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## THE PROBLEMS OF PROTECTING THE RIGHTS AND INTERESTS OF STUDENTS IN HIGHER EDUCATION INSTITUTIONS

Enshrined in the Constitution of Ukraine and International Law regulations the right to higher education is guaranteed by both the state and the international community. Accession to higher education is the initial stage of realization this right. The Law «About Education» enshrined constitutional principles of higher education, including: accessibility, equality, humanism, democracy, continuity and variety, independence of education from political parties, civic and religious organizations, the combination of government and public authorities in education. In particular, the political safeguards should include the right to choose the language of instruction, of course taking into account the capacity of higher education institutions.

The mechanism of the right to higher education, and the implementation of other human rights and freedoms in the field of higher education recommended. But due to the constant transformation of higher education with a view to improving there are some reservations about the legislation governing the educational processes and capabilities to support him. It is like nothing else tends to constant change, which leads to the accumulation of unresolved conflicts and the emergence of a number of issues related to the implementation of the right to higher education. Rightly pointed P. Muromtsev «that no theory, no history of law should not be subjected to the description text

of the law. Sociological history of law is intended to show the origin and development of law in its concrete reality».

Legal guarantee of the constitutional right to higher education is enshrined legal procedure for admission to higher education. Important role in ensuring the right to higher education plays: first, the state, through its authorized management bodies in the field of education, and higher education as a public institution that announced the recruitment of students to study.

However, to date, the following problems in the organization of admission to higher education institutions related to:

- imperfection of the system of external evaluation, which gradually loses its transparency;
- the lack of uniform standards during their creative competitions and entrance examinations;
- manipulations take place around the admission to study the expense individuals and legal entities, the need for improvement of the Unified State electronic database on education
- the necessity regulation of the procedure since the Masters;
- poor protection of students to be able to appeal the results since.

The right to higher education is especially important because higher education is in high demand. It is under these conditions plays an important role legislative solution to the problems related to the accessibility of university education.