lead to litigations. The basis for 'in-locho-parentis' doctrine when not well utilized is no justification for overriding constitutional rights.

In the traditional African society, it is the child that can be seen and not heard. Thus, such a child could be told to wait until that child is grown. The history of pupils and the law in Nigeria has been that of one way traffic. This can be adduced to how pupils learn to obey relative existing rules. School authorities deal with students when rules are violated. In the colonial era, pupils obeyed relative existing rules and regulations

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because they were controlled and had no voice in decision making. As a result, students were subordinates. However, in the present day Nigeria, the fact has to be accepted that the child, just like the adult has inalienable rights which institution are constitutionally bound to uphold and protect.

Student governances require discipline, care and safety which can take different forms in schools and among teachers as well as principals. It should be recognized that the law will not excuse a principal and other based on ignorance. In a democratic society like Nigeria, institutions preparing the youth for life should give them a fair play when it is conducting its own affaire. School authorities generally tend to believe that students once in school, have no rights. Teachers as well as principals, generally tend to think that the child should obey without resistance. Absolute obedience and respect are expected and demanded. On the other hand, students tend to have wrong concept of their rights. It is the wrong conception of such rights that have often led Nigerian students in educational institutions to behave in a manner which normally offend public morality and brings them within the warm embrace of the law. When the school authorities carry out their duties with violations, such persons are liable. The teacher, principal and post primary school board could be sued individually or together for constitutional wrong and tort liabilities (Nakpodia, 2011).

This full responsibility assumed by teachers and other supporting staff is known as 'the doctrine of in-loco-parentis'. On this basis, teachers have a full right to mould the children's moral character, assist them in mental and physical development, and cater for the fostering of the spirit of national consciousness in the children.

However, the right of teachers' in-loco- parentis is not absolute when considering the control they have over students in the Nigerian school system. It should be realized that when teachers are not absolute in considering the control they have over students in the Nigerian school system within the scope of their duties in terms of reasonable and executing possible rules and regulations, the courts may assist in promoting proper and effective teaching and learning atmosphere in the schools. This is because the courts in democratic societies as in case of Nigeria, as it is all over the world viewed school officials as standing in-loco-parentis, allowing them to regulate the students in any manner since parents agree to delegate school teachers the parental authority to control their children's conduct in a manner which will be of the best interest to the children in the schools. Every Nigerian school has a set of rules and regulations meant to guide students towards good conduct and behaviour in order to maintain general discipline, peace and order, necessary for effective teaching and learning.

## II. STATEMENT OF THE PROBLEM

With the recent increase in the Delta state secondary school enrolment, the problem of student governance, care, safety and discipline are bound to accumulate and cause more burden on teachers. Students' indiscipline is considered a negative attribute which is inimical to the education process. Due to the impact of education in our society, students and [parents are becoming more enlightened and aware of their rights. Enlightened parents are becoming more critical about how student's guidance and discipline practices in the schools are carried out. In the process of carrying out their duties, teachers are becoming more concerned about how they carry out their duty of care and safety of students placed under their care.

The right to life, liberty and happiness are limited by law. It is a fact that teachers have no absolute power in their schools. Where the teachers' fundamental right stops, another person's begins. When rules conduct are made, the court will normally not question such rules until executed in a democratic society; since the teachers' are trusted to make reasonable laws. However, when misconduct disrupts school activities, it is justifiable by the court that school authority equally follows to maintain proper decorum and promote a favourable learning atmosphere in the classroom of the school. This study is therefore undertaken to give school administrators a better understanding of the in 'loco parentis' doctrine and its application to the secondary school system in Abraka metropolis of Delta State.

## III. RESEARCH QUESTIONS

The following questions were raised to guide the study:

1. Does the attitude of the teachers differ with regard to years of teaching experience in their responsibility in-loco-parentis in the school system?
2. Does the attitude of teachers differ with regard to the location of the school in their responsibility in-loco-parentis in the school system?
3. To what does the size of school affect teachers' attitude in their responsibility in-loco-parentis in the school system?

## IV. RESEARCH HYPOTHESES

The following null hypotheses were tested:

1. There is no significant difference between the attitude of experienced and less experienced teachers in their responsibility in-loco-parentis in the school.
2. There is no significant difference between attitude of teachers in urban and rural schools in their responsibility in-loco-parentis.
3. There is no significant difference between the attitude of school teachers in large and small schools in their responsibility in-loco-parentis.

## V. REVIEW

### a) *The In Loco Parentis Doctrine: Defined*

The doctrine of "in-loco-parentis" had been based on the assumption that by sending their children, parents agree to delegate to school officials the power or parental authority to control their children's conduct in a manner that will be of best interest to the child. Giesselmann (1978) however points out that today, this situation is drastically changing. Parents now agree that when the concept originated, education was voluntary and personal. The parents voluntarily committed the child to the authority of the teacher, who usually spend the entire day with the child either in a classroom or school thereby develop something akin to a parent-child relationship with the pupil. Today, most teachers instruct children for only part of the day and have fewer opportunities to form class relationships in large classes and schools.

Peretomode (1991) stated that Giesselmann further pointed out the critical fallacy that is inherent in the in-loco-parentis doctrine and made reference to the observations made by an American task force. The school-child relationship is intermittent with different adults involved at different times of the day and year; they often at superficial levels and for short periods of the time stayed with the child. Parents' relationship of the other hand; ordinarily incorporates deep feelings of mutual love and affection. In fact, teachers stand in-loco-parentis only to the degree that they may act somewhat like a parent does only some of the time for the purpose of maintaining orders in our educational systems.

### b) *Teacher and the In-Loco-Parentis Doctrine*

Teachers have the power, authority and responsibility for administering a school's disciplinary programme. This power to control and discipline students for infractions is traceable to the age-old doctrine of in-loco-parentis (in place of parents). This position of the teachers with regards to disciplinary control of students is well explained in the Corpus Juris Secundum (79 C.J.S. 493).

As a general rule, a teacher, to a limited extent at least, stands in-loco-parentis to student under his charge, and may exercise such powers of control, restraint, and correction over them as may be reasonably necessary to enable him to properly perform his duties as teacher and to accomplish the purpose of education; he is subject to such limitations and prohibitions as may be defined by law. The courts in the Nigerian school system viewed school officials as standing in-loco-parentis, regulating the students in and manner – subject only to the standards and restraints that parents would use in supervising the welfare of the child. For example, in *Gott V. Berea College* in the U.S. (1913), the justice held that:

*Teachers stand in-loco-parentis concerning the physical and moral welfare and mental training of the students, and we are unable to see why, to that end, they may not make any rule or regulation for the Government or betterment of their students that a parent could for the same purpose.*

By implication, the courts ordinarily will not interfere with the authority of a school to make rules governing students' behaviour unless such rules are unlawful, unreasonable, and capricious or against public policy. In loco parentis doctrine had been based on the assumption that by sending their children to school, parents agree to delegate to school officials the power or parental authority to control their children's conduct in a manner that will be of the best interest to the child (Alexander, 1980). However, it is pointed out that today, this situation is drastically changing.

Parents now argue that when the concept originated, education was voluntary and personal, the parent voluntarily committed the child to the authority of the teacher who usually spent the entire day with the child in a small classroom or school, thereby developing something akin to a parent-child relationship with the student. Most teachers today instruct children for only part of the day and have fewer opportunities to form close relationship in large classes and schools. It is in the light of this latter point the Ohio Department of Education in the United States has come to reject the idea that schools may act in place of the parents. The Department was of the view that to stand in-loco-parentis, one must assume full responsibilities and obligations of a natural parent to a student. Alexander (1980) stated thus:

*That students' relationship to School and to parents are entirely different. The School/Child relationship is intermittent with different adults involved at different times of the day and year; they often at superficial levels and for short periods of time stayed with the child. Parents' relationship on the other hand ordinarily incorporates deep feelings of mutual love and affection. For this reason, corporal punishments inflicted by parents would have an entirely different effect than the same punishment meted out by School authority (1980:4).*

What this means is that the doctrine of in-loco-parentis is on the wane not only in the United States but also in Europe and even in Nigeria. This is because by far the most common usage of in loco parentis relates to teachers and students. For hundred of years, the English common-law concepts shaped the right and responsibilities of public school teachers: until the late nineteenth century, their legal authority over students

was as that of parents. Changes in U.S. education concurrent with a broader reading by courts of the rights of students began bringing the concept into disrepute by the 1960s. Cultural changes, however, brought a resurgence of the doctrine in the twenty – first century. Taking root in colonial American schools, in loco parentis was an idea derived from English Common Law. The colonists borrowed it from the English idea of schools having not only educational but also moral responsibility for students (Walton, 1992).

#### c) *Teachers and Cases of In-Loco-Parentis Doctrine*

Teachers in the Nigerian school system, who in their positions in-loco- parentis to the children in their charge, act reasonably in this capacity provided their actions are in accordance with the general and approved educational practice, and provided that they take such case of their children as careful fathers would take, and they have little to fear from mischance of school life.

In a case, some grammar school students were playing, contrary to the school rule, with a cricket- pitch roller which can cover one of them. The parents sued the teacher and the master in charge, claiming damages for negligence. The case was headed at LEEDSA sizes in March 1998 under Mr. Justice Hilbery's summing up, who has a mastery exposition of the doctrine of a careful father. He said "it was not suggested for the plaintiff that anybody could reasonably say that a master must watch boys not merely in classes, but throughout every moment of their school lives". Thus, a teacher has the right in-loco-parentis to control the child during and after school premises. A teacher is not only known and called that professional name "teacher" as it is with "doctors". "Engineers", "Pastors" etc within the system only but also outside the organizations. Hence, teachers as professionals should not be involved in any professional misconduct but to abide to the various codes of ethics of the teaching profession.

In fact, when children are dropped at the school gates, the law says teachers must assume the role of 'replacement parent'. Under the children Act 1989, teachers have a duty of care towards their pupils, traditionally referred to as "in-loco-parentis". Legally, while not bound by parental responsibility, teachers must become as any reasonable parent would do in promoting the welfare and safety of children in their care. The idea dates back to the 19th century when courts were first coming to terms with teachers' responsibilities. It was during this period that case laws established that a teacher should act "as a prudent father". The Health and Safety at Work Act 1974 also requires schools to show a duty of care towards pupils' safety and well being, although not their 'welfare', in so far as this is practicable.

Teachers are very often unsure where the line should be drawn between the role of teacher and that of school worker. Indeed, teachers have increasingly become not merely educators, but also mentors in their pupils all round personal development. Many teachers have kept breakfast supply for children especially at the Day Care Centers and at kindergarten or primary school in many educational institutions in Nigeria, using Day Care Centers of Delta State University, Abraka as case in point, who have missed out at home, and others who have washed soiled cloths on the pretext that the child has had an 'accident' at school. In recent years in the country many school have set up food centres to help supporting parent and to provide with essential nourishment at the start of the school day. Citizenship is now also part of the school curriculum, as is health and sex education in which teachers must introduced a whole range of issue such as personal hygiene, respect for others and safe sex. Teachers are often entrusted with confidential duties of a child's personal background, perhaps related to child's protection issues and linked with social vices, or perhaps, even through information volunteer by the family or the children themselves (Hunt, 2002).

#### d) *Fundamental Issue of Constitutional Impact of In-Loco-Parentis*

Concern for the traditional stability of the doctrine of in-loco-parentis occurred in two landmark decisions made by the Gault and Tinker.

### VI. IN RE GAULT

While the case of Gerald Gault is not a "school law" case, nevertheless, it stand as an important decision in extending the rights of due process to juveniles, Gault, age 15, was arrested for allegedly lewd and indecent remarks over the telephone. His parents were not informed of his arrest. He was not given a factual basis for the charges, and was in custody for three days without being released. He was held at a detention home that kept no records until the day of his hearing. In addition, there were no witnesses called to testify against the boy, particularly the compliant. Yet he was committed to the State industrial school until he reached age 21. The United State Supreme Court decided that all these procedures would not be permitted, that "Due process of the law is the primary and indispensable foundation of individual freedom. Furthermore, again while not an educational case, its implications are felt in student-to-school system contacts relative to due process rights and the degree by which in loco Parentis can be interpreted.

#### a) *Tinker vs. Des Moines Independent Community School District*

The second landmark decision is an educational law case. The now famous Tinker decision



revolves around some students who were suspended from a Des Moines, Iowa school for wearing black armbands to school as a sign against the war in southeast Asia. Many significant points were argued in this case including the principal's stand that in loco parentis was an integral part of his authority. The Supreme Court ruled in favour of the students, saying as long as expression did not disturb the general discipline or endanger the lives of others. Students had a right to free expression. The court added:

*First amendment right applied in light of the special characteristics of the school environment, are available to teachers and students. It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the school house gate.*

In both cases, the concept of in loco parentis was modified when placed in conflict with procedural due process protection of the Sixth and Fourteenth Amendment of the constitution (In Re Gault) as well as the freedom of speech and expression protection under the First and Fourteenth Amendments (Tinker). The totality of in Loco Parentis as an absolute defense under any and all instance will be severely scrutinized. The principals and the parents are not necessarily the same in their disciplinary stance with students on all issues.

#### *b) Cases of In loco parentis Doctrine in the Legal Arena*

There are hundred of court cases relating to the doctrine of in loco parentis. Indicative of a recent trend, these cases illustrates an alteration of parental expectations of the college environment. A well – known example of this trend is the case of Scott Kruegar a freshman at the Massachusetts Institute of Technology (MIT) in the fall of 1997. Krueger was found unconscious in a room at his fraternity after a night of drinking and apparent hazing. The hazing incident allegedly involved members of the fraternity forcing Krueger to consume excessive amounts of alcohol. When he was discovered, his bold alcohol level was 0.40. He later died at Massachusetts General Hospital. Shortly after his death, Krueger's parents sued MIT, alleging that the institution's inadequate alcohol and hosing policies played a role in their son's death (Healy, 2000). For several years after Kruger's death, his parents fought against MIT over where the responsibility for Scott's death lay (Sontag, 2003). In the fall of 2000, after extensive legal maneuvering and negative publicity, the president of MIT personally apologized to the Krugers and the University paid \$6million settlement, thereby ending the lawsuit (Healy, 2000). During his apology, President Charles M.Vest said to Krueger's parents, "Despite your trust in MIT, things went terribly awry. At a very personal level, I feel that we at MIT failed you" (Healy, 2000).

As a direct result of the Kruger case, MIT changed its housing and fraternity policies. Beginning in the fall of 2002, MIT required all freshmen to live in an on-campus residence hall for the first time in its 137-year history. The institution also provided more intense training for its residence hall staff, and they now pay live-in advisors to monitor fraternity and sorority housing. In a nutshell, the Krueger case is important because, it marked the beginning of a new era of in loco parentis on the college campus.

Parents have not only sued for alcohol related deaths; they have also held universities responsible for students' suicide. In another case, MIT was involved in a lawsuit brought by parents of a student who burned herself to death in her residence hall room after receiving months of counseling from university counseling services (Campbell, 2002). In addition Forum College also settled a case out of court where it accepted partial responsibility for a student suicide (Hoover, 2003). A student, Michael Frentzel, had what were apparently self-inflicted scratches and bruises on his neck. A dean and counselor at Ferrum College had Frentzel sign a statement stating that he would not harm himself or anyone else, and then left him alone in his room. While alone in his room, Frentzel hung himself. As part of the settlement with Frentzel's family, the college agreed to improve its counseling and support services (Hoover, 2003).

In Nigeria, an incident in Calabar, the Capital of Cross River State, Nigeria, a teacher at Duke Town secondary school flogged a form one student, Grace Okon Akpan, 12 years old, with a cane and she collapsed and become unconscious. She later died in hospital Grace was among four other students who were being punished for noise-making in class. In another related incident, captioned TEACHER NABBED for ALLEGEDLY BEATING PUPIL to DEATH, National Concord (Wednesday, April 20, 1988, p.9) reported that Mr. Luke Madaki, a grade one headmaster in Zangon-kafaf district, kachia Local Government area, was arrested by the police and charged to court for allegedly beating a primary school pupil to death.

The pupil, Miss Rebeccah Woje, aged 14 was a primary four pupil at the local Education Department, Mabushikataf. The pupil was accused of stealing one naira from her home, by a colleague. The matter was reported to the headmaster who discovered that the girl actually stole the money. He asked her to lie on a school bench to be flogged and he administered the beating.

The girl suffered from severe head injuries and several cuts on her back and buttocks as a result of serious caning received from the headmaster.

The girl complained to her parents two days latter that she was yet to recover from the punishment meted out her by the school's headmaster. Before



arrangements were concluded to take her to hospital which was about 35 kilometers away, the girl died. The autopsy on her revealed that she died from multiple injuries as a result of severe beating.

Furthermore, in the case of *Kukoyi F vs. Al Ukhure and the Benin Board of Education* (1977), a student lost one of his eyes consequent upon the corporal punishment administered by his teacher in the classroom. The teacher was charged for tort liability and negligence. The teacher's action constructed the fundamental right of the student the respect for the dignity of the human person, freedom from any form of torture or inhuman or degrading treatment and the right to life. The Benin High Court awarded the student N20,000 as damages.

In another similar case, *Elizabeth Aliri vs. John Ekeogu*, the plaintiff, a primary school pupil, in the High Court of Imo State schools holden at Owerri, sued the defendant as well as the Director of schools Imo State and the Imo State Schools Management Board, claiming N4,000,00 as special damages for medical bills by her mother and N96,000.00 as general damages assault, battery and negligence which resulted in the permanent loss of the plaintiff's left eye. The teacher John Ekeogu had hit the left eye of little Aliri, an eleven year old primary school pupils with a cane causing her permanent injury in 1987. The flogging of little Aliri was even without justification (Peretomode 1992).

#### c) *Search and Seizure of Students in Schools by Teachers*

Teachers in their locus standi has the right as parents to search students' lockers. In general, locker searches and the like have tended to be litigated favourably for the school system on the basis of in loco parentis. An appellate court indicated that "the school is a very special place...and the teacher has the authority to protect (the children) from danger." Those cases found in favour of the students or parents were as a result of unreasonable searches. Most of the rationale for searches in the school which might otherwise be considered illegal centre on the school is a special place' statement set forth in *People v. Overton*. The case tends to suggest that the tenet of in loco parentis has been viewed "as a social concept antedating the Fourth Amendment, that any action, including a search, taken there under reasonable suspicion should be accepted as necessary and reasonable.

The "emergency doctrine" has been fashioned in such a way so as to justify searches where a dangerous object such as a gun in fact found. Still another case held that a high school official "acting under the colour of a private individual-in loco parentis-would be able to admit evidence gathered in a search even if it were held to be illegal. The student, in this particular instance, had been searched three blocks from the school.

While there exists a large grey area between that which is reasonable and unreasonable, it is clear that so-called "strip searches" are found to be excessive and dehumanizing. In these cases the doctrine of in loco parentis has been overstepped as a rationale. Federal and State Courts have not turned their backs on the in Loco Parentis doctrine. They have simply redefined its limits. Education of children, imposes three responsibilities which teachers and school owe to their students; A. instruction, B. supervision, and C. safety (Nwagwu, 1987). As a result, school officials require a degree of authority in complying with these responsibilities. Thus, when acting in performance of these duties, teachers are recognized to have the authority to enact reasonable rules governing students conduct and to use reasonable disciplinary actions in controlling students (Nakpodia, 2009). In these matters, school official authority is much like that of the students' parents. There exists a basic question which a school administrator might ask him or herself and which the court posed as a means of establishing the relationship between the teacher and the student. Under similar circumstances, would it be reasonable for a parent to inflict the (given) punishment. As a result of the challenges to school authority and the refinement of the parameters of in loco parentis, Illinois principals are further guided by statement set forth in Document No. 1 which discusses the governance of the school district included are the following:

1. The board of education is delegated with extensive power which provides for the exercise of discretionary judgment.
2. The powers are limited by rights granted to other parties by various laws, regulation and court decisions (Remmlein and Wane, 1979).

#### d) *Imposition of Corporal Punishment by Teachers*

Teachers at the secondary school level have rights to impose corporal punishment on students. To date the key court decision relating to corporal punishment has been rendered in favour of the school system. In Illinois corporal punishment is authorized (but not mandated) under the school Code #24-24, being implicit in the statutory in Loco Parentis language that:

*...teachers and other certified educational employees shall maintain discipline in the schools in all matters relating to the discipline... they stand in reform of parents and guardians to the pupils (Hirsberg, 1994:1 – 2).*

In one particular case, *Baker v. Owen*, in loco parentis was a major issue because the parent of a child who was to be corporally punished disagreed with it on principles. The Supreme Court had to consider several different aspects of the case but key item was whether the parents' control of the disciplining of this child was a fundamental constitutional right. The court rendered a

decision in favour of the school system, upholding the authority of the school to disciplining without parental consent.

The duty of the teacher is explicitly mentioned when the teacher is standing in proxy for the nation through his obligation to the state. It is also assumed that the limitation of how far teachers can go with students, especially when disciplining them within the scope of duties. It is not all teachers that carry out discipline except the one authorized by the teacher. Therefore, either discipline masters or marshals are authorized to enforce discipline on the students. The possible reason that can be advanced for such are:

- The person carrying out the punishment is normally biased if the offence was committed against him / her.
- There is vested interest and
- Punishment could be regarded as malicious, arbitrary and capricious.

This assumption can be dangerous and when there is an unusual injury in the process of administering the punishment, it is difficult to convince others of non-biased punishment. This is why it is advisable to pass the punishment role to some neutral persons who cannot be accused of bias. There are hundred of courts cases in the last several years relating to the doctrine of in loco parentis. Indicative of recent trend these cases illustrate an alteration of parental expectations of the college environment (Campbell 2002). A well – known example of this trend is the case of Scott Krueger was found unconscious in a room at his fraternity after a night of drinking and apparent hazing. The hazing incident allegedly involved members of the fraternity forcing Krueger to consume excessive amounts of alcohol. When he was discovered, his blood alcohol level was 0.40. He later died at Massachusetts General Hospital. Shortly after his death, Krueger's parents sued MIT, alleging that the institutions inadequate Krueger's death, his parents fought against MIT over where the responsibility for Scott's death lay (Sontag, 2003). In the fall of 2000, after extensive legal maneuvering and negative publicity, the president of MIT personally apologized to the Krueger's and the University paid a \$6 million settlement, thereby ending the lawsuit (Healy, 2000).

#### e) *Teacher's Role as "Replacement Parent"*

The following are the role of teachers as replacement parent:

- a. Plan school trips carefully and follow your school procedure and always make sure you have adequate staff ratio.
- b. If you are concerned about a child's welfare, speak to the teacher in charge of child's protection. Record your concerns and remember that any disclosure must be reported.

- c. No are not responsible for the child after school hours. Any child not collected by 4.00pm can be referred to social services. Parents are responsible for their children's attendance and punctuality.
- d. You do not have to supervise pupils at lunch time. Nor do you have to take part in clubs outside school teaching hours.
- e. You are obliged to administer medicines to pupils, although you may be asked to oversee children's use of asthma pumps, for example. You should keep a list of pupils who have medical conditions. Unwell children should not be in school, and parents contact details in case of emergencies.
- f. Get trained help immediately if an accident occurs.
- g. Corporal punishment is unlawful. If children endanger themselves or others, you can use "reasonable force" to restrain them, but tread with caution here as your actions could be legally challenged and you could risk being assaulted.
- h. In the worst case, if you are accused of negligence you must seek advice. As your employer, your school has vicarious liability and you should not be held personally responsible where you have maintained a professional standard of supervision.

#### f) *Duty of Care Owed by a Secondary School Teacher*

Barbara in paper published in the Alternative Law Journal (1996), citing a case, opined that the English court has prevaricated in considering the nature of any duty owed by school to parents. In *Van Oppen v Clerk tot eh Bedford* that the Court of Appeal was confronted with a pupil seriously injured playing rugby football at school only five months after the mooted introduction of the scheme. The court of Appeal refused to impose a greater duty on the school in relation to a pupil than rested on the pupil's parents.

According to Barbara (1996) the circumstance were not seen to give rise to a duty on the school to have regard to its pupils' economic welfare by advising on the dangers of the football or taking out insurance. In the absence of such duty on the school, it could not be said to have voluntarily assumed a duty to advice parents on the question of insurance against injury. Quite why the case was characterized, as an economic loss is not clear: had it been seen as physical injury the issues would have been more straightforward.

However, under "Hedley Byrne" the reliance principle could have been expanded. In any event, there was considered to be no evidence that the parents relied on the school for advice in connection with insurance against personal accident. Accordingly, the defendant school trustees were held not liable in negligence. In the same vein in Nigerian school, *Bori High Court* was confronted with a girl called *Magdalene Dappa. Vs. Nte.*

According to Peretomode (1992) in Magdalene, girl from Opobo, was a student of Opobo Secondary School a River State Government – owned school and controlled by the State Ministry of Education. While in School, Magdalene got married and became pregnant shortly before her W.A.E.C. Examination. Going by the Ministry of Education's regulation, she was prevented by a Mr. Nte from writing the examination. She later took an action against Mr. Nte. The presiding High Court judge, in dismissing the case, held that both the school teachers and the principal were agents of the Rivers State Government (Ministry of Education) and not teacher or principal.

It should be pointed out here that it is not always, that any employee can hide under the cloak of "his employer's responsibility for torts committed by his employee". If a teacher does something which he is not employed to do at all or specifically prohibited to do, he is not acting in the course of his employment. In such a situation, his employer may not be held responsible for his tortuous acts. In other words, unless the wrong done falls within the course of the servant's employment, the master is not liable. For instance, most state education laws on English prohibit teachers from administering corporal punishment on students, except the principals or his delegate. If a teacher, unauthorized, administers the cane, thus causing serious injury to a child, and if sued, he may wholly be responsible for the damages. Besides, his employers (the School Board) may as well discipline him appropriately for violating the Board's regulation forbidding teachers to administer corporal punishment.

It cannot be overemphasized that what is particularly interesting most in this case is the influence of the reliance analysis upon the legal outcome. Whether the plaintiff relied upon the school to advice was considered material (by judge in High Court of Appeal) in assessing the scope of the duty owed by the school to the plaintiff. The plaintiff was, of course, contending that a duty existed not only to take reasonable care for his health and safety as a pupil at the school but further to provide information. The duty was said to arise from a general obligation on the school to have regard to the economic welfare of the pupils in its care. Another related duty – to advice – was claimed to arise either as a consequence of failure to provide information or as a result of the actions of the school's officers in relation to advice or gain as a result of the actions of the school's officers. The plaintiff's case is summarized by Balcombe as depending on the existence of either: (a) a duty to have regard to the economic welfare of its pupils arising from the relationship of school pupil; or (b) a duty arising from an assumption by the school of specific responsibility in relation to personal accident insurance (Barbara, 1996). Therefore, the court considered whether liability in negligence can ever arise under Hedley Byrne principle

where there has been a mere failure to speak or a failure to provide information in the school situation.

Furthermore, according to Balcombe, the results of the imposition of the duty to insure or protect economic welfare, which was contended in Van Oppen, would be to enlarge the scope of the duty resting upon the school. The case clearly illustrated a problem with the increasing use of the term proximity as legal currency in the determination of both duty and breach of duty. For it is clearly acknowledged by the court that there was a proximity between Bedford school and the pupils as in the case of Magdalele. Dappa vs. Nte in Opobo, in Nigeria whereby the Education Laws of River State made the Court to dismiss the case.

Furthermore, was another question a duty of care owed by a teacher to a pupil was also considered in a case between Elizabeth Aliri (suing by her friend Benadeth Aliri (plaintiff/respondents) vs. John Ekeogu and others including the State schools Management Board in Owerri, Nigeria (J. Ogu Ugoagwu) 16/11/89-suit No. HOW/200/89 on Corporal punishment- Assault and battery and negligence. A teacher who commits a felonious Act cannot take over under the officers' Protection Law.

The plaintiff/respondent was primary five pupil of Community Primary School, Ohekelem, Imo State and the applicant/defendant was a teacher at the said school and the teacher of the plaintiff/ respondent. On 2nd December, 1985, a thief was caught in a palm produce depot near the community primary school Ohekelem where the applicant was a teacher and the respondent was one of his class pupils. The thief was being beaten up by irate members of the public. The applicant instructed his class pupils, including the plaintiff (i.e. the respondent to) to go and see how thieves are treated so as to learn a lesson from there. The class pupils obeyed and went to the said depot. Soon after the bell rang for the pupil to resume classes, all of them, including the respondent, began to run back to the school. As they were doing so the applicant respondent, began to run back to the school. As they were doing so the applicant picked a cane and began to flog the pupils. In the process he landed the cane on his left eye of the respondent injuring the left eye. He abandoned her wife she was crying out in pain and anguish. Another pupil, Ngozi Nweke, acted as a good Samaritan and took the respondent home on a motorbike for treatment of her injured left eye. The respondent lost the eye in spite of treatment given to her. The applicant/defendant admitted the above facts.

In her writ of summons filed on 20/7/87 (about 18 months, 2 weeks and 4 days after the injury occurred) the respondent claimed against the applicant, 2nd and 3rd defendants jointly and severally :-

*The sum N100,000 (One Hundred Thousand Naira) being special and general*

*damages for assault, battery and negligence, in that on the 2nd day of December, 1985, the 1st defendant who is a servant of, and under control and employment of the 2nd defendants, as a teacher at the community primary school, Ohekelem, Ngo Okpala within jurisdiction which resulted in the loss of her left eye.*

The 1st defendant /applicant piled a motion on notice on 12th April, 1988, prayer the Honourable Court for an order dismissing the plaintiff/applicants suit on grounds of law to wit.

*That the action instituted by the plaintiff/respondent against me 1st defendant/applicant is a nullity as it statutorily time- barred section 2 of the public officers Protection Law Cap 106, Laws of Eastern Nigeria, 1963 as applicable to Imo State.*

The applicant who is a servant by virtue of his being employed as a teacher with the Imo State School Management Board was seeking to be protected in his action by the Public Officer Protection law 106 section 2 which provide s as follows:

- "Where any action, or other prosecution, or other proceeding is commenced against any person for any act done in pursuance or execution or in tended execution of any alleged neglect or default in the execution of the any such law, duty or authority, the following provisions shall have effect."
- The action, prosecution, or proceeding shall not lie or be instituted unless it is commenced within 3 months next after the act, neglect or default complained of, or in case of a continuance of damages or in jury, within three months next after the ceasing thereof."

## VII. METHODOLOGY

The study is descriptive in nature based on ex-post facto design. The population of the study consisted of 124 teachers from the 19 secondary schools in Abraka metropolis, Delta State, Nigeria. The simple

random sampling technique was used to select two schools out of the nineteen secondary schools in Abraka metropolis as sample for the study. This number represented 10.5% of the schools in the area. The stratified simple random sampling technique was used to select fourteen teachers from the secondary schools in the metropolis. Consequently, the sample consists of twenty-four teachers.

Two sets of research instrument were utilized in the study. The first set of questionnaire dealt with the personal data of the teacher. It required information about the experience, size of the school and the location of the teacher. This was to be completed by the school teacher. The second set of the questionnaire deal with 30 items on attitude of teachers' responsibilities in-loco-parentis in secondary schools, which was constructed and designated as "TRILPQ" Teachers' Responsibilities In-Loco-Parentis Questionnaire.

The researcher adopted two types of procedures to establish the validity of the instrument. These are the face and content validity. In the reliability of the instrument, the split half reliability method was used on ten respondents not included in the sample. For the split half method, the data collected were divided into two halves using the odd number items for one and the even numbers for the others; and as a result, a correlation formula was applied to the coefficient. The correlation coefficient was found to be 0.85 using the Spearman Brown Prophecy formula.

The researcher personally administered the questionnaire on all the respondents in their respective schools. The study made considerable use of tables for the presentation and analysis of data, and a t-test statistic was employed in analyzing the data based on the three hypotheses tested to guide the study.

## VIII. RESULTS

### a) Hypotheses Testing

#### i. Hypotheses

There is no significant difference between the attitude of experienced and less experienced teachers in their responsibility in-loco-parentis in the school.

*Table 1* : T-test analysis of the difference between the attitude of experienced and less experienced teachers in their responsibility in-loco-parentis in the school.

Group	Number	(r)	Df	Cal.t-value	t-value	Conclusion
Experienced teachers	13	7.41	16	45.6	1.746	Significant
Less Experienced Teachers	11					

*P- < 0.05 Level of Significance.*



Table 1 showed the t-test analysis of the difference between the attitude of experienced and less experienced teachers in their responsibility in-loco-parentis in the school. In the result of the analysis, the calculated t-value of 45.6 is significant at the 0.05 level of significance. The degree of freedom is 16. Since the

calculated t-value of 45.6 is greater than the table t-value of 1.746, the null hypothesis is rejected.

#### ii. Hypothesis 2

There is no significant difference between attitude of teachers in urban and rural schools in their responsibility in-loco-parentis.

**Table 2 :** T-test analysis of the difference between attitude of teachers in urban and rural schools in their responsibility in-loco-parentis.

Group	Number	(r)	Df	Cal. t-value	t-value	Conclusion
Urban teachers	19	7.33	23	39.95	1.714	Significant
Rural teachers	5					

*P- < 0.05 Level of Significance.*

In testing this hypothesis, data used were derived from school teachers in urban and rural areas. In calculating the result, the calculated t- value of 39.95 is higher than the table value of 1.714. This implies that the null hypothesis was rejected. Invariably, 79.2% of teachers are in urban areas while 20.8% of teachers are

in rural areas in ensuring the responsibilities in loco parentis.

#### iii. Hypothesis 3

There is no significant difference between the attitude of school teachers in large and small schools in their responsibilities in-loco-parentis.

**Table 3 :** T-test analysis of the difference between the attitude of school teachers in large and small schools in their responsibility in-loco-parentis.

Groups	Number	(r)	Df	Cal.t-value	t-value	Conclusion
Large schools teachers	14	7.33	28	137.6	1.701	Significant
Rural schools teachers	10					

*P- < 0.05 Level of Significance.*

To test this hypothesis, the calculated value t-value 137.6 is significant at 0.05 level of significant. Where degree of freedom is 28, the table value is 1.701. Since the table value of 1.701 at 0.05 level of significance is lower than calculated t-value of 137.6, it is implied that the z value is significant. Thus, the null hypothesis was rejected. 58.3% of school teachers are in large school while 41.7% are small schools. This means that school teacher in large school will find difficult to carry out their duty of governance, discipline, care and safety of students than those in small schools. School teachers in large schools will need two or three supporting staff to make their administrative task easier and more efficient in terms of exercising their responsibilities in loco parentis.

are placed in a position to discipline and care for pupils' safety through reasonable rules and regulations. Hence, as a result, from the findings made on teachers' empowerment of the doctrine of in-loco-parentis, the following discussions were reached.

In hypothesis 1, which states that there is no significant difference between the attitude of experienced and less experienced teachers in their responsibility in-loco-parentis in the school, the hypothesis was rejected. As a result, the legal implications of the 'in loco parentis' doctrine showed that the attitudes of experienced teachers differ from the attitude exhibited by less experienced teachers. Experienced teachers who took courses in school law were influenced and their attitudes towards dealing with school problem were modified. It would be recommended that in-service training should be organized for less experienced teachers to enable them carry out disciplinary activities effectively.

## IX. DISCUSSION OF RESULTS

The school is a service organization with the primary function of educating children hence teachers



In hypothesis 2, which states that there is no significant difference between attitude of teachers in urban and rural schools in their responsibility in-loco parentis, was also rejected. This implies that 79.2% of the school teachers were in urban areas while 20.8% teachers were in the rural areas. This means that despite other variable, such as personal interactions and disciplinary measures, are more effective in rural schools. In urban schools, there are no much personal interactions between teachers and students as a result, disciplinary measures are assigned to supporting staff who have little or no legal knowledge about the legal implications on the governance, discipline, care and safety of students placed in their care.

Hypothesis 3, which states that there is no significant difference between the attitude of school teachers in large and small schools in their responsibilities in-loco-parentis, was also rejected. This means that teachers in large schools find it difficult to carry out their duty of governance, discipline, care and safety of students than those in small schools.

## X. FINDINGS

The following findings were made in the study:

1. There is a significant difference in attitude between teachers who are experienced that can discipline pupils and less experienced teachers who cannot discipline pupils by exercising their duties of in loco parentis.
2. There is a significant difference in attitude between teachers in urban and rural areas in their responsibilities in loco parentis in the school system.
3. There is a significant difference in attitude between teachers in large school and those in small schools, playing the role of parents to the students in the schools.

## XI. CONCLUSION

Arising from the findings of the study, the following conclusions were drawn on the basis of teachers legal knowledge on their responsibilities in loco parentis to students in the school system in Abraka metropolis as it is in the country, Nigeria that the experienced and the less experienced teachers have taken courses in school law which shows that they improved their knowledge of legal aspect of school operation which significantly changed their general attitude of school administration. Also, disciplinary measures are more effective in the rural schools because there is a room for personal interactions between students and teachers by way of exercising their position of in loco parentis in the schools.

## XII. RECOMMENDATIONS

Based on the findings, it was recommended that:

1. In-service training should be organized for less experienced teachers in the area of legal school operation to enable them know their responsibilities in loco- parentis and those of students to avoid infringement.
2. Urban schools should be de-populated thereby making it possible for personal interaction to take place between teachers in exercising their powers in loco parentis with students, while rural schools should attract more people to attend since there is room for personal interaction.
3. The educational authorities may consider sending more experienced group of teachers to problematic and large schools to allow for better legally and administratively controlled schools. Hence young teachers should be trained to have legal knowledge of secondary school operations involving school law involving school law.

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**19. Know what you know:** Always try to know, what you know by making objectives. Else, you will be confused and cannot achieve your target.

**20. Use good quality grammar:** Always use a good quality grammar and use words that will throw positive impact on evaluator. Use of good quality grammar does not mean to use tough words, that for each word the evaluator has to go through dictionary. Do not start sentence with a conjunction. Do not fragment sentences. Eliminate one-word sentences. Ignore passive voice. Do not ever use a big word when a diminutive one would suffice. Verbs have to be in agreement with their subjects. Prepositions are not expressions to finish sentences with. It is incorrect to ever divide an infinitive. Avoid clichés like the disease. Also, always shun irritating alliteration. Use language that is simple and straight forward. put together a neat summary.

**21. Arrangement of information:** Each section of the main body should start with an opening sentence and there should be a changeover at the end of the section. Give only valid and powerful arguments to your topic. You may also maintain your arguments with records.

**22. Never start in last minute:** Always start at right time and give enough time to research work. Leaving everything to the last minute will degrade your paper and spoil your work.

**23. Multitasking in research is not good:** Doing several things at the same time proves bad habit in case of research activity. Research is an area, where everything has a particular time slot. Divide your research work in parts and do particular part in particular time slot.

**24. Never copy others' work:** Never copy others' work and give it your name because if evaluator has seen it anywhere you will be in trouble.

**25. Take proper rest and food:** No matter how many hours you spend for your research activity, if you are not taking care of your health then all your efforts will be in vain. For a quality research, study is must, and this can be done by taking proper rest and food.

**26. Go for seminars:** Attend seminars if the topic is relevant to your research area. Utilize all your resources.

**27. Refresh your mind after intervals:** Try to give rest to your mind by listening to soft music or by sleeping in intervals. This will also improve your memory.

**28. Make colleagues:** Always try to make colleagues. No matter how sharper or intelligent you are, if you make colleagues you can have several ideas, which will be helpful for your research.

**29. Think technically:** Always think technically. If anything happens, then search its reasons, its benefits, and demerits.

**30. Think and then print:** When you will go to print your paper, notice that tables are not be split, headings are not detached from their descriptions, and page sequence is maintained.

**31. Adding unnecessary information:** Do not add unnecessary information, like, I have used MS Excel to draw graph. Do not add irrelevant and inappropriate material. These all will create superfluous. Foreign terminology and phrases are not apropos. One should NEVER take a broad view. Analogy in script is like feathers on a snake. Not at all use a large word when a very small one would be





sufficient. Use words properly, regardless of how others use them. Remove quotations. Puns are for kids, not grunt readers. Amplification is a billion times of inferior quality than sarcasm.

**32. Never oversimplify everything:** To add material in your research paper, never go for oversimplification. This will definitely irritate the evaluator. Be more or less specific. Also too, by no means, ever use rhythmic redundancies. Contractions aren't essential and shouldn't be there used. Comparisons are as terrible as clichés. Give up ampersands and abbreviations, and so on. Remove commas, that are, not necessary. Parenthetical words however should be together with this in commas. Understatement is all the time the complete best way to put onward earth-shaking thoughts. Give a detailed literary review.

**33. Report concluded results:** Use concluded results. From raw data, filter the results and then conclude your studies based on measurements and observations taken. Significant figures and appropriate number of decimal places should be used. Parenthetical remarks are prohibitive. Proofread carefully at final stage. In the end give outline to your arguments. Spot out perspectives of further study of this subject. Justify your conclusion by at the bottom of them with sufficient justifications and examples.

**34. After conclusion:** Once you have concluded your research, the next most important step is to present your findings. Presentation is extremely important as it is the definite medium through which your research is going to be in print to the rest of the crowd. Care should be taken to categorize your thoughts well and present them in a logical and neat manner. A good quality research paper format is essential because it serves to highlight your research paper and bring to light all necessary aspects in your research.

## INFORMAL GUIDELINES OF RESEARCH PAPER WRITING

### Key points to remember:

- Submit all work in its final form.
- Write your paper in the form, which is presented in the guidelines using the template.
- Please note the criterion for grading the final paper by peer-reviewers.

### Final Points:

A purpose of organizing a research paper is to let people to interpret your effort selectively. The journal requires the following sections, submitted in the order listed, each section to start on a new page.

The introduction will be compiled from reference matter and will reflect the design processes or outline of basis that direct you to make study. As you will carry out the process of study, the method and process section will be constructed as like that. The result segment will show related statistics in nearly sequential order and will direct the reviewers next to the similar intellectual paths throughout the data that you took to carry out your study. The discussion section will provide understanding of the data and projections as to the implication of the results. The use of good quality references all through the paper will give the effort trustworthiness by representing an alertness of prior workings.

Writing a research paper is not an easy job no matter how trouble-free the actual research or concept. Practice, excellent preparation, and controlled record keeping are the only means to make straightforward the progression.

### General style:

Specific editorial column necessities for compliance of a manuscript will always take over from directions in these general guidelines.

To make a paper clear

· Adhere to recommended page limits

Mistakes to evade

- Insertion a title at the foot of a page with the subsequent text on the next page

- Separating a table/chart or figure - impound each figure/table to a single page
- Submitting a manuscript with pages out of sequence

In every sections of your document

- Use standard writing style including articles ("a", "the," etc.)
- Keep on paying attention on the research topic of the paper
- Use paragraphs to split each significant point (excluding for the abstract)
- Align the primary line of each section
- Present your points in sound order
- Use present tense to report well accepted
- Use past tense to describe specific results
- Shun familiar wording, don't address the reviewer directly, and don't use slang, slang language, or superlatives
- Shun use of extra pictures - include only those figures essential to presenting results

#### **Title Page:**

Choose a revealing title. It should be short. It should not have non-standard acronyms or abbreviations. It should not exceed two printed lines. It should include the name(s) and address (es) of all authors.

#### **Abstract:**

The summary should be two hundred words or less. It should briefly and clearly explain the key findings reported in the manuscript-- must have precise statistics. It should not have abnormal acronyms or abbreviations. It should be logical in itself. Shun citing references at this point.

An abstract is a brief distinct paragraph summary of finished work or work in development. In a minute or less a reviewer can be taught the foundation behind the study, common approach to the problem, relevant results, and significant conclusions or new questions.

Write your summary when your paper is completed because how can you write the summary of anything which is not yet written? Wealth of terminology is very essential in abstract. Yet, use comprehensive sentences and do not let go readability for briefness. You can maintain it succinct by phrasing sentences so that they provide more than lone rationale. The author can at this moment go straight to



shortening the outcome. Sum up the study, with the subsequent elements in any summary. Try to maintain the initial two items to no more than one ruling each.

- Reason of the study - theory, overall issue, purpose
- Fundamental goal
- To the point depiction of the research
- Consequences, including definite statistics - if the consequences are quantitative in nature, account quantitative data; results of any numerical analysis should be reported
- Significant conclusions or questions that track from the research(es)

Approach:

- Single section, and succinct
- As a outline of job done, it is always written in past tense
- A conceptual should situate on its own, and not submit to any other part of the paper such as a form or table
- Center on shortening results - bound background information to a verdict or two, if completely necessary
- What you account in an conceptual must be regular with what you reported in the manuscript
- Exact spelling, clearness of sentences and phrases, and appropriate reporting of quantities (proper units, important statistics) are just as significant in an abstract as they are anywhere else

#### Introduction:

The **Introduction** should "introduce" the manuscript. The reviewer should be presented with sufficient background information to be capable to comprehend and calculate the purpose of your study without having to submit to other works. The basis for the study should be offered. Give most important references but shun difficult to make a comprehensive appraisal of the topic. In the introduction, describe the problem visibly. If the problem is not acknowledged in a logical, reasonable way, the reviewer will have no attention in your result. Speak in common terms about techniques used to explain the problem, if needed, but do not present any particulars about the protocols here. Following approach can create a valuable beginning:

- Explain the value (significance) of the study
- Shield the model - why did you employ this particular system or method? What is its compensation? You strength remark on its appropriateness from a abstract point of vision as well as point out sensible reasons for using it.
- Present a justification. Status your particular theory (es) or aim(s), and describe the logic that led you to choose them.
- Very for a short time explain the tentative propose and how it skilled the declared objectives.

Approach:

- Use past tense except for when referring to recognized facts. After all, the manuscript will be submitted after the entire job is done.
- Sort out your thoughts; manufacture one key point with every section. If you make the four points listed above, you will need a least of four paragraphs.
- Present surroundings information only as desirable in order hold up a situation. The reviewer does not desire to read the whole thing you know about a topic.
- Shape the theory/purpose specifically - do not take a broad view.
- As always, give awareness to spelling, simplicity and correctness of sentences and phrases.

#### Procedures (Methods and Materials):

This part is supposed to be the easiest to carve if you have good skills. A sound written Procedures segment allows a capable scientist to replacement your results. Present precise information about your supplies. The suppliers and clarity of reagents can be helpful bits of information. Present methods in sequential order but linked methodologies can be grouped as a segment. Be concise when relating the protocols. Attempt for the least amount of information that would permit another capable scientist to spare your outcome but be cautious that vital information is integrated. The use of subheadings is suggested and ought to be synchronized with the results section. When a technique is used that has been well described in another object, mention the specific item describing a way but draw the basic



principle while stating the situation. The purpose is to text all particular resources and broad procedures, so that another person may use some or all of the methods in one more study or referee the scientific value of your work. It is not to be a step by step report of the whole thing you did, nor is a methods section a set of orders.

#### Materials:

- Explain materials individually only if the study is so complex that it saves liberty this way.
- Embrace particular materials, and any tools or provisions that are not frequently found in laboratories.
- Do not take in frequently found.
- If use of a definite type of tools.
- Materials may be reported in a part section or else they may be recognized along with your measures.

#### Methods:

- Report the method (not particulars of each process that engaged the same methodology)
- Describe the method entirely
- To be succinct, present methods under headings dedicated to specific dealings or groups of measures
- Simplify - details how procedures were completed not how they were exclusively performed on a particular day.
- If well known procedures were used, account the procedure by name, possibly with reference, and that's all.

#### Approach:

- It is embarrassed or not possible to use vigorous voice when documenting methods with no using first person, which would focus the reviewer's interest on the researcher rather than the job. As a result when script up the methods most authors use third person passive voice.
- Use standard style in this and in every other part of the paper - avoid familiar lists, and use full sentences.

#### What to keep away from

- Resources and methods are not a set of information.
- Skip all descriptive information and surroundings - save it for the argument.
- Leave out information that is immaterial to a third party.

#### Results:

The principle of a results segment is to present and demonstrate your conclusion. Create this part a entirely objective details of the outcome, and save all understanding for the discussion.

The page length of this segment is set by the sum and types of data to be reported. Carry on to be to the point, by means of statistics and tables, if suitable, to present consequences most efficiently. You must obviously differentiate material that would usually be incorporated in a study editorial from any unprocessed data or additional appendix matter that would not be available. In fact, such matter should not be submitted at all except requested by the instructor.

#### Content

- Sum up your conclusion in text and demonstrate them, if suitable, with figures and tables.
- In manuscript, explain each of your consequences, point the reader to remarks that are most appropriate.
- Present a background, such as by describing the question that was addressed by creation an exacting study.
- Explain results of control experiments and comprise remarks that are not accessible in a prescribed figure or table, if appropriate.
- Examine your data, then prepare the analyzed (transformed) data in the form of a figure (graph), table, or in manuscript form.

#### What to stay away from

- Do not discuss or infer your outcome, report surroundings information, or try to explain anything.
- Not at all, take in raw data or intermediate calculations in a research manuscript.



- Do not present the similar data more than once.
- Manuscript should complement any figures or tables, not duplicate the identical information.
- Never confuse figures with tables - there is a difference.

#### Approach

- As forever, use past tense when you submit to your results, and put the whole thing in a reasonable order.
- Put figures and tables, appropriately numbered, in order at the end of the report
- If you desire, you may place your figures and tables properly within the text of your results part.

#### Figures and tables

- If you put figures and tables at the end of the details, make certain that they are visibly distinguished from any attach appendix materials, such as raw facts
- Despite of position, each figure must be numbered one after the other and complete with subtitle
- In spite of position, each table must be titled, numbered one after the other and complete with heading
- All figure and table must be adequately complete that it could situate on its own, divide from text

#### Discussion:

The Discussion is expected the trickiest segment to write and describe. A lot of papers submitted for journal are discarded based on problems with the Discussion. There is no head of state for how long a argument should be. Position your understanding of the outcome visibly to lead the reviewer through your conclusions, and then finish the paper with a summing up of the implication of the study. The purpose here is to offer an understanding of your results and hold up for all of your conclusions, using facts from your research and generally accepted information, if suitable. The implication of result should be visibly described. Infer your data in the conversation in suitable depth. This means that when you clarify an observable fact you must explain mechanisms that may account for the observation. If your results vary from your prospect, make clear why that may have happened. If your results agree, then explain the theory that the proof supported. It is never suitable to just state that the data approved with prospect, and let it drop at that.

- Make a decision if each premise is supported, discarded, or if you cannot make a conclusion with assurance. Do not just dismiss a study or part of a study as "uncertain."
- Research papers are not acknowledged if the work is imperfect. Draw what conclusions you can based upon the results that you have, and take care of the study as a finished work
- You may propose future guidelines, such as how the experiment might be personalized to accomplish a new idea.
- Give details all of your remarks as much as possible, focus on mechanisms.
- Make a decision if the tentative design sufficiently addressed the theory, and whether or not it was correctly restricted.
- Try to present substitute explanations if sensible alternatives be present.
- One research will not counter an overall question, so maintain the large picture in mind, where do you go next? The best studies unlock new avenues of study. What questions remain?
- Recommendations for detailed papers will offer supplementary suggestions.

#### Approach:

- When you refer to information, differentiate data generated by your own studies from available information
- Submit to work done by specific persons (including you) in past tense.
- Submit to generally acknowledged facts and main beliefs in present tense.

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<i>Introduction</i>	Containing all background details with clear goal and appropriate details, flow specification, no grammar and spelling mistake, well organized sentence and paragraph, reference cited	Unclear and confusing data, appropriate format, grammar and spelling errors with unorganized matter	Out of place depth and content, hazy format
<i>Methods and Procedures</i>	Clear and to the point with well arranged paragraph, precision and accuracy of facts and figures, well organized subheads	Difficult to comprehend with embarrassed text, too much explanation but completed	Incorrect and unorganized structure with hazy meaning
<i>Result</i>	Well organized, Clear and specific, Correct units with precision, correct data, well structuring of paragraph, no grammar and spelling mistake	Complete and embarrassed text, difficult to comprehend	Irregular format with wrong facts and figures
<i>Discussion</i>	Well organized, meaningful specification, sound conclusion, logical and concise explanation, highly structured paragraph reference cited	Wordy, unclear conclusion, spurious	Conclusion is not cited, unorganized, difficult to comprehend
<i>References</i>	Complete and correct format, well organized	Beside the point, Incomplete	Wrong format and structuring



# INDEX

---

## A

Achievement · 1, 22  
Aforementioned · 8, 11  
Altogether · 5  
Amelioration · 29  
Approximating · 11, 12  
Assumptions · 1, 3

---

## B

Badagry · 1  
Beneficiary · 16

---

## C

Californian · 21  
Chastisement · 19  
Circumstances · 15, 26, 37  
Compensation · 10, 11, 12, 14  
Counterparts · 25, 27, 28, 29

---

## D

Degradation · 12  
Discriminating · 20

---

## E

Equipments · 14, 15  
Evasmels · 4

---

## H

Hypotheses · 1, 3, 5, 25, 27, 28, 32, 33, 40

---

## I

Implementation · 10, 12  
Implemented · 10

Impulsiveness · 27  
Intellectual · 4  
Intoxicated · 30

---

## M

Misinterpretation · 15  
Monetary · 10, 11

---

## O

Onosakponome · 20

---

## P

Peretomode · 20, 34, 37, 39, 43  
Precincts · 4  
Pronouncement · 16

---

## Q

Questionnaire · 5, 28, 40

---

## R

Ramifications · 37, 38, 43  
Randomly · 30  
Refugees · 37, 43  
Reparations · 47  
Rhythms · 5  
Roberts · 3, 6  
Rosembloom · 21  
Roskilde · 25  
Routes · 49, 50

---

## S

Specializing · 1, 3  
Speculations · 3  
Susceptible · 27, 28, 29

---

## T

Transportation · 10, 11, 13, 14, 15, 16

---

## ***U***

Univariate · 25, 28

---

## ***V***

Vehemently · 8

Venturesomeness · 31

---

## ***Y***

Yielded · 5



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