

Research on the Definition of the Legal Relationship between Schools and Students, Existing Problems and Optimization Paths

Limin Shi

Guangxi Normal University, Guilin, Guangxi, China

1. Legal Foundation of the Legal Relationship between Schools and Students

1.1 Legal Status of Schools

From a legal perspective, schools are the educational management entities and legally enjoy the autonomy to manage themselves, including formulating school charters, setting up courses, recruiting teachers, and managing students. At the same time, they also have the obligation to achieve the national educational goals and provide high-quality educational services. Schools also have the responsibility to protect the rights and interests of students, including protecting their personal safety, privacy rights, and the right to education, and need to establish a sound protection mechanism to prevent students from being subjected to any form of infringement. There is an administrative management and supervision relationship between schools and the government, which requires them to legally accept government management and supervision, and can also report problems and demands to the government; there is an interactive relationship with all parties in society, and they need to cooperate with parents, communities, enterprises, etc., to jointly promote educational development. In the legal relationship, schools enjoy rights such as autonomous management, educational disciplinary power, and resource allocation rights, as well as obligations such as providing educational services, protecting students' rights and interests, and abiding by laws and regulations.

1.2 Legal Status of Students

Students, as the recipients of education, legally enjoy the right to education, including receiving compulsory education, participating in educational activities on an equal basis, and receiving fair evaluations. At the same time, students also have basic personal rights, such as personal safety, personality dignity, and privacy rights, which are strictly protected by law in the school environment. Students have the right to participate in school management through student councils and other forms to express opinions and suggestions. In the legal relationship, students need to fulfill obligations such as abiding by school regulations, respecting teachers, and studying hard. There is an interactive relationship between students and schools, where students achieve their own development through learning activities, and schools provide necessary educational support and services for students. Students also have the right to obtain legal relief when their rights and interests are infringed upon, and can seek protection through legal means.

1.3 Legal Relationship between Schools and Students

In the practice of legal relationships between schools and students, there is an interactive relationship between them. In the educational management aspect, schools have the responsibility to guide and regulate students through reasonable rules and regulations to maintain campus order and ensure the normal conduct of teaching activities; at the same time, schools must respect and safeguard students' basic rights, such as the right to education, personal rights, and property rights, to ensure that students grow up in a safe and stable environment. In terms of responsibility assumption, schools need to bear corresponding responsibilities for the injuries or damage to students' rights and interests caused by their own faults, while students should also abide by school rules and disciplines and accept reasonable disciplinary actions. The balance and coordination of this legal relationship are of vital importance, as it not only concerns the maintenance of campus order and the protection of students' rights and interests, but is also an important foundation for promoting the development of education. With the progress of society and the update of educational concepts, the legal relationship between schools and students is also developing and changing. How to better balance this relationship in the new educational environment is an important topic in current educational legal research.

2. Analysis of Existing Issues in the Legal Relationship between Schools and Students

2.1 Unclear Definition of Legal Relationship

2.1.1 Ambiguous Boundary between Rights and Obligations between Schools and Students

Although schools legally enjoy autonomy in management and have the right to implement educational discipline, in actual operation, the specific scope and boundaries of these rights are often not clearly defined, leading to the arbitrariness of school management actions. For example, the exercise of the right of educational discipline is unclear in terms of under what circumstances it is legal and how to determine the intensity of the punishment. The current law does not provide a clear definition for this, which poses legal risks for schools when dealing with students' disciplinary violations. On the other hand, although students' rights are clearly stipulated by law, in the campus environment, their rights such as the right to education, privacy, and personal rights often face the risk of being violated, and when their rights are infringed upon, students often lack effective remedies. For instance, in aspects

such as student evaluation, curriculum design, and campus management, schools may unintentionally infringe upon students' legitimate rights due to the lack of clear legal guidance. This ambiguous boundary of rights and obligations not only affects the normal management order of schools but also poses challenges to the protection of students' legitimate rights and interests, and urgent measures such as improving laws and regulations and clarifying rights and obligations clauses are needed to ensure that the legal relationship between schools and students is more clear and standardized.

2.1.2 Difficulties in Defining Legal Relationship in Special Situations

The difficulty in defining legal relationships in most special situations is an urgent problem to be solved. For example, during the period when students take leave due to illness or personal matters, how to guarantee their right to education and what kind of auxiliary responsibilities the school should undertake are not clearly defined by law; for instance, when students participate in school-organized off-campus activities and an accident occurs, the division of responsibilities between the school and the students in terms of legal liability lacks specific and detailed regulations, resulting in situations where responsibility is shirked or overly assumed in practice. Again, for students with special educational needs, such as disabled students or those with psychological problems, schools in providing personalized educational support and guaranteeing their right to education have legal requirements at the principle level, but there is insufficient legal guidance at the operational level, making schools face many confusions and legal risks in actual work. These difficulties in defining legal relationships in special situations not only affect the standardization and effectiveness of school management but also pose potential threats to the protection of students' legitimate rights and interests.

2.2 Insufficient Protection of Students' Rights

2.2.1 Issues Regarding the Guarantee of the Right to Education

Although the Constitution and educational laws of our country clearly stipulate the citizens' right to education, in actual educational practices, the guarantee of students' right to education still faces many challenges. Firstly, the unbalanced distribution of educational resources leads to the situation where students in some areas cannot enjoy high-quality education, and there are significant educational gaps between urban and rural areas, as well as among different regions. This directly affects the equal realization of students' right to education. Secondly, in some schools, problems such as unreasonable curriculum design and unstandardized teaching content still exist, which not only affect students' learning outcomes but also weaken the substantive guarantee of students' right to education. Some schools have also engaged in illegal practices during the admission process, such as discriminatory admissions and illegal charging, which seriously infringe upon students' right to education. In the field of special education, the right to education of disabled students and students with learning difficulties is more prominent. They face many difficulties in obtaining educational resources and integrating into the general

education environment. Although the existing laws have some general provisions, there is a lack of effective supervision and guarantee mechanisms in their specific implementation. The existence of these issues not only affects students' personal development but also poses potential risks to educational equity and social stability.

2.2.2 Issues Regarding the Guarantee of Personal Rights

There are frequent campus safety incidents, such as school bullying and accidental injury accidents, which seriously threaten students' personal safety, reflecting the loopholes in school safety management. At the same time, in the educational management process of some schools, corporal punishment or disguised corporal punishment of students still exists, which not only infringes upon students' dignity but also causes harm to their physical and mental health. The issue of privacy protection for students on campus has also become increasingly prominent, such as the leakage of student personal information, invasion of dormitory privacy, and other incidents occur frequently. These indicate that there are still many deficiencies in the protection of students' personal rights by schools. Although the current laws have relevant provisions, there is a lack of effective mechanisms in the specific implementation and supervision, making it difficult to fully implement the protection of students' personal rights in practice. The existence of these issues not only damages students' legitimate rights and interests but also affects the harmony and stability of the campus, urgently requiring measures such as strengthening campus safety management, improving laws and regulations, enhancing teacher training, and enhancing students' self-protection awareness to be implemented to ensure that students' personal rights are truly guaranteed.

2.2.3 Issues Regarding the Guarantee of Privacy Rights

Some schools and teachers lack awareness of respecting and protecting students' privacy during management, randomly checking students' personal items, letters, diaries, etc., and even disclosing students' private information such as academic rankings and family situations in the class. This behavior seriously infringes upon students' dignity and privacy rights. In the process of using students' information for teaching management and activity organization, there is a risk of information leakage, which may lead to the abuse or leakage of students' personal information to third parties. The use of surveillance equipment in the campus also has privacy protection issues. Some schools, when installing and using surveillance equipment, do not fully consider students' privacy rights, resulting in unnecessary surveillance of students' private spaces in the campus. These issues reflect that in the guarantee of students' privacy rights, whether it is the school management, teachers, or the implementation and supervision of relevant laws and regulations, there are still obvious deficiencies and loopholes, which need to be further strengthened and improved.

2.3 Legal Dilemmas in the Exercise of School Management Authority

2.3.1 Legal Restrictions on Educational Punishment Authority

Educational punishment authority is an important means for schools to manage students. However, the current laws have obvious deficiencies in defining and regulating educational punishment authority, resulting in numerous legal dilemmas for schools when exercising this authority. On one hand, the laws lack clear definitions of the scope and boundaries of punishment authority, making it difficult for schools to accurately determine the scale of punishment when dealing with students' disciplinary violations. For example, for minor disciplinary violations, schools may lack clear legal basis and thus refrain from implementing punishment, leading to a lack of respect for discipline among students; for more serious disciplinary violations, schools may face legal risks due to excessive punishment. On the other hand, the laws' provisions on the punishment procedure are not complete, leaving schools lacking in standardized operational procedures when implementing punishment, which can easily lead to disputes. For instance, when schools impose penalties on students, they often lack sufficient investigation procedures and fair hearing mechanisms, causing dissatisfaction among students and their parents with the punishment results, and subsequently triggering legal disputes. The laws lack clear standards for the legality of punishment measures, and some punishment measures may be abused in practice, such as corporal punishment or disguised corporal punishment, which not only harms students' physical and mental health but also goes against the original intention of educational punishment. These problems have led schools to be in a dilemma when exercising educational punishment authority, unable to effectively manage students while also fearing legal liability for improper punishment. Therefore, it is urgent to improve laws and regulations to clearly define the scope, boundaries, and procedures of educational punishment authority, and standardize the legality of punishment measures to ensure that schools can legally exercise educational punishment authority and maintain a good campus order.

2.3.2 Insufficient Legal Guarantee for School Autonomous Management Authority

School autonomous management authority is an important guarantee for schools to legally carry out educational and teaching activities. However, the current laws have obvious deficiencies in guaranteeing school autonomous management authority. Firstly, the laws lack clear definitions of the scope and content of school autonomous management authority, restricting the autonomy of schools in some key areas of management. For example, in terms of curriculum setting, schools have certain autonomy, but are subject to strict supervision by educational administrative departments, making it difficult for them to flexibly adjust curriculum content according to their own circumstances. In terms of teacher recruitment, schools often need to follow complex administrative procedures when recruiting, evaluating, and dismissing teachers, lacking sufficient autonomy. Secondly, the laws' guarantee mechanisms for school autonomous management authority are not complete, leaving schools lacking effective legal support when exercising autonomous management authority. For example, when schools formulate and implement school rules and regulations, they often lack legal basis and thus find it difficult to gain recognition from parents and society, resulting in a significant reduction in the effectiveness of school rules and regulations. The legal

supervision mechanism for school autonomous management authority is also not sound, leaving schools lacking effective internal supervision and external constraints when exercising autonomous management authority, which can easily lead to the abuse of management power. These problems prevent schools from fully exerting their autonomy in actual management, affecting the vitality of school operation and the improvement of educational quality.

2.3.3 Legal Definition of School Safety Management Responsibility

School safety management responsibility is an important part of school management. However, the current laws have many ambiguous aspects in defining school safety management responsibility, resulting in significant legal risks for schools in safety management. On one hand, the laws lack clear definitions of the scope and boundaries of school safety management responsibility, making it difficult for schools to accurately define their own responsibilities when student safety accidents occur. For example, regarding student safety accidents that occur outside the school, whether schools need to bear responsibility is not clearly stipulated, leading to schools often being in a passive position when handling such accidents. On the other hand, the laws lack detailed regulations on the specific contents and standards of school safety management responsibility, leaving schools lacking clear operational guidelines when fulfilling safety management duties. For instance, in terms of campus facility maintenance, safety education implementation, and emergency response, although there are relevant legal requirements, these requirements are rather general and lack specific implementation details. As a result, schools find it difficult to grasp them in actual operations. The legal mechanism for sharing the responsibility of school safety management is not perfect. After a student safety incident occurs, schools often need to bear the main or even all of the responsibility, while the responsibilities of other stakeholders such as parents and society are overlooked. The existence of these problems has placed schools under tremendous pressure and legal risks in safety management, affecting the normal teaching and educational activities of the schools.

2.4 Deficiencies in the Implementation and Supervision Mechanisms of Laws

2.4.1 Insufficiency in educational administrative law enforcement

Educational administrative law enforcement is an important means to ensure the effective implementation of educational laws and regulations. However, there are current problems in educational administrative law enforcement in China, which seriously affects the authority and implementation effect of educational laws. The responsibilities of the educational administrative law enforcement entities are unclear, and the power boundaries between the educational administrative departments and schools are ambiguous. This leads to the frequent occurrence of responsibility-shifting phenomena when dealing with educational violations. For example, in the supervision of off-campus training institutions, the division of responsibilities between the education department and the market supervision department is unclear, allowing some

illegal training institutions to evade supervision. The educational administrative law enforcement procedures are not standardized, and there is a lack of transparency and fairness in the law enforcement process, making it difficult to convince the public of the law enforcement results. For instance, when the education administrative department conducts inspections of schools, it often lacks clear law enforcement procedures and standards, resulting in a high degree of arbitrariness. The enforcement 力度 is insufficient, and the penalties for educational violations are not severe enough, making it difficult to form an effective deterrent. For example, for some school violations such as illegal enrollment and illegal charging, the penalties are relatively lenient, resulting in these behaviors persisting despite repeated prohibitions.

2.4.2 Lack of internal supervision mechanisms in schools

Internal supervision mechanisms in schools are important guarantees for ensuring the legal operation and standardized management of schools. However, there is a significant lack of such mechanisms in China, making it difficult to promptly identify and correct some problems in school management. The independence of the internal supervision institutions is insufficient, and the supervision institutions are often subject to the influence of school management, making it difficult to independently exercise supervisory powers. For example, the disciplinary inspection and national supervision committee within the school often lacks independence and is unable to effectively play its role when supervising the school's leadership. The operation of the internal supervision mechanism lacks norms, and the supervision procedures are not complete, with the supervision results lacking transparency. For instance, when conducting financial audits and teacher evaluations within the school, there are no clear procedures and standards, making the supervision results unconvincing. The feedback mechanism of the internal supervision mechanism is not sound, and the supervision results cannot be effectively transformed into improvement measures, resulting in some problems recurring. For example, when handling student complaints, although the school conducts investigations, it fails to promptly provide the handling results to the students, resulting in low satisfaction with school management.

2.4.3 Incomplete student rights protection mechanism

The student rights protection mechanism is an important means to safeguard students' legal rights and interests. However, there are many deficiencies in the student rights protection mechanism in China, making it difficult for students to obtain effective relief when their rights are infringed. The channels for student rights protection are not smooth. When students encounter problems, they often do not know how to seek help. For example, the complaint channels within the school are unclear, and students have difficulty finding effective complaint channels when encountering issues such as corporal punishment by teachers or school bullying. The procedures for student rights protection are not standardized, lacking clear acceptance, investigation, handling and feedback mechanisms, resulting in students' complaints not being promptly handled. For instance, after students report problems to the school, the school often lacks

clear handling procedures and time limits, leading to the problems remaining unresolved for a long time. The results of student rights protection lack fairness and authority, and schools are often influenced by internal relationships when handling student complaints, making the handling results difficult to be convincing. For example, when handling conflicts between teachers and students, schools often favor teachers, resulting in students' rights not being effectively protected.

3. Research on the Optimization Path of the Legal Relationship between Schools and Students

3.1 Improve the Definition of Legal Relationship

3.1.1 Clarify the boundaries of rights and obligations between the school and the students

In the process of optimizing the legal relationship between the school and the students, clearly defining the boundaries of rights and obligations between the school and the students is a fundamental and crucial step. As the educational management entity, the school enjoys the rights to formulate teaching plans, manage campus order, and conduct educational evaluations of students. These rights are essential for the school to fulfill its educational responsibilities and ensure the normal conduct of educational activities. At the same time, the school also bears important obligations such as ensuring student safety, providing educational resources, and creating a favorable educational environment. The school has the responsibility to ensure the safety of campus facilities, provide standard teaching venues and equipment for students, and safeguard their personal safety and mental health during their time at school. The school also needs to provide comprehensive educational resources, including excellent teaching staff, rich course offerings, and necessary learning materials, to meet students' diverse learning needs and promote their all-round development.

Students, as the recipients of education, have basic rights such as receiving education, participating in campus activities, and obtaining fair evaluations. Students have the right to receive systematic knowledge education in the educational environment of the school, participate in various cultural and sports activities, club activities, and social practices organized by the school, to enrich their campus life and enhance their comprehensive qualities. Students also have the right to receive fair and objective evaluations, whether it is academic performance evaluations or comprehensive quality evaluations, which should be based on the principles of fairness and justice to ensure that students' learning achievements and efforts are reasonably recognized. At the same time, students also need to fulfill corresponding obligations, including abiding by the school's rules and regulations, respecting teachers and classmates, and actively participating in learning. Students should consciously abide by the school's regulations and discipline, maintain campus order, respect the labor achievements and dignity of teachers, get along well with classmates, and jointly create a harmonious campus atmosphere. Students should also actively participate in learning, strive to complete the academic tasks assigned by the school, and continuously

improve their knowledge level and ability qualities. Only when the boundaries of rights and obligations between the school and the students are clear and explicit, can the behaviors of both parties in campus life be guided by rules, and disputes and conflicts caused by unclear rights and obligations can be effectively reduced, providing a solid foundation for building a harmonious and stable legal relationship in the campus.

3.1.2 Establish a legal relationship definition mechanism for special circumstances

In the path of optimizing the legal relationship between the school and the students, establishing a legal relationship definition mechanism for special circumstances is a crucial supplement. Campus life is complex and changeable, and various unexpected situations or special circumstances may arise, such as students falling ill during school hours, participating in off-campus activities, encountering natural disasters or campus safety accidents. In these special circumstances, the legal relationship between the school and the students often becomes ambiguous, easily triggering disputes and conflicts. Therefore, it is necessary to formulate a complete and operable legal relationship definition mechanism in advance to deal with these complex and changeable situations. For example, when a student falls ill during school hours, the school should clearly define its responsibility for emergency treatment and the obligation to notify parents, while also defining the responsibilities and obligations of the student and their parents in the process of cooperating with the school for treatment. When a student participates in off-campus activities, the school needs to clearly define the responsibility-sharing mechanism with the activity organizer, the student, and their parents, to ensure that the safety of the student is fully guaranteed during the activity and to avoid the phenomenon of shifting responsibility. For unforeseen situations such as natural disasters or campus safety accidents, the school should establish an emergency response plan and clearly define the rights and obligations of the school and the students in the event of an accident, including the school's emergency rescue responsibilities, the student's self-protection obligations, and the cooperation mechanism between both parties in the accident handling process. By establishing a mechanism for defining legal relationships under special circumstances, schools can more calmly handle various emergencies. Students and their parents can also clearly understand their rights and obligations in special situations, thereby effectively reducing legal disputes caused by special circumstances and ensuring that the legal relationship between the school and the students can still operate stably and harmoniously under special circumstances, providing a solid legal guarantee for the safety and stability of the campus.

3.2 Strengthening the Protection of Students' Rights

3.2.1 Improving the Legal System for Protecting the Right to Education

Improving the legal system for protecting the right to education is the cornerstone for strengthening the protection of students' rights. It is of profound significance for promoting educational equity and enhancing educational quality. The

right to education is a fundamental right of students, which should be fully protected by law to ensure that every student has the equal opportunity to receive education, regardless of their gender, race, family economic status, or physical condition. The legal system should clearly stipulate the responsibilities of schools in providing educational resources, including equipping qualified teaching staff, constructing complete teaching facilities, and formulating reasonable curriculum systems, to meet the diverse learning needs of students. At the same time, for special groups of students, such as disabled students and those from economically disadvantaged families, the law should stipulate that schools must provide corresponding support and assistance, such as establishing specialized special education centers, providing scholarships or grants, etc., to ensure that they can smoothly receive education. The law should also stipulate the responsibilities and obligations of schools in cases of student illness absence, transfer, or promotion, to ensure the continuity of students' right to education. For example, schools should provide make-up classes for students who are absent due to illness and provide necessary academic materials support for students who transfer. At the level of law enforcement, a specialized supervision agency should be established to conduct regular inspections and evaluations of schools' implementation of the legal system for protecting the right to education, and to deal seriously with violations of the law, to ensure the effective implementation of the law. Through improving the legal system for protecting the right to education, a fair, inclusive, and high-quality educational environment can be created for students, enabling each student to fully realize their right to education under the protection of the law, laying a solid foundation for their future development.

3.2.2 Strengthening the Legal Protection of Students' Personal Rights

During students' school years, their personal safety is the foundation for their healthy growth. Therefore, the law must clearly stipulate the responsibilities and obligations of schools in protecting students' personal safety. Schools should establish and improve campus safety management systems, including formulating strict campus access management regulations, installing necessary safety monitoring equipment, and conducting regular campus safety inspections, to prevent incidents such as campus violence, bullying, and accidental injuries. At the same time, schools have the responsibility to provide safety education to students through conducting safety knowledge lectures and emergency drills, to enhance students' self-protection awareness and ability. The law should also stipulate the specific responsibilities of teachers and school staff in protecting students' personal safety, requiring them to take immediate measures to rescue students in case of injury or danger and report to relevant departments. For any acts of infringing upon students' personal rights, such as corporal punishment, abuse, and sexual assault, the law should impose severe punishment to ensure that the offenders receive the appropriate legal sanctions. Schools should also establish a complete campus accident handling mechanism to clearly define the determination of responsibility, compensation standards, and subsequent corrective measures after an accident, to ensure that students' legitimate rights are promptly and effectively protected. Through strengthening the

legal protection of students' personal rights, it can effectively prevent and reduce the occurrence of campus accidents, providing students with a safe and harmonious learning and living environment, and ensuring that students' personal safety and physical health are fully protected. Schools should establish strict privacy protection policies, limiting access and usage rights to students' personal information. Only with the explicit consent of students and their parents can student information be used for specific purposes. At the same time, schools should strengthen training for teachers and staff to enhance their awareness of privacy protection, ensuring that they can abide by privacy protection regulations in their daily work. Schools should also set up a dedicated privacy protection supervision institution to supervise the implementation of school privacy protection policies and promptly handle complaints and suggestions from students and their parents regarding privacy protection. For behaviors that violate privacy protection regulations, they should be dealt with seriously in accordance with the law to safeguard students' legitimate rights and interests. By establishing a standardized student privacy protection mechanism, it is possible to effectively prevent the leakage and abuse of student information, protect students' personal dignity and mental health, create a safe and privacy-respecting learning environment for students, and thereby promote their all-round development and healthy growth.

3.3 Optimization of School Management Authority Exercise

3.3.1 Improve Legal Regulations for Educational Disciplinary Power

Educational disciplinary power is an important means for schools and teachers to manage students' education and learning. However, its exercise must be carried out within the framework of the law to ensure the legality and rationality of the disciplinary actions. The law should clearly define the scope and methods of educational discipline, distinguish different types of violations and corresponding disciplinary measures, and avoid the abuse or improper use of disciplinary measures. For minor violations, such as minor disciplinary infractions, oral warnings and written self-examination can be adopted; for serious violations, such as school violence and exam cheating, more severe measures, such as suspending or restricting students' participation in certain activities and giving disciplinary sanctions, can be taken, but these measures should have clear legal basis and procedural regulations. At the same time, the law should stipulate the fairness and transparency of the disciplinary procedures to ensure that students have the right to make statements and defenses, the right to apply for reconsideration or appeal, and to protect their legitimate rights and interests from being infringed. The exercise of educational disciplinary power should also focus on educational and corrective purposes, not to punish students, but to guide students to recognize their mistakes and promote their correction and healthy growth through reasonable disciplinary measures. The legal regulations should encourage schools and teachers to adopt an educational and guidance-oriented approach when implementing disciplinary measures, combining discipline with education, to achieve the best educational effect. Through improving the legal regulations for educational disciplinary power, schools and teachers can

have clear management bases, regulate their management behaviors, and at the same time protect students' legitimate rights and interests, promoting the scientific, democratic and legal management of schools, and creating a healthy and orderly campus educational environment.

3.3.2 Strengthen Legal Protection of School Autonomous Management Power

In the context of continuous deepening of educational reform, schools need more autonomous management power to adapt to diverse educational needs and complex and changing educational environments. The law should clearly define the scope of school autonomous management power, including curriculum setting, teaching method selection, teacher team building, and campus culture construction, etc., allowing schools to make flexible adjustments to management strategies based on their own school characteristics and educational goals. At the same time, the law should guarantee schools' autonomy in the use of funds, allowing schools to autonomously allocate educational funds under reasonable planning and effective supervision to meet the actual needs of school development. The law should establish a complete supervision and evaluation mechanism to ensure that schools exercise their autonomous management power in accordance with educational laws, guarantee educational quality, and prevent power abuse. When exercising autonomous management power, schools should fully respect the opinions of teachers and students, through democratic decision-making procedures, to achieve scientific and democratic school management. Through strengthening the legal protection of school autonomous management power, schools can create a relaxed and flexible operating environment, enabling them to better adapt to social development needs and cultivate more innovative and practical talents, thereby promoting the sustained and healthy development of the education cause.

3.3.3 Clarify Legal Definition of School Safety Management Responsibility

Schools, as the main guardians of students during their time at school, bear important safety management responsibilities. However, the scope and boundaries of these responsibilities need to be clearly defined by law to avoid unclear responsibilities leading to management loopholes or excessive liability. The law should clearly stipulate the responsibilities of schools in the construction, maintenance and management of campus safety facilities, including ensuring that campus buildings and facilities meet safety standards, conducting regular safety inspections and maintenance, and promptly eliminating safety hazards. At the same time, schools should establish sound campus safety management systems, such as access control systems, campus patrol systems, and emergency response plans for unexpected events, to ensure that campus safety management has clear procedures. In terms of student safety education, schools should take on the responsibility of cultivating students' safety knowledge and self-protection abilities. This can be achieved by conducting safety education courses, emergency drills and other activities, thereby enhancing students' safety awareness and response capabilities. The law should also define the safety management responsibilities of schools in special circumstances such as students' off-campus activities and the

journey to and from school. It should clarify the collaborative responsibilities of schools with parents and other entities in student safety management, forming a campus safety management system involving schools, families and society. For safety accidents caused by school management negligence, the law should stipulate clear liability for compensation and accountability mechanisms to ensure that the injured students and their parents can receive reasonable compensation, and at the same time hold relevant responsible persons accountable seriously. Through the legal definition of school safety management responsibilities, it can effectively enhance the safety management awareness and responsibility awareness of schools, standardize their management behaviors, create a safe and harmonious learning and living environment for students, and ensure campus safety and the healthy growth of students.

3.4 Improve the Mechanism for Implementing and Supervising Laws

3.4.1 Strengthen the enforcement and supervision of educational administration

Strengthening the enforcement and supervision of educational administration is a key link in improving the mechanism for implementing and supervising laws. It plays a crucial role in maintaining educational order, ensuring educational fairness, and promoting the effective implementation of educational laws and regulations. In the current context where the education sector faces many complex issues, the strength and efficiency of educational administration directly affect the authority and credibility of educational laws. Therefore, it is necessary to adopt various measures such as strengthening the construction of the enforcement team, improving the enforcement procedures, and enhancing the transparency of enforcement to comprehensively enhance the strength and level of educational administration. Firstly, a professional, efficient, and clean enforcement team should be established. Through strict selection and training mechanisms, ensure that the law enforcement personnel have solid legal knowledge and rich law enforcement experience, and can accurately understand and implement educational laws and regulations. At the same time, provide the law enforcement personnel with necessary enforcement tools and resource support to ensure that they can perform their duties legally during the enforcement process. Secondly, it is crucial to improve the enforcement procedures. Clearly define each stage and step of the enforcement process to ensure the standardization and legality of the enforcement actions. This includes clearly defining the specific requirements for enforcement investigation, evidence collection, and administrative penalty decisions, to prevent arbitrary and abuse of power during the enforcement process. Enhancing the transparency of enforcement is also an effective way to strengthen the enforcement strength. Through the establishment of an information disclosure system, timely disclose the enforcement basis, enforcement process, and enforcement results to the public, accepting social supervision, and enhancing the credibility of enforcement. During the enforcement process, attention should also be paid to communication and collaboration with schools, parents, and various sectors of society to create a favorable atmosphere for the supervision of educational enforcement by the entire

society. By strengthening the enforcement strength, it can effectively combat illegal and irregular behaviors in the education sector, such as irregular admissions, irregular charges, and school bullying, maintaining educational fairness and justice, providing solid legal guarantees for the healthy development of the education sector, and ensuring the effective implementation of educational laws and regulations in practice.

3.4.2 Improve the internal supervision mechanism of schools

Improving the internal supervision mechanism of schools is an important guarantee for ensuring that schools operate legally and manage in a standardized manner, and has an irreplaceable role in enhancing the governance level of schools and safeguarding the legitimate rights and interests of teachers and students. The improvement of the internal supervision mechanism of schools should be carried out from multiple aspects, building a comprehensive and multi-level supervision system. Firstly, schools should establish internal supervision institutions, such as the school affairs committee, the staff representative assembly, and the student union, clearly defining the responsibilities and authorities of each supervision institution to ensure that the supervision work is carried out in accordance with regulations. The school affairs committee can supervise and deliberate on major decisions of the school, the staff representative assembly can represent teachers in participating in the democratic management and supervision of the school, and the student union can collect and reflect the opinions and suggestions of students, forming a joint supervision pattern involving teachers and students. Secondly, schools should improve the supervision procedures and systems to ensure the standardization and institutionalization of the supervision work. This includes establishing a regular school affairs disclosure system to promptly disclose important information of the school, such as financial status, admission policies, teacher recruitment, and educational reform, to accept supervision from all parties; improving the teacher assessment and evaluation system to ensure that teachers' teaching behaviors comply with educational laws and regulations and professional ethics requirements; establishing a student appeal handling mechanism to ensure that students can maintain their rights through legal channels when they are treated unfairly. Schools should also strengthen internal auditing work to conduct regular audits of the school's financial income and expenditure, asset management, etc., to prevent financial violations and ensure the rational use and safety of school funds. By improving the internal supervision mechanism of the school, it is possible to effectively prevent and correct the non-standard behaviors in school management, promote the scientific, democratic and legal management of the school, create a fair, just and open campus environment, and lay a solid foundation for the sustainable development of the school.

3.4.3 Establish and improve the student rights and interests relief mechanism

Establishing and improving the student rights and interests relief mechanism is an important measure to safeguard students' rights and interests and maintain the fairness and justice of the campus. It has far-reaching significance for building a harmonious campus environment and promoting

the healthy growth of students. In campus life, students may encounter situations where their rights are infringed upon for various reasons, such as receiving unfair disciplinary actions, experiencing campus bullying or inappropriate behavior from teachers. Therefore, it is necessary to establish an efficient, fair and transparent student rights and interests relief mechanism to ensure that students can receive timely and effective relief when their rights are violated. First, the school should establish a specialized student rights and interests relief institution, such as a student appeal committee, consisting of school administrators, teacher representatives, student representatives and legal advisors, responsible for accepting and handling students' appeals and complaints. This institution should be independent and authoritative to ensure that when dealing with student rights issues, it can be objective and fair. Secondly, the school should clearly define the relief procedures and time limits, formulate detailed appeal processes, including the submission, acceptance, investigation, adjudication and execution of appeals, to ensure that students know how to seek help when their rights are violated. At the same time, clear handling time limits should be stipulated to avoid long delays in appeal cases, which may affect students' normal study and life. The school should also strengthen the connection with external relief institutions, such as the education administrative department and legal aid institutions, to provide diversified relief channels for students. When the internal relief of the school fails to effectively solve the problem, students can seek help from external institutions to ensure that their rights are protected comprehensively. Through the establishment and improvement of the student rights and interests relief mechanism, it can enhance students' trust in the fairness of the campus, make students feel the respect and protection of the school, and also prompt the school to pay more attention to legal management in the process of management, standardize its own behavior, thereby creating a fair, just and harmonious campus environment, and providing a powerful guarantee for the all-round development of students.

References

- [1] Liu Yaqin, Zhang Gaosheng. Legal relations in college student injury accidents [J]. Legal Expo, 2023, (16): 13-15.
- [2] Yu Yafeng, Yao Zhen. On the legal relationship of education [J]. Journal of Educational Sciences of Hunan Normal University, 2022, 21(03): 36-45.
- [3] Wang Xue, Zhang Xiaolei. Legal issues in the management of college students in higher education institutions [J]. Education and Teaching Forum, 2021, (20): 169-172.
- [4] Yao Jianlong, Liu Yue. Guardians of minors in the context of educational law [J]. Journal of East China Normal University (Educational Science Edition), 2021, 39(01): 69-77.
- [5] Lao Kaisheng. Reconstruction of the relationship between schools and students in educational changes [J]. Educational Research, 2019, 40(07): 4-15.
- [6] Qiu Zhihui, Jiang Yang. Reflection on the legitimacy of college students' rights - based on the analysis of the charter texts of 92 "double first-class" construction universities [J]. Higher Education Research, 2023, 44(09): 30-38.
- [7] Shi Weihua. Research on the path of protecting graduate students' rights from the perspective of structural function [J]. Research on Graduate Education, 2023, (05): 42-47.
- [8] Xu Xichun. Analysis of the phenomenon of "Zhihu governance" and its enlightenment to students' participation in university governance [J]. Ideological and Theoretical Education, 2023, (02): 106-111.
- [9] Zhang Wenmiaoyun, Mai Jingxin, Guo Xiquan, et al. Research on the safety responsibility of university laboratories from the perspective of rule of law [J]. Experimental Technology and Management, 2022, 39(12): 229-233.
- [10] Ren Haitao. On the legal status of students [J]. East China Law, 2020, (01): 123-133.
- [11] Xu Xichun. Analysis of the phenomenon of "Zhihu governance" and its implications for students' participation in university governance [J]. Ideological and Theoretical Education, 2023, (02): 106-111.
- [12] Sun Changping. An analysis of the legal attributes of the relationship between the various parties involved in vocational education internships - based on the consideration of the liability for labor injuries during student internships [J]. China Vocational and Technical Education, 2022, (31): 35-41.
- [13] Zhou Chunguang, Yang Kun. Order constraints of cooperative governance: the legal framework of school-enterprise cooperation in higher vocational education [J]. China Higher Education Research, 2021, (10): 95-101.
- [14] Yao Jianlong, Liu Yue. Guardians of minors in the context of education law [J]. Journal of East China Normal University (Educational Science Edition), 2021, 39(01): 69-77.
- [15] Lao Kaisheng. Reconstruction of the relationship between schools and students in educational changes [J]. Educational Research, 2019, 40(07): 4-15.