

# Study on the Legalization of Higher Vocational Students' Management from the Perspective of Running the School by Law

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**Abstract:** This paper analyzes the legal significance of Chinese colleges and universities in student management. In order to promote and promote the strategic choice of ruling the country according to law, it is inevitable to adapt to the inevitable trend of social development. It is necessary to advocate the urgency of legal domination and existing laws and regulations in the student management of colleges and universities, and formulate improvement suggestions for the legal domination of administrators and students Consciousness, strengthen the concept of student management change, and establish student oriented methods. An investigation on the current situation of the legalization of student management in Colleges and universities.

## 1. Introduction

The Fourth Plenary Session of the 18th CPC Central Committee clearly put forward the strategy of governing the country by law and building a socialist country dominated by law. As one of the reasons of socialism, higher education should actively implement the strategic deployment of this country. Especially in the field of higher education, we should manage education and run schools according to law, and realize the rule of law in the management of students. As an important role of higher education, higher vocational education occupies half of this field, and the legal principle of student management in higher vocational colleges is also the proper meaning of managing education and schools according to law.

## 2. The Connotation of Legalization of Student Management in Higher Vocational Colleges

According to the performance of traditional western politics, the rule of law includes two meanings: the rule of law is superior to the rule of good principles. In the field of higher vocational education, the meaning of "law" in the student management law of colleges and universities is wide and narrow. "Law" includes education law, higher education law, vocational education law, rules for the management of students in general universities, etc., and laws and regulations of relevant personnel such as law on the protection of the rights of the disabled and marriage law of higher education institutions[1]. In addition to intellectual property laws, there are narrow sense "laws" in the provisions and contents of the constitution, civil law, criminal law and administrative laws related to the rights and interests of college students, which are rules and rules formulated by institutions of higher learning, but the rules, management methods of management methods of College students, the status of students, and the guidance of the higher law of colleges and universities with several rules and rules as the center. Also, the management of rewards and penalties. The meaning of "governance" in the law of student management in Colleges and universities refers to the service and management behavior of teachers and administrators in Colleges and universities. The essence of "rule" lies in democracy and scientific management. The legalization of student management in Colleges and universities is to adjust, guide and adjust the management subject, management behavior and management authority, so as to realize the ultimate management and education function of higher education institutions. Running a university according to law and teaching according to law are the most concentrated signs of higher vocational

schools. In summary, the significance of the legal rules in the management of students in Colleges and universities, and the relevant domestic laws and regulations, the strict management of colleges and universities, the management of students, their own charter, according to the rules, etc., the order of school management behavior and form, the legal basis of standardized student management action, the guarantee of effective supervision mechanism, they must abide by, and the violation of the law must be Investigation.

### **3. The Necessity and Feasibility of Legalization of Student Management in Higher Vocational Colleges**

With the deepening of the concept of rule of law, people's awareness of the rule of law has been strengthened. As a group at the forefront of the times, modern college students have a higher understanding of the rule of law and strong sensory protection. China always acts in accordance with the "law" and the rules. We can promote the sustainable development of vocational school students' work and better promote the process of rule of law.

#### **3.1. The Legalization of Student Management in Higher Vocational Colleges is the Inevitable Choice to Promote the Strategy of Rule of Law**

For the development of modern civilization, the spirit of rule of law is inevitable. The 4th general meeting of the 18th Central Committee put forward the strategy of governing the country by law. Everything is to better promote the development of all rounds of socialism and achieve the development of all rounds of people. As an important part of socialism, higher vocational education must receive education in the management of students. In fact, the cultivation of socialist legal talents is the prerequisite and foundation for the realization of legal rules[2]. The only university students, in order to maintain the discipline and rules of the school, should strictly follow the rules in the management of laws and regulations, improve the rules and regulations of the school, strictly follow the procedures, and the students can feel the rules developed with the thinking of the law, and act according to the law, and act according to the chapter consciousness. Contemporary college students are the foundation of social development. Under the education of the legal system, this group has formed a good habit of abiding by and using the law. If China wants to comprehensively promote the rule of law, it has unlimited potential.

#### **3.2. The Legalization of Student Management in Higher Vocational Colleges is an Inevitable Requirement to Promote the Sound Development of Higher Vocational Education**

After more than 30 years of development, higher vocational education accounts for more than half of higher education. How to maintain the good development momentum of higher vocational education and improve the development quality of higher vocational education is the primary task of the current study of higher vocational education. With the development of the reform of higher education and the popularization of higher education, the relationship between University and students is not just the relationship of management[3]. The management method of special school operators in the planned economy era based on the advantages of operators is far from the development of special schools. Only by using legal thinking to standardize and change management concept, starting from social development and students' actual situation, and changing management into service, can professional students' management be standardized and scientific.

#### **3.3. The Legalization of Student Management in Higher Vocational Colleges is an Inevitable Trend to Adapt to Social Development**

Judging from the current development at home and abroad, the importance of the rule of law at home and abroad is increasing. The development history of higher education in developed countries has proved that the law of student management and the degree of science have a direct impact on the quality of school running, education and teaching, as well as the overall national quality. After the Second World War, all universities in Germany, Japan and Western countries focused on the rule of law in student management. Since its establishment, the United States of America has been

supporting the spirit of the rule of law and promoting its management. Therefore, American higher education is also very developed. After the war, Japan also actively learned advanced management concepts and the western spirit of rule of law[4]. In order to implement the rule of law. The main characteristics of successful student management experience in these developed countries are as follows. Compared with the student management mode of Chinese colleges and universities, these are all what we lack. Therefore, the student management of China's colleges and universities should adapt to the trend of social development, actively integrate with the international community and run schools according to law.

Table 1 Types of positive quality self-evaluation of Higher Vocational Students

Types of Self-evaluation of Positive Quality of Higher Vocational College Students		
Six Dimensions of Positive Psychological Quality	Wisdom and Knowledge	Cognitive Power
	courage	The Power of Emotion
	Human nature (emotion)	Interpersonal power
	fair	The power of citizenship
	control	Avoid extreme forces
	Transcend	The Power of Spiritual Belief

#### 4. The way to Realize the Legalization of Student Management in Higher Vocational Colleges

The rule of law is the inevitable choice for the development of Chinese socialism. Similarly, the legal rules governing the management of students in higher vocational schools are also the inevitable choice of Higher Vocational Education in China. Colleges and universities are faced with many problems in student management. The author thinks that the solution should be put forward from the following aspects.

##### 4.1. Formulation and Improvement of Existing Laws and Regulations

In order to realize the legal management rules of college students, we must first abide by the laws and regulations. In recent years, China has made great progress in the construction of education legal system, but there is still a certain gap between China and the country in realizing the legalization. First, strengthen the law. The current specific laws and regulations on the management of students in Colleges and universities are not enough[5]. For example, various censorship laws on students have not been published. There are students' prejudices, dissatisfaction with management rules, and students' complaints about current affairs. Therefore, we should actively investigate the management of students in Colleges and universities, and publish relevant laws and regulations. The second is to amend and improve existing laws and regulations. "Education Law", "higher education law", "Vocational Education Law" and "management law of general college students" have been implemented for many years, during which they have been revised many times, but compared with the actual development, they are still used up to now. It can't keep up with the pace of the times, and the relevant laws and regulations are often preached, and the operability is not strong. Therefore, the state should speed up the revision and improvement of some existing laws to make them more directive and operational. Third, rectify and improve the internal rules and regulations of the school[6]. Institutions of higher education, institutions of higher learning, rules for rectifying schools as opportunities for improvement, violation of the legal system (national law), clear management regulations, more active rules for the use of prohibitions and penalties, rules for the use of penalties, operating management systems, and humanitarianism.

##### 4.2. Enhancing the Consciousness of Rule of Law of Students and Administrators in Higher Vocational Colleges

The legal management of college students includes two subjects: administrators and students. On the other hand, the student managers of colleges and universities should effectively strengthen the

study of legal knowledge and the cultivation of legal awareness. In addition, when dealing with students' problems, especially students' disciplinary actions, it is necessary to deal with them in accordance with the relevant domestic laws and regulations and the school's rules and strict treatment. Just as the content handled is legal, the process is legal and the formalities are legal. At the same time, the professional graduate managers should establish the concept of service that is suitable for students, equivalent and good for students. On the other hand, colleges and universities should actively improve the ability and quality of college students. According to the requirements, all students in the school will accept the citizen law, administrative law, labor contract law, life and law and other legal knowledge elective courses and lectures, just like the basic law, ideological and moral cultivation and basic law. Various legal activities such as legal awareness week or simulated court will have subtle influence on students. College students in special colleges and universities should also actively study relevant laws and regulations. When their rights and interests are damaged, they have the courage to use legal weapons, protect themselves, know, understand, use the law and strengthen the concept of legal system.

#### **4.3. Change the Concept of Student Management and Establish the Concept of Student-Oriented**

The managers of institutions of higher learning should eliminate the shackles of traditional ideas when they establish the management of students and the equal relationship with students. To establish the concept of life orientation in dealing with students' problems is not only the nature of the rule of law that colleges and universities control students, but also the strategy of governing the country according to law. Specifically speaking, in the exercise of educational management power in Colleges and universities, we should respect the development of individual personality and the protection of students' rights and interests. In dealing with students' problems, we are committed to the rights and interests of students, helping students grow and become talents, and creating loose, democratic and legal rules for students' development. This is the basic value requirement of school education activities for students. Second, strengthen the sense of service. Garcette, a Spanish thinker, pointed out in the mission of the university that "the current state of education in the era itself and around the world forces students again in the center of providing students with student services"[7]. As a service management, university student managers should over manage the daily management of students, and should not issue various improper orders to students. At the same time, we should pay attention to the initiative of students, cultivate self-management awareness and improve the skills of participating in management. First, establish the concept of human rights. A socialist country governed by law must be one that fully respects human rights. Similarly, in the daily management of college students, the uniformity of student management should not be taken as the cost, ignoring the personality of operators, sacrificing the rights and development of individuals. We need to establish the concept of life orientation, respect students' personality, establish correct educational value, and combine individual development with students' all-round development.

#### **5. Improve the Relief Mechanism of College Students' Rights**

"The right without remedy" is the basic principle of the law society. The results of student management in Colleges and universities directly affect students' graduation, further research and employment. When managing students, especially when they finish their studies, it is appropriate to give them rights and remedies according to the natural process principle[8]. On the actual situation of student management in Colleges and universities, first of all, establish a student appeal mechanism. If the student refuses to accept the punishment, or the relevant laws and regulations formulated by the school violate the rights, he / she can appeal to the school department concerned. Answer, time to solve. The first is to protect the students' right to sue. The education law clearly stipulates the students' right of appeal and prosecution. Litigation channel is also the most thorough solution.

## 6. Conclusion

With the increasing awareness of legal governance of college students, when letters and visits can not be solved on campus, more college students choose litigation. In this regard, the student managers of colleges and universities should help and help students to reasonably request, protect the legitimate rights and interests of students, and promote the running of colleges and universities according to law[9]. At the same time, it will fundamentally promote the legal management process of Chinese college students.

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