

# Research on College Student Management Based on Legalization

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**Abstract.** Nowadays, as China pays more and more attention to educational business, in order to realize the objective of imparting knowledge and educating people, the colleges shall continuously insist on students-oriented education concept, manage the school according to laws, and effectively implement student management so as to carry out correct education, cultivate and restrain students, and promotes students to realize a good development. This paper starts from the concept of “legal system” to analyze the importance of legalization of college student management, summarizes the problems existing in the legalization of college student management in China, and then explores the management measures through which it is able to effectively carry out college student management based on legalization.

## Introduction

In the report of the Eighteenth National Congress of the Communist Party of China, the word “legal system” is a key word with high frequency of occurrence. Therefore, under the background that China implements the spirit of the Eighteenth National Congress, it is imperative to fulfill socialist core values, actively promote school management according to laws, and implement student management according to laws. However, as for the implementation of college student management based on legalization, the work shall be implemented in a targeted way so that this work can be applicable to colleges and can reasonably educate, cultivate, guide, and restrain students and then promotes students’ healthy and good development. Therefore, it is very necessary to implement the college student management based on legalization in a scientific and reasonable way.

## Connotation and purpose of legal system

The legal system is different from rule of law. The legal system refers to legal institutions or superstructure system within certain scope, and the rule of law refers to utilizing laws and its systems as basic means and methods for governance, and it is the functional requirement and dynamic process of legal system. It can be said that the legal system is the implementation basis for people or activities, and has the function of restricting people or activities and helps the implementation not to go against the requirement of legal system or superstructure system. The purpose of legal system is to make people or activities exist in the restraint scope of legal system. Through application of legal system into college management, it is able to carry out effective restraint and supervision on college student management, promote student management to focus on imparting knowledge and educating people, correctly guide, educate, and restrain students, and promote students’ good development.

## Importance of legalization of college student management

With continuous progress in China’s legal process, people’s consciousness of right is continuously enhanced. As the future successor of the country, the college students will shoulder the heavy burden of national development, thus they shall continuously enhance their awareness of legal system to help them to carry out good work and make contributions to national development. Currently, college students in China are basically post-90 students, and most of them are only child, thus those students are independently minded with personalized development and don’t fully abide by college management and arrangement. However, the implementation of legalized student management work can realize supervision and management on students according to laws, promote students to have

learning and life strictly according to requirements, and promotes students' good development. It can be said that the implementation of legalization of college student management is very important. If it is required to give a specific explanation on the importance of legalization of college student management, the detailed explanation can be made from following aspects.

### **Meet current development requirements of college**

In legalized countries, the college students all have legal consciousness, and they also understand how to safeguard legal rights according to laws. In other words, the students master certain legal knowledge and have legal consciousness. Under this condition, the legalized college student management can make students understand that the college management is implemented according to certain basis, thus it is easy to let students abide by management. Besides, according to current college recruitment, the students' background becomes more and more diversified; under the influence of the information spread on internet and media, students' thought and behavior also become diversified. If we don't implement legalized student management, it is hard to make students abide by school requirements, which may influence good education and student cultivation.

### **Meet the change in role change and service awareness**

Under the background of deepened reform of market economy system, some changes have happened between colleges and students. In the past, the relation between colleges and students is the relation between managing and being managed, abiding and being abided. However, today, the relation between colleges and students is the relation between supplier and consumer; this is a kind of investment in human resource, and a kind of special "consumption"; in other words, the students make payment to attend the school and choose their job independently, while the colleges charge the expense and provide professional education. However, in current relation, there exists the property of civil legal relation. Therefore, the colleges can make use of legalized management mode to restrain and manage students and then promote students to accept college education.

### **Problems existing in legalization-based college student management**

It can be said that the implementation of legalized college student management is very necessary. However, according to the current situation of legalized college student management in China, there exist many problems in legalization of college student management, which causes a bad legalized student management effect. The problems existing in legalization-based college student management mainly include as below:

#### **Problem existing in change of management and service awareness**

Nowadays, the relation between colleges and students is not the relation between managing and being managed, abiding and being abided any more, but the relation between supplier and consumer, with the property of civil legal relation. Therefore, the implementation of college student management shall focus on managing and serving for students so as to effectively restrain, educate, and cultivate students. However, according to current situation of college student management, the student management pays more attention to how to effectively supervise and control students. This indirectly reflects that the implementation of legalized college student management doesn't realize the change of management and service awareness, which causes stiff student management and bad student management effect.

#### **Problem existing in administrative management and school management according to law**

Due to the influence of planned economy era and the fact that the college recruitment is always in sellers' market, there exists a phenomenon that more attention is paid to administrative management but less attention is paid to school management according to law, student management according to law, and serving for students in the traditional college student management. In the process of specific implementation of college student management, there exist some deficiencies that the legal system is not used as standard. The reason is that some management personnel and teachers of colleges are

more or less involved in some problems related to students' rights and interests in the process of student management, but the solutions for those problems are not scientific and scientific; they often make use of their experience to solve the problems in a rude way, which causes the situation that the college student management doesn't meet legal requirements. Besides, with continuous perfection of China's legal system and enhancing of students' legal awareness, the students also master some legal knowledge. Under this condition, it will be hard to exert function if we still adopt traditional management mode. Therefore, it is inevitable to actively implement legalized student management.

### **Problem existing in students' obligations and guarantee of students' rights and interests**

Due to the fact that there exists the property of civil law in the process of college student management, we shall also pay attention to maintaining students' obligations and guaranteeing students' rights and interests except for managing students while we implement the legalized student management. However, the fact is not so. Currently, in the legalized college student management, most of colleges require that the students shall unconditionally accept the education management of school, and absolutely abide by school management. This behavior seriously ignore to maintain and guarantee students' rights and interests, which doesn't meet the requirement of school management according to law. Therefore, in order to realize school management according to law and implement student management work in a standard and reasonable way, the college student management personnel shall correctly treat students' obligations, rights and interests, and ensure that the students' obligations, rights and interests are under balanced state in the process of specific implementation.

### **Problem existing in management effect and management authority**

Due to the fact that the relation between colleges and students becomes the relation between supplier and consumer, in the process of implementation of legalized college student management, we shall carry out analysis on management effect and authority to carry out standard and reasonable implementation of student management so as to ensure that the student management is not beyond legal system, which can effectively restrain students and help students to obtain good education and cultivation. However, some colleges are eager to seek for student management effect; in the process of specific implementation of legalized student management, they ignore the fact that the students can enjoy common legal rights as citizens, and also can enjoy special legal rights as educatees, and carry out strict and excessive management on students, such as forbidding students' embracing and kissing in school. Therefore, while optimizing the legalized college student management, we shall pay attention to the problem existing in management effect and management authority.

### **Problem existing in handling students' infringement**

While a student learns and lives in a college, he or she shall obtain the protection of the college. From perspective of society or school, the college students are vulnerable groups, and it is very hard for them to maintain their legal rights and interests. Therefore, the colleges shall be responsible for students who accept the education in the school, and guarantee their personal safety and legal rights and interests. However, there exist many inappropriate places in handling student's infringement, which shows that the colleges make insufficient work in guaranteeing students' legal rights and interests. Most of current laws have stipulated college students' rights, but they don't point out how to make relief while the students are infringed. Furthermore, due to the fact that no clear rules explain how to handle students' infringement, the college management personnel handle the problem in an one-sided and compulsory way, excessively emphasize their management right, easily utilize compulsory means to manage students, and ignore the infringement on students' legal rights and interests. Therefore, in the process of implementation of legalized college student management, there still exists not reasonable handling in students' infringement, which fully shows that the legalized student management is not made according to law.

## **Effective measures about enhancing legalized college student management**

Through analysis on above contents, the author thinks that Chinese colleges actually carry out and implement legalized student management work, but this work is not practical and effective, thus the colleges don't realize management according to law. As for this situation, the author's suggestion is to make up the deficiencies in current legalized student management, enhance the legalization of college student management, and make the college student management truly implemented according to legal system.

### **To actively popularize applicable laws**

The applicable laws include laws and regulations formulated by the state to regulate student management activities and the rule systems formulated by the schools. In order to realize legalized college student management, it is required to popularize the laws. Through popularizing applicable laws, it is able to enhance college managers, teachers, and students' legal knowledge. Under this condition, if we reasonably implement student management, we can make managers, teachers, and students understand that the management work is reasonable and applicable. As for popularization of applicable laws in colleges, we mainly popularize the content in relevant laws and regulations such as Constitution, Education Act, Teacher's Law, Higher Education Law, Rules for Student Management of Regular Institutions of Higher Education. Currently, in order to ensure that the popularized laws are related to actual situation of colleges, it is necessary to carry out analysis on some disputes and events in colleges, determine the involved laws, and then popularize laws and regulations in a targeted way.

### **To establish people-oriented concept**

Nowadays, China pays more and more attention to education career, which promotes the deepening reform of education field. Currently, in China's education field, the quality-oriented education is greatly advocated, that is, focusing on students and carrying out overall education on students. Based on this point, in the process of implementation of legalized college student management, we shall pay attention to establish people-oriented concept, start from students' practical condition, and then reasonably implement student management work. Meanwhile, we encourage students to participate in student management, and propose some practical and effective opinions to optimize the management to promote the student management to become a kind of service except for a kind of management; in this way, the student management can permeate into students' learning and life and better educate and cultivate students. Therefore, in order to truly realize legalized college student management, we shall establish people-oriented concept.

### **To actively implement students-based self-management**

The students are both object and subject of education. In order to do student management well, we shall motivate students' enthusiasm in participating in management; through letting students actively participate in student management work, it is able to change students' subordinate and passive position in student management work, eliminate college students' negative mentality against management, and realize their self-management. The realization of self-management not only can help students to have good learning, but also can help students to restrain themselves on the position after they step into society. Therefore, in the process of implementation of legalized college student management, it is required to also pay attention to effective implementation of self-management, which can improve the effect of legalized student management and promote students' good development.

## **Conclusion**

With the further deepening of socialist market economy, China's talent cultivation is especially important. However, at present, most of college students are unique and individual so that they don't study hard to cultivate skills according to school requirement. One of the reasons why cause this situation is that there exist many deficiencies in the legalized process of student management, which

causes bad effect of student management. Therefore, the author suggests to enhance legalized student management through actively popularizing applicable laws, establishing people-oriented concept, actively implementing students-based self-management and other measures; in this way, it is able to improve students' management effect and educate and cultivate students in a better way. In a word, it is of great significance to effectively implement legalization-based college student management.

## References

- [1] Li Qixun, He Xinhua: Innovation Paths for College Student Management Mode in New Period – Enlightenments from Hong Kong “Academy-system” Management Mode, *Journal of Henan Finance & Taxation College*, 2011(5).
- [2] Zhang Xinyou: Research on Legalization of College Student Management, *Enterpriser World*, 2010(5).
- [3] Wang Yanan: Innovate Campus Cultural Activities, Adapt to “Post-90s” College Students’ Development, Collected Papers of 2011 National College Students’ Annual Meeting, 2011.
- [4] Feng Ji, Xu Ruifeng, Wang Zhiwen, Zhang Xiuyun, Wang Lihua: Pay Attention to Updating Concepts and Standardizing Management for Promoting Medical Quality via Medical Record Quality, Collected Papers of the 1st Asian-Pacific Region International Medical Record Information Management Academic Conference and the 14th Academic Conference of China Hospital Management Association Medical Record Management Committee, 2005.
- [5] Zeng Shanjin, Pang Qingshan: The Right is the Logic Starting Point of Legalized College Management, *Research in Higher Education of Engineering*, 2000(4).