

The Key Issues About the University: Enterprise Cooperation in Professional Education Legislation

ZENG Yu^{[a],*}; HU Xuefang^[a]

^[a]Faculty of Education, Southwest University, Chongqing, China.
*Corresponding author.

Received 16 October 2014; accepted 24 December 2014
Published online 26 January 2015

Abstract

Professional education school-enterprise cooperation is an important part of building a modern vocational education system in China, however, the legislation is not perfect in many aspects. In full consideration of these issues, and learn from the experiences of the vocational education school-enterprise cooperation in some developed countries, carry out the corresponding measures: To make sure that win-wins is the operation's power of vocational education school-enterprise cooperation law; to attract vocational education school-enterprise cooperation economic investment, and protect the physical environment of vocational education school-enterprise cooperation; to emphasis on the cultivation of law consciousness of vocational education school-enterprise cooperation; to create the public opinion environment of vocational education school-enterprise cooperation; to build the information disclosure mechanism of vocational education school-enterprise cooperation, and rich the multi-control environment of vocational education school-enterprise cooperation.

Key words: Vocational education; School-enterprise cooperation; Legislation; The modern vocational education system

Zeng, Y., & Hu, X. F. (2015). The Key Issues About the University: Enterprise Cooperation in Professional Education Legislation. *Higher Education of Social Science*, 8(1), 92-97. Available from: URL: <http://www.cscanada.net/index.php/hess/article/view/6236> DOI: <http://dx.doi.org/10.3968/6236>

INTRODUCTION

The modern vocational education system with Chinese characteristics to build as a major education reform and institutional innovation is the lifelong education trend rise, the progress of science and technology economic structural adjustment of industrial structure upgrade, population growth trend and the people with high quality demand, and many other factors to promote vocational education results. However, due to many factors and different interest subjects, it is also a difficult complex multilateral coordination gradually introduced long-term system engineering.

1. THE SIGNIFICANCE OF VOCATIONAL EDUCATION SCHOOL-ENTERPRISE COOPERATION IN CHINESE MODERN VOCATIONAL EDUCATION SYSTEM

In July 2010, China put forward establish a way to adapt to changes in the economic development and industrial restructuring, and reflect the concept of lifelong education and the coordinated development of secondary and higher vocational education of modern vocational education system, the modern vocational education system has three features: The first, adapt to the economic development pattern and industrial restructuring requirements, that's to say, to enhance vocational education to serve economic and social development requirements. The second, reflect the concept of lifelong education, that's to say Vocational education is a lifetime education with man, and adhere to the people-centered, serve the own human development demand. Last one, coordinated development of secondary and higher vocational education, this is the key to realize vocational education system internal coordination, also is the key to training various kinds of level talents. The three

features indicate the direction of the vocational education reform and development in the future, and put forward the new requirements of vocational education development, therefore, vocational education should make adjustments in order to comply with all aspects of building a modern vocational education system. School-enterprise cooperation serves as an important way to reform and develop vocational education, it has a certain significance for the construction of Chinese modern vocational education system. First of all, the talent training mode of school-enterprise cooperation is an important approach to cultivate talents, this model reflected the essential features of vocational education, through the vocational colleges cooperating with enterprises, on the one hand, it can effectively adapt to the change of the pattern of economic development and industrial structure adjustment, on the other hand, it can also adapt to the needs of people own development. Secondly, modern vocational education system proposed new requirements for the development of vocational education, in the current context of the rule of law and in accordance with the law for the school, and school-enterprise cooperation existing law is imperfect, the lack of special laws, we need further thinking about how to perfect professional education from the legal level of school-enterprise cooperation legislation, Strengthening the deep-level cooperation between universities and enterprises in vocational education. That's to say, how to make school-enterprise cooperation adapt to the vocational education system in terms of law, institutional and policy, how to build and improve law about the modern vocational education school-enterprise cooperation in the environment of modern vocational education system, how to solve issues that secondary and higher vocational education layout is not reasonable through legal channels in the process of development of vocational education, the improvement of the vocational education school-enterprise cooperation law plays an important role in safeguarding the construction of Chinese modern vocational education system.

2. THE KEY ISSUES ABOUT VOCATIONAL EDUCATION SCHOOL-ENTERPRISE COOPERATION LEGISLATION SHOULD BE ADDRESSED

With China paying attention on development of vocational education and construction of modern vocational education system, the law about vocational education school-enterprise cooperation has been some development, but from the overall level of Chinese vocational education school-enterprise cooperation, there are several major legislative issues.

(a) The issue of different stakeholder responsibility and rights and interests of the full expression of the border

protection system in the vocational education school-enterprise cooperation.

Vocational education school-enterprise cooperation involves the different interests subjects, such as vocational colleges, enterprises, industries, students, government, etc., the development of school-enterprise cooperation requires broad participation of all stakeholders and coordination, however, the issue about the division of rights of various stakeholders and the distribution of benefits of various stakeholders is a key issue of vocational education school-enterprise cooperation legislation, how to divide the responsibilities, rights and obligations of the parties, and how to clear requirements that maximize the interests of all the stakeholders, however, Chinese existing law lack this aspect of the rules, such as "Vocational Education Law", "Higher Education Act", "Company Law". At the same time, there are many modes to run vocational education school-enterprise cooperation, such the mode of "university-based, enterprise cooperation", of "The university and enterprise joint cultivation", of "business incubator" mode, of "factory behind the university", etc., all the stakeholders have different issues about responsibility and rights, obligations and interests in the different modes. In the past school-enterprise cooperation legislation are too principled and generalization, not make a detailed analysis of the different stakeholders in different educational models of school-enterprise cooperation. Hence, making the boundary of responsibility and rights of various stakeholders in the process of school-enterprise cooperation is not clear, their interests lack of corresponding system safeguard.

(b) The issue about economic conditions to run vocational education school-enterprise cooperation.

Economic investment is an important guarantee for the development of vocational education, however, at the present stage of our country school-enterprise cooperation funds mainly rely on the government's financial investment and is a single source. How to protect and expand the sources of school-enterprise cooperation funding through legal channels, and the following questions worth thinking about: how to implement the policy of tax reduction for the enterprises participating school-enterprise cooperation, how to protect the funds earmarked for university-enterprise cooperation through legal channels, what kind of laws or policies be made to attract social folk capital investment, etc.. To solve the problem of school-enterprise cooperation funds source shortage is an effective way to guarantee the development of vocational education. Vocational education school-enterprise cooperation is carried out in a certain development mode of social economy. The transformation of economic development mode requires the transformation of the cultivation of talents of vocational education. Vocational education school-

enterprise cooperation. How to promote the cultivation of talents to adapt to the change of the mode of economic development through legal channels, and how to ensure that the trained talent can be accepted by the society through legal channels. From a legal perspective, this is an issue that vocational education school-enterprise cooperation should think about when facing the socio-economic development. Simultaneously, we also should think about the adjustment of economic structure, industrial structure and urban and rural regional structure, what kind of law should be developed to make vocational education school-enterprise cooperation to deal with a variety of socio-economic development of the structural adjustment?

(c) The issue about the social demand in the implementation of vocational education school-enterprise cooperation law.

Due to the development of vocational education in itself is affected by many factors. Sometimes, the effect of the vocational education related law implementation may have nothing to do with the vocational education itself, but the influence of the other outside factors. What factors can be included for studies, and what factors can affect the achievement of vocational education school-enterprise cooperation law, in addition, we should also consider the way of influence or the degree of influence of different factors, these will affect the achievement of the implementation of school enterprise cooperation law, however, how to implement the vocational education school-enterprise cooperation law will achieve the desired effectiveness. The achievement of the implementation of school enterprise cooperation law needs an evaluation criterion. If reaching the criterion means that the implementation of the school-enterprise cooperation law, but it is difficult to make the criterion, because making the criterion need to consider many factors, which variables are selected as the influence factors of the criterion that need to weigh the pros and cons of various factors. Among them, the social demand is an important factor in the process of the implementation of school-enterprise cooperation law, but lacks the necessary consideration for it. The relevant legislation of school-enterprise cooperation doesn't consider the social requirement of the law, and don't consider the acceptance of people in the process of implementation, therefore, to some extent, they will affect the implementation of school-enterprise cooperation law.

(d) The issue about legal supervision and accountable mechanism of vocational education school-enterprise cooperation.

Generally speaking, the power of the implementation of law mainly comes from the rationality of law. If a legal system is reasonable in design, and it is natural to be able to get people to agree, in addition, people will consciously obey the law system. However, the

law would prove the existence of certain leaks and shortcomings of itself if it can not be implemented. One important reason why some relevant laws on cooperation between vocational education school-enterprise can't be effectively implemented in practice is that the law lacks some items of supervision and accountability. On one hand, as the lack of superintendent and supervision means, laws on school-enterprise cooperation will be unsupervised in its implementation, and the problems wouldn't be promptly resolved. As a result, the effect of school-enterprise cooperation would be affected; on the other hand, the quality of law enforcement has significant relationships with accountability. To strengthen the clarity of accountability in legal norms will help the law be well implemented. The main purpose of the clarity is to get the responsibility clarified and undertaken, and more importantly, it could promote the implementation of the law. However, laws on school-enterprise cooperation do not specify the behavior responsibility of the implementers, so the law can't hold his/her accountability when he/she does not assume corresponding obligation, which results in arbitrary behavior and implementers doing things without considering the consequences.

3. REFERENCE AND INSPIRATION OF COOPERATION BETWEEN VOCATIONAL EDUCATION SCHOOL AND ENTERPRISE IN DEVELOPED COUNTRIES

School-enterprise cooperation, this term is originated in the United States. This country enacted a series of laws to ensure the successful implementation of vocational education. 1862's "Morrell Act" is the first vocational education bill in the history of American education legislation. In 1963, the Congress passed the "Vocational Education Law" marks the formation of the American system of vocational education, and it is "a new era of vocational education". In 1983, the "Employment Training Partnership Act" passes, which mean more power be decentralized to vocational training. In 1990 President George W. Bush signed the "Carl D. Perkins Vocational and Applied Technology Act", which proposed the integration of general education and vocational education, and strengthen ties between the school and the workplace. There are other laws provide that companies need to participate in vocational education, and they are "Vocational Education law", "From school to Employment Act", "2000 Target - American Education Act" and "School & Work Multi-channel Bill". Meanwhile, in order to ensure the smooth implementation of vocational education, the US government makes a series of educational legislation. In 1862 the United States promulgated nearly 30 bill for various problems that may arise in the development of vocational education, which

effectively led the healthy development of American higher vocational education, such as on the use of funding for education, every Vocational Education Act in the United States provides for very detailed rules in the amount, purpose, distribution and supervision.

Development of vocational education in Germany employs a model of “dual system”, which emphasizes the close cooperation between schools and enterprises, and “its purpose is to equip young people with necessary skills and capabilities to complete tasks in the changing occupational environment via providing them basic training”. The development of vocational education in Germany relies on a complete legal system. “the Federal Vocational Education Act”, implemented in Germany in 1969, is the most basic and the most authoritative regulations; it is also the main legal basis of the “dual system”. In 1981, Germany promulgated the “Federal Vocational Education Promotion Law”, and in 2005, to make timely supplement, adjustment and revision, it promulgated a new “Federal Vocational Education Act,” which, according to the new economic situation, took the initiative to deal with the challenges of the new century and let the vocational education meet the needs of society as well as individual needs. Meanwhile, it ensures the enterprises can legally participate in vocational education, and effectively safeguard the smooth development of school-enterprise cooperation.

“TAFE” in Australia is short for The College of Technical and Further Education. It is the main carrier of Australia’s cooperation between vocational education and enterprise. “TAFE” College plays an important role in the development of Australian vocational education school-enterprise cooperation. In the process of the cooperation in Australia, the federal government and the states to establish a close relationship: through the enactment of state laws & policies, and the establishment of industry-education training institutions, the federal government and the states strengthen the guidance of school-enterprise cooperation. After the 1990s, during the developing and changing of Australian vocational education system, the federal government and the states have had more effective cooperation and communication, which overcome the drawbacks- the states take control of vocational education. The federal government increasingly plays a regulatory and integrating role in the process, which provides a great impetus to promote the development of vocational education and school-enterprise cooperation. Importantly, Australia pays attention to the cultivation and training of people training. It established a core institution of vocational education and training in 1992 - Australia National Training Agency (ANTA). The federal government and the states reached a “ANTA agreement”, whose main purpose is to promote the unified national vocational education and training (VET) system, to close the relationship between industry and VET providers, to

promote the formation of effective training market, to help to bring about the formation of an effective VET funding networks, and to strengthen the links between secondary education, higher education, vocational education and training (VET), etc..

From the legislation of vocational education school-enterprise cooperation in Germany, the United States, Australia and other countries, we could know that the development of the cooperation is inseparable from the following points: First, there must be a complete legal system of vocational education. All the developed countries have paid great attention to vocational education legislation, insist on government leadership in the legislative process, so that legislation can effectively promote school-enterprise cooperation, and enterprises can actively participate in school-enterprise cooperation; secondly, the law clearly defines the responsibility and rights of each beneficiary party in vocational education school-enterprise cooperation. In well-developed countries, the responsibilities, rights and obligations of government, enterprises, and schools or other school subjects are all clearly defined in the laws; and finally, the developed countries highlight the supervision and management of vocational education school-enterprise cooperation. The contents on cooperation are clearly defined, and accompanied by corresponding sanctions.

4. PROPOSALS FOR LEGISLATION OF VOCATIONAL EDUCATION SCHOOL-ENTERPRISE COOPERATION IN CHINA

(a) “win-wins” is the driving force of running laws of vocational education school - enterprise cooperation. And to achieve “win-wins” between the beneficiary parties in the cooperation, the guarantee and coordination of the laws and legal systems is needed.

German make the “dual system” as the subject of vocational education in legal system, which is made of two parts, one is Law enacted by the Parliament (including state parliament) in the legislative authority, another one is the laws regulations and agreements promulgated by the relevant specialized units (including the State Department of Education) within administrative privileges. Perfect laws and regulations ensure the development of vocational education school-enterprise cooperation. Therefore, perfect, especially specific laws, policies, systems concerning vocational education school-enterprise cooperation is an important guarantee for the promotion of vocational education in the smooth development of school-enterprise cooperation. There are Multi-stakeholders in the process of vocational education school-enterprise cooperation, The main way of the interests of redistribution is to be standardized by the law and policy, making the rights, obligations and responsibilities of

school-enterprise cooperation stakeholders governments, businesses, schools, teachers and students to be borne clarity, therefore, based on the analysis on the legal relationship of the different modes, focusing on how to use legal means and policies to achieve the rights of all stakeholders and the redistribution of duties, making legal responsibilities of each stakeholder should bear, so as to effectively promote the development of deep cooperation between schools and enterprises.

(b) Attract economic investment of vocational education school-enterprise cooperation and protect the physical environment of vocational education school-enterprise cooperation.

Since the 1980s school-enterprise cooperation has made rapid progress in the United States, thanks to tax relief financial subsidies and special funds to support by federal government and state government, in addition more companies realize the school-enterprise cooperation can discover and cultivate excellent future employees, the development of China's vocational education school-enterprise cooperation should create conditions from the following aspects: First, establish a stable financial investment mechanism, guarantee adaption between the funding investment and the development of vocational education, rationally adjust the proportion of vocational education funding; Second, make of regulations, policies, and actively participate in vocational education for school-enterprise cooperation corporate tax breaks, subsidies, encourage businesses invest funds for vocational education. Third, account ability that all levels of government should undertake vocational education, according to the size of the responsibility to share the development funding of vocational education; Fourth, establish a special fund to protect the physical environment of school-enterprise cooperation in vocational education, achieve earmarking. Fifth, attract private capital investment, encourage the community actively involved in the development of school-enterprise cooperation in vocational education.

(c) Pay attention to cultivate legal awareness of vocational education school-enterprise cooperation, meet the social needs implementation of vocational education school-enterprise cooperation.

Legal awareness is the sum of people's awareness, understanding, valuation, and other consciousness phenomena of existing laws and legal phenomena in certain historical conditions. It embodied awareness of the legal requirements of a variety of legal acts and their rights and obligations. Vocational education school-enterprise cooperation foster awareness of the law depending on a certain rule of law, School-enterprise cooperation can accord to the law, the management, in the process of vocational education school-enterprise cooperation can know, understand, law-abid. The fostering awareness of the law Vocational education school-

enterprise cooperation will help to meet the social needs of school-enterprise cooperation in law enforcement, facilitating to the depth carries out school-enterprise cooperation. Social needs of school-enterprise cooperation in vocational education laws is unperfected performance of the current school-enterprise cooperation law, with the continuous improvement of people's legal awareness, will also increase the legal awareness and the understanding level of school-enterprise cooperation, further support the implementation of the law school-enterprise cooperation, Thus create a favorable external environment for the development of vocational education school-enterprise cooperation.

(d) Building multivariate supervision environment about vocational education school-enterprise cooperation, constructing information disclosure mechanism for vocational education school-enterprise cooperation.

Building multivariate supervision environment and constructing information disclosure mechanism about vocational education school-enterprise cooperation is effectively to promote the further development of vocational education school-enterprise cooperation. They can develop some issues existing in the process of vocational education school-enterprise cooperation, then they can solve these issues. First of all, the building of multivariate supervision environment is a multi-body joint supervision, and Government departments at all levels should set up a special agency that is responsible for managing the school-enterprise cooperation in vocational education, besides, it can supervise, evaluate, check before acceptance school-enterprise cooperation's work. At the same time, it can attract the relevant enterprises, occupation colleges, social people from all walk of life to participate in school-enterprise cooperation, and it can comprehensive supervise the implementation of the vocational education school-enterprise cooperation. Secondly, the construction of information disclosure mechanism about vocational education school-enterprise cooperation should be performed by a variety of ways, such as networks, media, TV etc., because they can allow the social from all walks of life understand the development of vocational education school-enterprise cooperation, and support vocational education school-enterprise cooperation, more importantly, they can let the occupation colleges and enterprises learn more about the information of current school enterprise cooperation for cooperation.

CONCLUSION

School-enterprise cooperation serves as an important way to reform and develop vocational education, it has a certain significance for the construction of Chinese modern vocational education system. But from the overall level of Chinese vocational education school-enterprise cooperation, there are several major legislative issues.

From the legislation of vocational education school-enterprise cooperation in Germany, the United States, Australia and other countries, we could know that the development of the cooperation is inseparable from the following points: first, to achieve “win-wins” between the beneficiary parties in the cooperation, the guarantee and coordination of the laws and legal systems is needed. Second, attract economic investment of vocational education school-enterprise cooperation. Third, pay attention to cultivate legal awareness of vocational education school-enterprise cooperation. The last, build a multivariate supervision environment for vocational education school-enterprise cooperation and construct an information disclosure mechanism for vocational education school-enterprise cooperation.

REFERENCES

- Clark, L., et al. (1994). Politico-economic aspects of vocation: The federal republic of Germany and Great Britain compared. *Zeitschrift fur Padagogik*, (3).
- Hippach-Schneider, U., Woll, C., & Georg, H. (2008). Germany VET policy report. *Bonn: BIBB*, (7), 5. Retrieved from http://www.bibb.de/dokumente/pdf/Policy_Report_Germany_Screen_en.pdf, 2009-6-2.
- Howard, R. D. (1999). *The history and growth of vocational education in America*. Boston: Allyn and Bacon.
- Kell, A. (1995). *Organisation, recht und finanzierung der berufsbildung*. In R. Arnold & A. Lipsmeier (Hrsg.). *Handbuch der Berufsbildung*. Opladen.
- Knight, B., & Mlotkowski, P. (2009). *An overview of vocational education and training and its links to the labor market*. Retrieved from <http://www.ncver.edu.au/publications/2117.html>
- Laanan, F. S. (1995). *Community college as facilitators of school to work* (pp.55-62). Los Angeles CA: ERIC Clearinghouse for Community Colleges.
- NCVER. (2001). *The development of TAFE in Australia* (3rd ed., p.85). The History of VET.
- Rauner, F., & Maclean, R. (2008). *Handbook of technical and vocational education and training research*. Springer-Verlag New York Inc.