

Research on the Cooperative Mechanism of Administrative Law Enforcement and Supervision in the Stage of Compulsory Education

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doi:10.56397/JARE.2025.03.05

Abstract

Against the backdrop of the Chinese government's advocacy for establishing a collaborative mechanism between educational administrative law enforcement and educational supervision, this article examines the current state of these two domains. The study identifies several issues, including ambiguous responsibilities, mutual buck-passing, and a lack of coordination. The author argues that it is essential to clarify the concepts of educational administrative law enforcement and educational supervision at the compulsory education stage and to delineate the relationship between them. This clarity is crucial for constructing an effective collaborative mechanism for educational administrative law enforcement and supervision at the basic education stage.

Keywords: educational administrative law enforcement, educational supervision, coordination mechanism

1. Introduction

This research primarily focuses on administrative law enforcement and supervision in education during the compulsory education stage, a focus driven by China's unique national context. China implements a nine-year compulsory education system, which distinguishes this stage of education from higher education or vocational education. The mandatory nature of compulsory education underscores the critical role of administrative law enforcement in education and enhances the feasibility of establishing a collaborative working mechanism between educational administrative law enforcement and

supervision.

Regarding the development of a collaborative mechanism between educational supervision and administrative law enforcement at the compulsory education stage, existing research primarily addresses the following aspects:

Connotation and Theoretical Foundation: Studies have clarified the functional roles of educational supervision and administrative law enforcement, emphasizing that the core of the collaborative mechanism lies in resource integration and the formation of a unified effort. The theoretical underpinnings include collaborative governance theory and public

management theory.

Necessity and Practical Significance: Research highlights that the collaborative mechanism is essential for addressing the issue of “fragmented governance” in educational supervision and administrative law enforcement. It also contributes to improving the efficiency of educational governance and ensuring equity and quality in education.

Current Challenges and Issues: Studies reveal that the current collaborative mechanism faces several challenges, including unclear responsibilities, ineffective communication, limited information sharing, and inadequately defined laws, regulations, and operational frameworks.

Pathways and Strategies for Improvement: Research proposes several strategies, such as enhancing laws and regulations, optimizing organizational structures, promoting information sharing, strengthening professional development, and fostering innovative collaborative approaches. Additionally, it explores new models, such as joint law enforcement initiatives and specialized supervision programs.

Case Studies and Practical Insights: By analyzing both domestic and international case studies, the research identifies successful practices within collaborative mechanisms, offering valuable insights for practical implementation.

In summary, existing research provides a solid theoretical foundation and practical guidance for constructing an effective collaborative mechanism. However, further advancements are needed in areas such as legal frameworks, mechanism innovation, and capacity building to address existing gaps and enhance overall effectiveness.

2. Review of Relevant Research

Regarding the construction of a coordination mechanism between educational supervision and administrative law enforcement at the basic education stage, existing research primarily focuses on the following aspects:

Connotation and Theoretical Basis: Research clarifies the functional roles of educational supervision and administrative law enforcement, emphasizing that the core of the coordination mechanism lies in integrating resources and forming a unified effort. The theoretical

foundations include collaborative governance theory and public management theory.

Necessity and Practical Significance: Studies highlight that the coordination mechanism is essential for addressing the issue of “fragmented governance” between educational supervision and administrative law enforcement. It also contributes to improving the efficiency of educational governance and ensuring equity and quality in education.

Current Status and Challenges: Research reveals that the current coordination mechanism faces challenges such as unclear responsibilities, ineffective communication, insufficient information sharing, and inadequately defined laws, regulations, and operational frameworks.

Pathways and Strategies for Improvement: Research proposes strategies such as improving laws and regulations, optimizing organizational structures, enhancing information sharing, strengthening team capacity, and innovating collaborative approaches. Additionally, it explores new models, including joint law enforcement initiatives and specialized supervision programs.

Case Studies and Practical Insights: By analyzing domestic and international case studies, research summarizes successful practices of coordination mechanisms, providing valuable references for practical implementation.

In summary, existing research offers theoretical support and practical guidance for constructing an effective coordination mechanism. However, further advancements are needed in areas such as legal frameworks, mechanism innovation, and capacity building to address existing gaps and enhance overall effectiveness.

3. Significance of the Study

Theoretical significance: Educational supervision is an important part of educational management and one of the basic educational systems stipulated in the Education Law of the People’s Republic of China. However, the educational supervision system in China has a short history and its development is relatively backward. The function of educational supervision in supervising the implementation of educational policies and improving the quality of education and teaching has not been effectively played. The authority of educational supervision is not enough, and the results are

not fully used, which can not fully adapt to the requirements of educational reform and development in the new era. In recent years, the domestic research on the administrative enforcement of basic education and educational supervision mainly focuses on their respective functional positioning, role playing and other aspects, and the research on the synergistic mechanism of the two is relatively few. This study can make up for this deficiency to some extent.

Practical significance: The research on the cooperative mechanism of educational supervision and educational administrative law enforcement is an innovative exploration to deepen the reform of educational administrative law enforcement and educational supervision system, and is of great significance to the realization of governing education according to law. First, it is conducive to deepening the modernization of education governance system and governance capacity. Through the construction of collaborative mechanism, we can effectively integrate educational resources, improve the efficiency and effect of educational management, and promote the sustainable and healthy development of education. Second, it is beneficial to optimize the allocation of educational resources and improve the quality of education. Through the collaborative mechanism, the problems in education can be found and solved in time, the improvement and innovation of education and teaching can be promoted, and the quality and efficiency of education can be improved. Third, it is conducive to promoting the process of the rule of law in education and ensuring the fairness of education.

4. Definition of Core Concepts and Analysis of the Relationship Between Them

4.1 Education Administrative Law Enforcement

Basic education administrative law enforcement: From a broad point of view, educational administrative law enforcement generally refers to all educational administrative activities. Educational supervision refers to the activities of supervisory bodies and supervisory personnel to implement and enforce educational laws and regulations in accordance with legal authority and procedures. From this perspective, educational supervision can be incorporated into the broad concept of educational administrative law enforcement. Therefore, the

educational administrative law enforcement discussed in this paper is the narrow sense of educational administrative law enforcement. That is, the administrative fact behavior, specifically refers to the state administrative organs and their staff in the field of basic education, according to law, the supervision and management of educational activities, administrative punishment and other administrative law enforcement behavior.

4.2 Educational Supervision

Educational supervision refers to the activities of people's governments at or above the county level and their educational supervision institutions to supervise, inspect, evaluate and guide the educational work of people's governments at lower levels, educational administrative departments and schools. Therefore, the basic functions of educational supervision can be summarized into two aspects, namely supervision and guidance.

4.3 Coordination Mechanism

Coordination mechanism refers to a coordination and cooperation working mechanism established between different subjects to achieve common goals. In the field of basic education, the coordination mechanism mainly involves the coordination and cooperation between administrative law enforcement and educational supervision.

4.4 Collaborative Governance Theory

This theory emphasizes coordination and cooperation among different subjects to achieve common goals. This study will draw on the theory of cooperative governance to explore the cooperative mechanism between administrative enforcement and educational supervision in basic education. Education policy implementation theory: This theory focuses on how education policies are effectively implemented, including policy formulation, policy implementation, policy evaluation and other links. This study will use the theory of educational policy implementation to analyze the role of basic education administrative law enforcement and educational supervision in policy implementation and their collaborative mechanism. Rule of law education theory: This theory emphasizes the rule of law, standardization and specialization of education, and requires legal conduct and administration in educational activities. Based on the theory of rule of law education, this study will explore the

role of basic education administrative enforcement and education supervision in the process of promoting the rule of law of education and their collaborative mechanism.

At present, the education administrative departments of various provinces and cities in China have published lists of administrative powers, which specify what the government should and should not do according to the rule of law concept of “not authorized by the law, legal duties must be done, and anything prohibited by the law can be done”. The author believes that the construction of educational supervision and educational administrative law enforcement coordination mechanism can be carried out based on the list of administrative powers. Educational administrative law enforcement is in accordance with the list of powers, the use of compulsory, punishment and other “rigid” management measures, law enforcement focuses on the post-incident supervision, law enforcement agencies in schools and other educational institutions after the problem with “rigid” law enforcement measures to solve. The supervision focuses on the prevention and discovery of problems in advance, and adopts more “soft” measures such as consulting, explanation, investigation and suggestion. Through the daily supervision and professional guidance of the supervised units through education and supervision, a normal risk prevention mechanism is established, the threshold of risk prevention and control is moved forward, and the problems arising in the supervision process are “early detection, early warning and early treatment”.

5. Establish a Coordination Mechanism Between Educational Supervision and Educational Administrative Law Enforcement

To construct the coordination mechanism of educational supervision and educational administrative law enforcement in the stage of basic education, we can start from the following aspects:

5.1 Analysis Based on the Division of Responsibilities Perspective

Laws and regulations on compulsory education should be further improved, and the legal basis for supervision and administrative law enforcement should be clarified. Formulate specific operational norms for collaborative work to ensure that there are rules to follow. Now the government has published a list of

administrative law enforcement powers at the compulsory education stage on its official website. This list helps to clarify the division of responsibilities in the enforcement and supervision of education administration. Education supervision is mainly responsible for monitoring, evaluating and guiding the quality of education and teaching in schools to ensure the implementation of education policies. Education administrative law enforcement is mainly responsible for investigating and dealing with illegal acts in the field of education according to law and maintaining education order. The two should clarify the boundaries of their respective responsibilities and avoid overlapping or gaps in their functions.

5.2 Analysis Based on Information Sharing Perspective

A unified information sharing platform can be built. The platform facilitates the timely exchange of supervisory and enforcement information, ensuring that both sides are up-to-date. The problems found by the supervision can be timely fed back to the law enforcement department through the platform, and the results of the law enforcement department should also be fed back to the supervision organization, so as to facilitate the supervision workers to urge the later rectification. A system of regular joint meetings may be established. This system facilitates enhanced work communication, regular discussion of major issues, and coordinated action. Joint working groups may be set up to address complex issues in a coordinated manner. Administrative law enforcement completes the rigid enforcement and punishment of violations, while educational supervision completes the flexible actions of “assessment”, “feedback”, “supervision” and “guidance”. A monitoring and evaluation mechanism can be established to regularly check the implementation of the coordination mechanism. Ensure the effectiveness and fairness of the coordination mechanism through third-party evaluation. Digital supervision platforms can be established, and technological means such as big data and artificial intelligence can be used to enhance the efficiency of supervision and law enforcement. Through data analysis, we can provide early warning of potential problems before they happen.

5.3 Analysis Based on Joint Meeting System Perspective

A regular joint meeting system can be established to strengthen work communication, regularly discuss major issues and coordinate actions. Joint working groups may be set up to address complex issues in a coordinated manner. Administrative law enforcement completes the rigid enforcement and punishment of violations, while educational supervision completes the flexible actions of “assessment”, “feedback”, “supervision” and “guidance”.

5.4 Analysis Based on Social Participation Perspective

From the perspective of social participation. Staff organizational ability training should be regularly conducted to enhance the professional ability of supervision and law enforcement personnel, and to help workers further understand the legal nature of cooperation between education supervision and education administrative law enforcement. Training should cover educational policies, laws and regulations, and collaborative work processes. Social forces such as parents and communities should be encouraged to participate in supervision and provide feedback in a timely manner. The necessary administrative powers can establish a reporting mechanism to facilitate timely handling of problems reported by the public. At the same time, the media should strengthen the publicity of the collaborative work mode of education supervision and education administrative law enforcement to enhance public awareness. Regular work reports will be issued to enhance transparency and enhance credibility.

6. Conclusion

Educational supervision and educational administrative law enforcement bear their respective responsibilities, and both have independent existence value, and they can neither replace each other nor combine into one. In the stage of compulsory education, the coordination between educational supervision and administrative law enforcement can be based on specific administrative law enforcement powers. Through information sharing, joint law enforcement, strengthening supervision and other means to establish a collaborative work mechanism to reduce unnecessary administrative interference on law enforcement targets. Through education and supervision, non-compulsory means such as guidance, suggestion and advice are adopted to

innovate administrative law enforcement methods and help administrative counterparts to actively abide by the law. Use the “rigidity” of law enforcement to guarantee the “flexibility” of educational supervision.

Acknowledgments

This work is supported by Chongqing Education Science Planning Project in 2024: “Research on the Collaborative mechanism of Basic Education Administrative Law Enforcement and Education Supervision” (NO: K24YB6020014). The authors are also grateful to the reviewers for their critical review.

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