

Construction to Reform the System of Managing Local University by Law

—Based on "world-class universities and world-class disciplines"

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Abstract—Responding to the spirit of the 19th national congress of the Communist Party of China, it is urgent to conduct a comprehensive reform on higher education by cultivating innovative talents in the new era and following the construction of first class universities and disciplines. In particular, improving laws and regulations of local colleges is undoubtedly the necessity to realize the modernization of colleges and universities, promote the construction of teaching quality projects, and stand out in the competition of international higher education with competitive strength. Managing the school by law is an inevitable choice to improve the mechanism of innovative talents training in the new era, and is an urgent need for the construction of modernization systems in colleges and universities.

Keywords—Double world-class construction; local university; managing university by law; reform the system

I. INTRODUCTION

Higher education is the fundamental to the country's prosperity and people's wellbeing, and its development is an important indicator of a country's development and potential. The construction of first-class universities and first-class disciplines is a strategy to enhance higher education quality and strengthen the country's core competitiveness. Therefore, in the report of the 19th National Congress of the Communist Party of China, General Secretary Xi pointed out that we would move faster to build Chinese universities into world-class universities and develop world-class disciplines as we work to bring out the full potential of higher education^[1]. However, it is hard for local colleges to develop with limited resources, which, if succeed, is of great significance.

Previously, our domestic universities lagged behind world-class universities in evaluation indicators (subjects, funding, essays, student-teacher ratios, etc.). At present we fall behind in school-running concepts and institutions, such as the atmosphere where embraces innovation, exploration and the truth, and the system that guarantee the atmosphere. Therefore, it is a necessity and driving force for the construction of world-class universities improves to perfect the university autonomy system and the academic freedom guarantee system.

Under the background of the rule of law in China, administration by law has also become a clear task and goal of local governments at all levels. However, colleges and

universities that nature talents are relatively isolated from the outside world, and has not fallen behind in the administration by law which is inevitable under the background and requirements of ruling of law in the state, government and society^[2]. College teachers are the main force in the construction and development of colleges and universities as they not only undertake teaching tasks, but also guide students to engage in scientific research and innovation projects. It is critical to stimulating the enthusiasm of teachers in teaching and research by the clarification of the rights and obligations of teachers in colleges and universities^[3]. Administration school by law, taking the cultivation of talents as the foundation, educating as the core, manifests that colleges and universities are implement the scientific development concept and persist in students' subject status^[4].

In 2017, the Ministry of Education, State Commission Office of Public Sectors Reform, the National Development and Reform Commission and other organizations jointly issued the "Opinions on Streamlining Administration, Delegating Power to Lower Levels, Strengthening Regulation and Optimize Service Reform in the Field of Higher Education" which clearly required to speed up the improvement of the various mechanisms of the university, like the discipline setting mechanism, the personnel management and post management system, and the college entrance and employment systems. We should usher in major changes in the operational mechanism of colleges and universities with thinking and behavior in the rule of law. To ensure the deepening of the reform of the education system in colleges and universities, we should improve the construction of laws and regulations for higher education. Freedom, the rule of law, and responsibility should also be fully reflected in the administration of colleges and universities as they are the components of the law-based governance in the new era.

II. REFORM ON SCHOOL ADMINISTRATION BY LAW

A. Improve the teaching incentive mechanism and deepen the reform of innovative talent training

"Educational Law of the PRC", "Higher Education Law of the PRC", "Regulation of Academic Degree of the PRC" and "Teachers Law of the People's Republic of China" that are included in China's higher education laws and regulations, set

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corresponding regulations on higher education running, degree confer and teachers' responsibilities and obligations.

1. If we want to improve the dynamic adjustment mechanism of specialty in colleges and universities, we should formulate adjustment regulations for student training programs. According to economic and social development, it is urgent to set specialty and disciplines for the development of emerging industries and the people's livelihood, so that we can promote the linkage mechanism between employment and enrollment plans and personnel training.

2. To perfect the modern information technology and the deep integration mechanism of education and teaching, it is necessary to formulate effective teaching incentives and management system, and accelerate to update traditional teaching and improve teaching level with information technology.

3. When it comes to improving the evaluation mechanism of university teaching quality, it is necessary to formulate a teaching quality evaluation system for teachers' self-discipline, self-examination and self-correction, formulate three-level professional certification work rules, strengthen the construction of national professional quality certification system, and form an institutional framework for professional quality certification.

Local colleges and universities should adapt to the transformation and positioning of the regional social and economic structure, and cultivate innovative talents and engineers with Chinese characteristics in the new era.

B. Perfect the management mechanism of "faculty system" and cultivate the free academic atmosphere

Close disciplines should be managed by one faculty, which could avoid administrative overlapping functions and multiple management, further increasing the efficiency. Peking University and Zhejiang University respectively launched the reform of faculty system management in 1999 and 2009. They added "faculty", a management department in universities and departments, in the hope that it could optimize resource allocation and share it and offer an open platform for academic freedom. However, the nominal faculty management, in fact, still regards institution as basic educational subject, failing to effectively allocate resources.

Focusing on discipline construction, Double First-Rate optimizes the subject structure and organization model, builds discipline group with mutual support and synergy development, as well as provides ideas for faculty system reform. In order to stimulate universities to construct high-level "first-class subject" with distinctive features, China implement dynamic assessment mechanism that would adjust the fund according to performances. Any world-class university has top disciplines. On this platform, they also boast leading scholars, students and atmosphere, forming academic freedom and promoting excellent results close to the level of Nobel Prize. If scholars or students pursue power and money, instead of academic freedom and truth, it must affect the atmosphere, inhibiting the discipline from development. Therefore, our Double First-Rate construction is the pioneer of "faculty system", which would lay a solid foundation for a sound and perfect system.

During it, universities should select subjects with developing potential and give more support. Especially for these local universities lacking of resources relatively, they should concentrate on developing outstanding disciplines. In terms of the system, we should build "faculty system" based on subject development, delegate administrative and academic power to faculty. We need to change the support for the brain gain, the training of students and teachers, discipline construction and scientific resources with different circumstances. Thus, we could make our best to cultivate and encourage the construction and development of world-class subjects. The universities can only adapt to the competitive and developing model brought by national Double First-Rate construction if they regard faculty as the main body and running a college through subjects.

Compared to universities subordinated to ministries, local colleges are in short of the history of subject development, so they still has a long way to build first-class disciplines. However, "faculty system" may integrate current resources, boosting subjects' rapid growth.

C. Define teachers' responsibility and power, deepen system reform of assessing teachers

The Education Law in 2007 clearly forbid teachers to do concrete part-time job in extracurricular enterprises, they cannot start a company as legal entity. However, many teachers in universities ignore the law and are lured by the money, so they do things harming the country, school and student^[5]. Therefore, the key to deepen teachers' assessment system lies in define their responsibility and power from the legal perspective.

Some right given by The Education Law is also the duty. As a teacher, we should carry out the educational guideline of the central committee, strictly obey the disciplines and law, execute the teaching plan and achieve the tasks.

As for amending and perfecting teachers' assessment system, we should define their rights and duties, especially those young teachers. They should do their best to teach and take responsibility, instead of focusing on scientific research and benefits. We must assess teachers' professional post and performance based on their teaching quality and cultivating personnel, accomplishing the mission of training brilliant talents in universities in the new era.

As for perfecting the reform of educational system in universities, we should formulate and improve various authorization systems, such as certifying teachers' qualification, post and appointment. Relevant regulations must be enacted to norm the behavior of teachers in universities, so they would take it as their duty to cultivate innovative personnel in new era, as well as conduct themselves, teach by precept and example, innovate and work hard. In addition, we should build and complete security system of teachers' rights to protect their legal rights in teaching, scientific research and relevant social activity.

"Higher Education Act" clearly specifies the rights and duties of teachers in universities. Through learning the law, they must recognize the rights and duties, what must do and cannot do. These legal conscious passes on students by

theoretic and practical teaching, so they would establish moral and behavior standard, form great living and study habits and obey regulations of school and society.

As for deepening the construction of teachers' ethics, we should build related assessment system to specify teachers' major duties. First, teachers should conduct themselves, impart knowledge and educate people, and take the historical responsibility of building a powerful nation. Secondly, teachers not only need to preach, impart knowledge and reassure, but also strengthen self-discipline and introspection. Thirdly, they should set the legal conscious to teach by the law and regulate the behavior, cultivating innovative talents equipped with legal knowledge.

Lacking of professional teachers, local universities should work hard on stimulating mechanism. We should protect teachers' rights, on the other hand, specify their duties and encourage the teaching and scientific research achievements.

D. Complete regulatory rules and deepen the reform of management system

"Teaching" and "learning" are two necessary sections in training personnel, while "management" is the "lubricant", basic guarantee to improve teaching quality. Then, reform is the fundamental impetus of educational development.

According to the idea of cultivation through management and service, we should amend and perfect the management system in training, forming students' management rules of obeying law and regulation and combining punishment with leniency. Then, they would establish correct outlook on life and value, good qualities, such as loving the country and school, respecting teachers and education, enduring hardships and being capable of hard work and innovative.

We should stimulate students' learning potential in innovation, promote the system reform of minor subjects, complete the management system of the credit, encourage students to learn knowledge in different areas, give them the right to choose and study independently, cultivating innovative students with broad knowledge. We should also establish management regulations to encourage them to gain credits through participating in social experience, scientific research, innovation and business and contests.

Interest is the teacher of success. To better cultivate innovative personnel in new era, we should strengthen students' sense of honor and initiative in learning through relevant regulations. For example, we could try to explore students who gain good grades in various competitions for school and award outstanding undergraduates with honorary degrees.

We should attach great significance of students' behavior, regularize and protect their rights, while regularizing the behavior and power of teachers, scientific researchers, experimenters and administration staff. Practical efforts must be made to unify rights and duties, power and responsibility,

ensure the transparency of administrative rules and institutionalization of administrative work^[5].

Local universities, in short of outstanding students, must enhance Double First-Rate construction in discipline development. It is the inevitable trend of training students to deepen the reform of students' management system, cultivating prominent innovative talents and engineers.

III. CONCLUSION

In the new era, innovative talents and engineers who are cultivated in colleges and universities are the foundation of the country's development and prosperity. As it has been proved that govern the country by law is fundamental to social development. Therefore, the rule of law is the inevitable choice to promote the construction of "double first-class" in local universities.

Local colleges and universities shoulder the responsibility of cultivating innovative talents and engineering talents to adapt to regional economic development in the new era, but their resources like discipline, teaching staff and students are relatively poor. Therefore, they still have a long way to go if they want to realize construction of first-class disciplines. However, by perfecting the system of administrating schools by law and establishing a faculty system, we can effectively integrate existing resources, foster academic freedom, accelerate the pace of personnel training, promote the rapid development of first-class disciplines in local universities and enhance their international competitiveness.

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