

LEGAL LITERACY OF PRE-SERVICE TEACHERS: A CASE STUDY AT THE INSTITUTE OF TEACHER EDUCATION CAMPUS TUANKU BAINUN

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Abstract

Legal literacy is essential for everyone. The rules and regulations governing educational law establish the legal rights and responsibilities of educators. Currently, disputes and litigations involving educators are increasing, highlighting an urgent need to address this issue. This research investigates the level of legal literacy among pre-service teachers. The study involved 49 respondents who completed a survey questionnaire, along with 10 participants who took part in semi-structured interviews. Descriptive statistics were used to analyze the survey responses, while thematic analysis was applied to the transcribed interview sessions. The findings indicate that pre-service ESL teachers possess moderate legal literacy knowledge. Their limited understanding of legal principles impedes their ability to perform effectively in the workforce. Notably, the lack of knowledge regarding General Orders, tort law, contract law, and the Federal Constitution is concerning. Therefore, it is crucial to implement measures that equip pre-service teachers with the necessary legal knowledge before they transition into full-time teaching roles.

Keywords: legal, literacy knowledge, omission, breach, contract

Abstrak

Literasi undang-undang adalah penting untuk semua orang. Undang-undang pendidikan menubuhkan hak dan tanggungjawab untuk pendidik. Pada masa ini, pertikaian dan litigasi yang melibatkan pendidik semakin meningkat, menonjolkan keperluan mendesak untuk menangani isu ini. Penyelidikan ini menyiasat tahap literasi undang-undang di kalangan guru pra-perkhidmatan. Kajian itu melibatkan 49 responden yang menjawab soal selidik tinjauan, bersama dengan 10 peserta yang mengambil bahagian

dalam temubual separa berstruktur. Statistik deskriptif digunakan untuk menganalisis tindak balas tinjauan, sementara analisis tematik telah digunakan untuk sesi temubual yang ditranskripsikan. Penemuan menunjukkan bahawa guru ESL pra-perkhidmatan mempunyai pengetahuan literasi undang-undang yang sederhana. Pemahaman mereka yang terhad mengenai prinsip undang-undang menghalang keupayaan mereka untuk melaksanakan tugas dengan berkesan. Terutama, kekurangan pengetahuan mengenai perintah umum, undang-undang tort, undang -undang kontrak, dan perlembagaan persekutuan adalah penting. Oleh itu, adalah penting untuk melaksanakan langkah-langkah yang melengkapkan guru pra-perkhidmatan dengan pengetahuan undang-undang yang diperlukan sebelum mereka ditempatkan ke sekolah sebagai guru terlatih.

Kata Kunci: undang-undang, pengetahuan, kelalaian, pelanggaran, kontrak

INTRODUCTION

In today's litigious society, public schools are often immune to lawsuits. However, there is a lack of research examining legal literacy among pre-service teachers at the Institute of Teacher Education in Malaysia (Mohd, 2014). Pre-service teachers trained at 27 Institutes of Teacher Education complete a five-year teacher training program before being placed in primary schools nationwide. Pre-service teachers' legal literacy refers to the level of knowledge that teacher candidates in education programs possess regarding educational law and policies, and how these affect their preparation before entering the teaching profession (Muhammad et al., 2022). When teachers enter public school classrooms, they represent not only themselves but also the school, district, state, and ministry. In *Wood v. Strickland* (1975), the court determined that school personnel could be held liable for violating students' constitutional rights if they knew, or reasonably should have known, that their actions would result in such violations. Importantly, the numerous daily interactions teachers have with students, colleagues, administrators, and parents carry constitutional implications that are seldom taken seriously (Benjamin et al., 2019).

Although teacher legal literacy is important, it remains an under-researched area that is seldom explored by researchers. There is currently no universally accepted definition of legal literacy. In the literature, it is best described as "the legal knowledge, understanding, and skills that enable educators to apply relevant legal rules in their everyday practice" (Decker & Brady, 2016). The definition by Decker and Brady (2016) provides a solid foundation for understanding how legal literacy knowledge may impact individuals.

In Malaysia, the education system often changes, leading to frequent court litigations involving teachers (Suriati & Mohd Faiz, 2021). Nevertheless, the Ministry of Education aims to enhance the living standards of the nation in alignment with the Malaysian Education Development Plan (PPPM) 2013-2025 through its policies and initiatives. The change reflects a growing understanding, economic progress, and the swift advancement of digital technologies, all of which contribute to a more innovative future. Parents and students frequently face challenges regarding educational activities facilitated by school administrators and educators. Educators play a vital role in national development through the National Educational Philosophy, which underscores the significance of ensuring students' physical safety within the school environment and during extracurricular physical activities. Teachers must be accountable due to legal obligations (Suriati & Mohd Faiz, 2021). Educational administrators and teachers must understand the concept of negligence law and relevant regulations to ensure the safety and rights of both educators and students. This understanding is crucial for protecting everyone involved without any bias (Ramalinggam et al., 2022).

The study aims to explore the legal literacy of pre-service teachers at the Institute of Teacher Education Campus Tuanku Bainun. The reason pre-service teachers are selected is that after five years of training and study, they will embark on a new journey as qualified educators. Pre-service teachers need to equip themselves with adequate legal knowledge to protect against unnecessary litigation. This can be achieved by providing tailored legal education that meets their specific needs.

The quality of educators has been a major concern for many parties like the government, politicians, society, non-governmental organizations, parents and students over the years. The crucial predicament of quality teachers falls on the shoulders of the educators i.e. the teachers and the educational administrators. The reason for this is crystal clear as they perform a major role in qualifying the educational standards of an institution (Suriati & Mohd Faiz, 2021).

The word teacher defines a person who is involved in imparting pedagogical content knowledge either in a university, college, institution or school. Teachers include senior professor, associate professor, assistant professor, senior lecturer, assistant lecturer, lecturer, tutor or school teacher in a public or private educational institution (Benjamin et.al., 2019). The educators are bound by national laws and legislations relating to education regardless of either attached to a public or private educational institution (Ramalinggam et al., 2022).

These educators often become the prey of society over their professional conduct. Several media coverages and court decisions had reported the cases of educators' misconduct and educational malpractice which were made by parents and students against educators or and educational administrators for offenses, incompetency in teaching, dubious evaluation, negligent supervision, commission of criminal offenses and impropriety with students (Berita Harian, 27 January 2018). These scenarios had caused turmoil and parents are taking up legal suits against educators for professional misconduct. There has been a great rise in court litigations involving educators and educational institutions (Hazizah, 2020). Thus, the corresponding authorities need to take a firm stand to resolve this long-standing predicament.

Education law is an extensive topic that covers the federal and state constitutional provisions, federal, state and local legislations, case law and policy (Kelly, Christine & Constantine, 2020). However, it is not practicable for teachers to recognize and comprehend the whole body of education law and policy that could affect them. Therefore, teachers should have and would have an advantage from acquiring basic legal literacy which are pertinent. The basic legal literacy knowledge that educators should acquire includes Federal Constitution Article 8, Article 12, Educational Act 1996, Child Act 2001 and Student Discipline Procedure Study Rules (School Discipline) 1959. Since, teacher legal literacy is an under-researched area,

researchers can explore this topic from various directions. For this paper, it is pertinent to investigate the pre-service teachers' knowledge of legislations about education and substantive law relating to the national education policies and practices which affect the rights and obligations of educators in discharging their duties.

LITERATURE REVIEW

Why teachers or educators need legal literacy?

Teachers play a crucial role in schools, carrying significant responsibilities as they are bound by contract law under the principle of "in loco parentis." This concept likens the role of a teacher to that of a father, who carefully cares for his children, as noted by Barrel & Partington (1985). In other words, teachers act as surrogate parents to students while they are on school grounds (Ramalinggam et al., 2022). Consequently, teachers are viewed as having duties and responsibilities towards their students, as highlighted by Muhammad et al. (2022). Additionally, teachers are required to provide efficient attention and monitoring to ensure that students can protect themselves from any risks or dangers (LaMorte and Michael, 2002).

In the case of *Williams v. Eady* (1893), Judge Cave explained that a headmaster has a responsibility to supervise students similarly to how a father looks after his son. When discussing school negligence, particularly concerning student supervision, several factors must be considered. These include the number of students, their ages, the types of activities being conducted, the facilities available at the school, and other relevant considerations.

There is an ongoing debate about the definition of "children." According to Hazizah Kassim (2020), children include individuals in kindergarten, primary, and secondary school. The Children Act 2001 defines a child as anyone under the age of 18. This definition indicates that students from Year 1 of primary school up to Form 5 in secondary school are protected under the Children Act 2001.

Children make up approximately 27.4% of the country's total population, which is about 9.13 million out of 33.38 million people. Alongside this, there are 418,000 teachers in primary and secondary schools nationwide. These figures highlight the importance of protecting both children and teachers. The Children Act 2001

emphasizes that there are no unintentional violations of the law for those who are unable to protect themselves, per existing laws.

An essential reason for educators, particularly pre-service teacher trainees, to develop an understanding of the law and legal system lies in a fundamental fact about modern education: the education system, including its structures, operations, interactions, and financing, is governed by a complex and extensive collection of laws (Kutsyuruba, Burgess, Walker & Donlevy, 2013).

With this in mind, it is crucial for educators to grasp the legal parameters within which they operate to protect themselves from legal issues. As professionals, teachers must be knowledgeable about professional codes of ethics, conduct, standards of care, treatment of students, and the protection of students' physical, mental, and emotional well-being. They must also be aware of confidentiality concerns and relevant educational policies (Kutsyuruba, Murray & Hogenkamp, 2013). Furthermore, the law outlines the conditions of teaching and guides teaching practices in nearly every aspect, from addressing the needs of students with exceptionalities to curriculum-related issues.

Understanding the laws related to professional conduct and interactions with students is crucial. Ignorance of these laws can lead to legal complications, potentially giving employers grounds for dismissal. Posocco (2016) highlighted that teachers who misunderstand laws, policies, rules, and regulations, as well as their rights and responsibilities, are more prone to litigation. Such misunderstandings can have negative effects on teachers. Furthermore, Manos (2007) emphasized that ignorance of the law can have severe consequences for educational employees, including the loss of their license, livelihood, and even personal freedom. Facing all these losses at once can significantly impact an individual. Overall, legal literacy not only contributes to creating a well-informed public school workforce but also helps educators equip themselves with the necessary legal knowledge to protect both themselves and their students (Schimmel & Mitello, 2007).

Current state of teacher's Knowledge of Law

Despite the fact that law affects educators globally across all areas of study and levels of education, research conducted in Malaysia indicates that teachers do not see themselves as legally literate (Mohamed & Nik, 2018). This lack of legal knowledge and training among educators is not solely the teachers' fault. The issue stems from the absence of a systematic approach to legal literacy in most teacher certification and professional development programs. Additionally, educators often approach legal matters with anxiety, misunderstanding, and a sense of being trapped.

A comprehensive national survey of American educators revealed that 75 percent had not taken any courses related to law, and 50 percent were either uninformed or misinformed about the rights of teachers and students (Kelly et al., 2020). Most respondents indicated that they relied on "other teachers" for legal knowledge in schools, despite not having received formal education in educational law. This highlights the need for a shift in awareness, knowledge, and behavior in both pre-service and in-service training to foster legal literacy. Moreover, the failure of these training programs to address teachers' legal illiteracy could be considered a form of educational malpractice, as legal ignorance can result in significant emotional, administrative, and financial consequences (Kelly et al., 2020).

Fundamentals of Education Law & Legal Issues in Education

In analyzing cases related to the law of tort, it is essential to determine whether negligence has occurred. Negligence is a component of tort law and addresses grievances between individuals, where one party suffers because of the actions or inactions of another (Newnham, 2000). The primary purpose of suing someone for negligence is to obtain compensation for the injuries incurred. Litigation is becoming increasingly common in various aspects of society, including education, where issues of educational negligence often referred to as educational malpractice are gaining attention.

Referring to the case of *Blyth v. Birmingham Waterworks Co* [1856] 11 Exch 781 (cited in Rosilah Yop, 2011), negligence is defined as:

Negligence is the omission to do something which a reasonable man, guided upon those considerations which ordinarily regulate the conduct of human affairs, would do, or doing something which a prudent and reasonable man would not do.

Negligence occurs when an individual breaches the standard of care, unintentionally fails to act reasonably, or engages in an improper act that results in injury or loss to another person (Tie Fatt Hee, 2011). There are four key elements of negligence:

1. The defendant owed a duty of care to protect the plaintiff from harm.
2. The defendant breached this duty by failing to uphold an appropriate standard of care.
3. There must be a causal connection between the breach of duty and the resulting injury.
4. The negligence must result in an actual physical or mental injury (Tie Fatt Hee, 2011; Yell, 1999).

The most common injury sustained by a student under the law occurs when the student becomes the plaintiff due to an act or omission. Liability is determined based on whether a reasonable person or a reasonable teacher would have acted differently under similar circumstances (Newnham, 2000). Given the definition and elements of negligence, it is clear that the respondents in this case were negligent.

There are two key aspects of negligence in schools: the negligence of teachers towards students and the negligence of school authorities. The first aspect, which involves the negligence of teachers towards students, means that teachers have a duty of care to ensure adequate supervision (Newnham, 2000). Incidents can occur in various settings, including the playground, sports fields, classrooms, or during excursions.

It's important to note that under the doctrine of vicarious liability, the school authority may be held responsible for the negligence of teachers. However, this does not eliminate the personal liability of the teacher involved.

The second aspect is the negligence of school authorities. This negligence can occur when the school's grounds or equipment are unsafe, resulting in injury to a student. School authorities have a non-delegable duty to ensure the safety of students, which means they must take reasonable care to protect children while they are at school (Newnham, 2000).

Each element of negligence requires thorough analysis, particularly concerning relevant case law. The first element, duty of care, concerns the relationships between individuals. The landmark case of **Donoghue v Stevenson** (1932) All ER 1 significantly changed the law of negligence. In this case, Lord Atkin established that a duty of care is owed by a person whose actions closely affect another individual. Individuals need to exercise reasonable care to avoid any acts or omissions that could foreseeably cause injury to others in given circumstances (Newnham, 2000). The duty of care arises from the relationship between students and schools, which is well established in both educational regulations and common law.

It is widely recognized that a schoolmaster has a responsibility to ensure the safety of the pupils under their supervision. This duty to prevent harm is highlighted in the case of **Richards v. State of Victoria** (1969) VR 136. The relationship between teachers and students establishes a duty of care for teachers. However, this duty is not absolute; it applies only to preventing foreseeable risks of injury (Newnham, 2000). When the risk is higher or the potential for danger increases, the teacher's duty to protect students becomes more significant.

The obligation arises because a child of immature age requires protection from potential harm, whether from others or from themselves, during school hours. At this time, the child is no longer under their parents' control and is instead under the authority of the schoolmaster. The schoolmaster is responsible for exercising reasonable care to ensure the child's safety and protection from injury, as established in the case of *Richards v State of Victoria* (1969).

The second element that needs to be established is the breach of duty once the duty of care has been recognized. The central question is whether the required standard of care was met or if the defendant's conduct fell below the expected standard. In the past, courts have stated that the standard of care expected from a teacher is comparable to that of a reasonable parent or someone acting in loco parentis. However, applying this standard to a teacher presents challenges. It is difficult to equate a school environment with a home setting. A teacher is responsible for managing a large class and cannot engage with students in the same way a parent might with one or two children. Additionally, teachers are required to undergo specific education and training related to their profession, suggesting a different standard of care should be applied. This distinction was highlighted by Justice Murphy in the case of *Introvigne v Commonwealth* (1981 – 1982) 150 CLR 258.

Justice Murphy emphasized that a school's legal responsibilities often exceed those of a parent, highlighting that the duties of a school should not be equated with those of a home. The standard of care expected from a school teacher is now considered higher than the previous standard applied to a reasonable parent (Edwards, Knott, Riley, 1997). Each case is assessed individually, with expert witnesses called by both the plaintiff and defendant to help the court determine whether the actions or omissions of the practitioner align with what an ordinary, reasonable practitioner would have done under similar circumstances. Previous cases will also be reviewed to establish the standard of care (Newnham, 2000). Additionally, documents related to school policies, educational statutes, and regulations may be scrutinized to determine if there has been a breach of the expected standard.

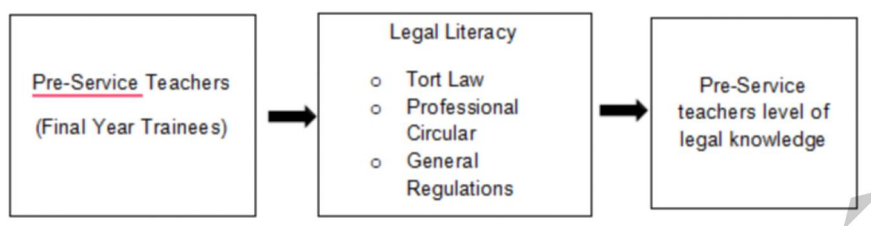
In the final element of negligence, the plaintiff must demonstrate a close connection between the act, omission, or breach of duty and the resulting damage, known as causation. Proving causation can be challenging, even if the other two elements duty of care and breach of duty have been successfully established.

In the education field, once the breach of duty has been proven the plaintiff has less burden. In proving that a breach caused the damage (Newnham, 2000), the plaintiff may experience physical, psychological, or identifiable psychiatric disorders, which must be demonstrated to establish negligence. It is important to note that the common defense against negligence is *volenti non fit injuria*, meaning that the plaintiff willingly accepted the risk. However, this defense is interpreted narrowly, and institutions are heavily relying on exemption clauses. Even if these clauses are signed by parents or guardians, it is highly unlikely that they will successfully avoid liability.

CONCEPTUAL FRAMEWORK

Pre-service teachers often lack knowledge regarding legal literacy in education, particularly in areas such as general regulations, negligence laws, and professional circulars. These pre-service teachers need to be aware of safety-related knowledge in schools. Therefore, based on three laws related to education, the researcher aims to examine the level of legal knowledge that pre-service teachers possess and the impact of these rights and obligations on their ability to fulfil their responsibilities, as illustrated in Figure 1.

Figure 1
Conceptual Framework



RESEARCH OBJECTIVES

In order to obtain the findings, the study attempts to answer the following research objectives:

- i. To analyze the level of knowledge of law in education among the pre-service teachers in primary school.

RESEARCH QUESTIONS

The study seeks to answer the following questions:

- i. What is the level of knowledge of law in education among the pre-service teachers in primary school?

RESEARCH METHODOLOGY

The researcher utilized both quantitative and qualitative approaches, known as mixed methods (Creswell, 2014). Data were gathered through questionnaires completed by 49 respondents, supplemented by a series of interview sessions involving 10 participants. The participants of the study are teacher trainees from the TESL group at the Institute of Teacher Education Campus in Penang, who have completed their final phase of practicum sessions in primary schools in the area. The participants for this research were selected using convenience sampling. The data obtained from the questionnaires and interview sessions further supports the rights and obligations of educators, as well as their overall understanding of educational laws and other regulations that may directly or indirectly affect their job performance. The researcher limited the interviewees to 10 pre-service teachers, as they represent the pre-service teachers from the institution and were chosen through purposeful sampling. The interviewees were completing their internships before becoming trained teachers in primary schools across Malaysia. The feedback received will greatly help explain and support the construction and findings of the quantitative survey questionnaire administered to the sample populations.

The researcher employed a statistical survey method for this study. After completing the survey, the researcher analyzed the data and utilized frequency counts and percentage distributions to present the findings. The collected data were analyzed descriptively, leading to the conclusions drawn from the findings. Key factors including the sampling method, sample size, data collection instrument, data collection procedures, and data processing and analysis were given significant attention, as noted by Gay (1992) and Cohen and Manion (1994).

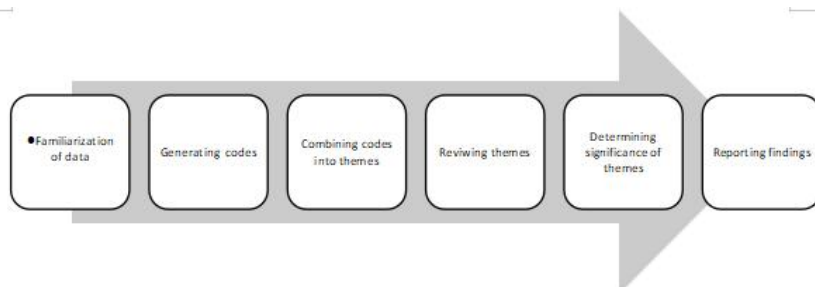
A total of 49 respondents, both male and female pre-service teachers from the TESL (Teaching English as a Second Language) group, were sampled. This sample was conveniently obtained due to the challenges of conducting a systematic random sampling from a diverse and widely dispersed population of pre-service TESL teachers across 27 Teacher Education Institutes in Malaysia. Although the sampling method was convenient, it is still considered logically representative of the targeted population.

The researcher utilized a structured questionnaire for the quantitative survey and a structured interview adapted from Mohamed and Nik (2018). Respondents were asked to answer questions related to their legal literacy regarding education laws, their understanding of educational practices, and pre-service teachers' knowledge of their rights and responsibilities while performing their duties. These methods were employed to address the research objectives and questions.

The structured questionnaire consists of two sections. Part A gathers demographic information, while Part B contains 20 questions designed to measure pre-service teachers' understanding of legal literacy regarding substantive laws. Additionally, we employed 10 semi-structured interview questions that address legal issues affecting pre-service teachers.

The interview sessions were recorded and transcribed. The transcribed data were then analyzed using thematic analysis, aided by Atlas.ti software. The themes and subthemes that emerged from the transcription were utilized to report the findings (Clarke & Braun, 2017). To identify the themes and subthemes, six steps must be followed in writing up the findings (see Figure 2).

Figure 2
Process of thematic analysis



FINDINGS AND DISCUSSION

Table 1
Demographic Information of Respondents

	Items	Percentage (%)
Gender	Male	8.2
	Female	91.8
Attended Law Training Courses	Yes	75
	No	25
Introduce Education Law	Yes	95.9
	No	4.1

Table 1 presents the demographic information of the respondents. A total of 49 individuals participated in the survey, with 91.8% identifying as female and 8.2% as male. All respondents have completed both Phase 1 and Phase 2 of the Practicum and have been assigned to various SK, SJKT, and SJKC schools across the country. A significant majority of the respondents (75%) reported having attended law training courses, while 25% indicated they had not. Furthermore, an overwhelming 95.9% of respondents agreed that Educational Law should be included in the program before graduation.

RQ1: What is the level of knowledge on law in education among the pre-service teachers in primary school?

Table 2 provides an analysis of the knowledge level regarding educational law among pre-service teachers in primary education. Overall, the findings indicate that these pre-service teachers possess a moderate understanding of the laws related to education. It is important to examine each item closely to gain a deeper insight into their knowledge. Item 1 states, "The Federal Constitution of Malaysia is the supreme law of the Federal Territories." A significant majority, 95.9% of respondents, answered "yes," while 4.1% answered "no."

Item 2 addresses Article 11 of the Federal Constitution, which protects citizens' rights to education. Here, the majority of respondents, 87.8%, answered "yes," while 12.2% responded otherwise.

Regarding item 3, "The Legislature and Judiciary make all the laws in Malaysia," 77.6% of respondents answered "yes," while 22.4% answered "no." These three items reflect the basic understanding of the Federal Constitution. The analysis shows that the pre-service

ESL teachers in this study lack knowledge of the fundamental rights protected under the Constitution. It is essential for these trainees to acquire this knowledge to better protect themselves. Ahmad and Ahilemah (2005) emphasized that the Federal Constitution is the supreme law of the nation and contains provisions that safeguard citizens' rights to education and other fundamental rights.

Items 4 to 6 pertain to contract law. The essential elements of a contract include offer, acceptance, capacity, intention to create legal relations, and legality of the object, as stated in item 4. Among the respondents, 16.3% answered "no" to this statement, while 83.7% responded "yes." In response to item 5, "Only written agreements must be honored by the parties to the contract" only 71.4% agreed, leaving 28.6% who disagreed.

Item 6 states, "A promise made without consideration is invalid," to which 89.8% of respondents agreed, and 10.2% disagreed. Based on this analysis, it appears that respondents may lack awareness of their rights and obligations under their employment terms and conditions. Understanding these terms is crucial, as it provides a foundation for fulfilling their duties and obligations effectively.

The following items, numbered 7 to 11, relate to tort law. Item 7 states, "Tort law is based on agreements imposed by law." In response, 77.6% of participants answered "yes," while 22.4% answered "no."

Item 8 presents the statement, "The essential elements of torts include negligent acts or omissions that are remote, along with the resulting damages from such acts or omissions." In this survey, 83.3% of respondents answered "yes," while 16.7% responded "no."

Table 2
Pre-service teachers' knowledge on law

Items	Yes (%)	No (%)
The Federal Constitution of Malaysia is the supreme law of the Federal Territories.	95.9	4.1
Article 11 of the Federal Constitution protects the citizens of their rights to education.	87.8	12.2
The Legislature and Judiciary make all the laws in Malaysia	77.6	22.4
The essential elements of a contract are offer, acceptance, capacity, intention to create legal relation and legality of the object.	83.7	16.3
Only written agreements must be honored by the parties to the contract.	71.4	28.6
A promise made without consideration is invalid.	89.8	10.2
Tort law is based on agreement imposed by law.	77.6	22.4
Essential elements of torts are negligent acts or omissions that are remote, and damage from such acts or omissions.	83.3	16.7
A teacher has no duty of care towards their students.	91.8	8.2
A teacher who is absent from a science laboratory experiment is not liable for damages to injured students.	16.3	83.7
A teacher who ignores a student toying with a sharp glass is not blameworthy for serious injuries inflicted by the student.	6.1	93.9
It is alright for a teacher to dress shabbily and sloppily in school.	95.9	4.1
A teacher can beat a student for breach of school discipline.	95.9	4.1
It is alright for a teacher to have private love affairs with an under-aged student based on mutual love.	95.9	4.1
The General Orders (Perintah-perintah Am) govern the conduct of all teachers.	98.0	2.0
A teacher includes a professor, associate professor, lecturer, matriculation, school and kindergarten teacher.	95.9	4.1
Committing criminal offenses will lead to dismissal.	98.0	2.0
Public school teachers are not allowed to speak freely to the Press over official school matters.	91.8	8.2

Interestingly, a significant majority, 91.8%, agreed with item 9, which states, “A teacher has no duty of care towards their students.” Only 8.2% disagreed with this statement. Regarding the statement, “A teacher who is absent from a science laboratory experiment is not liable for damages to injured students,” 83.7% responded with “no,” while 16.3% agreed. For item 11, which states, “A teacher who ignores a student toying with a sharp glass is not blameworthy for serious injuries inflicted by the student,” only 6.1% agreed, while 93.9% disagreed.

A small number of respondents appear to be unaware of the principles of tortious liability and the potential consequences of their actions. This lack of awareness raises significant concerns about teachers' performance during teaching and learning sessions in schools.

It is essential to incorporate the concept of duty of care into teacher training programs to ensure that pre-service teachers can implement preventive measures against unwanted incidents. According to a study by Fischer, Schimmel, and Stellman (2012), schools operate within a complex legal environment, and various legal issues can impact the lives of educators. Therefore, educators must remain vigilant to avoid potential legal liabilities.

The following statements from items 12-19 are related to the General Orders, specifically Perintah-Perintah Am 1980. A significant majority, 95.9%, agreed with item 12, which states that it is acceptable for teachers to dress shabbily and sloppily in school. This finding is concerning and requires serious attention. Furthermore, 95.9% agreed that teachers can physically discipline students for breaches of school rules, with only 4.1% disagreeing with this statement in item 13.

Additionally, 95.9% of respondents believed it is acceptable for a teacher to engage in private romantic relationships with an underage student, based on mutual feelings, while only 4.1% disagreed with item 14. An overwhelming 98% affirmed that the General Orders govern the conduct of all teachers. Likewise, 95.9% agreed with the definition that a teacher includes professors, associate professors, lecturers, and teachers at schools and kindergartens. Only 2%

disagreed with the statement that committing criminal offenses will result in dismissal.

For item 18, 91.8% agreed that public school teachers are not allowed to communicate freely with the press regarding official school matters. However, around half of the respondents believe that the judiciary operates dependently. This analysis indicates that not all pre-service teachers are fully aware of the General Orders. Understanding the dos and don'ts of these orders can help pre-service teachers avoid unnecessary legal consequences. Being informed about applicable legal knowledge would significantly benefit their conduct in the course of their duties (Benjamin et al., 2019).

The analysis was further explored through semi-structured interviews conducted with ten pre-service teachers. Below are the participants' responses to the questions asked. When asked whether knowledge of law, especially Education Law, would be useful in a teaching job, 8 out of 10 participants agreed that it was important to acquire such knowledge. The remaining 2 disagreed, providing the following reasons: one participant stated, *"When dealing with pupils in school, the administrative or school management is responsible for the school, teachers, and pupils; thus, there is no reason for me to give importance to it."* The other participant said, *"I do not believe that I will be a problem to others."* While these reasons may seem logical, understanding the basics of law is relevant to the teaching profession, especially given the numerous emerging issues in schools involving teachers and parents (Ramalingam et al., 2022). Therefore, it is crucial for educators to be equipped with sufficient knowledge of legal literacy.

The following question was posed: Have any of your teachers faced disciplinary action for misconduct or educational malpractice? All respondents answered *"no"*. This response suggests that the participants may not have been attentive to the issues occurring within the teaching profession. It is essential for them to be aware of these matters. When asked, "Are you aware if your teachers have been disciplined under Bab D of the Perintah-Perintah Am?" All participants indicated that they did not know about it. Interestingly, all participants expressed a desire to learn more about the content of Bab D of the Perintah-Perintah Am, also known as the General Orders. Therefore, based on the data collected, it is clear that the participants should familiarize themselves with the General Orders for future reference (Muhammad et al., 2022).

When asked, "Do you think knowledge of the law, particularly Education Law, would be useful in your teaching job?" 8 out of 10 participants agreed that Education Law is beneficial for the teaching profession and should be included in the teacher training program. The current syllabus of the PISMP program does not emphasize the legal knowledge that pre-service teachers should acquire. The remaining 2 participants were unable to justify their negative response, despite answering "no".

The final question posed to the participants was, "Do you think that teachers should be certified in legal knowledge before beginning their teaching careers?" The responses were mixed, as many participants struggled to answer the question. They expressed concerns that such certification might prolong their time in school. However, one participant boldly shared his thoughts. He acknowledged the importance of legal literacy, recognizing that acquiring this knowledge would not only give him an added advantage but also help him understand his limitations. Additionally, he believed that having such knowledge would better prepare him to do the right thing and avoid interfering with law and order.

From the analysis, it is evident that the participants themselves expressed a strong need for adequate legal literacy before beginning their teaching careers in primary schools across Malaysia. None of the ten participants were familiar with Chapter D of the General Orders and were unable to provide any information about it. However, they all agreed that understanding the law is essential before starting their teaching journey. They welcomed the suggestion to include a course titled "Legal Issues in Education" in their teacher training program. The pre-service teachers were surprised to learn that disciplinary and legal actions could be taken against them for not attending class. They acknowledged that their level of legal literacy is relatively low and that their activities are governed by specific legal provisions (Suriati & Mohd, 2021). This matter requires immediate action from the relevant agents to ensure that pre-service teachers are adequately equipped with the necessary knowledge as they embark on their teaching careers.

RECOMMENDATION & CONCLUSION

In a nutshell, it is pivotal for teacher trainees who are the future generation of the country to equip themselves with relevant knowledge on legal literacy in education. This is to further ensure that the pre-service teachers become beneficiaries of the national leadership towards being a better nation. Hence, it is greatly hoped that the teacher trainees who are undergoing the training in the institute of teacher education utilize the information, knowledge and understanding of the law in education for the benefit of all. Notably, Malaysians are required to inherit good leadership and governance amongst those who are knowledgeable and have high integrity. A great grasp with constitutional knowledge and pertinent educational law will momentarily be utilized by pre-service teachers for the development of the country in the future with the hope that educational misconduct and malpractice could be reduced to a great extent.

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