

Application of Business Law in Educational Management: A Study of Compliance and Legal Risk Management Strategies for Higher Education Institutions

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Abstract: The paper presents detailed case studies demonstrating the strategic and methodological applications of commercial law in addressing real-world issues. The paper presents detailed case studies demonstrating the strategic and methodological applications of commercial law in addressing real-world issues. These cases encompass contract negotiation, execution, and dispute resolution, underscoring the indispensable role of legal compliance in safeguarding institutional interests and protecting the rights. These cases encompass contract negotiation, execution, and dispute resolution, underscoring the indispensable role of legal compliance in safeguarding institutional interests and protecting the rights of students and faculty. In the section dedicated to legal risk management strategies in educational settings, the paper discusses systematic approaches to risk identification, assessment, response, and monitoring.

Keywords: business law; higher education management; compliance; legal risk management; legalization; higher education reform

1. Risk identification and assessment mechanisms

1.1 The role of internal audit in legal risk prevention

Internal audit plays a crucial role in the prevention of legal risks in educational institutions. It is not only a means of monitoring and evaluating the effectiveness of school management, but also an effective tool for preventing and controlling legal risks. Through systematic internal auditing, schools are able to ensure that their operations meet the requirements of laws and regulations, safeguard the compliance of all activities, and promote rule of law management.

Internal auditing contributes to the assessment of legal risks. Auditors quantitatively assess identified risk points in accordance with national laws and regulations as well as relevant regulations of the education industry, analyse their possible legal consequences and financial impact, and provide data support for school management to formulate risk response strategies. Through risk assessment, educational institutions are able to prioritise legal risks and ensure effective allocation of resources.

Internal auditing plays an indispensable role in the prevention of legal risks in educational management. Through continuous monitoring, assessment and advice, internal auditing provides educational institutions with a strong legal risk prevention and control mechanism, promotes the rule of law in educational management, safeguards the legitimate rights and interests of schools, staff and students, and at the same time provides a solid guarantee for the long-term development of educational institutions.

1.2 Data protection and privacy compliance review

Educational organisations must follow the principles of lawfulness, legitimacy and necessity when collecting data. This means that personal data can only be collected with the express consent of the data subject, or for the fulfilment of legitimate purposes such as education and scientific research. At the same time, the type and scope of personal data collected should be limited to what is necessary to fulfil the purpose, and excessive collection should be avoided.

In order to enhance legal literacy across the organisation, educational institutions should conduct regular training on data protection and privacy to ensure that all employees understand the relevant laws and regulations and know how to follow data protection principles in their daily work. At the same time, a special legal or data protection department should be set up to oversee data processing activities and provide legal advice to ensure that educational institutions are compliant with data protection and privacy protection.

Through these compliance review measures, educational institutions are able to protect the security of personal data while ensuring that their legal risks in digital transformation are manageable. This will not only help to safeguard the

reputation of educational institutions, but also help to build and maintain trust with students, staff and faculty, laying a solid foundation for modernising education and managing it under the rule of law.

2. Crisis Response and Management Process Design

2.1 Contingency Plan Development and Exercises

In the legal risk management of educational institutions, the design of crisis response and management processes is a crucial aspect. Among them, the development and rehearsal of contingency plans is the key to ensure that when educational institutions face legal risks or emergencies, they can respond quickly, orderly and effectively, reduce losses and maintain normal operations. The following steps and principles should be followed in the development and execution of contingency plans.

Contingency plans should be based on continuous learning and updating. As laws and regulations are updated, new types of legal risks emerge, and education management practices change, the contingency plan should be reviewed and updated regularly to ensure its fit with reality. The legal department and the risk management team should keep an eye on legal developments and make timely adjustments to the plan to ensure that the educational institution is always equipped with an effective response to legal risks.

The development and rehearsal of contingency plans is an integral part of an educational institution's legal risk management strategy. Through detailed assessment, clear delineation of responsibilities, specific operational procedures, regular drills, and continuous learning and updating, educational institutions can establish a solid legal risk protection network to ensure stable operation in a complex and changing legal environment and to safeguard the sustainable development of the education business.

2.2 Complaints handling and legal accountability mechanisms

In educational institutions, complaint handling is an important part of maintaining legal compliance, which not only concerns the rights and interests of students, staff and parents, but also has a direct impact on the reputation and legal risk management of the institution. The establishment of a sound complaint handling mechanism, combined with a legal accountability system, can ensure that the institution can solve problems in a fair and timely manner in the face of various issues and avoid potential legal disputes, and it is also an effective means to promote fairness and quality in education. The following points are key elements in building an efficient complaints handling and legal accountability mechanism:

Through the above measures, educational institutions are able to establish an efficient, fair and transparent complaint handling and legal accountability mechanism, which not only solves specific problems, but also prevents legal risks, safeguards the legitimate rights and interests of all parties, promotes the rule of law in the management of educational institutions, and maintains the healthy and stable development of education.

3. Legal Compliance and Practice in Educational Administration

In education management, the key to ensuring the effectiveness of compliance and legal risk management lies in the continuous monitoring and updating of laws and regulations. As society changes and the legal system evolves, relevant laws and regulations are constantly adjusted, and educational institutions need to keep abreast of these changes to avoid potential legal risks. Below are a few key steps and strategies to implement this process.

Through the above strategies, educational institutions are able to establish a continuous monitoring and updating mechanism of laws and regulations to ensure that they are always in a state of compliance in the rapidly changing legal environment, to effectively manage legal risks, and to provide a solid guarantee of the rule of law and professionalism in education management. This not only helps to safeguard the legitimate rights and interests of schools, but also helps to improve the quality of education and create a fair and just educational environment.

Legal constraints in transnational education projects require higher education institutions to have a global vision, in-depth understanding of and compliance with the regulations of each country, and at the same time, through the establishment of an effective legal compliance mechanism, to ensure the smooth implementation of the project, enhance the quality of education, safeguard the rights and interests of the partners, and promote the healthy development of international education.

4. Conclusion

In the practice of legal compliance in education management, the article points out that educational institutions need to continuously monitor and update laws and regulations to ensure that policies are in line with legal standards. In addition, by comparing policies with legal standards, educational organisations can identify and amend potential legal loopholes

in a timely manner to reduce legal risks. In a global perspective, educational institutions need to pay attention to legal constraints in transnational education programmes, such as education quality assurance, academic integrity, data protection and intellectual property management, and align themselves with international education laws through strategic measures.

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