

The Key to the Deep Integration of Production and Education in Higher Vocational Colleges

-- The Construction of the "Teacher-student" Subject's Rights and Interests Protection Mechanism

Dandan Lu

Production and Education Integration Department, Wenzhou Polytechnic, Wenzhou, Zhejiang,
325035, China

cy86682950@qq.com

Abstract

Protecting the legitimate rights and interests of the related subjects of the integration of production and education is the key to carry out the integration of production and education in depth, and the "Teacher-student" as the weak subject in the integration of production and education, the protection of their rights and interests should be paid more attention to. With the help of stakeholder theory to analyze the rights and interests of the relevant subjects of higher vocational education integration, it is clear that the "Teacher-student" subjects play an important role in the integration of production and education. As the main implementer and beneficiary in the process of the integration of higher vocational education, the "Teacher-student" subject clarifies the conflict of rights and interests and the damage of rights and interests between the government, schools and enterprises in the integration of production and education, and constructing the mechanism of protecting the rights and interests of the "Teacher-student" is the key to effectively ensure the deep integration of production and education in higher vocational colleges.

Keywords

The Integration of Production and Education; The Rights and Interests of the Subjects; Protection Mechanism.

1. Introduction

At present, China's higher vocational education has entered a new period of historical development, began to change from scale development to connotation construction, deepening the integration of production and education has become an inevitable choice to enhance the quality of training of higher vocational education talents. the integration of production and education in higher vocational colleges is a systematic project, involving the government, universities, enterprises, trade associations, teachers, students and other structural subjects, is a socialized "stakeholder organization". Because of the different target demands and complicated power responsibility relations between the interest subjects of the integration of production and education, it is difficult to solve the interest entanglement or rights game in the process of the integration of production and education without the system guarantee. Stakeholder theory just provides a research tool in the sense of methodology, which can be applied to the integration of production and education in higher vocational colleges, clearly grasp the rights and interests of the various subjects of the integration of production and education, clearly understand the rights and interests between different subjects, and construct a mechanism for the protection of the rights and interests of the subject, which can effectively

drive the development of the integration of the whole production and education. In recent years, the state has issued documents to "build a community of interests of schools and enterprises, form a stable and mutually beneficial cooperation mechanism" to clarify the legitimate rights and interests of schools, enterprises, teachers, students and so on.

The nature of the construction of the protection mechanism of rights and interests is different from the integration of the relevant subject traits and attributes. From the perspective of stakeholder theory, government, school and enterprise belong to the direct stakeholders, are the most affected actors, teachers and students belong to indirect stakeholders, and their rights and interests are usually affected by the direct stakeholders and change. From the point of view of the main attribute, the government, schools, enterprises and so on in the process of integration of production and education are presented as organizations, and teachers and students are presented as individuals. From the point of view of game capital, the government, schools and enterprises occupy the natural advantages of rights and resources, relatively speaking, teachers and students are in the weak side of the interests, in the process of the rights and interests of the integration of production and education, it is inevitable that there will be for the benefit of the overall situation and "sacrifice" the interests of other parties to achieve balance, and "sacrifice" side is often in a weak position of teachers and students. Therefore, to construct the protection mechanism of rights and interests as a whole, which not only meets the requirements of the common attributes of the object of protection of rights and interests, but also enhances the cooperation and dependence between teachers and students, is the key to promote the in-depth and sustainable development of the integration of production and education.

2. The Important Position of "Teacher-student" Subjects in the Integration of Production and Education of Higher Vocational College

The integration of production and education is the integration of production and education, which is promoted and guided by the government. In the process of the integration of production and education, the government, schools and enterprises are the actors most affected by it, and the main participants, actors and direct stakeholders who determine the trend and effect of the integration of production and education. As the guide of the integration of production and education, the government is the source of contractual relations, providing policy and regulation, development orientation and funding platform support for cooperation between enterprises and schools, and creating a suitable internal and external environment for the continuous and effective development of the integration of production and education. The government's greatest demand for rights and interests is to promote the deep integration and coordinated development of education and industry, and to promote employment and economic growth by guiding the scientific development of vocational education and making them export high-quality technical and skilled personnel adapted to the needs of social development. Enterprises and schools as the direct subject of the integration of production and education, each other is both an input and an exporter, the ultimate goal of enterprise development is to produce high-quality products and services, its greatest right and interests through the integration of production and education to obtain suitable for the enterprise's own development needs of high-quality technical skills, to achieve seamless docking from students to employees, reduce the cost of human resources training and recruitment. The value of the school lies in the export of high-quality technical skilled personnel and scientific and technological achievements, and its greatest right and interests are to obtain industrial resources from enterprises through the integration of production and education, market demand and then reshape the mode of running a school, to train technical skilled personnel to

meet the needs of the industry and meet the needs of society, and to provide human resources and intellectual support for industrial upgrading and economic transformation.

From the government, schools, enterprises in the integration of the rights and interests of the three subjects can be seen, its coupling points are around the need for high-quality technical skills in society. Students are the source of talents needed for the future of society, the most direct beneficiary of the integration of production and education, and the coupling point of the interests of all parties, and the direct link point of realizing this process is the teacher subjects. Teachers are the concrete implementers of the final landing of the integration project, but also the builders of the results of the integration of production and education, schools and enterprises to carry out personnel training, technological innovation, social services, cultural heritage and other activities, ultimately need to rely on the teachers to carry out implementation, through the teachers to impart knowledge and skills, transform scientific and technological achievements, to school-enterprise information, technology, results of mutual benefit, transformation process, to achieve the quality of school personnel training and enterprise productivity improvement. To ensure the access of teachers' rights and interests can teachers take the initiative to voice and act in the development of the integration project, and become the biggest supporter of the integration of production and education. Therefore, in the integration of production and education, to ensure the rights and interests of the students is the basis for achieving win-win cooperation between the three interests of politics, schools and enterprises, and to ensure the rights and interests of teachers is the key to ensure the depth and continuity of the integration of production and education.

3. The Performance of the "Teacher-student" Subjects' Impaired Rights and Interests in the Integration of Production and Education of Higher Vocational College

3.1. Lack of the Right to Know

The ultimate goal of the integration of production and education is to train high-quality technical and skilled personnel, from the main position, the focus and difficulty of the school to deepen the integration of production and education lies in the teachers, teachers, as reformers and builders of the integration of production and education, are required to constantly reconstruct the curriculum system, update teaching content, reform teaching methods, participate in enterprise practice, transform scientific research results; The focus of social attention is often on schools and enterprises, with little attention paid to the rights and interests of teachers and students in the process of integration of production and education. First, schools and enterprises in the process of integration of production and education, although there are clear goals and policies, systems, but often the top-level design on the macro, the lack of specific cooperation procedures and accountability mechanisms, teachers in the unknowing situation to accept and complete the school signed the integration of production and education projects, students without professional preaching, real-time guidance and consultation, the background significance of the integration of production and education, the spirit of documents and the specific policies, systems and operations of school-enterprise cooperation is still very little known. Second, schools and enterprises in the process of integration of production and education, from the early stage of cooperation negotiations, determine cooperation matters, signed agreements and other stages, the personnel involved in decision-making are basically school administrators, teachers involved in small, students almost zero participation, first-line teaching teachers and students for the school and enterprises to reach the specific content of cooperation is not known, let alone how to carry out the integration process of production and education in school enterprises to effectively safeguard their rights and interests.

3.2. Lack of Voice

Schools and enterprises in the integration of production and education involving personnel training, technological innovation, social services, cultural heritage and other aspects of cooperation, teachers and students as direct participants and implementers of cooperation projects, but there is no opportunity to exercise the right of choice, the effective procedures and channels for the expression of rights and interests are seriously missing. When the school chooses to carry out the enterprise of the integration of production and education, it is often from the demand of the rights and interests of the school, after the rights and interests of both sides of the school and enterprise game finally reached cooperation, teachers and students in the whole game process has no voice, they do not participate in the choice of cooperative enterprises, cooperation content and cooperation mode, passively accept the integration of production and education brought about by a series of tasks and changes. In order to promote the reform process of the integration of production and education, the school will integrate the integration of production and education into the top-level design and extend to the teacher's teaching, scientific research, promotion, job title and other assessment and evaluation, teachers out of professional needs and career development, can only be carried out in accordance with the school planning and requirements of the integration of production and education, and in the process also lost the teacher's right to choose and speak. Although the school and enterprise cooperation, the starting point of the rights and interests claim is to improve the quality of talent training, but the school's rights and interests appeal object is the concept of all students, in the process of playing with the enterprise rights and interests cannot do to take into account the will and interests of each student, and students do not have the opportunity to choose and dialogue platform, but can only passively accept the integration of this kind of education and education brought about by the education model, students' rights and interests cannot be protected.

3.3. Lack of the Right to Benefit

The main function of higher vocational education is to train high-quality technical skilled personnel, so most of the schools and enterprises in the integration of production and education to engineering combination, unit research and development, top-post internship and other types of teaching model, and in this kind of teaching model teachers and students, has been facing the "double identity" of the identification and transformation of the problem. The result of deepening the integration of production and education in schools is to increase the workload of teachers, teachers are not only the "apprentices" of enterprises, but also the "mentors" of enterprises, not only to learn the latest technology of enterprises into teaching, but also to become technical instructors of enterprises, to provide intellectual support for the technical problems of enterprises, and the corresponding remuneration has not been improved accordingly. And the lack of students' right to benefit is mainly reflected in the process of enterprise top-post internship, the top-post internship students free between the identity of students and workers, belong to the workers legally enjoy the right to life and health, labor compensation rights, rest rights, labor protection rights and internship insurance rights and other rights and interests have been free from the top-post internship students. Although the relevant policies issued by the state have repeatedly affirmed that enterprises should protect the basic labor rights and interests of top-post internship students in accordance with the law, and require the signing of a three-way agreement between schools, enterprises and students, to clarify the responsibilities of schools and enterprises in protecting the legitimate rights and interests of students and insuring internship insurance. But in reality, the value of this part of the students' rights and interests is relatively at the last place in the school and enterprise rights game, the school will think that the labor rights and interests brought to the students by the top

job internship is a short-term benefit, often compromise or give way to other long-term interests, which invisibly deprives the students of the right to benefit.

4. The Root of the Rights and Interests Game of "Teacher-student" Subjects in the Integration of Production and Education of Higher Vocational Colleges

In the process of integration of production and education, the relevant subjects have brought about the conflict of rights and interests because of the imbalance of the distribution of interests, the inequitable demands of rights and interests and the asymmetry of the degree of information resources, which has triggered the rights and interests game between the subjects, and clarified that the root cause of the rights and interests game between the "teachers-students" subjects and the subjects of "government, schools and enterprises" is the first step to protect the rights and interests of teachers and students, and is also the primary task of balancing the interests of all parties and promoting the further development of the integration of production and education.

4.1. The Subjects of "Teacher-student" Conflicts with the Expectations of the Government

The conflict of expectations between teachers, students and government mainly lies in the fact that the government's expectations of teachers and students are not exactly the same as between teachers and students' expectations of themselves. For the government, it is expected that with the integration of production and education, students can master the new knowledge and skills needed by regional industries, be competent for the job requirements of enterprises after transformation and upgrading, and teachers can give full play to the advantages of scientific research ability, solve technical problems for enterprises, realize the transformation of scientific and technological achievements, and contribute to local economic and social development and industrial upgrading. But for teachers, the change of curriculum and teaching mode brought about by the integration of production and education adds an extra burden to their workload, and the imperfection of teachers' incentive policy in schools and other factors, teachers' enthusiasm to connect scientific and technological innovation with the needs of enterprises is not high. For students, they want to improve their professional and technical skills through school development, to achieve what they consider high-quality (high pay, good environment) employment. In short, the government expects to achieve student satisfaction with employment, teacher science and technology to help enterprises with the least investment, while teachers want the government to introduce more incentive policies to ensure the income from labor, stimulate their own potential, reflect the value from knowledge to capital, students also hope that the government will introduce incentive policies, pay attention to the employment treatment of higher vocational students, promote high-quality employment of higher vocational students.

4.2. The Subjects of "Teacher-student" Conflicts with the Value of the School

As a whole, schools and teachers and students are basically in the same position as enterprises, with the same goal demands, but schools, teachers and students as independent subjects in the same organizational structure there is a conflict of rights and interests. Teachers, students and schools have multiple relationship attributes, in the process of integration of production and education, the value conflict between teachers, students and schools lies in the "talent" and "wealth" which in the first place. The value of the school more on the "talent", through cooperation with enterprises, not only can students be trained into the high-quality technical skills required by society, improve the school reputation of the purpose, but also with the help of the capital strength of enterprises to ease the financial pressure of the school; Teachers and

students of the value of the point of appeal hope that the school more consideration of "talent" into "wealth", although teachers in the social impression is engaged in preaching to demystify the spiritual level workers, but like other professional employees, teachers are also a laborer, the same with the "economic man" attributes, teachers also hope to meet the needs of material life through their own labor. The integration of production and education breaks the teacher's original curriculum, teaching methods, teaching forms and functions of duty, teachers hope that the school to provide a carrier to play their own talents, but also hope that the school system as a guarantee will be able to translate into due remuneration. There are two most common points of value conflict between students and schools in the integration of production and education: First, the school through the skills studio to absorb outstanding students to follow teachers in enterprise science and technology research and development, in order to enhance students' technical skills, for students, this part of the labor input is not gained. Second, when the school as a manager and nurturer organizes the student's top job internship, it is more about the students as a whole to make overall arrangements, more attention is paid to the enterprise's popularity, professional position fit, and students are more concerned about salary treatment, working environment, rest and vacation.

4.3. The Subjects of "Teacher-student" Conflicts with the Role of Enterprise

Teachers and students play two roles in the integration of production and education in higher vocational colleges, for teachers, they are not only learners of practical knowledge of enterprises, but also solve the technical problems of enterprises. The training of "dual teachers" teachers, teachers science and technology service enterprises advocated by the school is the main project of the integration of production and education, professional teachers through direct participation in enterprise production, scientific research and other activities to master the latest enterprise technology, the production experience gained in the enterprise embedded in the teaching process to improve the teaching level, while using their own scientific research capabilities to help enterprises solve technical problems. However, in reality, the role of teachers in the enterprise identity is at the edge and a special state, the enterprise for the benefit of return and technical confidentiality considerations, for teachers to provide a limited practical platform and learning conditions, for the teachers of the enterprise practice of enthusiasm and effectiveness will have a certain impact. For students, in the enterprise top job internship bear the dual status of students and apprentices, enterprises hope to establish cooperation with the school, in accordance with their own development needs to train the required technical skills, with the lowest cost to achieve seamless docking from students to employees, while students want their own labor to pay something, can enjoy the same treatment as the enterprise's full staff. Although the student also creates value for the enterprise during the internship, there is no employment or labor relationship between the student and the enterprise, no legal and de facto labor relationship, cannot be bound and protected by the law.

5. The Construction of Rights and Interests Protection Mechanism of "Teacher-student" Subjects in the Integration of Production and Education of Higher Vocational Colleges

With the help of stakeholder theory, it can be found that balancing the interest relationship between the various subjects of production and education is the key link to solve the problem of deep integration of production and education, and the "Teacher-student" subjects are in a relatively weak position in the integration of production and education in higher vocational colleges.

5.1. Balance and Dialogue: Realize the Democratization of "Teacher-student" Subjects' Rights and Interests Protection

5.1.1. Build a Benefit-sharing Mechanism to Balance the Distribution of Rights and Interests among Subjects

In essence, different interest subjects have different value orientations and demands, and the conflict and game between subjects are difficult to avoid, but the complementarity of resources and the consistency of development goals make the process of this game both conflict and interdependent. In the integration of production and education in higher vocational colleges, the government, schools, enterprises, teachers, students and other relevant subjects need to establish a Benefit-sharing mechanism, the subjects should not only recognize their own value, but also affirm the value of others, and form a mutually dependent consensus. Through the establishment of rights and interest's compensation mechanism, teachers and students in a weak position in the policy and system to give reasonable compensation for rights and interests, to achieve a relative balance of rights and interests. In the whole operation of the integration of production and education, the school should actively invite teachers and students to participate in decision-making, which should become a conscious measure, which can not only enhance the main consciousness of teachers and students, help to mobilize their enthusiasm, but also ensure the right of teachers and students to know and choose, and promote their own rights and interests. Teachers and student subjects should also take the initiative to express their advantages and needs to schools, so that schools in cooperation with enterprises can accurately grasp and clarify the rights and interests of the relevant subjects, to build the rights and interests between the subject sharing points.

5.1.2. Build an Expression Mechanism for Rights and Interests and Give "Teacher-student" the Right to Speak

Teachers and students are relatively disadvantaged in the main game structure of the integration of production and education, although they have great interests with the government, schools, enterprises and other subjects, but their reasonable demands are often ignored, because of the lack of a mature operating rights and interests agency organizations, lack of rights and interests expression mechanism and realization channels, teachers and students in the integration of production and education is often in a passive state of acceptance, become the rights and interests of the game "silent." In order to establish a long-term mechanism of cooperation and crack the bottleneck of integration of production and education, it is necessary to weigh the rights and interests of all parties and explore the common points of interest. It is necessary to set up a board of directors led by the school enterprises, including representatives of enterprises, schools, teachers, students, trade associations and other parties, to form a joint conference system for the integration of production and education, to gradually break the original loose single aggregation mode of the school enterprises, broaden the channels for the expression of rights and interests, and establish a smooth mechanism for the expression of rights and interests. The integration of production and education projects need to be decided through joint meetings, teachers and students as members of the board of directors to participate in the whole process, and have the right to speak, voting rights, through the joint parties to communicate, discuss and explore solutions, not only increase the transparency of decision-making, but also improve the executive power of decision-making. Let teachers and student subjects really feel the benefits of the integration of production and education, and thus strengthen the teachers and students' sense of belonging and positive behavior.

5.2. Legislation and Law Popularization: Realizing the Legalization of the Protection of the Rights and Interests of the "Teacher-student" Subjects

5.2.1. Improve the Legal System for the Integration of Production and Education, and Clarify the Legal Status of the Rights and Interests of "Teacher-student" Subjects

The policy of production and education integration at the macro level has gradually become a system, but the one-line law on the integration of vocational education is still blank, for the local region to carry out the integration of production and education, macro-policy reference is not strong, operability of laws and regulations are not perfect, specialized regulations on the integration of production and education, the rights and responsibilities of various interests in the integration of production and education, interest distribution, rights and interests protection, etc. The lack of clarity of legal status and legal relationship directly affects the application of law in the later period, which makes the protection of teachers' and students' rights and interests in the integration of production and education lack of legislative basis. Therefore, in the form of legislation to clarify the legal relations between schools, enterprises, teachers, students, rights and interests protection scope, to clarify the rights, obligations and responsibilities of the relevant subjects in the integration of production and education in higher vocational colleges, to clarify the rights and interests of teachers, students legal protection organizations, institutions and their responsibilities, to establish the relevant teachers, students dispute resolution methods and procedures, as well as violations of teachers, students' rights and interests of legal responsibilities, relief systems, etc., in the form of legal normative documents, form a set of systems, scientific teachers, students rights and interests protection system, Fundamentally protect the legitimate rights and interests of teachers and students.

5.2.2. Popularize the Education of the Rights and Interests of "Teacher-student" Subjects and Guide the Establishment of a Rational and Healthy View of Rights and Interests

Interests are the core factors affecting the dynamics of human behavior, and schools should fully respect the rights and interests of teachers and students in the integration of production and education, which is the source of motivation for teachers and students in the integration of production and education. The legal consciousness and self-protection ability of teachers and students are the basic elements for their legitimate rights and interests to be guaranteed, and only when they have consciousness and demand for the rights conferred by law will they have the will to defend their rights. In the process of the integration of production and education, schools should make use of various channels to educate teachers and students on legal awareness, so that they can understand the contents of the legitimate rights and interests granted to them in the integration of production and education by national laws and regulations, and can accurately judge the boundaries of the damaged rights and interests and clarify the relief routes after the damage to the rights and interests. At the same time, the school in the process of rights and interests awareness education should also guide teachers and students to establish a rational and healthy view of rights and interests, the benefits of the integration of production and education is the need for long-term accumulation and qualitative change of the process, teachers and students to dialectically look at their own needs of "rights and interests", in measuring short-term costs and long-term benefits, adjust their own interests and interests, appropriate rights and interests are also the way to achieve the ultimate value of the claim.

5.3. Justice and Restraint: Realize the Procedural Protection of the Rights and Interests of the "Teacher-student" Subjects

5.3.1. Introduce Judicial Relief Channels and Build a Hierarchical Relief Mechanism

As a basic legal norm for the protection and relief of teachers' rights and interests, the Teachers' Law has been in force for more than 20 years since its inception in 1994, and many contents

have lagged behind the development of the times. When teachers' legitimate rights and interests are damaged and they seek relief, they are often rejected on the grounds that they "belong to the scope of school autonomy", and the right to appeal remains only in the "rights in the text" and cannot truly enjoy the "rights in action". For the relief of students' rights and interests, the newly revised Regulations on the Administration of Students in General Higher Education Issued by the Ministry of Education in 2017 specifically set up a section on student complaints, which restricts the students' right to appeal broadly to the two main contents of "right to education" and "right to person and property", because the scope of the complaint is blurred, the procedure of relief is not strong, and the student's rights and interests relief system often does not play a substantive role. Because of the close and complicated relationship between teachers, students and their schools and enterprises in the integration of production and education, the protection and relief of their legitimate rights and interests cannot be limited to the scope of rights and interests in the Teachers' Law and the Regulations on the Administration of Students in General Higher Education. According to the legislative requirements of the protection of teachers' and students' rights and interests in the integration of production and education, with reference to China's education dispute relief system, follow the gradual relief method of "inside and outside first", establish a hierarchical relief system, make detailed provisions on the relief mechanism and operating procedures for teachers and students who have their rights and interests damaged in the integration of production and education, refine the system of receiving institutions, acceptance scope, time limitation and so on, clearly define the connotation and extension of relevant concepts, introduce appeals, administrative review, education and other relief. The main channel of legal relief for students' rights and interests, all-round protection of the legitimate rights and interests of teachers and students.

5.3.2. Implement a Regulatory Accountability Mechanism and Improve the Legal Supervision System for the Integration of Production and Education

In the integration of production and education, a sound legal system also needs a legal supervision system to protect and build an effective and feasible legal supervision mechanism, which is a strong guarantee to realize the legalization of the integration of production and education. Usually the use of the NPC supervision, judicial supervision, specialized regulatory agencies and other three supervision and implementation paths, from the top down to achieve a comprehensive supervision effect. First, by using the supervision function of the People's Congress, we should review, record and deal with the formulation, revision and interpretation of the legal system for the integration of production and education, and carry out relevant investigation and analysis on the implementation of the legal system, so as to exert its irreplaceable supervision and control functions. Second, relying on the judicial department to establish a judicial supervision mechanism for the integration of production and education, and further promote the integration of production and education in the various subjects to fulfill their respective legal responsibilities and obligations, supervision of the main body to fulfill the relevant laws and regulations, review and arbitration of disputes. Third, the establishment of the government, schools, enterprises, teachers, students and other relevant departments of education, finance, social and other departments composed of the production and education integration of specialized supervision bodies, the development of standardized supervision standards, the use of effective supervision, the establishment of a strict accountability system, clear accountability of the subject, accountability object and scope of the implementation of the school and enterprise integration projects to monitor the process, the integration of the interests of the relevant subjects in the process of establishing a feedback mechanism, The law enforcement procedures and results of the established rights and interests relief system shall be subject to the accountability system to ensure that the relevant subjects abide by the

procedures and exercise their power lawfully, so as to protect the rights and interests of teachers and students and other relevant subjects.

Acknowledgements

Fund projects: The results of the research project of Zhejiang Federation of Humanities and Social Sciences in 2021 (Subject number: 2021N96, The name of the subject: The key to the deep integration of production and education in higher vocational colleges: the construction of the "teacher-student" subject's rights and interests protection mechanism).

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