

## Research on the Problems and Countermeasures of Ruling Colleges by Law in Higher Vocational Colleges under the New Situation

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**Keywords:** New situation, Higher vocational colleges, Running schools by law, Problems, Countermeasures.

**Abstract:** Ruling schools by law is the basis of realizing the scientific development of Higher Vocational Colleges and an important part of building a modern and harmonious campus. It is also an objective requirement for Chinese universities to fully respond to the call of the state and implement the strategy of governing the country according to law. In addition, under the new situation, the development of Higher Vocational Colleges in China has gradually attracted the attention of all sectors of society. The Ministry of Education has taken higher vocational education as the key content of the strategic work of higher education, which has brought new opportunities for the development of Higher Vocational colleges. Therefore, based on the relevant theories, this paper deeply studies the problems of running schools by law in Higher Vocational colleges. In addition, this paper further puts forward some countermeasures, such as improving the campus legal system mechanism, accelerating the construction of the legal system in Higher Vocational colleges, and shaping the spirit of the campus legal system in Higher Vocational colleges.

### 1. Research Background

#### 1.1 Literature review

Under the background of the new situation, it is of great significance for higher vocational colleges to run schools according to law to promote the strategy of running the country according to law in an all-round way. According to Pan Tingmao's research, it is necessary for higher vocational colleges to strengthen student management and train qualified professionals to adapt to the new situation (Pan, 2013). Wen Li and Chen Zhen put forward that higher vocational colleges should change the traditional concept of rule of law education and create an environment of rule of law. At the same time, higher vocational colleges should make use of the advantages of traditional media to carry out ladder-like and hierarchical legal education. This can enhance the infiltration of the culture of rule of law in the campus, improve the concept of rule of law of teachers and students, and speed up the development process of rule of law in Higher Vocational Colleges (Wen and Chen, 2015). Dong Renzhong believes that running a university according to law is a basic requirement for the management of Higher Vocational colleges. Moreover, the development time of higher vocational colleges is relatively short, the experience of running schools is relatively insufficient, the democratization, planning law and scientificization of campus internal management still need to be improved, and the rules and regulations are not perfect. Therefore, higher vocational colleges should actively promote the related work of legalized campus management, construct a modern campus management system, and promote the procedural and standardized development of Higher Vocational College Management (Dong, 2014). Xie Cailiang, based on the actual development of Higher Vocational colleges, made a thorough study of running schools according to law. It is proposed that running schools according to law is an important guarantee and essential requirement for the sustained and healthy development of China's educational undertakings, and also a prerequisite for running the country according to law (Xie, 2016). Through research, Bao Jinwei and other scholars put forward that adhering to the rule of law is an important part of the rule of law. Running schools by law in higher vocational colleges is of great practical significance to the construction of modern campuses (Bao et al, 2015). Jiang Manhong's research suggests that only by

vigorously promoting the rule of law in higher vocational colleges can we promote the efficient, stable and orderly management of Higher Vocational Colleges (Jiang, 2013). Long Daguang and other scholars through in-depth study of the relevant policies and laws and regulations governing schools by law, proposed that the specific embodiment of governing the country by law in Colleges and universities is governing schools by law. Higher vocational colleges shoulder the important mission of training high-quality talents. The level of management and legal education in higher vocational colleges determines the quality and effect of personnel training (Long, 2019). Han Xiangyun put forward that the relevant legislation of quality education in higher vocational colleges has lagged behind obviously. Relevant departments should improve relevant laws and regulations to provide guarantee mechanism for higher vocational colleges to run schools according to law (Han, 2016).

## **1.2 Research purposes**

With the establishment of the strategy of governing the country by law and the constant promotion of the strategy of rejuvenating the country through science and education, the development and reform of Higher Vocational Education in China are also accelerating step by step. Under the background of the new situation, the rule of law has gradually become an inevitable choice for the management of Higher Vocational colleges. Moreover, the rule of law has gradually become the external normative force and endogenous driving force of the management development of Higher Vocational colleges. However, in the context of the new situation, there are some problems in the internal management of Higher Vocational colleges, such as ultra vires management, disorder management and improper management. The reason lies in the lack of reasonable and standardized restraint mechanism and legal management in Higher Vocational colleges. In order to adapt to the development requirements of the new situation, some effective measures and countermeasures are urgently needed. Based on this, this paper expounds the connotation and significance of running schools according to law, and deeply analyses the existing problems of running schools according to law in Higher Vocational colleges, and then puts forward the Countermeasures of running schools according to law in Higher Vocational Colleges under the new situation, with a view to providing reference for running schools according to law in Higher Vocational colleges.

## **2. Overview of related theories**

The connotation of running schools according to law. Fundamentally speaking, the premise of running schools by law is democracy. In the actual management process, in accordance with the provisions of the Constitution and the law, administrative, legal and economic means are used to manage and manage various affairs of Higher Vocational colleges. In order to promote the work of higher vocational colleges to standardize and legalize the direction of development. Ruling schools by law is an inevitable requirement for Higher Vocational Colleges in China's socialist legal construction. At the same time, running schools according to law is also determined by the important position of Higher Vocational Colleges in China's socialist modernization construction. In other words, by defining the concept of governing schools by law, the boundaries and responsibilities of governing schools by law in higher vocational colleges are clear. This is conducive to the institutionalization and standardization of the rule of law in Higher Vocational colleges.

The significance of running schools according to law. In the management of Higher Vocational colleges, running schools according to law is the endogenous motive force to promote the construction of legal education. Relevant regulations have pointed out that higher vocational education occupies a very important position in higher education. It is a very important work to vigorously support the development of Higher Vocational education, and to cultivate frontline talents with strong practical abilities such as service, management and production, as well as necessary theoretical knowledge. The implementation and promotion of running schools according to law can promote the development of higher vocational education and improve the level of

decision-making, supervision and democratic management of schools according to law. Moreover, running schools according to law can enhance the ability of teachers and students in Higher Vocational Colleges to handle affairs according to law and the concept of legal system, which is of practical significance for the implementation of the national trading policy.

### **3. Problems in Ruling Colleges by Law in Higher Vocational Colleges**

At present, some higher vocational colleges in China still follow the traditional administrative system, which emphasizes the idea of managing people by people, emphasizing the authority of managers, and ignoring the rights and remedies of managers. In this case, the guiding role of laws and regulations on the management of higher vocational colleges has been weakened a lot. Moreover, with the continuous advancement of modernization, the traditional management mode has been difficult to adapt to the development requirements of the new situation, and the drawbacks have become increasingly prominent. Specifically, there are the following problems in running a school according to law in Higher Vocational colleges.

#### **3.1 Lack of effective safeguard mechanism and backward legal system construction**

China's laws and regulations on vocational education are not perfect, and need to be further improved. At present, only the Vocational Education Law of the People's Republic of China is the national general law on Vocational education. Among them, it mainly includes the guarantee of Vocational education, the implementation process of vocational education and the box regulations of vocational education system. At present, the legal system construction of higher vocational colleges is relatively backward. For example, in the aspects of students' part-time work and part-time study, school-enterprise cooperation and work-study combination, the relevant laws and regulations are still not perfect, and there are no relevant policy guarantees and documents. Moreover, higher vocational colleges have not yet established an effective safeguard mechanism to protect the legitimate rights and interests of teachers and students. For example, in dealing with violations of discipline by teachers and students, there is a certain degree of institutional deficiencies in the execution of Higher Vocational colleges. In the school administration work, it does not reflect the people-oriented management concept. Some higher vocational colleges still have more rights than anything else, everything is decided by the school, and there is no corresponding appeal system within the campus.

#### **3.2 Legal consciousness is weak and legal quality needs to be improved**

At present, the legal consciousness of teachers and students in Higher Vocational Colleges in China is relatively weak, and the legal quality needs to be further improved. Because of the particularity of occupation, higher vocational educators should have higher legal consciousness. However, in the actual teaching process, most teachers in higher vocational colleges pay attention to their own work, do not correctly recognize their obligations and rights, and neglect their own responsibilities in teaching. This leads to frequent violations of students' interests by teachers in Higher Vocational colleges. Moreover, higher vocational colleges only organize a few activities to publicize and educate students about the legal system, and do not establish a long-term mechanism of legal publicity in schools. This will also lead to students in higher vocational colleges do not have a strong legal awareness, which will lead to some campus intentional injury incidents and other student violations. In addition, most of the managers of higher vocational colleges mainly focus on administrative affairs, without paying attention to and discussing the educational laws and regulations promulgated by the state. Moreover, there is still a lack of experts in running schools according to law, which is the root of a series of legal problems on campus.

#### **3.3 Formalization of legal system construction and lack of rule of law spirit of campus subject**

The core of running schools according to law lies in establishing the spirit of legal system, which is a concrete form that embodies the values of fairness and justice, freedom and equality, democracy and justice. However, most of China's higher vocational colleges were built in the

planned economy period, predecessors were mostly some functional departments such as water conservancy, light industry and so on. This leads to a strong color of internal administration in Higher Vocational colleges, imperfect supervision system and democratic decision-making, superficial legal construction in the campus, and the situation of running schools according to law in most higher vocational colleges. Moreover, many higher vocational college leaders and managers do not have strong legal awareness, and students lack legal literacy. Most teachers and students in higher vocational colleges are difficult to understand the connotation of law thoroughly, and the understanding of legal provisions is inaccurate. For example, in recent years, many higher vocational colleges have campus injury cases, which are caused by some teachers and students violating the law without knowing it.

#### **4. The Countermeasure of Ruling Colleges by Law in Higher Vocational Colleges under the New Situation**

##### **4.1 Improve the campus legal system**

In the specific management work, higher vocational colleges should constantly improve the legal system of campus. Specifically, the first is to improve the democratic decision-making system within the campus. In the face of major decision-making, school management should widely solicit opinions from school teachers and students. Managers can collect opinions and suggestions from teachers and students by means of information feedback such as online voting and questionnaire survey, and promote democratic decision-making in schools. For example, when rebuilding or expanding the campus, the school leadership should collect suggestions from teachers and students and adopt reasonable suggestions for decision-making. Secondly, higher vocational colleges should establish a long-term supervision mechanism. Under the new situation, higher vocational colleges should establish a long-term supervision mechanism. For example, for the financial revenue and expenditure of the school, relevant managers should publicize it regularly on the campus network. If there are doubts, leaders should listen to different opinions patiently and give correct answers to the doubtful parts. In addition, schools should also establish a number of channels for collecting information feedback, such as setting up a public number or micro-blog, setting up a principal's mailbox, setting up a complaint box and so on, to lay the foundation for democratic decision-making.

##### **4.2 Speed up the construction of legal system in higher vocational colleges**

With the continuous development and deepening of the new situation, higher vocational colleges should also accelerate the construction of the campus rule of law system to create a good working and learning environment for college teachers and students. Specifically speaking, it should be carried out from two aspects: specific operation documents and macro guidance documents. As far as the guidance documents at macro level are concerned, relevant departments should promulgate or update relevant laws and regulations according to the actual situation of social development and the education situation of Higher Vocational colleges, so as to provide timely, comprehensive, comprehensive and authoritative legal provisions for running higher vocational colleges according to law. As far as the specific operation guidance documents are concerned, each region should introduce corresponding supporting measures according to the specific purpose, conditions, teaching staff and personnel training mode of Higher Vocational colleges. For example, regional enterprises should carry out school-enterprise cooperation with higher vocational colleges. In terms of detailed practical operation documents, they should be further improved so as to create a good environment for Higher Vocational Colleges and enterprises to jointly run schools and train talents.

##### **4.3 Shaping the legal spirit of campus in higher vocational colleges**

The core of running schools by law is the spirit of rule of law. Therefore, the inherent requirement of running schools by law in higher vocational colleges is to shape the spirit of legal system. Specifically speaking, we should start from two aspects in shaping the spirit of campus

legal system. First, legal education in higher vocational colleges should be people-oriented. Higher vocational colleges should create a variety of ways of legal education, such as establishing a network legal education platform, inviting authoritative experts to hold lectures in schools, Popularizing Legal Knowledge for teachers and students through various mobile terminals or network channels, so as to enable teachers and students to understand the legal provisions and improve the legal awareness of students and teachers. Secondly, the managers of higher vocational colleges should change their traditional concepts and establish correct legal consciousness. In daily management, schools should strictly abide by laws and regulations, and put an end to the idea of privilege and personal will overriding the law.

#### **4.4 Guarantee college teachers' teaching autonomy and academic freedom**

In the specific content of running schools according to law, it is an important part to guarantee teachers' teaching autonomy and academic freedom. On the one hand, higher vocational colleges should advocate academic freedom and ideological freedom, establish a perfect system, and protect the academic and scientific research power of serving teachers. On the other hand, higher vocational colleges should improve their academic integrity system and academic ethics system, severely punish those who violate school regulations and academic ethics, and resolutely put an end to academic fraud. At the same time, higher vocational colleges should further clarify the teaching requirements and behavioral criteria of serving teachers, guarantee teachers' teaching autonomy, and provide guarantee for teachers to establish a disciplined teaching classroom.

#### **Acknowledgements**

2019 scientific research project of nanchong vocational and technical college “research on the problems and countermeasures of higher vocational colleges' school administration by law under the new situation” RWB1925

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