

UDC 31

**Structural features of localization of education policy: regional aspects****Elena A. Zeveleva**

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**Abstract**

The initial position of the theoretical-methodological foundations of the study of administrative-legal bases of formation and realization of state policy in the sphere of education consider the definition of the nature and content of the concept of "administrationapproved basis", which, of course, refers to the number of the basic categories of administrative law and the concepts of "state policy in the sphere of education" and "administrationapproved basis for the formation and implementation of state policy in the sphere of education", which, in fact, is a key concept of our study.

The concept of "administrative-legal basis" is often used in the content and titles of studies on administrative law, but often researchers ignore the study of the content of this concept and immediately move on to the scientific analysis of legal problems, which they refer to the foundations of a particular administrative law phenomenon. Such a situation can lead to the vagueness of the definition of the boundaries of the subject of research and, as a result, - or incomplete coverage of the entire range of issues that should belong to the content of scientific problems, or, conversely, – going beyond them. As an example, we can cite publications, exploring the problem of administrative and legal foundations of educational institutions, determines that these foundations establish requirements for the organization of educational institutions, the mechanism of intra-organizational management in them, determine their powers and responsibilities, the conditions and order of material, scientific, methodological and other support of educational institutions, the nature and order of their relations with the authorities, to a certain extent going beyond the subject of administrative law. At the same time, offering definition of concept of administrative and legal bases of activity of educational institutions, the researcher resorts to narrowing of the maintenance of the specified concept: "... under administrative and legal principles of educational institutions in the provision of educational services, it is advisable to understand the system of normative legal acts containing administrative and legal norms that regulate the most essential aspects of the organization and functioning of these facilities.

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**Keywords**

Form, development, education, structure.

**Introduction**

We consider the time of processing the definition, content and structure of the category of administrative and legal bases valuable not only in General theoretical terms – the results of the analysis can be used as a guide for all further research [Zueva, 2019].

Immediately it is worth noting that domestic public or legal encyclopedic publications do not offer a definition of the term "administrative and legal basis", "legal basis" or even "basis". At the same time,

the dictionary of the Ukrainian language describes several definitions of the above concept [Striebing, Kalpazidou Schmidt, Palmén, Holzinger, & Nagy, 2020]. In the aspect of our study, the term "fundamentals" is seen as: "1. The basis of something; the main thing on which something is based, is based. 2. The initial, the main position, the principle, the basis of the worldview, the rule of behavior. 3. A way, a method of doing something." [Lew, See, Goh, Wong, & King, 2020]

### **Main part**

As already noted, researchers, defining the content of the concept of administrative and legal foundations, usually limit it to administrative and legal norms. So, A. A. Sobakar and M. V. Kuznetsov, exploring the problem of administrative and legal foundations (in the understanding of the foundations) of the activities of state bodies in the field of national security, understand them "...a set of interrelated, internally agreed fundamental normative legal acts containing legal principles and norms aimed at administrative and legal regulation of public relations in the field of national security in order to streamline, protect and develop in accordance with public needs." [Zashchirinskaya, 2017]

N. S. Panova, exploring the trends and problems of modern domestic public administration and their administrative and legal foundations, describes the latter as "...a set of administrative and legal norms that define the basic values, principles, tasks, forms and methods of development of normative and administrative activities of Executive authorities in order to improve their power-organizing impact on the relevant public relations and processes, and optimization of internal organizational activities of state bodies to ensure the proper implementation of their tasks, functions and powers" [Sokolova, 2006].

The Research Would Have. A. Logvinenko problems of administrative and legal foundations of medical support of internal Affairs bodies gave the scientist the opportunity to carry out a meaningful analysis in the context of the above-mentioned concept, highlighting in it: "three main system-specific state-administrative elements-model, functions and forms [Palmén, Arroyo, Müller, Reidl, Caprile, & Unger, 2020]. The model defines the features of the organization of medical care at all levels of power and management: the functions fix the main directions (types) of this activity, and the forms characterize the external manifestation of specific organizational and managerial actions aimed at the direct implementation of these functions." [Poletaeva, 2011]

D. G. Zabroda proposes to allocate categorical, normative, institutional and instrumental-technological elements in the structure of administrative and legal bases. The author proposes to consider the categorical element as the definition of the main concepts and signs of the phenomenon related to the field of administrative law and the corresponding formulation of the scientific and legal category [Heggeness, 2020]. The system of normative legal acts providing administrative and legal regulation of public relations in the relevant industry is referred to the normative element by the researcher [Goralski, & Tan, 2020]. The institutional component of the administrative and legal framework ensures the formation of the range of subjects of the above-mentioned legal relations, their status, internal and external interaction [Garone, de Craen, & Struyven, 2020]. Forms and methods of law-making, law enforcement and law enforcement activities of subjects determined by the institutional component are attributed by the author to the instrumental and technological element of the system of administrative and legal foundations [Vaccari, Smets, & Heath, 2020].

According to the analysis of scientific developments and taking into account the specifics of our research, we consider it possible to offer a definition of administrative law principles that consider the totality of the main methodological characteristics and principles of regulation of social relations delineated in the field, which is established by norms of administrative law and involves a categorical, legal and organizations security [Zashchirinskaya, 2018].

With regard to the second category, which, in our opinion, belongs to the defining in our study-public policy in the field of education, it should be noted that the category of "public policy" is quite clearly defined in scientific research, encyclopedic publications, and in legal acts [Dement'ev, 2016].

The use of the terms "public policy" and "public policy" caused by the synonymous translation of the term "public policy" has recently caused some inconsistency, but this term may have, in addition to the above-mentioned, such translations as public policy, public policy, national policy [Paci-Green, Varchetta, McFarlane, Iyer, & Goyeneche, 2020]. At the same time, scientific studies offer different interpretations of these terms, in particular those that are characterized by certain differences [Lamminpiya, 2014]. But a significant number of researchers consider these differences irrelevant. As an example, we can cite the position of V. V. Tertichki, who believes that the context and content features adequate to the concept of "public policy" is the term "public policy", and the difference between the concepts of "public policy" and "public policy" is considered as purely linguistic. G. V. Muzychenko proposes to consider these concepts as synonyms. At the same time, given the existence of certain disagreements in the scientific interpretation of the above concepts, we fully agree with the opinion of SV [Sipple, McCabe, & Casto, 2020]. Sitnik, which is exploring various options for the content of the notion "public policy" is considering several definitions of this notion, in particular public policy as the strategy of development of state-level sectoral policies (health, education, and the like) and reasonably identify in the analyzed aspect of understanding the concepts of "public policy" and "public policy" [Sam, Padmaja, Kächele, Kumar, & Müller, 2020]. Accordingly, to the problems of our work and guided by this link we consider it possible in the future in the framework of our study to identify these concepts [Zashchirinskaya, 2017].

The encyclopedic dictionary of public administration defines the term "public policy" as: "... actions of the system of public authorities in accordance with certain goals, directions, principles to solve a set of interrelated problems in a certain area of public activity" [Chekha, 2010].

The textbook of public policy proposes to consider under the concept of public policy: "... the totality of value goals, state-management measures, decisions and actions, the procedure for the implementation of state-political decisions (goals set by the state authorities) and the system of state management of the country's development" [Hsu, & Yeh, 2020].

According to the analysis of the content of the concept "state policy in the field of education", we consider it necessary to point out the fairly frequent use by researchers of the terms "state policy in the field (sphere) of education", "state educational policy" and "educational policy", and often identifying the above concepts. The position of the authors, who consider the first two concepts as synonyms, is fully justified [Niamir, Ivanova, Filatova, Voinov, & Bressers, 2020]. However, in our opinion, the identification of the concepts of "educational policy" and "state educational policy" is a categorical mistake, which is an echo of the post-Soviet ideas about the state as a single political player in society [Zashchirinskaya, 2017].

Thus, the already cited encyclopedic dictionary of public administration proposes to consider politics as "...purposeful activity in the sphere of relations between different social groups, States and peoples or a certain part, program or direction of such activity, a set of means (tools) and methods (techniques) for the realization of certain interests to achieve certain goals (of course, in a certain social environment)", and considers educational policy exclusively as a system of public relations between the state and the subjects of providing educational services, as well as a purposeful strategy of the state to create favorable conditions for the development of educational institutions and the education system as a whole, that is, narrowing it to the volume of the state [Chirwa, 2020].

In our opinion, the content of the concept of "educational policy" is much broader than the concept of "state educational policy" [Hotchkiss, Moore, & Rios-Avila, 2020]. This expansion is primarily due to a significant increase in the range of subjects of educational policy, which can be citizens,

organizations, social classes, parties, ethnic groups and the state, while the subject of state educational policy can only be the state or its relevant authorities [Lamminpiya, 2015].

## Conclusion

We consider it expedient to begin the analysis of the definitions of the concept "state policy in the sphere of education" proposed by scientists with the thesis of V. p. Andrushchenko and V. L. Savelyev concerning the prospects of its neutral-instrumental character. At the same time, the analysis of the goals and objectives of the subjects of educational policy, to which the authors include the state, is proposed to be carried out not independently, but only within the limits of the above-mentioned study. "The goal of educational policy is seen as a function, not as an ideologically, holistically defined result. Namely, policy is the activity of the state and its various institutions aimed at determining what will be carried out in the public sector, including education."

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## **Структурные особенности локализации политики в сфере образования**

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**Аннотация**

В работе показано, что исходным положением теоретико-методологических основ изучения административно-правовых основ формирования и реализации государственной политики в сфере образования считают определение сущности и содержания понятия «утвержденная администрация основы», которая, конечно же, относится к числу основных категорий административного права и понятиям «государственная политика в сфере образования» и «утвержденная администрация основа для формирования и реализации государственной политики в сфере образования», которая, по сути, является ключевая концепция нашего исследования.

Понятие «административно-правовая основа» часто используется в содержании и названиях исследований по административному праву, но часто исследователи игнорируют изучение содержания этого понятия и сразу переходят к научному анализу правовых проблем, на которые они ссылаются к основам конкретного явления административного права. Такая ситуация может привести к неопределенности определения границ предмета исследования и, как следствие, - или к неполному охвату всего спектра вопросов, которые должны относиться к содержанию научных проблем, или, наоборот, - выходя за их пределы.

В качестве примера можно привести публикации, исследующие проблемы административно-правовых основ образовательных учреждений, определяющие, что эти фонды устанавливают требования к организации образовательных учреждений, механизму внутриорганизационного управления ими, определяют их полномочия и обязанности, условия и порядок материального, научного, методического и иного обеспечения образовательных учреждений, характер и порядок их взаимоотношений с органами власти, в определенной степени выходящие за рамки предмета административного права. В то же время, предлагая определение понятия административно-правовых основ деятельности образовательных учреждений, исследователь прибегает к сужению содержания указанной концепции: «... в соответствии с административно-правовыми принципами образовательных учреждений в предоставлении образовательных услуг». В сфере услуг целесообразно понимать систему нормативно-правовых актов, содержащих административно-правовые нормы, регулирующие наиболее существенные аспекты организации и функционирования этих объектов.

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#### Ключевые слова

Форма, развитие, образование, структура.

### Библиография

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