

Current situation and identified problems of legal competence of school principals: on the example of Tashkent region

Yusupova Dilnoza Fayzullaevna

Scientific Research Institute Named After A. Avloni
Institute of Basic Doctoral Studies

Abstract. The article analyzes the foreign experience in the field of legal competence of school principals, the current state of the legal competence of school principals in the Fergana region. Also, based on the analysis of the appraisal indicators, the initial problems were identified and scientific hypotheses about the development of the legal competence of school principals were developed.

Keywords: Legal knowledge (competence), legal literacy, legal culture, work with legal documents, legal awareness, healthy environment, rights and obligations.

Foreign trends in legal literacy of school principals

In the experience of developed foreign countries, it is important that school principals have a high level of legal literacy. In particular, they are trained in legal training or in-service legal training in order to carry out management activities in a professional manner or to resolve various disputes arising from their activities.

How to develop or improve the legal competence of school principals is unique to each country in terms of its importance in governance.

In particular, in the Republic of South Korea, the powers of school principals in the labor relations process are limited to a certain extent. In this case, the teacher does not have the authority to dismiss or otherwise influence the violation of his rights. In this case, on the basis of community control, the labor relations of school teachers will be established in coordination with the Ministry of Education of Korea. Otherwise, these issues will be resolved by a court decision.

In Singapore, parents are also involved in the school decision-making process of school principals. Once approved for the position of school principal, they complete a two-year program at the School Principal Academy. In the first school year, they develop leadership skills and legal knowledge, and in the second year, they practice to learn how to manage schools. In addition, future leaders will be sent to foreign countries for 6 weeks. Principals are usually the first person teachers face in legal matters. School principals do not have to go to law school to exercise preventive law. Instead, a comprehensive school law course for each principal, regular updates on legal training, user-friendly resources, and a district legal adviser will be provided.

Legalization of education in Australian schools and. The legal risk strategy should be reflected in school policy and practice, and the legal knowledge of school principals is essential for the effective conduct of their work.

In Texas, USA, school principals are required to take a law course.

Tasmanian state school principals' external and internal legal environment of the schools in which they operate, the legal fields in which they operate, the existing legal training and development procedures, the legal knowledge and awareness of principals, and the existing legal support systems for them.

In New Zealand, school principals are required to have a clearly defined prevention program in place to address risk management issues, which reduces the risk factors that may occur in schools. Legally literate principals are able to effectively manage potential risks in their schools and can therefore effectively implement risk management practices. School principals do not have to go to law school to exercise preventive law.

Instead, each principal will receive a comprehensive school law management course, regular updates on in-service training, user-friendly resources, and a district legal advisor. Principals should rely on experience as a source of education law. Lack of legal literacy can lead to principals' reluctance to take risk management actions to minimize legal issues, which increases the likelihood that their schools will be prosecuted.

To prevent legal risk management, principals need to understand education law. Directors often draw on their expertise in resolving legal issues. Apparently, principals who are not based on educational legislation rely on "the experience they have gained over the years in their managerial and administrative roles to resolve legal issues" in their schools.

Current state of legal competence of school principals in Tashkent region and identified problems Resolution of the President of the Republic of Uzbekistan No. PK-5168 of June 29, 2021 "On measures to further improve the activities of legal services to government agencies and organizations." As of October 1, 2021, a total of 1,182 legal services have been reduced, and the number of vacancies has increased.

Of the 1,182 abbreviated legal services, 190 are legal services in the public education departments. In general, the reduction of staff is not directly in the interests of public education departments, but may lead to an increase in the number of violations in their jurisdiction, that is, to their detriment. This is due to the further development of sectoral legal professionals and the role of specialists in improving the legal framework in this area.

Accordingly, the reduction of legal staff will have a direct impact on the formation of the legal competence of the heads of general secondary education institutions.

Today, the most pressing issues for public education are the legal service and the development of specialized legal knowledge of public educators.

In particular, the most important issue facing secondary school principals is to develop their legal competence. Insufficient legal knowledge and practice of school principals has led to the study as a problem.

It is difficult for school principals to be effective in a system where misinterpretation of the law and blind violations of the law do not recur during their work.

At present, we analyze the issues related to the lack of legal competence of school principals and the commission of offenses by them in the example of Tashkent region.

During the period 2016-2020 (2 years) in Tashkent region, 66 violations were committed against school principals.

In particular,

In 2019, there were 3 criminal and 41 administrative offenses

In 2020, 22 administrative cases were reviewed and sentenced by courts.

The main offense among school principals is not their knowledge of the law, but their inadequacy or lack of skills in applying the law. Most of the offenses are related to official crimes, embezzlement. There is no clear classification of school principals' legal knowledge. Qualification of legal knowledge means the observance and application of legal norms in a conscious way in any process that may occur in the work of school principals.

From this point of view, the main part of the offenses is committed in the event of a conscious abuse of office or under the influence of local authorities. While general secondary education is subordinate to the Ministry of Public Education, it is administratively subordinate to local governments.

A survey was conducted in 8 districts of Tashkent region to determine the current state of legal knowledge of school principals and to study the impact of violations.

The results of experiments conducted in Tashkent region show the following indicators.

1. From what sources do you learn the legal knowledge necessary for the effective management of the school community?

Туманлар	Янги йўл		Чиноз		Чирчиқ		Бекобод		Бўка		Бўстонлик		Паркент		Ўрта Чирчиқ	
Мавжуд мактаб директорлари:	55		49		52		49		54		54		54		62	
Сўровномада иштирок этган мактаб директорлари:	55		49		52		49		54		54		54		62	
а) Адлия вазирлигининг ахборот тарқатиш манбаларидан (Lex.uz);	18	30.5	9	15	22	33	20	28.6	21	31.3	19	30.6	11	20	18	37.5
б) ХТВ ва бошқа юқори турувчи идоралар томонидан йўлланадиган норматив-ҳуқуқий ҳужжатлардан;	27	45.8	20	33.3	30	45.5	16	22.9	18	26.9	17	17.7	21	38.2	22	45.8
в) ОАВларидан ва матбуот саҳифаларида эълон қилинадиган қонунлар, қонун ости ҳужжатлар матни, уларга шарҳ ва махсус мақолалардан;	6	10.2	9	15	5	7.6	7	10	5	7.5	10	16.1	13	23.6	9	18.8
г) “Интернет” саҳифалари, ижтимоий тармоқлардан;	4	6.8	11	21.7	7	10.6	6	8.6	10	14.9	14	22.6	9	16.4	13	27.1

According to the first question, the largest number of school principals is in Yangi Yul district - 45.8% (27), Chinaz district - 33.3% (20), Chirchik district - 45.5% (30), Parkent district - 38.2% (21), Middle Chirchik district - 45.8% (22). School principals said they would learn from the Ministry of Public Education and other higher education institutions.

The results of the analysis show that most school principals in these areas do not have the skills to work with and be aware of legislative innovations, which are linked to regulatory documents from the Ministry of Public Education and other higher authorities.

That is why the performance of the National Legislative Database (Lex.uz) and the use of the Internet show the lowest level among directors. In particular, 28.6% (20) and 31.1% (21) of school principals in Bekabad and Buka districts independently increase their legal knowledge from the National Legislative Database (Lex.uz). 6.8% (4) of school principals in Beshariq district improve their legal literacy through the Internet.

In general, school principals have sufficient skills to increase their legal knowledge or to exercise their legal competence, mainly in relation to assignments from higher education institutions, but also to develop their legal competence independently of other sources.

2. Why do you think the legal knowledge and competence of today's school leaders is not up to standard?

Туманлар	Янги йўл	Чиноз	Чирчиқ	Бекобод	Бўка	Бўстонлик	Паркент	Ўрта Чирчиқ								
Мавжуд мактаб директорлари:	55	49	52	49	54	54	54	62								
Сўровномада иштирок этган мактаб директорлари:	55	49	52	49	54	54	54	62								
а) ўз соҳасига оид меъёрий-ҳуқуқий ҳужжатлар билан мунтазам равишда танишиб бормади;	18	30.5	15	25	18	27.3	12	17.1	17	25.4	19	30.6	11	20	22	45.8
б) ўз устида ишламайди, эски усулда ишлаш принципида қотиб қолган. Креативлик, янгиликка интилиш йўқ;	27	45.8	16	27	20	30.3	18	25.7	10	14.9	11	17.7	22	40	20	41.7
в) юқори турувчи раҳбарлар айтган чизиғидан чиқмайди, мустақил фикрга эга эмас;	6	10.2	11	18.3	9	13.6	8	11.4	7	10.4	10	16.1	13	23.6	9	18.8
г) ҳуқуқий билимларни ўрганишга вақт етарли эмас.	4	6.8	7	11.7	5	7.6	11	15.7	20	29.9	14	22.6	8	14.5	11	22.9

According to the second question, 29.9% (20%) of the largest number of Buka districts answered that school principals did not have enough time to study legal knowledge, 45.8% (27%) of Yangi Yul district, 26.7% (16%) of Chinoz district and 30.3% of Chirchik district. (20 units), Bekabad district 25.7% (18 units), Parkent district 40% (22 units) do not work on their own, are stuck in the old way of working, creative, do not strive for innovation. 30.6% (19%) of school principals in Bustonlik district do not regularly review the normative and legal documents in their field;

The results of the analysis show that the majority of school principals in these areas are busy with the tasks of senior leaders, do not have independent thinking or work on their own, have the old principle of work, are not creative, do not strive for innovation.

One of the main reasons for this is that the school is not functioning properly or that local authorities and higher-level organizations are interfering in the school's activities.

3. What types of rights do you think need to be studied more in the effective management of your leadership?

Туманлар	Янги йўл	Чиноз	Чирчиқ	Бекобод	Бўка	Бўстонлик	Паркент	Ўрта Чирчиқ
Мавжуд мактаб директорлари:	55	49	52	49	54	54	54	62
Сўровно мада иштирок этган мактаб директорлари:	55	49	52	49	54	54	54	62
А)Фуқаролик ҳуқуқи	18 30.5	15 25	18 27.3	12 17	17 25.4	19 30.6	11 20	22 45.8
Б)Иқтисодий ҳуқуқ	6 10.2	16 26.7	20 30.3	8 11.4	29 29.9	11 17.7	3 23.6	9 18.8
В)Меҳнат ҳуқуқи	27 45.8	11 18.36	9 13.6	18 25.7	7 10.4	10 10.4	22 40.2	4 1.7
Г)Маъмурий ҳуқуқ	4 6.8	7 11.7	5 7.6	11 15.7	10 14.9	4 22.6	8 14.5	11 22.9

According to the third question, the largest number is Buston district - 30.6% (19), Central Chirchik district - 45.8% (22). There is a need to study civil law in the district. In Buka district, 29.9% (20) school principals stated that there was a need to study economic rights. New Road District 45.8% (27), Bekabad District 25.7% (18 units), Parkent District 40% (22 units), Rishtan District 35.8% (24 units), Uch-Korpik District 34.5% (20 units), Middle Chirchik District 45.8% (22%) of school principals believe that there is a need to study labor law, while 6.8% (4) of Yangi Yul district and 7.6% (5) of Chirchik district school principals have a very low need to learn more about administrative law.

The analysis shows that the majority of school principals are more involved in the work of labor legislation, labor relations, as well as some relations of labor legislation are violated. In particular, non-compliance with the law in the conclusion of employment contracts with employees, forced

labor, non-compliance with working hours, errors in hiring or firing orders, collective bargaining in some schools, etc.

Therefore, according to the results of the survey, 4 out of 6 districts, most school principals need to increase their legal knowledge on the application of labor legislation in their work.

In addition, the provision of paid services to school principals is also developing, including the organization of extracurricular activities, the lease of vacant school buildings and other contractual relations

4. In what legal way did you resolve the situation with the employee in your work?

Туманлар	Янги йўл		Чиноз		Чирчиқ		Бекобод		Бўка		Бўстонлик		Паркент		Ўрта Чирчиқ	
Мавжуд мактаб директорлари:	55		49		52		49		54		54		54		62	
Сўровномада иштирок этган мактаб директорлари:	55		49		52		49		54		54		54		62	
А) Жамоа билан биргаликда кўриб чиқилган	14	23.7	11	18.3	20	30.3	20	28.6	20	29.9	18	29	11	20	22	25
Б) Қонуний чора кўрилган	26	44.1	15	25	19	28.8	17	24.3	18	26.9	11	12	21	38.2	0	0.0
В) Инсонийлик йўли билан ҳал этилган	9	15.3	17	28.3	6	9.1	7	10	7	10.4	22	40.3	13	23.6	29	31.3
Г) Бундай вазият фаволиятимни мураккаблаштиради.	6	10.2	6	10	9	13.6	5	7.1	9	13.4	9	14.5	9	16.4	11	14.6

On the fourth question, 28.3% (17) of Chinaz district, 40.3% (22) of Bustanlik district, 31.3% (29) of Orta Chirchik district answered that school principals would resolve disputes in a humane way, while 30% (30%) said that they would resolve disputes in a humane way. 28.6% (20) and 29.9% (20) of school principals in Bekabad and Buka districts say they will look into disputes with the community.

Conflict resolution requires communication skills, which is mainly a manifestation of the director's legal competence. Today it is a very important practical attribute for school principals who are professional in their work. It is important for the leader to be aware of and be able to explain the legal consequences that may arise in resolving disputes.

However, from the above point of view, a common approach from the social and humanitarian point of view is to ensure that leaders do not lack legal literacy or legal knowledge in order to solve problems and disputes legally.

5. Which items of the Resolution No. PK-3907 of August 14, 2018 do you fulfill in your organization? (compulsory labor, subscription, promotion)

Туманлар	Янги йўл	Чиноз	Чирчиқ	Бекобод	Бўка	Бўстонлик	Паркент	Ўрта Чирчиқ								
Мавжуд мактаб директорлари :	55	49	52	49	54	54	54	62								
Сўровномада иштирок этган мактаб директорлари :	55	49	52	49	54	54	54	62								
А) Ижроситўлиқ таъминланган	23	39	11	18.3	22	33.3	16	22.9	13	19.4	20	32.3	12	21.8	24	50
Б) Қисман таъминланган	21	35.6	19	31.7	15	22.7	20	28.6	19	28.4	18	29	18	32.7	22	45.8
В) Фақат 3.4.5.16-бандлари таъминланмоқда	7	11.9	9	15	5	7.6	8	11.4	8	11.4	11	32.3	13	14.6	9	18.8
Г) Маҳаллий ҳокимликлар томонидан мажбурий меҳнатга жалб этилмоқда	4	6.8	10	16.7	10	15.2	5	7.1	14	20.9	5	8.1	11	20	7	14.6

According to the fifth question, the largest number of school principals was in Chinaz district (31.7%), Chirchik district - 33.3% (22), Bustonlik district - 32.3% (20), and Middle Chirchik district - 50% (24).

In Buka district, 20.9% (14) of school principals report forced labor by local authorities.

Analysis of the results of the survey shows that the President of the Republic of Uzbekistan on August 14, 2018 "Measures to raise the spiritual, moral and physical development of young people, to raise their education system to a new level of quality." Despite the fact that recruitment is strictly prohibited, there are cases of local authorities forcing school principals to work outside the scope of their official powers.

This is due to the fact that school principals abuse their authority, do not know their rights and obligations, or deliberately violate the law, do not think about the consequences, are cold and irresponsible in their work.

It is the local authorities that are forcing school principals to take such action. Execution of the decision by them is not observed at all, and it is grossly violated.

When this situation is repeated among school leaders, an unhealthy internal environment, aimless and ineffective activities, conflict management, and a whole system of ineffectiveness emerge.

6. Did you have enough legal knowledge in the training system?

Туманлар	Янги йул		Чиноз		Чирчиқ		Бекобод		Бўка		Бўстонлик		Паркент		Ўрта Чирчиқ	
Мавжуд мактаб директорлари:	55		49		52		49		54		54		54		62	
Сўровномада иштирок этган мактаб директорлари:	55		49		52		49		54		54		54		62	
А) Ҳа, эга бўлдим	18	30.5	10	16.7	17	25.8	22	31.4	15	22.4	13	21	11	20	16	33.3
Б) Йўқ, эга бўлмадим	27	45.8	20	33.3	21	31.8	13	18.6	18	26.9	12	19.4	22	40	14	29.2
В) Қисман, эга бўлдим	6	10.2	9	15	5	7.6	8	11.4	7	10.4	5	8.1	13	23.6	18	37.5
Г) кўпроқ эга бўлишни хоҳлар эдим.	4	6.8	10	16.7	9	13.6	6	8.6	14	20.9	24	38.7	8	14.5	14	29.2

According to the sixth question, 32.6% (29) from Yangi Yul district, 31.4% (22) from Bekabad district did not have legal education, 20.9% (14) from Buka district, 29.2% (14) from Orta Chirchik district. 38.4% (24 of them) from Boston district said that they would like to have more legal education in the system of professional development.

These indicators also responded relatively. In general, there is no system of in-service training for school principals, which directly enhances their legal knowledge. In addition, clear standards for the legal knowledge of school principals have not been developed and their components have not been formed.

Therefore, at present, due to the lack of clarity in the scope of legal knowledge of school principals, there are problems with the need to develop their legal knowledge.

In particular, the management activities and powers of school principals, the processes involved with teachers or the relationships that may arise with students, all of which have not been clarified. Scientific assumptions on the development of legal competence of school principals

It is necessary to develop a clear classification that defines the legal knowledge of school principals. Qualification of legal knowledge means the observance and application of legal norms in a conscious way in any process that may occur in the work of school principals.

It is necessary to limit the influence of local authorities in order to prevent the conscious abuse of power, which is a major part of the offenses committed.

Most school principals are trained to work with and be aware of legal innovations based on legal documents from the Ministry of Public Education and other higher education institutions. They need to increase their legal knowledge or develop skills aimed at developing their legal competence independently.

For some school principals, it is advisable to keep the tasks of senior leaders to a minimum, which allows them to think independently or to work on themselves, to work in a new way, to be creative, to strive for innovation

In the work of school principals, labor law is more involved in labor relations, as well as periodic training on certain aspects of labor law should be organized. In particular, it is necessary to pay special attention to the conclusion of employment contracts with employees, the recruitment of employees to forced labor, working hours, recruitment or dismissal orders.

In addition, the provision of paid services to school principals is also developing, including the organization of extracurricular activities, the lease of vacant school buildings and other contractual relations.

Conflict resolution should focus on the development of communication skills, which is a manifestation of legal competence. Today it is a very important practical attribute for school principals who are professional in their work. It is important for the leader to be aware of and be able to explain the legal consequences that may arise in resolving disputes.

Resolution of the President of the Republic of Uzbekistan dated August 14, 2018 "On measures to educate young people to spiritual, moral and physical maturity, to raise the system of education to a qualitatively new level" It is advisable to increase the level of responsibility.

It is also necessary to develop a clear mechanism for studying the legal knowledge and skills of school principals in the selection and appointment of staff.

It is necessary to reconsider the powers of these local authorities, which forced school principals to do so, or to develop, if necessary, restrictive mechanisms.

In general, it is necessary to establish a systematized training of school principals, which will directly improve their legal knowledge. In addition, it is necessary to develop clear standards that define the legal knowledge of school principals and to form their components.

Therefore, it is now necessary to define the scope of legal knowledge of school principals and, as a result, to develop a concept for the development of legal knowledge.

This concept covers the management activities of school principals, the processes associated with teachers or the relationship that may arise with students.

In conclusion, these scientific assumptions, in the case of Kashkadarya region, show the current state of legal competence of school principals, the identified problems and the possibility of finding and resolving them in the future, as well as the prevention of violations among them.

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