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**Ukrainian Education Modernization
under Conditions of European Integration**

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**Українська модернізація освіти
в умовах європейської інтеграції**

In this scientific paper the role of the state educational policy in the context of European integration is revealed. The main priorities of state educational policy in the context of the Ukrainian education modernization are substantiated. Goals and objectives, the mechanism of their implementation, as well as issues of strategy of financial and material basis of educational policy are defined.

В исследовании раскрыта роль государственной образовательной политики в условиях евроинтеграции. Обоснованы основные приоритетные направления государственной образовательной политики в контексте модернизации украинского образования. Определены цели и задачи, механизм их реализации, а также вопросы стратегии финансового и материального основания образовательной политики государства.

Under current conditions, society is expecting legal science to produce such legal means which would purposefully have impact on conditions and preconditions of law realization, focus on advantages of educational measures during its transformation, contribute to improvement of the whole educational system and constitutional right to education implementation mechanism. National educational state policy should be focused on effective integration into single European educational area that will contribute to efficient realization of constitutional right to education under modern socio-political and socio-economic conditions.

Improvement of state educational policy and mechanisms of its efficient realization is a topical problem due to adaptation of world experience to solve educational problems efficiently according to conditions in Ukraine. This issue becomes actual as education has its own nature, tasks and is a factor of society political development. The problem of scientific understanding of state educational policy role in

the process of Ukrainian education modernization has both theoretical and practical importance in that context.

The mentioned problematics is determined by permanent changes in state and public life and depends on political, economic, social and other changes. All this, in turn, needs general focusing on problems found in education sphere as current conditions demand rapid deep changes.

However, state educational policy problematics, in particular under conditions of European integration and globalization, has been researched quite casually in national legal literature. Nowadays there is no unity in scientists' approaches to definition, place and role of educational state policy in the state policy system from the perspective of legal science in the context of further civil society development and democratic, social, law-governed state.

At the present stage of the Ukrainian education modernization under conditions of European integration and globalization for the purpose of efficient realization of constitutional human right to education, the following important priority directions of state educational policy can be determined: renewal of state educational standards; improvement of constitutional legal grounds for education financing; modern system of continuing education and state support in the sphere of self-education development; state personnel policy formation; extended public participation in order to control educational system; activating international cooperation.

Policy of compliance with accepted standards, interest to develop civil society institutes, intensive development of information and communication technologies showing globalization as strategic choice of Ukraine should be carried out in Ukraine today. Globalization is not just change of essential state characteristics but first of all appearance and expression of neo statism phenomenon and new foundations of statehood development related to it. In practice, globalization creates necessary background to add national education to integrated international cultural and educational space and global division of educational space [1, p. 20]. Modernization and globalization processes are dominant ideas of planetary development cardinally changing contemporary world and its vision [2, p. 3]. At the same time education modernization

is defined only as an element of wide globalization process. But in any case these processes have essential impact on constitutional human right to education realization in Ukraine.

These days educational policy is searching for determining ways of development and fuller satisfaction of citizens' educational demands [3, p. 5]. This case has valid grounds and is connected to the situation in which movement of their fulfillment does not meet needs of civil society and state under modern conditions of transformations in the sphere of state management in general and education in particular. Due to this globalization demands to state policy in researched area radically raise [4, p. 10] as there are many problems that have not been solved. Modern stage of state educational policy is based on Constitution provisions; legislative acts and regulations; strategic documents of education development; international treaties that the Verkhovna Rada of Ukraine has ratified.

Attention should be focused also on the fact that globalization processes have essential impact on educational policy, the choice of priorities in its activity that is why state educational policy modernization should be developed and realized with the consideration of modern international principles and standards of legal universalization. Adaptation of national educational rules and regulations to European standards is an essential but not a satisfactory condition. It is also important to control law observance, effective law enforcement etc.

New education governance model provides openness and democratism since the very democratism is considered by scientists to be an integration factor of Ukrainian education into global and European space [5—7]. Necessity of changes not only in structure of education formation, content, forms and methods to provide educational services but also in structure of basic citizens' values, strategic guides to determine priority orientations for educational institutions training, forms of getting education [8, p. 163] appears expressively during smooth development of education. The fact that the citizen becomes not only a subject of educational relationships but also an active partner of educational process that stipulates formation of sense of responsibility, purposefulness etc. is the benefit of public administration in educational sphere.

The question of legislative definition of educational sector reform based on management autonomy principles holds its scientific and social topicality [9, p. 70]. Urgent need to pass laws and subordinate legislation regarding regulation of public participation in education management and determining its role in this process has arisen at the present stage.

Public-private process management should be carried out in the context of European education tasks that will guarantee confidence between states, students, employers and provide mobility of qualifications and attractiveness in European higher education space [10, p. 5—6]. That is what explains Ukraine's integration into the Bologna process that meets needs and requirements of modern social and cultural society development.

The state should radically expand institutional, academic and financial autonomy of higher education institutes [10, p. 97] to increase competitive advantage of higher education institutes and implement the best European and world experience gains to reform higher education system, apply effective mechanisms of educational services formation and regulation into the Ukrainian higher education system. These measures must be scientifically rationalized and real to fulfill.

Today state educational policy is based on accepted state educational standards which are the highest level of necessary knowledge in democratic countries. To compete properly against developed countries on equal terms, an approach to determination of state education standards should be changed in the first place. The educational policy of Ukraine should have clear purposes and tasks, mechanism of their realization, considered strategy, financial and material base to secure human right to education. These tasks demand deep scientific formulation of conceptual foundations, complete theoretical and methodological analysis of the Ukrainian state educational policy.

International recognition of Ukrainian education institutes takes greater importance under conditions of education globalization and Europeanisation, appearance of international markets of educational services for Ukrainian education institutes. The country which is behind in technological and legal support for education system will

be behind other countries where such support is more effective and ideal. These days solving problems in educational sphere is connected with wide range of measures being out of only internal educational measures, affect all society infrastructure [11, c. 356]. International cooperation in learning activity sphere encourages development of the radical changes which have been taking place in international community over the past decades: professional knowledge globalization, education processes internationalization, democratization and increase of educational institutes' autonomy, curriculum diversification, technologization of educational processes [12, p. 313]. Strategic objective of state educational policy is the access of the education received in Ukraine to the world's educational services market, the increase of international cooperation. It should be also focused on the necessity to improve legislation for the matters given above. Harmonization of internal legislation in this sphere in compliance with international standards will establish effective mechanism to exercise constitutional human right to education.

Achievement of education quality, its accordance with contemporary and long-term personal, social and state needs, which have been appeared in recent times, must be central task of state educational policy.

Thus, state educational policy is a part of the state policy oriented to solving tasks in education sphere, meeting personal needs in the field of education and providing state authorities with qualified personnel with the aim of spiritual and ideological society enrichment and social and economic state development. Creating conditions which would meet needs of economy and civil society in their structure to realize human right to education should be an objective of state educational policy at the present stage.

The following measures for constructive education modernization are important: improvement of system of state and public control over education quality; active cooperation of national educational system with global educational system; changes in staff due to highly-qualified personnel; providing affordable education through informatization system; raising to educational resources, first of all by means of available national libraries, digital resources, etc.

Conclusions

Thus, problematics of state education regulation has not been researched systematically and properly in the national legal literature which leads to existence of modernization difficulties in this sphere. Globalization has significant impact on state educational policy. Globalization is a contradictory phenomenon that is why it has both positive and negative impact on state educational policy in the process of the Ukrainian education modernization. Internal legislation harmonization in this sphere in compliance with international standards will establish practical mechanism of constitutional human right to education realization. Creating mechanisms for constant educational system development, providing with effective constitutional human right to education realization on the ground of fundamentality retaining and compliance with topical and perspective individual, society and state needs are basic strategic objectives of education modernization in the context of civil society development.

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Петухов И. И.

Феномен медиации в высшем юридическом образовании

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The Phenomenon of Mediation in Higher Legal Education

Mediation is a complex and interdisciplinary phenomenon which can be used in higher legal education because of its communication resources. Technologies of effective communication and critical thinking are undervalued in educational process. The author focuses on mediation as an effective part of the educational process.

Медиация представляет собой комплексный и междисциплинарный феномен, имеющий необходимый ресурс для современного высшего юридического образования. Технологии эффективной коммуникации и работы с информацией недооценены на уровне подготовки специалистов с высшим образованием юридического профиля. Автор акцентирует внимание на медиации как элементе образовательного процесса.

Одной из наиболее важных задач современной системы высшего юридического образования является подготовка высокопрофессиональных специалистов, способных обеспечить эффективное функционирование правовой системы Республики Беларусь. Проблемы развития высшего образования на современном этапе,