

Exploring Pathways for the Implementation of Educational Disciplinary Authority

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Abstract: Educational disciplinary authority is an important power for schools to maintain educational order and promote the healthy development of students. The publication of documents such as the “Interim Rules on Educational Discipline in Primary and Secondary Schools” has clarified the requirements for educational disciplinary authority, but its implementation still faces numerous challenges. This article addresses the current issues and proposes pathways to promote the lawful and effective implementation of educational disciplinary authority, thereby fostering a healthy educational ecosystem.

Keywords: Educational Disciplinary Authority, Implementation Challenges, Breakthrough Pathways, Laws and Regulations.

1. Introduction

Educational disciplinary authority refers to the power to correct and rectify students' improper behavior, such as violations of rules and regulations. It is an essential means for regulating school educational and teaching order and fostering students' character and habits. In 2021, the “Interim Rules on Educational Discipline in Primary and Secondary Schools” was first promulgated, which stipulated educational discipline from the perspectives of content, scope, rules, and procedures, elevating it to the legal level.[2]

2. Existing Issues in the Implementation of Educational Discipline Authority

2.1. Ambiguous Legal and Regulatory Definitions

Currently, there are no clear provisions regarding the content, scope, or specific methods of educational discipline. For example, the “Interim Rules on Educational Discipline in Primary and Secondary Schools” does not provide specific provisions on the content and methods of educational disciplinary measures such as “admonishment,” “reprimand,” and “punishment.” The unclear definition of educational disciplinary authority leaves teachers without legal protection, leading to uncertainty and reluctance among teachers regarding the exercise of “educational disciplinary authority”. [5]

2.2. Lack of Supervision Mechanisms

Currently, the exercise of educational disciplinary authority lacks a sound and effective supervision mechanism. Schools' supervision of teachers' disciplinary actions often takes the form of superficial procedures, failing to establish a routine, institutionalized supervision mechanism. Meanwhile, parents and society have limited avenues for supervising educational disciplinary actions, and there are few effective supervision methods or channels, making it difficult to conduct comprehensive and objective supervision.

2.3. Limited Disciplinary Methods

In actual educational practice, many teachers still rely on

relatively limited disciplinary measures, primarily traditional methods such as verbal criticism, standing as punishment, and probation. These methods lack clear objectives and fail to adequately consider individual differences among students or the nature and severity of specific violations. For more complex and challenging behavioral issues, relying solely on punishment is unlikely to achieve thorough correction.

2.4. Constraints of Traditional Concepts

Under the influence of traditional educational concepts, some teachers equate educational discipline with punishment, and confuse it with corporal punishment or indirect corporal punishment, leading to misconceptions about “corporal punishment.” [3] This results in teachers lacking confidence when exercising their disciplinary rights, fearing criticism or punishment for inappropriate disciplinary actions, and thus hesitating to exercise their authority. Meanwhile, some parents also hold misconceptions about educational discipline, overly protecting their children and believing that all forms of punishment infringe upon children's rights. They assume that any punishment imposed by teachers will inevitably lead to conflicts between parents and teachers.

2.5. Lack of Home-School Collaboration

The effective implementation of educational discipline rights relies on close collaboration between homes and schools. However, in practice, some parents have misconceptions about educational discipline rights and question the exercise of teachers' disciplinary authority. [4] When teachers punish students, some parents often focus on the punishment the child receives, ignoring the nature of the mistake the child made, and question or even obstruct the teacher's disciplinary actions, which puts significant pressure on teachers and makes it difficult for them to effectively exercise their disciplinary authority.

3. Pathways to Overcome the Challenges in Implementing Educational Disciplinary Authority

3.1. Improving the Legal and Regulatory Framework

The legislative department should further refine the relevant laws and regulations concerning educational

disciplinary power, clearly defining the connotation, scope, implementation methods, procedures, as well as the rights and obligations of teachers and students. In the specific implementation rules, different forms of punishment should be clearly stipulated, providing a clear and specific operational guideline for teachers to exercise their educational disciplinary power, thereby reducing the space for teachers' discretionary actions and minimizing the risk of improper punishment due to unclear laws and regulations. At the same time, efforts should be made to enhance the publicity and interpretation of laws and regulations related to educational discipline, enabling teachers, parents, and students to have a comprehensive understanding of the legal knowledge of educational disciplinary power, improving their legal awareness, and ensuring that educational disciplinary power operates within the framework of the rule of law. In light of the current social situation, educational punishment should be brought under the rule of law. [1]Meanwhile, provisions in laws such as the Compulsory Education Law, the Law on the Protection of Minors, and the Teachers Law that prohibit corporal punishment or disguised corporal punishment should be in line with the Basic Law. Schools at all levels should incorporate disciplinary provisions into their school regulations in accordance with relevant national laws, making the disciplinary provisions in school regulations more specific and "localized".

3.2. Establishing and Improving Supervision Mechanisms

Schools should establish a comprehensive internal supervision mechanism and form a dedicated educational disciplinary supervision group composed of school leaders, teacher representatives, parent representatives, and student representatives. The responsibility of this group is to conduct regular or irregular spot checks on teachers' educational discipline and promptly identify and correct unreasonable disciplinary actions. [7]Additionally, channels for parental and societal supervision should be established, along with dedicated hotlines and email addresses, enabling parents and the broader community to monitor and report on teachers' disciplinary actions.

3.3. Diversify and Innovate Disciplinary Methods

In educational settings, teachers should adopt diverse and targeted disciplinary measures tailored to the nature and severity of students' violations. In addition to verbal reprimands, new disciplinary methods may be explored, such as having students write self-reflection essays, conducting themed class meetings to discuss the consequences of disciplinary violations, or participating in community service activities to cultivate a sense of social responsibility. When imposing disciplinary measures, it is important to communicate and understand the students' true thoughts and feelings, helping them recognize their mistakes and be willing to correct them. Teachers should also adjust their disciplinary measures based on the students' corrective behavior, providing appropriate praise and affirmation to help them develop good behavior and values.

3.4. Strengthen Teacher Ethics and Professional Competence Training to Enhance Teachers' Professional Competence in Implementing Educational Disciplinary Measures

Schools should establish a multi-level, comprehensive teacher training system. Especially after the formal implementation of the "Rules," specialized training should be conducted on its nature, principles, and specific implementation methods to enhance teachers' correct understanding and application of educational discipline. On one hand, within the scope permitted by law, teachers should actively exercise their disciplinary authority in accordance with their responsibilities, avoiding the misclassification of certain illegal behaviors as "abuse" or the demonization and "reluctance to use" of legitimate disciplinary methods. On the other hand, when implementing educational discipline, teachers should consider the educational needs of students, focusing on their comprehensive and healthy development. They should combine an assessment of the harmfulness of student behavior with an understanding of their psychological development level to impose selective and appropriate disciplinary measures.[6]

3.5. Strengthen the Home-school Cooperation Mechanism

Schools should establish and improve home-school communication and coordination mechanisms to strengthen daily communication with parents. Before implementing educational discipline, teachers should promptly communicate with parents, explain the student's misconduct and the proposed disciplinary measures, and seek parents' opinions and suggestions. During the implementation of disciplinary measures, teachers should closely monitor changes in the student's emotions and behavior and promptly provide feedback to parents. After disciplinary measures are implemented, teachers should collaborate with parents to monitor the student's improvement, providing necessary encouragement and guidance. Additionally, through parent-teacher meetings, parent committees, and other channels, schools should convey correct educational concepts and methods to parents, helping them recognize the importance and necessity of educational disciplinary authority, and actively cooperate with schools and teachers in educational work to jointly promote the healthy development of students.

4. Conclusion

Educational discipline is a significant driver of the educational ecosystem. It serves as both a stabilizer for school education and teaching order and a booster for students' all-round development in terms of cognition, behavior, and emotion. It not only restrains people's actions but also nourishes their souls, laying a solid foundation for shaping the rule awareness, responsibility awareness, and sound personality of well-rounded citizens in the new era, thereby promoting the better and more reasonable development of the entire educational ecosystem. Teachers must exercise this power correctly based on educational regulations. The education administrative department needs to define boundaries, provide institutional innovation for practical guarantees, and ultimately form a school educational discipline ecosystem that is "with a bottom line, wisdom, and

sentiment". The rigidity of law and the softness of education, under the rule of law, educational discipline can truly become the "navigation instrument" and "beacon" for students' growth and success.

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