

Normative legal regulation of physical education of preschool children

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Purpose: analysis and generalization of the legal regulation of the physical education of children in school and out-of-school time.

Material & Methods: in the course of the study, methods of analysis of literary sources and documents, induction and deduction, analysis and synthesis were used, which made it possible to determine the legal support of the system of physical education of schoolchildren in the classroom and after school hours, as well as its current state.

Results: in the process of analysis it was found that all components of school and out-of-school physical education of schoolchildren are regulated at the legislative level. However, the main burden on the formation of the physical culture of the person is assigned by the state to the lesson form of employment. At the same time, based on the research materials of many scientists, it can be argued that it is almost impossible to form a physical culture of a person through only lessons.

Conclusions: obtained results in the course of the study showed that the methodology for assessing the indicators of the formation of the physical culture of the personality of schoolchildren has not been developed at the legislative level and, accordingly, has not been established, which makes it impossible to effectively monitor the implementation of the goals.

Keywords: physical education, schoolchildren, children of school age, physical activity, organization, management, regulatory framework.

Introduction

Articles 45 and 49 of the Constitution of Ukraine [6] provide for the right of every citizen, including adolescents, to rest and protect their health. Moreover, based on the provisions of Article 49, public health is ensured by the development of the sphere of physical education and sports, and the introduction of health-improving and preventive programs. In addition, article 53 of the Constitution establishes the right of every child to secondary and extracurricular education. So, considering these articles in a complex, we state that every child in Ukraine is guaranteed the right to school, out-of-school physical education and active leisure, to ensure an appropriate level of health.

One of the directions for the implementation of these constitutional provisions is the formation among the younger generation of a healthy lifestyle, as evidenced by the Resolution of the Verkhovna Rada of Ukraine (No. 2992-17 of 03/03/2011). "On the Recommendations of the parliamentary hearings on the situation of youth in Ukraine Youth for a healthy lifestyle" [14]. In particular, the document notes that the low level of involvement of the country's population in physical education and sports is of particular concern. So, only every fifth boy or girl of school age and every tenth student or student has a sufficient level of physical activity of a health-improving orientation, is one of the lowest rates in Europe. 60 percent of Ukrainian schoolchildren are not able to fulfill the requirements of the European tests of physical fitness "Eurofit".

In our opinion, one of the reasons for this situation is the lack of legal support for physical education, namely the lack of consistency and imitation between the components of school and extracurricular education. Testing this hypothesis deter-

mined the **purpose of this study**, namely, to analyze and generalize the legal regulation of the physical education of children in school and out-of-school time.

Material and Methods of the research

In the course of the study, methods of analysis of literary sources and documents, induction and deduction, analysis and synthesis were used, which made it possible to determine the system of legal support for the physical education of schoolchildren in the classroom and after school hours, as well as its current state.

Results of the research

One of the directions of state policy in Ukraine is to improve the active leisure of the younger generation, in particular, through the system of physical education, as a holistic pedagogical system, the purpose of which is to create conditions for the formation of the components of the physical culture of the personality of children and youth.

Education is a combination of educational institutions (table). In particular, to ensure the education and upbringing of schoolchildren, there are general educational institutions and out-of-school educational institutions (youth sports schools, clubs, a small art academy, a small academy of sciences for students, health-improving institutions for children and youth, centers, palaces, houses, clubs art, tourism and military-patriotic education) (Resolution of the CMU of May 6, 2001 No. 433).

So, physical education in *secondary schools* in the classroom and after school hours is regulated by the Order of the Min-

istry of Education and Science of Ukraine dated 02.08.2005, No. 458 "On approval of the Regulation on the organization of physical education and mass sports in preschool, general educational and vocational schools Ukraine" (Table). In this document, the main form of conducting classes in physical education is a lesson. It is he who is entrusted with the realization of the goal of physical education – the formation of the physical culture of the student's personality. This document also defines the main approaches to building a system of physical education for schoolchildren in the education system as a whole.

The specified normative act determines that the physical education of students in general educational institutions is an integral component of education, which provides the opportunity for each child to obtain the necessary scientifically based knowledge about health and the means to strengthen it, the methods of organizing meaningful leisure activities and is aimed at developing their physical, social and spiritual health etc.

The analysis of this normative act showed that for the organization of extracurricular physical education and sports activities in general educational institutions, public physical

education associations can be created – clubs (cells) of the sports union of student youth, which ensure the development of mass sports and physical education. This is also provided for by the provisions of the Order of the Ministry of Education and Science of Ukraine "On the formation of sports clubs and their cells in higher, secondary and vocational schools". In addition, the creation of public sports organizations and clubs is regulated by the Law of Ukraine "On Physical Culture and Sport". One of the norms of the Law of Ukraine "On Physical Culture and Sport" is determined by the involvement of schools of public organizations of physical education and sports in the organization of after-school physical education and sports work with students, taking into account local conditions, interests and requests of students of secondary schools. However, in practice, as evidenced by the results of the study [2], only a small number of schools have formed sports clubs or have contractual relations with public organizations in the sports field.

Out-of-school physical education and sports activities are no less important in ensuring the active leisure of schoolchildren (Table). An extracurricular education system has been created and funded to support it. Based on the analysis of the provisions of the Law of Ukraine "On Extracurricular Educa-

Regulatory framework for the physical education of schoolchildren in the education system

At school	Outside of school		
<i>Extracurricular activities</i>	<i>Children and Youth Sports School</i>	<i>Children's recreation facility</i>	<i>Students Activity Center, military sports clubs, centers of patriotic education</i>
1. Law of Ukraine "On General Secondary Education" [3];	1. Law of Ukraine "On Extracurricular Education" [4];	1. Law of Ukraine "On Extracurricular Education" [4];	1. Law of Ukraine "On Extracurricular Education" [4];
2. Order of the Ministry of Education and Science of Ukraine of 02.08.2005 No. 458 "On approval of the Regulation on the organization of physical education and mass sports in preschool, general education and vocational schools institutions of Ukraine" [7];	2. Resolution of the Cabinet of Ministers of Ukraine "On the approval of the list of types of extracurricular educational institutions and the Regulation on the extracurricular educational institution" dated May 6, 2001 No. 433 [15];	2. Law of Ukraine "On the recovery and recreation of children" dated 04.09.2008 No. 375-VI [5];	2. Resolution of the Cabinet of Ministers of Ukraine "On the approval of the list of types of extracurricular educational institutions and the Regulation on the extracurricular educational institution" dated May 6, 2001 No. 433 [15];
3. Order of the Ministry of Education and Science of Ukraine No. 210 of 03.22.2002 "On the Formation of Sports and Fitness Clubs and Their Cells in Higher, Secondary, and Vocational Educational Institutions" [10].	3. Resolution of the CMU of November 5, 2008 No. 993	3. Decree of the Cabinet of Ministers of Ukraine "On the approval of the list of types of extracurricular educational institutions and the Regulation on the extracurricular educational institution" dated May 6, 2001 No. 433 [15];	3. Order of the Ministry of Education and Science of Ukraine of 05.11.2009 No. 1010 "On the Approval of the Regulations on Centers, Houses, Clubs of Artistic Creativity of Children and Youth" [8];
	"On approval of the Regulations on the youth sports school" [17].	4. Order of the Ministry of Ukraine for Family, Youth and Sports dated 08/13/2009 No. 2881 "On approval of the State social standard of recreation and rehabilitation" [11];	4. Order of the Ministry of Education and Science of Ukraine of 06.11.2009 No. 1022 "On the approval of the Regulation on the youth clubs of young sailors, riverine crews, aviators, astronauts, paratroopers, paratroopers, border guards, radio operators" [9];
		5. Order of the Cabinet of Ministers of November 3, 2010 No. 2056-r "On Approval of the Concept of the State Target Social Program for the Improvement and Rest of Children for the period until 2015" [18].	5. Order of the Ministry of Youth and Sports of 10.23.2013 No. 720 "On approval of the Regulation on the Center for Patriotic Education" [12].

tion", it helps to create additional conditions for the spiritual, intellectual and physical development of the child. The analytics, which is presented in the explanatory note to the State target social program for the development of out-of-school education for the period up to 2014 (Decree of the Cabinet of Ministers of August 27, 2010 No. 785) shows that today out-of-school educational institutions employ only 35,7% school children.

From the point of view of the State Audit Service of Ukraine, the main drawbacks of the functioning of out-of-school educational institutions are the reduction in the network of out-of-school educational institutions (in particular, the Children's and Youth Sports School), the level of quality of out-of-school education for women, the insufficient level of educational, methodological and scientific-methodological support for the activities of out-of-school educational institutions, lack of knowledge of many problematic issues of parenting in modern social conditions.

In our opinion, these problematic issues are also caused by an imperfect regulatory framework, which includes contradictions. For example, the activities of *Children's and Youth Sports Schools* (Table) are governed by the Regulation on Children and Youth Sports Schools, approved by the Decree of the CMU of November 5, 2008 No. 993. According to this Regulation, the activities of the Children's and Youth Sports School are aimed at ensuring the development of the abilities of pupils in the chosen sport, creates the necessary conditions for harmonious education, physical development, full recovery, meaningful rest and leisure for children and youth, self-realization, acquisition of healthy lifestyle skills, training and sports reserve for the national teams of Ukraine. However, only the indicators of the training of high-class athletes, prizes and a simple increase in students, and not an increase in the quality of education, are taken as the result of the quality of the youth sports school activity. An increase in the level of motor activity of all children who study at the Children's Sports School and their involvement in the values of physical culture and sports are not considered an effective indicator in general [13].

Considering the activities of the *establishments of artistic and aesthetic creativity* (centers, palaces, houses, art clubs for children and youth), we conclude that it is not associated at all with the fitness sector, although Order of the Ministry of Education and Science of Ukraine of 05.11.2009 No. 1010 is among the main. The tasks of preschool institutions indicate the organization of their rehabilitation, leisure and recreation (table). The implementation of these tasks is ensured, in particular, by the following activities: circus and choreographic. Based on the analysis of the works of T. Rothers, we note that the aforementioned circles provide sports and aesthetic education for children and youth [19].

Educational institutions that provide military-patriotic education of children and adolescents have various youth clubs for young sailors, rivermen, aviators, astronauts, paratroopers, paratroopers, border guards, radio operators, etc. (Order of the Ministry of Education and Science of Ukraine of November 6, 2009 No. 1022) and centers for patriotic education (Order of the Ministry of Youth Sports No. 720 of October 23, 2013) (Table). These institutions are specialized out-of-school educational institutions, the main activity of which is patriotic. However, among their tasks is the education of children and

youth of a conscious attitude to their own safety and the safety of others, the formation of a healthy lifestyle; improving the physical development of youth, preparing for military service in the Armed Forces and other military formations of Ukraine; organization of meaningful leisure for youth. Consequently, in these extracurricular institutions to a large extent use the means of physical education.

The analysis shows that in the educational process of institutions of artistic, aesthetic and military-patriotic education, physical culture means are used, and one of the main tasks of their functioning is the formation of a healthy lifestyle and the improvement of the physical nature of children (physical qualities and development). However, at the legislative and educational-program levels, the unresolved issues of the activities of the above-mentioned institutions as such, ensuring the formation of personality physical education among students. In addition, statistics on the volume of motor activity of children in these institutions are not taken into account but not generalized.

Legislation also refers to out-of-school establishments for children's *health and recreation* facilities (the Law of Ukraine "On Health and Leisure of Children"), the main purpose of which is to ensure active leisure for children and adolescents, in particular during vacation time, by organizing a health-educational process (Table)

The state social standard of health and recreation (Order of the Ministry of Youth and Sports dated 08.13.2009 No. 2881) establishes social norms and standards in the field of health and recreation for children. They consist of wellness and relaxation services. Accordingly, the first is a set of special events of a social, educational, medical, hygienic, sports nature, carried out by the children's institution for health and recreation and are aimed at restoring and improving the physical and mental state of health. The second – measures aimed at organizing leisure activities for children in compliance with the period of active and passive rest, and the like. In particular, the list of services for the organization of physical culture and sports activities includes daily classes from morning hygienic gymnastics; organization of competitions and sporting events; conducting classes in physical education and sports, swimming in open and closed bodies of water; conducting hiking trips and the like.

However, according to the Order of the Cabinet of Ministers of November 3, 2010 No. 2056-p "On Approval of the Concept of the State Targeted Social Program for the Improvement and Rest of Children for the Period Until 2015", the level of organization of the educational process and leisure time in institutions does not meet the modern needs of children, in particular fully active forms of recreation and recreation.

In our opinion, when solving the problems of Children's recreation facility, one should also take into account the fulfillment of their functions in the practical implementation of the knowledge acquired by adolescents during the school year in general and extracurricular educational institutions to strengthen health and physical improvement, and to implement acquired values of physical education. This approach will provide a comprehensive solution in the education system (school and extracurricular) of certain tasks for the rehabilitation and upbringing of children and adolescents.

Conclusions / Discussion

So, an analysis of the regulatory framework of Ukraine, which regulates relations in the system of physical education of schoolchildren, allowed to draw conclusions:

1. At the legislative level, the physical education of schoolchildren is normalized in all components of school and extracurricular education. However, the main burden on the formation of the physical culture of the individual is laid by the state on the lesson form of classes. However, based on the research materials of many scientists, it can be argued that it is almost impossible to form a physical culture of a person through only lessons.

2. Some regulatory acts are not related to each other, but then, certain types of organized motor activity remain outside the system of physical education of school-age children. Accordingly, such activities are not regulated by special physical education programs that complement school physical edu-

cation, and, as regards such physical activity, the necessary statistical data on sports and fitness activities are hardly collected.

3. At the legislative level, a methodology for assessing the indicators of the formation of the physical culture of the personality of schoolchildren has not been developed, but also not fixed, but then, there is no effective system for monitoring the implementation of certain goals.

In our opinion, for the sake of increasing the efficiency of the functioning of the system of physical education of schoolchildren, it is necessary to legislatively systematize the activities of all educational institutions. In addition, it requires the development of a methodology for monitoring the state of formation of the physical culture of the personality of students. This will improve the efficiency of the functioning of the system of physical education of schoolchildren, which predetermines the prospects for further **research**.

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