

## On Education

### *Non-official translation*

The Law of the Republic of Kazakhstan dated 27 July, 2007 No. 319-III

#### Unofficial translation

Footnote. Throughout the text of the Law: the words “to the war veterans and disabled persons”, “to the war veterans and disabled persons” are substituted by the words “to the participants and disabled persons of Great Patriotic War”;

the words “teaching and educational process”, “Teaching and educational process”, “of teaching and educational process” are substituted by the words “educational process”, “Educational process”, “of educational process” by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication);

the words “aul (rural)”, “aul (village)”, “aul (village)” is respectively substituted by the words “village”, “village”, “village” by the Constitution Law of the Republic of Kazakhstan dated 03.07.2013 No. 121-V (shall be enforced upon expiry of ten calendar days after its first official publication).

This Law regulates social relations in the field of education, determines the basic principles of the state policy in this field and directed to ensuring of constitutional right of citizens of the Republic of Kazakhstan, as well as foreigners and persons without citizenship, permanently residing in the Republic of Kazakhstan, to education.

## Chapter 1. GENERAL PROVISIONS

### Article 1. Basic definitions used in this Law

The following basic definitions shall be used in this Law:

1) graduate military course – a form of training of academic and teaching staff of top-qualification in military educational institutions;

2) academy – higher education institution, implementing educational training programs of higher and postgraduate study in one or two groups of specialties;

2-1) academic mobility – transfer of students or research teaching fellows for education or pursuance of the researches for the defined academic period: semester or academic year to another higher education institution (up-country or abroad) with a compulsory transfer of gained educational training programs in the form of credits in its higher education institution or for continue their studies in another higher education institution.

2-2) accreditation bodies – legal entities, which develop the standards (regulations) and conduct accreditation of organizations of education on the basis of standards (regulations), developed by them;

2-3) standards (regulations) of accreditation – documents of accreditation body, specifying requirements to the procedure of accreditation;

3) scholarship – establishing by individuals and legal entities, the scholarship to encourage the most capable students, successfully learning the appropriate educational programs, being engaged in research, active in social, cultural and sporting life of educational institution;

3-1) methodic department – structural subdivision of management bodies of education, providing organization and methodological support, analysis and assessment of results rating of educational process, generalization and dissemination of innovative educational experience that contributes to the creative growth of teaching staff and their professional self-realization;

4) bachelor – academic degree, awarded to persons, mastered appropriate educational programs of higher education;

5) preprofile training – purposeful pedagogical support of choosing by the student the secondary education of individual educational path;

5-1) profession-oriented school – educational institution, implementing an educational training program of general secondary education;

6) specialized education – a process of differentiation and individualization of training, organization of educational process, taking into account the interests, aptitudes and abilities of students;

7) international scholarship “Bolashak” – scholarship, established by the President of the Republic of Kazakhstan for training the citizens of the Republic of Kazakhstan in the leading foreign higher education institutions by full-time course of study or interning by scientific, pedagogic, engineering and technical, medical workers in the foreign organizations;

7-1) voucher and modular system of continuing education – a form of continuing education, providing the educator with possibility of choice of organization, content and term of apprenticeship, financing on the basis of per capita standard, established by the state and executed in the form of name document (voucher), provided with definite sum of money;

7-2) institute for continuing education – educational organization, implementing the relevant educational training programs of professional continuing education and retraining of staff in continuing education, providing support of innovative processes in education, ensuring efficiency of methodical work;

7-3) certification – confirmation procedure of accumulation of individual abilities, professional knowledge, skills and experience, necessary for execution of work within the relevant type of professional activity by particular profession;

7-4) special conditions for obtainment of education – conditions for obtainment of education, including the special educational training programs and special teaching methods, technical and other means, living environment, as well as medical, social and other services, without which is impossible gaining of general education and professional educational training programs by individuals with disabilities;

8) intermediate attestation of students – procedure, conducting in order of assessing the quality of learning the content of part or all volume of one educational subject after completion of its study;

9) final attestation of students – procedure, conducting in order of determination the extent of learning by them the volume of educational subjects, provided by the state obligatory standards of relevant educational level;

10) educational grant – target sum of money, provided to the students on conditions, established by the legislation of the Republic of Kazakhstan to pay for higher education;

10-1) educational loan – money, provided to the borrower by financial organizations to pay for education on conditions of timing, payment and repayment;

11) educational activity – process of purposeful, pedagogically established, sequential interaction of subjects of education, in the course of which the tasks of training, development and education of personality are solved;

12) educational monitoring – systematic observation, analysis, assessment and prediction of the state and dynamics of changes of the results and conditions of implementation of

educational processes, contingent of students, network, as well as rating indicators of achievement of activity of organizations of education;

13) an authorized body in the field of education - central executive body of the Republic of Kazakhstan, carrying out management and cross-sector coordination in the field of education;

14) national system of estimating the quality of education - a set of institutional structures, procedures, forms and methods of establishing conformity of quality of education to the state obligatory standards of education, needs of individual, society and the state;

15) nostrification of documents confirming education - procedure, conducting in order of determination of equivalence of documents, issued to the persons, educated in other states, in international or foreign educational institutions (their branches);

16) accreditation of organizations of education - procedure of recognition of accreditation body of compliance of educational services with the established standards ( regulations) of accreditation in order of provision of objective information about its quality and approval existence of effective mechanisms of its increase;

17) state attestation of educational organization - procedure, conducting in order of control of compliance of educational services, provided by organizations of education, with the requirements of the state of obligatory standard;

17-1) special status of educational organization - special regime of functioning, providing possibility of self-determination of order of admission to the training, implementation of self-developed educational training programs, use of own regulations and standards in the field of educational, scientific and methodical activity, issuance of documents concerning education of own sample;

18) upper secondary school - educational institution, implementing general education and additional educational training programs of primary, basic secondary and general secondary education, providing expanded and profound education on socio-humanities and other fields of study in accordance with aptitudes and abilities of students;

18-1) scientific and methodical work - type of activity, based on scientific achievements and advanced educational experience and directed to improving the functioning and development of continuing education;

18-2) candidate of science, doctor of science - degree levels, awarded on the basis of defence of a thesis by candidates;

18-3) doctoral candidate - a person, learning in the doctorate;

18-4) doctorate - professional educational training program of postgraduate study, directed to the training of scientific and pedagogical staff with conferment of a higher degree of doctor of philosophy (PhD), doctor on profile;

19) Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);

20) Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);

21) general education school - educational institution, implementing general education and additional educational training programs of primary, basic secondary and general secondary education, as well as education programs of additional education of students and pupils;

21-1) higher technical school - educational institution, implementing integrated educational training programs of technical and professional, post-secondary education;

21-2) research university - higher education institution, implementing development programme, approved by the Government of the Republic of Kazakhstan for five years and self-developed educational training programs of higher and postgraduate study in three or more groups of professions, using results of fundamental and applied scientific researches for the generation and transfer of new knowledge;

21-3) inclusive education - co-education and training of individuals with disabilities, providing an equal access with other categories of students to the relevant educational training programs of education, special pedagogic and social support of development by providing the special conditions;

22) innovative and educational consortium - voluntary equal association on the basis of

joint operation agreement, wherein the higher education institutions, scientific organizations and other legal entities, engaged in production, associate intellectual, financial and other resources for training of highly trained professionals on the basis of fundamental, applied scientific researches and technological innovations;

23) Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);

24) Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);

25) institute - higher education institution, implementing educational training programs of higher education;

26) institutional accreditation - an assessment of activity of educational organization on qualitative representation of educational programs in accordance with the stated status;

26-1) integrated educational training programs - educational training programs, developed on the basis of combining of relevant substantive aspects of educational training programs;

27) boarding school organizations - educational organizations, providing the state guarantees of rights to education the relevant categories of persons with provision of place of residence;

28) internship - a form of one or two-year training of students of medical higher education institutions within the basic medical education;

28-1) adaptation centers of minors - organizations, being managed by bodies of education, providing reception and temporary alimony of neglected and street children at the age from three to eighteen years for establishment of parents or other legal representatives, children, being left without parental care or persons, substituting them, in the case of impossibility of their timely organization, children, taken away upon direct threat to their life or health by tutorship and guardianship authority from parents (one of them) or other persons, in care of which they are, children, directed to the special organizations of education, as well as children, being in difficult real-life situation due to abusive treatment, led to the social maladjustment and social deprivation;

29) professional orientation - provision of information and consulting assistance to the students in exercising its rights in the field of educational and professional possibilities, free and informed choice of profession and place of study in accordance with the professional interests, individual abilities and psychophysiological characteristics;

29-1) professional training - a part of system of technical and professional education, providing implementation of professional educational training programs with reduced period of study in training of specialists of technical and service work;

30) an assessment of professional degree of training - determination of quality of conformance of skill level (ability) of graduate of organizations of education, implementing educational training programs of technical and professional, post-secondary education to execution of work within the relevant type of professional activity;

31) Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);

32) Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);

33) complex test - a form of examination, conducted simultaneously by several educational subject with application of information technologies;

34) clinical base - clinic of higher education institution or public health organization, operating on the basis of local public health organizations, having a high level of material and technical basis, carrying out training and retraining of doctors, scientific personnel and providing all types of medical assistance on the basis of modern methods of organization and methodical, educational, medical diagnostic and research scientific work;

35) college - an educational institution, implementing educational training programs of general secondary and technical and professional education or post-secondary education;

35-1) cooperative learning - on the forms of organization of professional staff training, based on corporate responsibility of the state, employers and educational institutions;

- 36) credit technology of training – training on the basis of choice and self-planning of students of subsequence study of subjects with the use of credit as unitized volume unit of educational work of students and teacher;
- 37) quota of reception - limited number of volume of the state educational order, as well as educational grants, awarded for reception in organization, giving technical and professional , post-secondary and higher education, citizens from the list of disabled persons of I, II groups, persons, equated in privileges and guarantees to the participants and disabled persons of Great Patriotic war, persons disabled from childhood, disabled children, rural youth and persons of Kazakh nationality, not being citizens of the Republic of Kazakhstan, as well as orphaned children and children, being left without parental care;
- 37-1) educational grant of the First President of the Republic of Kazakhstan - Leader of the Nation “Orken” (hereinafter - the grant “Orken”) – a grant, established by the First President of the Republic of Kazakhstan to pay for education of gifted children in specialized organizations “Nazarbayev Intellectual Schools”;
- 37-2) associated professor (assistant professor), professor - academic titles, awarded by the authorized body in the field of education upon the application of higher education institution or scientific organization;
- 38) distance education technologies – education, carrying out with application of information and telecommunication means upon mediate (in the distance) or incompletely mediate interaction of student and teaching employee;
- 38-1) non-school organization of additional education - training and educational organization, implementing educational training programs of additional education of students and pupils;
- 39) additional education – a process of education and training carried out in order of satisfaction of comprehensive needs of student and pupils;
- 40) lyceum – educational institution, implementing general education and additional educational training programs of basic secondary and general secondary education, providing enhanced and profound natural mathematical education of students in accordance with their aptitudes and abilities;
- 41) magister - academic degree, awarded to persons, mastered professional education programs of postgraduate study;
- 41-1) magistrand – a person, studying in a master’s degree;
- 41-2) master's degree programme – professional educational training program of postgraduate education, directed to the training of scientific and pedagogical staff with awarding of academic degree “magister” in the relevant profession;
- 42) specialized accreditation – quality assessment of separate education programs, implemented by educational organization;
- 43) **Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);**
- 44) state scholarship – a scholarship, established by the President of the Republic of Kazakhstan and (or) the Government of the Republic of Kazakhstan;
- 45) state educational order - volume of services on nursery education and training, financing by the state, on training, continuing education and retraining of qualified employers and specialist for meet the requirements of economy, reproduction of qualified personnel and intellectual potential of society, as well as on training and methodological support of the education system;
- 45-1) state final exam – one of the form of final attestation of students in the organizations of general secondary education, being a necessary condition for receipt by them a document of the state-recognized, certifying on graduation of general secondary education;
- 46) education program – a program, determining on each educational subject (subject) of content and scope of knowledge, skill, experience and competence, subject to learning;
- 47) curriculum – a document, regulating a list and volume of educational subjects ( subjects) of relevant educational level, procedure of its learning and form of control;
- 48) educational and clinical center – structural subdivision of medical higher education

institution, equipped by state-of-the-art equipment, phantoms and moulages and designed to learning and control of practical (clinical) experiences of students and (or) medical workers;

49) secondary education - guaranteed by the Constitution of the Republic of Kazakhstan on education, obtained by the citizens in the results of learning of general education training programs of primary, basic secondary and general secondary education in accordance with the state obligatory standards of education;

49-1) grant "The best organization of secondary education" - money, annually allocated to the state organizations of secondary education by the local executive bodies of region, city of republican significance and capital according to the results of competition on the basis of rating indicators;

50) **Is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication);**

51) residency - a form of obtainment of profound postgraduate medical education on clinical professions;

51-1) listener of residency - a specialist, providing educational and training programs of profound postgraduate medical education on clinical professions;

52) spiritual (religious) educational organization - educational institutions, implementing professional education programs of training of ministers of church;

53) scholarship - a sum of money, providing for student for partial covering expenses for meals, residence and obtaining of educational material;

53-1) a student - a person, studying in educational organization, implementing educational training programs of technical and professional post-secondary and higher education ;

53-2) exemplary school (resource center) - organization of general secondary education, on the basis of which educational resources of nearest ungraded schools for short-term sessional lessons and intermediate and final attestation of students in order of providing an access to the quality education for students of ungraded schools is consolidated;

54) university - higher education institution, implementing educational training programs of higher education, doctorate in three or more groups of professions, performing basic and applied researches, being scientific and methodical center;

55) college - educational institution, implementing educational training programs of secondary and general secondary, technical and professional or post-secondary education in the field of culture and art;

56) common national testing - one of the form of final attestation of students in organizations of general secondary education, combined with entrance examinations in educational organization, giving a post-secondary or higher education;

56-1) national higher education institution - higher education institution, being a leading scientific and methodical center of country, having a special status;

56-2) national research university - higher education institution, having a special status and development program for five years, approved by the Government of the Republic of Kazakhstan, implementing self-developed educational training programs of higher and postgraduate education in three or more groups of professions using the results of basic and applied research for generation and transfer of new knowledge;

57) doctor of philosophy (PhD), doctor on profile - degree level, awarded to persons, mastered professional educational training programs of doctorate on relevant professions and defended a dissertation;

57-1) international school - educational organization, implementing self-developed integrated educational programs, passing authorization in Organization of International Baccalaureate or international institutional accreditation;

58) ungraded school - general education school with narrow school enrolment, combined with class-outfits and specific form of organization of training sessions;

59) testing site - educational organization, implementing educational training programs in the test regime for approval of new pedagogic technologies and educational training programs ;

60) external studies – a form of education, upon which the students independently learn the educational subjects of relevant educational program without regular attendance;

61) elite education – education, obtained by specialized educational training programs, implemented in specialized organizations of education for gifted persons.

Footnote. Article 1 as amended by the Laws of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 09.01.2012 No. 535-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 18.02.2014 No. 175-V (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 2. The legislation of the Republic of Kazakhstan in the field of education**

1. The legislation of the Republic of Kazakhstan on education is based on the Constitution of the Republic of Kazakhstan and consists of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. If the international treaty, ratified by the Republic of Kazakhstan establishes the other rules, than those provided by this Law, the rules of international treaty shall be applied.

## **Article 3. Principles of the state policy in the field of education**

1. Basic principles of the state policy in the field of education shall be:

- 1) equality of rights of all to obtain the quality education;
- 2) priority of development of educational system;
- 3) accessibility of education of all levels for population in recognition of mentality, psychophysiological and individual peculiarities of each person;
- 4) secular, humanistic and developed nature of education, priority of civil and national values, life and health of person, free personality development;
- 5) respect of human rights and freedoms;
- 6) stimulation of education of personality and development of giftedness;
- 7) continuity of process of education, secure continuity of its levels;
- 8) unity of training, education and development;
- 9) democratic nature of management of education, transparency of activity of educational system;
- 10) variety of organizations of education on forms of ownership, training forms and education, direction of education.

2. Creation and activity of organizational structures of political parties and religious organizations (associations) in organizations of education shall be prohibited.

Footnote. Article 3 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Chapter 2. MANAGEMENT OF EDUCATIONAL SYSTEM**

### **Article 4. Competence of the Government of the Republic of Kazakhstan in the field of education**

The Government of the Republic of Kazakhstan shall:

- 1) develop and realize the state policy on development of education;



2) Is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);

3) form a system of continuous monitoring of current and long-term requirements of the labor market in staff;

4) provide participation in social partners in solution of problems of professional education and approved the state educational order for the training of specialists with higher and postgraduate education, as well as with technical and professional, post-secondary education in organizations of education, finances from the republican budget (except for organizations of education, carrying out training of specialists for Armed Forces, other military forces and military formation, as well as special state bodies);

5) approve the rules of awarding of educational grant for the payment of higher education ;

5-1) approve the rules of awarding and amount of grant "Orken";

6) Is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication);

7) approve the Rules of the state attestation of educational organization;

8) approve the qualifying requirements, specified to the educational activity;

9) Is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication);

10) approve the guaranteed state standard network of educational organization, depending on density of population and distance of inhabited localities;

11) determine model personnel establishment of employees of the state organizations of education, as well as a list of positions of teaching employees and persons equated to them;

12) introduce presentation to the President of the Republic of Kazakhstan on awarding of special status to the separate organizations of education, introducing outstanding contribution in education, training and professional achievement of personhood and approve Provision on special status of educational organization;

13) create, reorganize and liquidate the state organizations of education, financed at the expense of the budget funds on presentation of body of the state management, unless otherwise provided by the Laws of the Republic of Kazakhstan;

14) Is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication);

15) approve the Rules of selection of candidates for the award of international scholarship "Bolashak" and determine directions of expenditure of international scholarship " Bolashak";

16) establish the state scholarships;

17) Is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication);

18) Is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication);

19) approve the model rules of activity of educational organization of relevant types, as well as educational organization, implementing additional educational programs for children;

20) Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);

21) approve the rules of formation, directions of expenditure and accounting of funds, allocated for the provision of financial and material assistance to the students and pupils of the state educational institutions from the families, having a right to receipt the state targeted social assistance, as well as from families, not receiving the state targeted social assistance, in which the average income below the amount of minimum living wage, and orphaned children, children, being left without parental care, living in families, children from families, requiring emergency care in the results of emergency situations, and other categories of student and pupils, determined by collegial body of management of educational organization, in the amount not less than one percent of the budget funds, allocated for the current maintenance of general education schools;



22) Is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication);

22-1) determine procedure of guaranteeing of educational credits, provided by financial organizations;

22-2) determine procedure of direction of specialists to work, granting of the right to the self-employment, releasing from obligations or termination of obligation on development by citizens, specified in paragraph 17 of Article 47 of this Law, learning on the basis of the state educational order;

23) introduce presentation to the President of the Republic of Kazakhstan on approval of the list of higher education institution, chief executive officers of which are appointed by the President of the Republic of Kazakhstan, and procedure of their appointment, attestation and dismissal from office;

24) approve the state obligatory standards of education of relevant educational levels;

24-1) approve the amounts of quota of reception upon entering to the study in educational organization, implementing professional educational training programs of technical and professional, post-secondary and higher education, on presentation of the authorized body in the field of education;

25) approve the model rules of reception to the study in educational organization, implementing general educational training programs of primary, basic secondary, general secondary education, professional training programs of technical and professional post-secondary, higher and postgraduate education;

25-1) determine the amount, resources, types and procedure of provision of social assistance to the citizens, specified in the second part of paragraph 4 of Article 8 of this Law;

26) - 29) Is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication);

30) exercise other functions, imposed on it by the Constitution, the Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Footnote. Article 4 as amended by the Laws of the Republic of Kazakhstan dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.02.2012 No. 553-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication);

## **Article 5. Competence of the authorized body in the field of education**

An authorized body in the field of education shall execute the following powers:

1) ensure observance of constitutional rights and freedoms of citizens in the field of education;

1-1) carry out coordination and methodological guideline of local executive bodies in the field of education;

2) implement a unified state policy in the field of education, carry out cross-sector coordination, develop and implement international programs in the field of education and science;

2-1) approve distribution of the state educational order for training of specialists with higher education in the master's programme and doctorate in terms of professions;

3) provide society and state with objective information on system condition of education and efficiency of its activity by training and publication of annual national report on the status of development of education;

4) carry out educational monitoring and information support of the system of education

management, approve the rules of organization and functioning of unified information system of education;

5) carry out management of quality of education, methodical and methodological quality maintenance of educational services, provided by the organizations of education;

6) organize development of the state obligatory standards of education of the relevant educational levels, approve the model educational training programs and model curriculums of all educational levels;

6-1) coordinate the state obligatory standards of education of medical, pharmaceutical and military education, in the scope of culture, art and sport;

6-2) determine procedure of development of the state general education standards of education;

6-3) determine the types and forms of documents on education of the state - recognized and procedure of their issuance;

7) **Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);**

7-1) organize development and approve the model curriculums and programs of children's music schools, children's schools of design and children's art school;

8) issue the licenses and (or) applications to the right of carrying out of educational activity:

legal entities, implementing general education programs of primary, basic secondary, general secondary education;

legal entities, implementing professional programs of technical and professional education , as well as on professions and specialties;

legal entities, implementing professional programs of post-secondary, higher, postgraduate education, as well as on specialties;

legal entities, implementing spiritual educational programs;

8-1) establish procedure of carrying out of educational monitoring;

8-1) carry out reception of notifications on commencement or termination of carrying out of activity on nursery education and training;

8-2) approve Provision on the badge "Altyn belgi";

8-2) maintain a register of educational organizations, filing notification on commencement or termination of carrying out of activity on nursery education and training;

8-3) approve the rules of conferment of title "Best University teacher" and "Best teacher";

8-3) exclude organization of education from register of notifications on commencement or termination of carrying out of activity on nursery education and training in the cases, provided by the Laws of the Republic of Kazakhstan;

8-4) approve the rules of holding of a competition for the awarding of grant " Best organization of secondary education" with establishment of procedure and amount of its provision;

9) conduct the state attestation of organizations of education irrespective of their form of ownership and departmental affiliation, implementing educational programs:

nursery education and training, primary, basic secondary and general secondary education; special and specialized education;

additional education for children;

additional education on sport for children and young people;

technical and professional post-secondary education;

higher and postgraduate education (except for medical and pharmaceutical education);

9-1) determine the basic higher education institution, carrying out innovative activity and introducing scientific findings in production;

10) specify requirements and procedure of recognition of accreditation bodies, as well as foreign, and form register of recognized accreditation bodies, accredited organizations and educational training programs;

11) develop the model rules of reception to the study in educational organization,

implementing general educational training programs of primary, basic secondary, general secondary education, professional training programs of technical and professional post-secondary, higher and postgraduate education;

12) develop and approve the rules of conducting of the unified national test and complex test;

13) determine the lists of professions and specialties for the personnel training by types of professional training programs and approve occupational classifications and specialties in coordination with interested ministers, other central executive bodies, employers and other social partners;

14) determine terms for beginning and completion of academic year in organizations of education irrespective of their form of ownership and departmental affiliation;

15) establish the list of professions and specialties, reception of which in part-time, evening tuition and in the form of external are not allowed, and issue a permit to study in the form of external in organizations of education, providing higher education;

16) develop the rules of transfer and reinstatement of students by types of educational organization;

17) develop procedure of provision of study leaves to the students in organizations of education;

18) **Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);**

19) approve the model rules of conducting of current control of progress, intermediate and final attestation of students;

20) develop and approve estimation rules of level of professional degree of training and award by professions (specialties) of technical and service work;

21) establish procedure of recognition and nostrification of documents on education;

22) develop and approve the rules on organization of order, storage, recording and issuance of document forms of the state-recognized on education and (or) qualification and ensuring by them the educational organization, implementing professional training programs of higher and postgraduate education and carry out control of their use;

23) develop and approve the forms of strictly accountable documents, used by organizations of education in educational activity, establish requirements to drawing up of documents on education; approve the forms of certificate, issued to the persons, not completed education;

24) approve the forms of model agreement of rendering of educational services and model agreement to conduct professional practice;

24-1) develop and approve the model agreement on educational storage contribution;

25) carry out management and coordinate conducting of teaching and instructional research , approve the rules of organization and carrying out of teaching and instructional research, rules of organization of teaching situation on credit method of education and develop the rules of organization of teaching situation on distant educational technologies;

25-1) develop and approve the rules of organization of activity of preparatory departments of higher education institutions of the Republic of Kazakhstan;

25-2) create teaching associations in related groups of specialties and approve provision on their activity upon higher education institutions;

26) provide the republican organizations of secondary education, as well as nationals, studying in foreign schools with textbooks and teaching materials in accordance with international agreements;

26-1) organize development and approve the regulations of equipping and furnishing organizations of preschool, primary, basic secondary, general secondary, technical and professional education;

27) develop and approve the rules of organization of work on training, expertize, approbation and conducting of monitoring, publication of textbooks, teaching materials and study guides and organize this work;

27-1) form and approve the list of textbooks, teaching materials, guides and other

supplementary books, as well as in electronic media;

28) organize conducting of non-school measures of republican significance;

29) develop and approve the rules of organization and conducting of Presidential Olympiad by subjects of natural - mathematical cycle, republican Olympiads and competitions of scientific projects on general subjects, republican competitions of performers and competitions of professional skill;

29-1) form and approve the list of republican and international Olympiads and competitions of scientific projects (scientific competitions) on general subjects, competitions of performers, competitions of professional skill and sporting competitions;

30) **Is excluded by the Law of the Republic of Kazakhstan dated 13.01.2014 No. 159-V (shall be enforced upon expiry of ten calendar days after its first official publication);**

31) approves the charters of subordinated institutions of education;

32) carry out the state control of execution the legislation of the Republic of Kazakhstan and regulatory legal acts in the field of education, state obligatory standards of education in organizations of education irrespective of their form of ownership and departmental affiliation, as well as budget and financial discipline in subordinated organizations in accordance with the legislation of the Republic of Kazakhstan;

33) **Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication);**

34) develop and approve the model job descriptions of positions of teaching employees and persons, equated to them;

35) develop and approve the rules of competitive substitution of heads of the state institutions of secondary education;

36) develop the rules of competitive substitution of positions of higher-education teaching personnel and scientific workers of higher education institutions;

36-1) award the academic ranks of associated professors (assistant professor), professor upon the application of higher education institution and scientific organizations;

37) **Is excluded by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication);**

38) organize retraining and raising of qualification of pedagogical staff;

39) develop and approve the branch incentive scheme;

40) conduct negotiations with foreign partners and sign international treaties (agreements) and programs in the field of education, as well as scientific activity within its competence; establish the rules of organization of international cooperation, carrying out by organizations of education and coordinate this work;

41) develop, approve and establish procedure of direction for study abroad, as well as within the academic mobility;

42) **Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication);**

43) develop and approve the rules of placement of the state educational order for nursery education and training, training of specialists with technical and professional, post-secondary, higher and postgraduate education, as well as preparatory departments of higher education institutions;

44) issue the binding written instructions on elimination of detected violations of the legislation of the Republic of Kazakhstan in the field of education according to the established terms in the instructions;

44-1) develop and approve the rules of development, approbation and implementation of educational training programs, realizing in the regime of experiment in organizations of education;

44-2) carry out information support of management bodies of educational system;

44-3) organize development and approve the rules of organization and functioning of unified information system of education;

44-4) approve the expenditure norms, model agreements for training and interning on international scholarship "Bolashak";

44-5) approve the nomenclature of types of organizations of education and model rules of their activity, as well as ungraded schools;

44-6) form and approve the list of services, related with the state educational order;

45) develop and approve the forms of compulsory departmental accountability, prompt sheets, risk assessment criteria, semi-annuals plans of conduct of verifications in accordance with the Law of the Republic of Kazakhstan "On the state control and supervision in the Republic of Kazakhstan";

45-1) *Is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V( shall be enforced upon expiry of ten calendar days after its first official publication);*

45-2) receive information, contained in the national registers of identification numbers in accordance with the legislation of the Republic of Kazakhstan;

45-3) *Is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V( shall be enforced upon expiry of ten calendar days after its first official publication);*

46) establish procedure and conditions of maintenance of minors in the centers of adaptation of minors in accordance with the Laws of the Republic of Kazakhstan;

46-1) organize development and approve the method of per capita regulatory financing of secondary, technical and professional education;

46-2) organize development and approve the rules of per capita regulatory financing of secondary, technical and professional education;

46-3) organize development and approve the method of voucher - modular system of continuing education;

46-4) organize development and approve the rules of ensuring the distant continuing education;

46-5) develop and approve the rules of confirmation the skill level of teachers;

46-6) develop and approve the mechanism of target preparation of masters and doctors of philosophy PhD in the basic higher education institutions;

46-7) develop and approve the rules of appointment the rectors of the state higher education institutions;

46-8) determine and approve requirements to the university web-sites;

46-9) organize development and approve the technical conditions to the residential schools, profession-oriented schools;

47) exercise other powers, provided by the Laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

*Footnote. Article 5 as amended by the Laws of the Republic of Kazakhstan dated 17.07.2009 No. 188 (the order of enforcement see Article 2); dated 19.03.2010 No. 258-IV; dated 29.12.2010 No. 372-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 24.10.2011 No. 487-IV (the order of enforcement see Article 2); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No. 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.01.2014 No. 159-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.05.2014 No. 203-V ( shall be enforced upon expiry of six months after its first official publication); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication).*

## **Article 6. Competence of local representative and executive bodies in the field of education**

1. Local representative bodies shall:

- 1) Is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);
- 2) accept a decision on travel privilege of students by public transport;
- 3) exercise other powers on ensuring the rights and legal interests of citizens in accordance with the legislation of the Republic of Kazakhstan.

2. Local executive bodies of region shall:

- 1) Is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);

- 1-1) realize the state policy in the field of education;
- 2) ensure provision of technical and professional, post-secondary education;
- 3) provide training of children on special general education training programs;
- 4) provide training of gifted children in the specialized organizations of education;
- 5) organize the order and ensuring the organizations of education, implementing general education training programs of basic secondary, general secondary education and professional training programs of technical and professional, post-secondary education, document forms of the state-recognized on education and carry out control of their use;

- 5-1) Is excluded by the Law of the Republic of Kazakhstan dated 13.06.2013 No. 102-V ( shall be enforced upon expiry of ten calendar days after its first official publication);

- 6) create, reorganize and liquidate the state organizations of education, implementing professional training programs of technical and professional, post-secondary education, specialized and special general education training programs, as well as children's and youth sports schools in the manner established by the legislation of the Republic of Kazakhstan in coordination with the authorized body in the field of education;

- 7)-7-2) Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of six months after its first official publication);

- 8) approve the state educational order for the training of specialists with technical, professional, post-secondary education;

- 8-1) place the state educational order for the training of specialists with technical and professional education in recognition of proposals of National chamber of entrepreneurs of the Republic of Kazakhstan;

9) organize participation of students in the common national testing;

- 10) carry out logistical support of the state organizations of education, implementing professional training programs of technical and professional, post-secondary education, as well as special and specialized general education training programs (except for organizations of education in correctional institutions of correctional system);

- 11) direct funds for providing financial and material assistance to the students and pupils of the of the state educational institutions from the families, having a right to receipt the state targeted social assistance, as well as from families, not receiving the state targeted social assistance, in which the average income below the amount of minimum living wage , and orphaned children, children, being left without parental care, living in families, children from families, requiring emergency care in the results of emergency situations, and other categories of students and pupils, determined by collegial body of management of educational organization, in the amount not less than one percent of the budget funds, allocated for the current maintenance of general education schools;

- 12) provide acquisition and delivery of textbooks and teaching materials in hard copy and electronic format for organizations of education, implementing on the basis of the state order of professional educational training programs of technical and professional education, as well as specialized and special general education training programs;

- 13) ensure organization and conducting of school Olympiads and competitions of scientific projects on general subjects, competitions of performers and competitions of profession skill of regional scale;

14) ensure additional education of children, carried out at the regional level;



15) organize retraining of staff and continuing education of employees of the state organizations of education, financed at the expense of budget funds;

16) **Is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication);**

17) ensure rehabilitation and social adaptation of children and teenagers with the problems in development;

18) carry out the social security of orphaned children, children, being left without parental care according to the established procedure;

19) organize free and subsidized meals of separate categories of students in the manner provided by the legislation of the Republic of Kazakhstan;

20) contribute employment of persons, graduated on the basis of the state educational order of educational organization, implementing professional training programs of technical and professional, post-secondary education;

20-1) annually represent the applications on staffing requirements in countryside with subsequent employment according to the presented applications, to the authorized bodies in the field of education and health care service until 15 April;

21) make proposals to the maslikhat on travel privilege of students by public transport;

22) appoint a chief executive officer of regional body of management of education in coordination with the authorized body in the field of education;

22-1) carry out educational monitoring;

23) maintain the Centers of adaptation of minors;

24) provide conditions for the persons, maintained in the Centers of adaptation of minors

;

24-1) provide assistance to the school boards;

24-2) organize staffing support of the state organizations of education;

24-3) pay the grant "The best organization of secondary education" to the winner of competition-state institutions of secondary education;

24-4) grant a permission to study in the external form in the organizations of education, implementing the specialized and special general education training programs;

24-5) provide material and technical basis of methodic departments;

24-6) organize development and approve the rules of activity of psychological service in organizations of secondary education;

24-7) develop and approve the model rules of internal order of organization of education;

25) exercise other powers, imposed on the local executive bodies by the legislation of the Republic of Kazakhstan in the interests local state management.

3. Local executive body of the city of republican significance and the capital shall:

1) **Is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);**

2) organize registration of children of preschool and school age, their education until obtainment them secondary education;

3) organize and provide secondary education, including evening (shift-type) tuition, and secondary education, provided through the educational organization of boarding school type;

4) provide obtainment of technical and professional, post-secondary education;

5) create, reorganize and liquidate the state organizations of education, implementing educational training programs of nursery education and training, primary, basic secondary and general secondary, technical and professional, post-secondary education, additional education of children, as well as the state organizations of education, implementing the special and specialized general education training programs in the manner established by the legislation of the Republic of Kazakhstan;

6) -6-2) **Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of six months after its first official publication);**

7) approve the state educational order for the training of specialties with technical and professional, post-secondary education;

7-1) approve the state educational order for the nursery education and training, the

amount of per capita financing and parental payment;

8) organize participation of students in a common national testing;

9) organize acquisition and delivery of textbooks and teaching materials for the state organizations of education, implementing general education training programs of primary, basic secondary, general secondary education, professional training programs of technical and professional education, as well as specialized and special general education training programs;

10) provide additional education for children;

11) direct funds for rendering financial and material assistance to the students and pupils of the of the state educational institutions from the families, having a right to receipt the state targeted social assistance, as well as from families, not receiving the state targeted social assistance, in which the average income below the amount of minimum living wage , and orphaned children, children, being left without parental care, living in families, children from families, requiring emergency care in the results of emergency situations, and other categories of students and pupils, determined by collegial body of management of educational organization, in the amount not less than one percent of the budget funds, allocated for the current maintenance of general education schools;

12) carry out logistical support of the state organizations of education (except for organizations of education in correctional institutions of correctional system) and organizations of nursery education and training;

13) provide training on special general education training programs;

14) provide training of gifted children in the specialized organizations of education;

15) ensure organization and conducting of school Olympiads and competitions of scientific projects on general subjects, competitions of performers and competitions of profession skill in the scale of the city of republican significance, the capital;

16) ensure examination of mental health of children and teenagers and providing of psychological, medical and pedagogical counselling assistance to the public;

17) ensure rehabilitation and social adaptation of children and teenagers with the problems in development;

18) organize retraining of staff and continuing education of employees of the state organizations of education, financed at the expense of budget funds;

19) carry out the social security of orphaned children, children, being left without parental care according to the established procedure;

20) organize medical service of students and pupils of organizations of education, except for preschool, in the manner established by the legislation of the Republic of Kazakhstan;

21) organize free and subsidized meals of separate categories of students and pupils in the manner provided by the legislation of the Republic of Kazakhstan;

22) contribute employment of persons, graduated on the basis of the state educational order of educational organization, implementing professional training programs of technical and professional, post-secondary education;

23) make proposals to the maslikhat on travel privilege of students by public transport;

24) provide the necessary methodical and counselling assistance to the organizations of nursery education and training;

24-1) organize development and approve the rules of activity of psychological service in organizations of secondary education;

24-2) develop and approve the model rules of internal order of organization of education;

25) appoint the chief executive officers of management of education in coordination with the authorized body in the field of education;

25-1) organize the order and ensuring the organizations of education, implementing general education training programs of basic secondary, general secondary education and professional programs of technical and professional, post-secondary education, document forms of the state-recognized on education and carry out control of their use;

25-2) carry out educational monitoring;

25-3) provide assistance to the school boards;

25-4) organize staffing support of the state organizations of education;

25-5) provide methodological guideline by psychological service in the organizations of education;

25-6) pay the grant "The best organization of secondary education" to the winner of competition-state institutions of secondary education;

25-7) grant a permission to study in the external form in the organizations of basic secondary, general secondary education, as well as in the organizations of education, implementing the specialized and special general education training programs;

25-8) provide material and technical basis of district methodic departments, institute for continuing education;

26) maintain the Centers of adaptation of minors;

27) provide conditions for the persons, maintained in the Centers of adaptation of minors ;

28) exercise other powers, imposed on the local executive bodies by the legislation of the Republic of Kazakhstan in the interests local state management.

4. Local executive body of district (city of regional significance):

1) **Is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);**

2) ensure provision of primary, basic secondary and general secondary education, including evening (shift-type) tuition, and general secondary education, provided through the organization of boarding school type;

3) organize participation of students in a common national testing;

4) organize registration of children of preschool and school age, their education until obtainment them secondary education;

5) create, reorganize and liquidate the state organizations of education, implementing general educational training programs of primary, basic secondary and general secondary education, except for the state organizations of education, implementing the special and specialized general education training programs, as well as general education training programs of nursery education and training and additional educational programs for children, in the manner established by the legislation of the Republic of Kazakhstan;

6)-6-2 ) **Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of six months after its first official publication);**

7) support and provide assistance in logistical support of the state organizations of education, implementing general education training programs of primary, basic secondary and general secondary education (except for organizations of education in correctional institutions of correctional system);

8) organize acquisition and delivery of textbooks and teaching materials to the organizations of education, implementing general education training programs of preschool training, primary, basic secondary, general secondary education;

8-1) approve the state educational order for the nursery education and training, the amount of per capita financing and parental payment;

8-2) provide material and technical basis of district methodic departments;

9) provide additional education for children;

10) ensure organization and conducting of school Olympiads and competitions of scientific projects on general subjects, competitions of regional (city) scale;

11) direct funds for providing financial and material assistance to the students and pupils of the of the state educational institutions from the families, having a right to receipt the state targeted social assistance, as well as from families, not receiving the state targeted social assistance, in which the average income below the amount of minimum living wage , and orphaned children, children, being left without parental care, living in families, children from families, requiring emergency care in the results of emergency situations, and other categories of students and pupils, determined by collegial body of management of educational organization, in the amount not less than one percent of the budget funds, allocated for the current maintenance of general education schools;

12) carry out the social security of orphaned children, children, being left without

parental care, their compulsory employment and provision of housing according to the established procedure;

13) organize medical service of students and pupils of organizations of education, except for preschool, in the manner established by the legislation of the Republic of Kazakhstan;

14) organize free and subsidized meals of separate categories of students and pupils in the manner provided by the legislation of the Republic of Kazakhstan;

15) contribute employment of persons, graduated in the organizations of education;

16) contribute provision of housing and living conditions of young professionals, came to the work in the educational organization, being in countryside;

17) make proposals to the maslikhat on travel privilege of students by public transport;

18) provide the necessary methodical and counselling assistance to the organizations of nursery education and training;

19) appoint the chief executive officers of district (city) departments of education in coordination with the local executive bodies of region;

19-1) carry out educational monitoring;

19-2) organize the order and ensuring the organizations of education, implementing general education training programs of basic secondary, general secondary education, document forms of the state-recognized on education and carry out control of their use;

20) Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);

21) Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);

1-1) carry out staffing support of the state organizations of education;

21-2) provide methodological guideline by psychological service in the organizations of education;

21-3) grant a permission to study in the external form in the organizations of basic secondary, general secondary education;

21-4) ensure examination of mental health of children and teenagers and providing of psychological, medical and pedagogical counselling assistance to population;

22) exercise other powers, imposed on the local executive bodies by the legislation of the Republic of Kazakhstan in the interests local state management.

5. Akim of district in the city, city of regional, district significance, rural settlement, village, rural district shall:

1) organize registration of children of preschool and school age;

1-1) maintain exemplary schools (resource centers);

2) ensure nursery education and training, as well as organize medical service in the organizations of nursery education and training in the manner established by the legislation of the Republic of Kazakhstan.

In the case of absence of schools in inhabited locality, akim of rural settlement, village, rural district shall organize free transport for students to the nearest school and back.

Footnote. Article 6 as amended by the Laws of the Republic of Kazakhstan dated 29.12.2010 No. 372-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.07.2011 No. 452-IV (shall be enforced from 13.10.2011); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 24.10.2011 No. 487-IV (the order of enforcement see Article 2); dated 13.06.2013 No. 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 130-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 7. Information support of management bodies of educational system**

1. A unified information system of education, making possibilities of efficient management of education, shall be created and being in force in order of timely provision the management bodies with educational system of complete, reliable comparable information in the Republic of Kazakhstan.

2. A unified information system of education shall include the data of educational monitoring, statistical observations, and other data, received by the authorized body in the field of education, local executive bodies, organizations of education in the process of carrying out of its activity.

Footnote. Article 7 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 8. State guarantees in the field of education**

1. Right to education shall be secured by the state by development of educational system, improvement of legal basis of its functioning and creation of necessary socio-economic conditions for obtainment education in accordance with the Constitution of the Republic of Kazakhstan.

The state control of the quality of education provided by creation and functioning of national system of education quality evaluation.

2. The state shall ensure obtainment of free preschool, primary, basic secondary and general secondary education by the citizens of the Republic of Kazakhstan, as well as on a competitive base in accordance with the state educational order of free technical and professional, post-secondary, higher and postgraduate education, if education of each of these levels the citizen gets for the first time, except for the educational institutions of special state bodies and organizations of education of law enforcement bodies.

Foreigners and persons without citizenship, permanently residing in the Republic of Kazakhstan, as well as arrived to the Republic of Kazakhstan in order of family reunification, shall have a right to obtain of preschool, primary, basic secondary and general secondary education, equally with the citizens of the Republic of Kazakhstan, in the manner established by the authorized body in the field of education.

A right to obtain free technical and professional, post-secondary, higher and postgraduate education shall be granted to the persons without citizenship, permanently residing in the Republic of Kazakhstan, on a competitive base in accordance with the state educational order, if education of each of these levels they get for the first time, except for the military educational institutions.

A right to obtain free technical and professional, post-secondary, higher and postgraduate education on a competitive base in accordance with the state educational order shall be determined by international treaties of the Republic of Kazakhstan.

3. In order of ensure the availability of obtainment technical and professional, post-secondary, higher and postgraduate education shall be created conditions for the development of the State educational storage system and non-state educational credit.

The state shall take measures on creation of the system of guaranteeing of educational credits, disbursed by the financial organizations.

4. The state shall compensate for maintenance expenses of citizens of the Republic of Kazakhstan, being in need of social assistance in whole or in part, in the period of obtainment education by them.

To the categories of citizens of the Republic of Kazakhstan, to whom is rendered the social assistance, shall include:

- 1) orphaned children, children, being left without parental care;
- 2) children with disabilities in development, disabled persons and person disabled from childhood, disabled children;
- 3) children from families with many children;

4) children, being in the centers of temporary isolation, adaptation and rehabilitation of minors;

5) children, residing in the boarding schools of general and sanatory type, boarding-schools under schools;

6) children, educating and training in the specialized boarding school organizations of education for the gifted children;

7) pupils of boarding school organizations;

8) children from families, having a right to receipt the state targeted social assistance , as well as from families, not receiving the state targeted social assistance, in which the average income below the amount of minimum living wage;

9) children, who on the state of health are educated by programs of primary, basic secondary, general secondary education at home or in the organizations, rendering sanatory assistance, as well as rehabilitation treatment and medical rehabilitation for a long period;

10) other categories of citizens, determined by the Laws of the Republic of Kazakhstan.

4-1. The state shall compensate for expenses for meals of separate categories of students in whole or in part in the manner provided by the legislation of the Republic of Kazakhstan.

The effect of the legislation of the Republic of Kazakhstan on the state purchases shall not be distributed to the legal relations, regulated by the legislation of the Republic of Kazakhstan in the field of education, in a part of choosing of service provider on arrangements for feeding of students in the organizations of secondary education.

Rules of choosing the service providers on arrangements for feeding of students in the organizations of secondary education shall be approved by the Government of the Republic of Kazakhstan.

5. Individual free education at home or in the organizations, providing sanatory assistance, as well as rehabilitation treatment and medical rehabilitation shall be organized for the citizens, who on the state of health may not attend organizations of primary, basic secondary, general secondary education for a long period.

6. The state, achieving purposes of inclusive education, shall provide the special conditions for obtainment by them education, correction of disturbances of development and social adaptation at all levels of education to the citizens with disabilities in development.

7. The state shall guarantee functioning of ungraded schools and boarding school organizations for the provision of a right to obtain primary, basic secondary, general secondary education by the children, residing in the inhabited localities with less number of residents.

8. The state shall create the necessary conditions to the gifted citizens of the Republic of Kazakhstan for obtainment elite education, as well as abroad.

Footnote. Article 8 as amended by the Laws of the Republic of Kazakhstan dated 22.07.2011 No. 478-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.02.2012 No. 553-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 14.01.2013 No. 68-V ( shall be enforced upon expiry of ten calendar days after its first official publication); dated 21.05.2013 No. 93-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 14.01.2014 No. 161-V (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 9. Language of training and education**

1. Language policy in the organizations of education shall be carried out in accordance with the Constitution of the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan on languages.

2. All organizations of education, irrespective of their form of ownership, shall provide the students with knowledge of Kazakh language as the state, as well as learning of Russian



languages in accordance with the state obligatory standards of relevant educational level.

3. Right to obtain education in a native language shall be provided by creation upon present of possibility of relevant organizations of education, classes, groups, as well as conditions of their functioning

Creation of relevant organizations of education, classes, groups with the state language shall be the priority orientation.

4. The state and Russian languages shall be the compulsory subjects, including in a list of subjects upon conducting of common national testing.

**Footnote. Article 9 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

### **Article 9-1. Accreditation of organizations of education**

1. Accreditation of educational organization shall be carried out on a voluntary basis.

Educational organization is independent in choosing the accreditation body.

2. Decision on conducting of accreditation or on refusal in conducting of accreditation shall be accepted by the accreditation body on the results of consideration of applications by the educational organization and represented documents, the list of which is determined by the accreditation body.

Conditions and terms of conducting of accreditation shall be determined in the agreement on conducting of accreditation between educational organization and accreditation body.

3. Accreditation body shall conduct institutional or specialized accreditation in accordance with its standards (regulations) of accreditation.

4. Accreditation of educational organization shall be conducted at the expense of educational organization.

5. Educational organization shall have a right to undergo the national and international institutional, specialized accreditation in the accreditation bodies, entered in the register of the authorized body.

6. Institutes for continuing education shall have a right to undergo accreditation on a regular basis in accordance with the legislation of the Republic of Kazakhstan.

**Footnote. Chapter 2 is supplemented by Article 9-1in accordance with the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Chapter 3. EDUCATIONAL SYSTEM**

### **Article 10. The concept of educational system**

Educational system of the Republic of Kazakhstan shall represent a set of interactive:

1) state obligatory standards of education and educational training programs, securing continuity of educational levels;

2) organizations of education, irrespective of their form of ownership, types and kind, implementing educational programs;

3) management bodies of education and relevant infrastructure, as well as organizations of academic and scientific-methodological support, carrying out of educational monitoring;

4) associations of the subjects of educational activity.

**Footnote. Article 10 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Article 11. Tasks of educational system**

The tasks of educational system shall be:

- 1) creation of necessary conditions for obtainment quality education, directed to formation, development and professional achievement of personhood on the basis of national human values, the achievements of science and practice;
- 2) development of creative, spiritual and physical abilities of the individual, the formation of sound foundations of morality and healthy life, enriching intelligence by creation conditions for the development of individuality;
- 3) education of citizenship and patriotism, love for their Native country-Republic of Kazakhstan, respect to the symbols of state and state language, veneration of national traditions, impatience to any anticonstitutional and unsocial demonstrations;
- 4) education of personality with active citizenship, formation of needs to participate in socio-political, economic and cultural life of republic, conscious attitude of personality to their rights and obligations;
- 5) inclusion to the achievement of domestic and world culture; study of history, customs and traditions of Kazakh and other peoples of the republic; acquisition of the state, Russian, foreign languages;
- 6) ensuring improvement of social status of teaching employees;
- 7) extension of autonomy, independence of educational organization, democratization of education management;
- 8) functioning of national evaluation system of quality, corresponding with the needs of society and economy;
- 9) introduction and effective use of the new technologies of education, as well as credit , distant, information and communication, assisting to the rapid adaptation of professional education to the changing needs of society and the labor market;
- 10) development of educational systems during lifetime, providing interrelation between general training, training on the job and requirements of the labour market and helping all people make the most use of their personal potential in a society, based on knowledge and competence;
- 11) integration of education, science and industry;
- 12) providing professional motivation of students;
- 13) ensuring priority development and professional education by active interaction with employers and other social partners;
- 14) creation of special conditions for obtainment education by persons with disabilities.

**Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Article 12. Educational level**

Educational level in the Republic of Kazakhstan on the basis of principle of continuity and continuation of educational training programs shall include the following educational levels: 1) nursery education and training;

- 2) primary education;
- 3) basic secondary education;
- 4) secondary education (basic secondary education, technical and professional education);
- 5) post-secondary education;
- 6) higher education;
- 7) postgraduate education.

## **Chapter 4. CONTENT OF EDUCATION**

### **Article 13. The concept of the content of education**

The content of education - a system (complex) of knowledge for each educational level, being a basis for formation of competence and all-round development of individual.

The content of education shall be determined by the educational training programs, which are developed on the basis of the state obligatory standards of education.

### **Article 14. Educational training programs**

1. Educational training programs depending on the content and their direction (appointment) shall be divided into:

- 1) general education (model, working);
- 2) professional (model, working);
- 3) additional.

Model training programs shall be developed in accordance with the requirements of the state obligatory standards of education.

Working training programs shall be developed on the basis of relevant model curriculums and model training programs.

2. General education training programs shall be directed to the tasks solution of formation of general personal culture, adaptation of personality to life in society, to provide a basis for informed choice of learning of profession, specialty.

Depending on the content, the general education training programs shall be divided into the training programs:

- 1) nursery education and training;
- 2) primary education;
- 3) basic secondary education;
- 4) general secondary education.

Specialized educational training programs, profound education of separate subjects of training programs shall be developed for more complete development of potentiality of gifted persons.

Special educational training programs, considering peculiarities of development and potentiality of students and pupils, determined in recognition of psychological, medical and pedagogical counselling shall be developed for the separate categories of persons.

3. Professional training programs are directed to the training of specialists of technical, service and administrative work in the direction of professional activity in the branches of economy, subsequent increase of professional and general education level of personality.

Depending on the content, the professional training programs shall be divided into the training programs:

- 1) technical and professional education;
- 2) post-secondary education;
- 3) higher education;
- 4) postgraduate education.

4. Educational training programs of additional education shall provide creation of conditions for the development of personal self-determination, creativity of students, realization of their abilities, adaptation to life in society, formation of civil consciousness, general culture, healthy life, organization of meaningful leisure.

5. Experimental educational training programs, realizing in the organizations of education, working in the regime of experiment (testing sites) shall be developed for approbation of new technologies of education, introduction of new content of education.

6. Integrated educational training programs shall be developed by organizations of education. Integrated educational training programs may be interdisciplinary and interlevel, interuniversity and international.

7. Model training programs on military specialties shall be approved by the head of relevant state body by agreement with the authorized body in the field of education.

8. Model training programs on medical and pharmaceutical specialties shall be approved by the authorized body in the field of health care service by agreement with the authorized body in the field of education.

9. Educational organization shall have a right to realize the educational training programs of different levels upon possession of a license, unless otherwise provided by the Laws of the Republic of Kazakhstan.

**Footnote. Article 14 as amended by the Laws of the Republic of Kazakhstan dated 19.01.2011 No. 395-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication).**

#### **Article 15. General education training programs of nursery education and education**

1. General education training programs of nursery education and training shall be developed on the basis of the state obligatory standards of nursery education in recognition of specific for children of preschool age the types of activity.

2. General education training programs of nursery education and training shall:

1) secure continuity and continuity of preschool and primary education in recognition of principle of the unity of education, training, development and health improvement of children;

2) be oriented to realization of potentialities, bents, capabilities, abilities of each child and training it to learning of educational program of primary education on the basis of individual approach in recognition of peculiarities of development and state of health.

3. General education of training programs of preschool education shall form basic skills of reading, writing, accounts and language communication experience and provide creation of equal starting conditions for learning of primary education.

#### **Article 16. General education training programs of primary, basic secondary and general secondary education**

1. General education training programs of primary education are directed to formation of personality of child, development of its individual abilities, positive motivation and skills in educational activity, experience of language communication, creative self-realization, culture of behavior for the following learning of educational programs of the basic school.

The term of learning of general education training program of primary education – four years.

2. General education training programs of basic secondary education are directed to the learning of basic foundations of science, formation their high culture of interpersonal and inter-ethnic communication, self-determination of personality and professional orientation by students.

General education training program shall include preprofile training of students.

Learning of the content of each subject shall be terminated on the level of basic secondary education.

The term of learning of general education training program of basic secondary education – five years.

Upon transition to the twelve-year education, the term of learning of general education training program of basic secondary education – six years.

3. General education training programs of general secondary education shall be developed on the basis of differentiation, integration and professional orientation of the content of education with introduction of profile education on natural mathematical education and socio-humanities directions.

The term of learning of general education training program of general secondary education - two years.

Footnote. Article 16 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 17. Educational training programs of technical and professional education**

1. Technical and professional education shall be the component part of the level of secondary education and directed to the training of qualified employers and specialties of mid-tier on the basic directions of public utility professional activity.

2. Educational training programs of technical and professional education depending on their content and skill level of training of students shall be divided into educational training programs:

1) providing personnel training by mass professions of technical and service work.

The content of educational training programs shall provide:

learning of integrated courses on general subjects, being profiled for learning of general professional and special disciplines, passing industrial training and professional practice on acquirement of professional skills;

assignment of established level of professional qualification (grade, class, category) on particular profession by students;

2) providing learning of complex (secondary) professions and practical skills of execution of work in all branches of economy, related with high technologies and professional activity.

The content of educational training programs shall provide:

learning of general education, general humanities, economical, general professional, special disciplines, passing industrial training and professional practice on acquirement and reinforcement of professional skills;

assignment of higher level of professional qualification on particular profession by students;

3) ensuring training of specialties of mid-tier.

The content of educational training program shall provide learning of integrated educational training programs of technical and professional education with educational training programs of 1-2 courses of high educational institutions.

An achieved level of professional qualification (grade, class, category) on particular profession shall be awarded by the student according to the results of intermediate attestation (after each course of training).

A qualification of specialist of mid-tier shall be awarded to the students upon completion of a complete course of training and passing of final attestation.

3. Educational training programs of technical and professional education on specialties of culture and art shall be developed in recognition of principle of early professionalism and peculiarities of training of students on specified specialties. Duration of training depends on complexity of training programs and level of confer qualification and shall be determined by the relevant state obligatory standards of education.

4. Educational training programs of technical and professional education for the citizens, having general secondary education, shall provide learning general professional, economical, special disciplines and execution of education and production works, determining future professional activity by chosen specialty.

5. Educational training programs of technical and professional education shall consist of

the programs of theoretical and industrial training and professional practice.

Footnote. Article 17 is in the wording of the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

#### **Article 18. Specialized general education training programs**

Specialized general education training programs shall be developed on the basis of general education training programs of basic secondary, general secondary education and directed to the profound education of elements of science, culture, art, sport, military art, development of their creative potential and abilities.

Specialized general education training programs shall be realized in the specialized organizations of education for the gifted children, as well as in the organizations of education with profound preliminary military training in the specialized schools of the Ministry of Defence of the Republic of Kazakhstan.

#### **Article 19. Special educational training programs**

Footnote. The title is in the wording of the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

1. Special educational training programs shall be developed on the basis of educational training programs of primary, basic secondary, general secondary, technical and professional education and directed to education and development of persons with disabilities, shall consider psychophysical peculiarities and cognitive capabilities of students and pupils, determining in recognition of recommendations of psychological, medical and pedagogical counselling.

2. Special correctional general education training programs shall be developed and introduced for the persons, being in need of continuous care, as well as for the persons and teenagers with disabilities in development.

3. Special general education training programs shall be realized in the special educational organization, provided by the Laws of the Republic of Kazakhstan, in the general education schools or at home.

Footnote. Article 19 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

#### **Article 20. Professional training programs of post-secondary education**

1. Professional training programs of post-secondary education are directed to the training of specialties of technical, service and administrative labour from the number of citizens, having the secondary education (general secondary or technical and professional).

The term of learning of professional training programs of post-secondary education (except for specialties of medicine) by the persons, having a general secondary education shall consist not less than two years, and having technical and professional education - at least one year.

2. The content of professional training programs of post-secondary education shall provide:

- 1) learning along with professional socio-humanities and natural-science discipline,



integrated with professional training programs of 1-2 courses of higher education;

2) upon completion of a course of awarding of qualification of junior specialist of service and administrative work.

**Footnote. Article 20 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Article 21. Professional training programs of higher education**

1. Professional training programs of higher education are directed to the training of specialists with awarding of qualification and (or) academic degree “bachelor”, subsequent level increase of their professional training.

Persons, completed training on professional training program of higher education with awarding of academic degree “bachelor”, may hold positions, for which availability of higher education is provided by the qualification requirements.

2. The content of professional training programs of higher education shall provide study of cycle of general education disciplines, cycle of basic disciplines, cycle of major, as well as passing of professional practice on the relevant specialties.

Professional educational training programs of higher education shall include the disciplines of compulsory component and component at the choice. Disciplines from the component at the choice of the student shall meaningfully complete the disciplines of compulsory component in each cycle.

Higher education institution shall have a right to develop and introduce innovative educational training programs, containing high technologies and teaching methods, directed to the further development and improvement of educational system, on a competitive basis.

3. The term of learning of professional training programs of higher education shall be determined by the state obligatory standards of higher education and shall be not less than 4 years.

4. Professional training programs, providing reduced period of training shall be developed and realized by the higher education institutions for the citizens, having technical and professional, post-secondary and higher education.

5. Higher military and special education institutions shall implement professional educational training programs on military and other specialties, approving by the head of the relevant state body in coordination with the authorized body in the field of education.

6. Learning of professional training program of internship shall be the compulsory condition of the access to the clinical practice of citizens, obtained higher medical education on clinical specialties, the list of which is approved by the authorized body in the field of health care service.

Provision on internship is approved by the authorized body in the field of health care service.

**Footnote. Article 21 as amended by the Laws of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.02.2012 No. 553-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Article 22. Professional training programs of postgraduate education**

1. Professional training programs of postgraduate education are directed to the training of scientific and pedagogical personnel of top-qualification, subsequent level increase of their scientific and pedagogical training.

2. The content of professional training programs of postgraduate education shall provide: theoretical education, including basic and profile disciplines; practice; research scientific

work with the writing of dissertation.

3. Learning of professional training program of residency shall be the compulsory condition of the access to the clinical practice of citizens, obtained higher medical education on clinical specialties, the list of which is approved by the authorized body in the field of health care service.

### **Article 23. Educational training programs of additional education**

1. Educational training programs of additional education are directed to the satisfaction of comprehensive needs of students, pupils and specialties.

2. Educational training programs of additional education depending on the content and directivity shall be subdivided into the training programs:

1) additional education of students and pupils;

2) retraining and continuing education of specialties, directed to the development of professional competence, adequate to the modern requirements.

3. Educational training programs of additional education, realizing by the state organizations of education shall be approved by the bodies, exercising in relation to them the functions of body of the state management.

**Footnote. Article 23 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

### **Article 24. Adult education**

**Footnote. Article 24 is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

### **Article 25. Experimental educational training programs**

Experimental educational training programs are directed to the approbation of new technologies of education, introduction of new content of education.

## **Chapter 5. ORGANIZATION OF EDUCATIONAL ACTIVITY**

### **Article 26. General requirements to the admission of students and pupils in educational organization**

1. Procedure of admission to the educational organization of preschool, primary, basic secondary, general secondary, technical and professional, post-secondary, higher and postgraduate education shall be established by the model rules of admission to the educational institutions of relevant type.

1-1. Procedure of admission to the educational organization, having a special status, shall be determined by themselves.

2. Procedure of admission to the study in the educational organization of preschool, primary, basic secondary and general secondary education, providing admission of all children, residing in the territory of service of educational organization, shall be established by the rules of admission, approved by the local executive bodies on the basis of model rules of admission.

2-1. Admission to the study of citizens of the Republic of Kazakhstan, to whom are awarded a grant "Orken" shall be carry out by the specialized organizations of education " Nazarbayev Intellectual Schools".

3. Admission to the study in the educational organization, implementing professional training programs of technical and professional, post-secondary, higher, postgraduate education shall be carried out on a competitive basis upon the applications of the citizens. Conditions of competition shall guarantee observance of the rights to the education and ensure nomination of citizens, the most capable and prepared for the learning of professional training program of relevant level.

3-1. Admission to the study in the autonomous organizations shall be carried out in the manner determined by the specified organizations, without use of the procedures of common national testing.

4. Citizens of the Republic of Kazakhstan shall have a right to the awarding of international scholarship "Bolashak" on a competitive basis for obtainment postgraduate education in the leading foreign higher education institutions on full-time course of study in accordance with the list of specialties, annually approved in the manner established by the legislation of the Republic of Kazakhstan.

An agreement for study on international scholarship "Bolashak" shall be concluded with the citizens of the Republic of Kazakhstan, to whom are awarded international scholarship " Bolashak".

5. Upon holding of a competition for obtainment of educational grants, as well as to the nomination in a composition of students by the state educational order for the personnel training with technical and professional, post-secondary and higher education, the priority right shall have:

- 1) persons, awarded with badge "Altyn belgi";
- 2) persons, having the documents on education of autonomous organizations of education;
- 3) winners of international Olympiads and competitions of scientific projects (scientific competitions) on general subjects (awarded with diplomas of first, second and third degree), republican and international competitions of executors and sporting competitions (awarded with diplomas of first, second and third degree) of last three years, the list of which is determined by the authorized body in the field of education, as well as the winners of Presidential, republican Olympiads and competitions of scientific projects on general subjects (awarded with diplomas of first, second and third degree) of current year upon condition of correspondence of chosen by them specialty to the subject of Olympiad, competition or sporting competition.

In the case of equal indices upon holding of a competition for the getting of educational grants, as well as nomination in a composition of students on the state educational order for the personnel training with technical and professional, post-secondary and higher education, the priority right shall have the orphaned children and children, being left without parental care, disabled persons of I and II groups, persons, equated in privileges and guarantees to the participants and disabled persons of Great Patriotic war, persons disabled from childhood, disabled children, to whom according to the conclusion of medical and social assessment is not contradicted education in the relevant organizations of education, and persons, having the documents on education (certificates, attestations, diplomas) with honors.

5-1. In the case of refusal of the owner of educational grant until nominating him (her) to the higher education institution, a certificate on awarding of educational grant shall be annulled, and educational grant is awarded according to the established procedure.

6. Admission to the study in a higher technical school for obtainment technical and professional education shall be carried out on the conditions, determined by the authorized body in the field of education.

7. Admission to the study in a higher education institution for obtainment of postgraduate professional education shall be carried out upon the applications of citizens on a competitive basis in the manner established by the authorized body in the field of education.

8. Upon admission to the study in the educational organization, implementing professional

training programs of technical and professional, post-secondary and higher education, shall be provided a quota of admission for:

- 1) citizens from the list of disabled persons of I, II groups, persons disabled from childhood, disabled children;
- 2) persons, equated in privileges and guarantees to the participants and disabled persons of Great Patriotic war;
- 3) citizens from the list of rural youth on specialties, determining social and economic development of village;
- 4) persons of Kazakh nationality, not being the citizens of the Republic of Kazakhstan;
- 5) orphaned children and children, being left without parental care.

9. Admission for the study on specialties, requiring special or creative training, shall be carried out in recognition of the results of special or creative exams. The list of specialties and procedure of holding of special or creative exams shall be established by the model rules of admission.

10. Admission for the study in the spiritual (religious) organizations of education shall be carried out from the list of persons, having secondary education in the manner established by the incorporator.

11. Admission to the study on the state educational order on the separate specialties of technical and professional, post-secondary and higher education, requiring the work with the state secrets, shall be carried out in the organizations of education, having permission of the bodies of national safety in accordance with the legislation of the Republic of Kazakhstan on the state secrets.

12. Procedure of admission to the study in the educational organization in a part, not regulated by this Law and relevant model rules of admission, shall be established by the incorporator or incorporators (body of the state management) of educational organization.

13. An agreement, the standard form of which is approved by the authorized body in the field of education, shall be concluded by the organization of technical and professional, post-secondary, higher and postgraduate education with the persons, being admitted to the study

**Footnote. Article 26 as amended by the Laws of the Republic of Kazakhstan dated 19.01.2011 No. 395-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Article 27. The forms of obtainment education**

Depending on the content of educational training programs in recognition of the needs and possibilities of personality, creation of conditions of accessibility of obtainment of each educational level of training shall be carried out in the form of full-time, evening, part-time, external and distance mode of study for children with disabilities.

**Footnote. Article 27 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Article 28. Organization of educational process**

1. Teaching and educational process in the organizations of education shall be carried out with working curriculums and work training programs.

2. The basic organization of educational process shall be the planning and registration of teaching and educational work, carrying out by the educational organization.

Planning of teaching and educational work shall ensure timely and quality implementation of curriculums and programs in a full volume.

Planning of teaching and educational work in the organizations of education shall be carried out by approval of the schedule of educational process for the academic year and timetable of theoretical and practical trainings.

Registration of teaching and educational work in the organizations of education shall be carried out by maintenance of registration book of theoretical and industrial training and time sheet of execution of training programs in the class hours.

3. Educational programs in the organizations of education shall be the component part of educational process and directed to formation of patriotism, citizenship, internationalism, conscience and morality, as well as development of wide interests and abilities of students, pupils.

Propaganda of racial, ethnical, religious, social intransigence and exclusiveness, distribution of militaristic and other ideas, contradicted to the universally recognized principles of international law and humanism, shall be prohibited in the organizations of education.

4. Teaching and education process shall be carried out on the basis of mutual respect of human dignity of students, pupils, teaching employees.

Application of methods of physical, moral and mental violence in relation to the students and pupils is not allowed.

5. Procedure of organization of educational activity in the organizations of education, the time of training of citizens on full-time departments of which is equated to performing of compulsory military service, shall be determined by the bodies of the state management.

6. Basic military training of students of pre-induction and military age shall be carried out on the basis of basic secondary education in the organizations of education (except for the special), implementing general education training programs of general secondary education, professional training programs of technical and professional, post-secondary education, and in the organizations of education, implementing professional training programs of higher education , - on the senior divisions in the manner established by the legislation of the Republic of Kazakhstan.

7. In order of control of learning of educational training programs of educational organization by the students shall carry out the current control of progress of students and intermediate attestation of students.

Organizations of education are independent in choosing of forms, procedure and periodicity of conducting of current control of progress of students and intermediate attestation of students.

8. Learning of educational training programs of basic secondary, general secondary, technical and professional, post-secondary, higher and postgraduate education shall be completed by the compulsory final attestation of students.

9. Final attestation of students in the organizations of general secondary education shall be carried out in the form of common national testing or in the form of the state final exam.

Final attestation of students in the organizations of general secondary education, willing to be admitted to the educational organization in the year of completion of education and giving post-secondary and higher education shall be carried out in the form of common national testing.

Final attestation of students in the organizations of general secondary education, not participated in a common national testing, in the cases, determined by the Government of the Republic of Kazakhstan, shall be carried out in the form of the state final exam and allows to be admitted to the educational organization, educating post-secondary and higher education, through the complex test in the year of completion of training.

10. Final attestation of students of organizations of technical and professional, post-secondary education shall include:

1) final attestation of students in the organizations of education;

2) an assessment of the level of professional degree of training and award of qualification.

Peculiarities of final attestation of students, gaining professional training programs of postgraduate education, shall be determined by the authorized body in the field of education.

11. Educational organization shall provide the parents and other legal representatives of minors of students, pupils with possibility of acquaintance with the process and content of educational process, as well as the progress of students.

Footnote. Article 28 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 29. Organization of teaching and instructional research**

Footnote. The title as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

1. In order of integration of education and science, providing and improvement of educational process, development and introduction of new technologies of education, ensuring continuing education of teaching employees in the organizations of education and relevant infrastructure shall be carried out by the teaching and instructional research.

2. Administration of teaching and instructional research shall be imposed on:  
methodic departments of district (city) offices of education in the organizations of general secondary education;

methodic departments of regional (city) management bodies of education in the organizations of technical and professional, post-secondary education.

3. Coordination of teaching and scientific-methods activity in the organizations of education and relevant infrastructure, as well as organizations of teaching and scientific-methodological support, shall be carried out in the manner established by the authorized body in the field of education.

Footnote. Article 29 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 30. Nursery education and training**

1. Nursery education of children under six years of age shall be carried out in the family or from one year up to attainment of school age in the preschool organizations.

2. Nursery education shall be carried out from five years in the form of pre-school training of children to the study in the school.

Pre-school training is compulsory and shall be carried out in the family, pre-school organizations, pre-school classes of general education schools, lycees and upper secondary schools.

Pre-school training in the state organizations of education shall be free.

Footnote. Article 30 is in the wording of the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 31. Primary, basic secondary and general secondary education**

1. Children from the age of six (seven) years shall be admitted for the study in the 1 class.



2. The basic types of organizations of secondary education, implementing general education training programs of primary, basic secondary, general secondary education shall be the school, ungraded school, upper secondary school, lyceum, profession-oriented school.

3. Exclusion of children up to sixteen years old from the state organization of secondary education shall be admitted in exceptional cases by the decision of body of the state management of educational organization for commission of unlawful acts, gross and repeated infringement of charter of educational organization.

Decision on exclusion of orphaned children and children, being left without parental care shall be accepted with the consent of tutorship and guardianship authority.

Footnote. Article 31 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 32. Technical and professional education**

1. Technical and professional education shall be carried out in the specialized schools, colleges and higher technical schools on the basis of basic secondary and (or) general secondary education.

Teaching situation in the organizations of technical and professional education shall include theoretical practice and industrial training, executed in the learning and practice classes, instructional farms and training grounds under the supervision of master of vocational training.

2. Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication).

Footnote. Article 32 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

### **Article 32-1. Professional training**

1. Professional training is directed to expedited acquisition of new or changed professional skills, necessary for execution of certain type of work, by the students. Professional training shall not be attended by increase of educational level of students.

2. Professional training of employees or other persons, who have not an employment relationship with employer, shall be conducted directly by the employer in the organization, training centers, classes, as well as in various education and production structures of legal entities or in the educational organization, implementing educational training programs of technical and professional, post-secondary education.

3. Professional training shall be carried out at the expense of employer or other funds, not prohibited by the legislation of the Republic of Kazakhstan in accordance with the agreement of education.

The forms, content and volume of professional training shall be determined by the employer on the basis of current educational training programs on relevant profession.

Education in enterprise, retraining in other specialty, cooperative learning on the basis of corporate responsibility and traineeship shall be related to the forms of professional training.

4. The relevant skill level on particular specialty shall be awarded to the persons, pass out qualification examination according to the estimates of professional preparedness and shall be issued a certificate (certificate) on awarding of qualification of established standard form

Footnote. Chapter 5 is supplemented by Article 32-1 in accordance with the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

### **Article 33. Post-secondary education**

Professional training programs of post-secondary education shall be realized in the organizations of education, the basic type of which is a college.

Training of specialists on professional training programs of post-secondary education shall be carried out on specialties, the list of which is approved by the authorized body in the field of education.

Footnote. Article 33 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

### **Article 34. Higher technical schools**

Footnote. Article 34 is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

### **Article 35. Higher education**

1. Higher education shall be acquired by the citizens, having general secondary or technical and professional, or post-secondary education. A citizen shall have a right to get a free higher education on a competitive basis.

2. Professional educational training programs of higher education shall be implemented in the higher educational institutions.

The basic types of higher educational institutions shall be the national research university, national higher education institution, research university, university, academy, institute and equated to them (conservatory, higher school, academy).

3. A qualification and (or) academic degree "bachelor" shall be awarded to the student, pass out the final attestation on learning of professional training program of higher education

4. Higher education institutions shall have a right to create and (or) enter into innovative and educational consortium for implementation of educational programs and conducting of scientific and applied researches.

Footnote. Article 35 as amended by the Laws of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

### **Article 36. Postgraduate education**

1. Postgraduate education shall be acquired by the citizens, having higher education.

2. Postgraduate education shall be carried out in the master's programme and doctorate of higher education institutions and scientific organizations, as well as by direction of grant-holders of international scholarship "Bolashak" for the study in the leading foreign higher education institutions on full-time course of study in accordance with the list of specialties, annually approved in the manner established by the legislation of the Republic of Kazakhstan.

Implementation of professional educational training programs of postgraduate education on military and other specialties shall be carried out in the graduate military course of higher military and special educational institutions.

3. Personnel training in the Master's programme shall be carried out on the basis of professional training programs of higher education by two directions:

- 1) scientific and pedagogical with the period of study two years;
- 2) profession-oriented with the period of study not less than one year.

An academic degree of master on relevant specialty shall be awarded to the student, pass out the final state attestation and publicly defended a master's dissertation.

4. Training of doctor of philosophy (PhD) and doctors on profile on the basis of professional training of Master's programs with the period of study not less than three years shall be carried out in the doctorate.

5. Postgraduate medical and pharmaceutical education shall include a residency, Master's programme and doctorate.

Profound training on clinical specialties with duration of education from two to four years depending on the specialty shall be carried out in the residency. Provision on residency shall be approved by the authorized body in the field of health care service.

**Footnote. Article 36 as amended by the Laws of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.02.2012 No. 553-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Article 37. An additional education**

1. An additional education of children shall be carried out in the educational organizations and non-school organizations, the types of which are approved by the authorized body in the field of education.

Educational services on educational training programs of additional education shall be provided to the students by the educational organizations, implementing general education training programs of primary, basic secondary and general secondary education and on a contractual basis.

2. An adult education (persons, attained the age of eighteen) is directed to the satisfaction of their educational needs during whole life for acquisition of additional scope of knowledge and skills in accordance with occurring social and economic changes in the society

An adult education shall be carried out by the educational organizations, as well as legal entities, having structural subdivisions, implementing additional educational training programs.

3. Continuing education and retraining of staff shall be carried out in the educational organizations, implementing educational training programs of additional education, scientific organizations and institutes of continuing education, in the production and upon interning by scientific, pedagogical, engineering and technical, medical employees in the foreign organizations on international scholarship "Bolashak".

4. Continuing education of executive staff, pedagogical and scientific employees of educational organizations shall be carried out at least once every five years.

5. Continuing education and retraining of medical and pharmaceutical staff shall be carried out in the medical organizations of education and science.

6. Citizens of the Republic of Kazakhstan shall have a right to participate in the competition for the awarding of international scholarship "Bolashak" for interning.

Scientific supervisor of the winner of Presidential Olympiad shall have a right to the priority right upon equality of scores for the awarding of international scholarship "Bolashak" for interning.

An agreement for interning on international scholarship "Bolashak" shall be concluded

with the citizens of the Republic of Kazakhstan, to whom an international scholarship “Bolashak” is awarded.

Footnote. Article 37 is in the wording of the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

### **Article 37-1. Individual pedagogical activity**

1. Individual pedagogical activity, attended by acquisition of incomes, shall be an entrepreneurial activity. The state registration of person, engaging in individual pedagogical activity shall be carried out in accordance with the legislation of the Republic of Kazakhstan.

2. Individual pedagogical activity shall not be licensed.

Footnote. Chapter 5 is supplemented by Article 37-1 in accordance with the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

### **Article 38. Professional practice of students**

1. Professional practice of students shall be the component part of professional training programs of training of specialists.

Professional practice shall be conducted in the relevant organizations and directed to reinforcement of learning, acquired in the educative process, acquisition of practical skills and learning of best practices.

2. Types, terms and content of professional practice shall be determined by the working training programs and working curriculums.

3. Educational organizations shall determine organizations as the bases of practice on a competitive basis for conducting of professional practice and approve the programs and graphic schedules of interning, coordinated with them.

Obligations and responsibilities of educational organizations, being the bases of practice and students shall be determined in the agreements.

4. Expenses for the professional practice shall be provided by the educational organizations and organizations, being the bases of practice and shall be determined by the concluded agreements.

5. Agreements with organizations, being the bases of practice shall be concluded on the basis of model form of agreement for conducting of professional practice of students.

### **Article 39. Documents confirming education**

1. Educational organization, having a license, undergoing the state attestation and implementing educational training programs of basic secondary, general secondary, technical and professional, post-secondary, higher, postgraduate education, shall issue the documents confirming education of the state-recognized to the citizens, passing final attestation.

Educational organization, passing the specialized accreditation in the accreditation bodies, introduced in the register of accreditation bodies, accredited by the educational organizations and educational training programs shall have a right to issue the documents confirming education of own samples on accredited educational training programs (specialties).

Requirements for filling of documents confirming education of the state-recognized shall be determined by the authorized body in the field of education.

Documents confirming education of autonomous educational organizations shall be equated to the documents confirming education of the state-recognized.

1-1. Educational organization, having the special status may issue the documents

confirming education of own sample.

2. Availability of document confirming education of the state-recognized or own sample shall be the necessary condition for continuation study in the educational organizations of subsequent level.

3. A certificate of established standard form shall be issued to the citizens, not completed education or not undergone the final attestation.

4. Documents confirming education, issued by the foreign educational organizations shall be recognized in the territory of the Republic of Kazakhstan on the basis of international treaties (agreements).

In the absence of international treaties (agreements), nostrification of documents confirming education, received by the citizens in the foreign educational organizations and issuance of relevant certificates to them shall be carried out in the manner established by the authorized body in the field of education.

5. Documents confirming education, issued by the foreign higher educational institutions, scientific centers and laboratories to the citizens of the Republic of Kazakhstan – possessor of international scholarship “Bolashak”, shall be recognized in the Republic of Kazakhstan without passing of recognition procedure and nostrification.

**Footnote. Article 39 as amended by the Laws of the Republic of Kazakhstan dated 19.01.2011 No. 395-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Chapter 6. SUBJECTS OF EDUCATIONAL ACTIVITY**

### **Article 40. Educational organizations**

1. Educational organizations shall be the legal entities, which implement one or several educational training programs and (or) ensure the content and education of students, pupils, irrespective of the form of ownership and status, individual entrepreneurs without legal education, implementing the programs of nursery education and training.

Educational organizations shall be created by individuals and legal entities (incorporators) in accordance with the legislation of the Republic of Kazakhstan.

An activity of educational organizations shall be regulated by the model rules of activity of educational organizations of relevant type and charters, developed on their basis.

An activity of individual entrepreneurs without legal education, implementing educational programs of nursery education and training shall be regulated by the model rules of activity of educational organizations of relevant type.

2. A right to maintenance of educational activity shall occur in the educational organization:

1) for subtypes of educational activity, requiring a licensing from the date of receipt of a license, unless otherwise provided by the Laws of the Republic of Kazakhstan and shall be terminated from the date of entering of court decision on termination of a license into legal force or recognition it as invalid in the manner established by the Laws of the Republic of Kazakhstan;

2) for subtypes of educational activity, not requiring a licensing from the date of the state registration of legal entities;

3) for subtypes of educational activity, for which a notification requirement is provided from the date of filing a notice and shall be terminated from the date of exclusion of educational organization from register of notifications in the manner established by the Laws of the Republic of Kazakhstan.

2-1. Educational organization shall be liquidated in a judicial procedure in the case of non-receipt of a license to the right of engaging in educational activity during six months from the date of the state registration as a legal entity.

Validity of this period shall be suspended for the term of consideration of materials of educational organizations on receipt of a license for the right to engage in educational activity by the authorized body in the field of education.

3. The status of educational organization (type, kind) shall be determined by its incorporators and shall be reflected in its charter in recognition of requirements of this Law, qualifying requirements upon licensing of educational activity, model rules of activity of educational organizations of relevant type, unless otherwise provided by the Laws of the Republic of Kazakhstan.

4. Educational organizations depending on the implemented educational training programs may be the following types:

- 1) preschool organization;
- 2) general education organizations (primary, basic secondary, general secondary);
- 3) technical and professional education;
- 4) post-secondary education;
- 5) higher education;
- 6) higher and postgraduate education;
- 7) specialized educational organizations;
- 8) special educational organizations;
- 9) educational organizations for the orphaned children and children, being left without parental care (legal representatives);
- 10) organizations of additional education for children;
- 11) organizations of additional adult education.

Nomenclature of types of educational organizations shall be approved by the authorized body in the field of education.

5. Medical educational organizations may operate only upon availability of clinical base, financing of which is carried out from the sources, not prohibited by the legislation of the Republic of Kazakhstan.

Provision on clinical bases shall be approved by the authorized body in the field of health care service.

**Footnote.** Article 40 as amended by the Laws of the Republic of Kazakhstan dated 19.01.2011 No. 395-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after its first official publication).

## **Article 41. Charter of educational organization**

1. Charter of educational organization, except for the requirements, provided by the civil legislation of the Republic of Kazakhstan shall contain:

- 1) the list of the realized educational training programs;
- 2) procedure of admission to the educational organization;
- 3) procedure of organization of educational process (as well as the language (languages) of tuition and education, training mode of students, pupils);
- 4) monitoring system of knowledge, intermediate and final evaluation of students, forms and procedure of their conducting;
- 4-1) grounds and procedure of expel of students, pupils;
- 5) the list and procedure of provision of paid services;
- 6) procedure of formation of relations of educational organization with students, pupils and (or) parents and other legal representatives.

2. Charter of educational organization may contain other provisions, relating to its activity and not contradicted to the legislation of the Republic of Kazakhstan.

3. Charter of educational organization shall be approved in the manner established by the

legislation of the Republic of Kazakhstan.

Footnote. Article 41 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 42. Creation, reorganization and liquidation of educational organization**

1. Creation, reorganization and liquidation of educational organization shall be carried out in accordance with the legislation of the Republic of Kazakhstan.

2. In the case of termination of a license or liquidation of educational organization, its incorporator (incorporators) shall take measures of transfer of students for continuation study to the other educational organizations.

## **Article 43. Competence of educational organizations**

1. Educational organizations are independent in implementation of educational process, recruitment and appointment of personnel, scientific, financial and economic and other activity within the model rules of activity of educational organizations of relevant type and charters of educational organizations, established by the legislation of the Republic of Kazakhstan.

2. Educational organizations shall publicly carry out its activity; inform society on educational, scientific and research, financial activity.

3. Competence of educational organizations shall contain the following functions:

1) development and approval of rules of internal regulations;

2) development and approval of working curriculums and working training programs on military professions and professions of educational institutions of special state bodies and educational organizations of law enforcement bodies;

2-1) development and approval of educational training programs with reduced period of study;

3) formation of contingent of students, pupils in accordance with license for the right to maintenance of educational activity, unless otherwise provided by this Law and model rules of admission;

4) introduction of the new technologies, as well as credit method of education and distant educational technologies;

5) conducting of current control of progress, intermediate and final attestation of students, except for the common national testing and award by professions (specialties) of technical and service work;

6) establishment of official salaries (rates), extra payments, premiums and other incentive payments to the employees in the state educational organizations within their own financial means in the manner established by the legislation of the Republic of Kazakhstan;

7) ensuring of continuing education and retraining of staff in the manner established by the legislation of the Republic of Kazakhstan;

8) logistical support, equipment and facility of educational organization;

9) provision of goods (works, services) on a paid basis in the manner established by the legislation of the Republic of Kazakhstan;

10) attraction of additional sources of financial and means for carrying out of charter activity in the manner established by the legislation of the Republic of Kazakhstan;

11) provision the students with meals and medical service, safety implementation and health promotion of students, pupils;

12) ensuring of timely provision of privileges and types of material security, provided by the legislation of the Republic of Kazakhstan to the separate categories of students, pupils

;

13) ensuring of housing conditions and residence of students and pupils not below than



established regulations;

14) assistance of activity of bodies of social self-government, public associations;

15) presentation of financial statements in the manner established by the legislation of the Republic of Kazakhstan;

16) Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);

17) award to the students in higher education institutions of academic degree "bachelor" and "master";

18) introduction of modern forms of professional training of staff.

4. Educational organization, having the special status, independently approves the form of contract of rendering educational services.

5. Educational organization, having the special status, shall carry out the educational activity on the basis of self-developed of educational training programs, co-relation of students and higher-education teaching personnel, regulations of teaching loads, forms and salary.

Footnote. Article 43 as amended by the Laws of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.02.2012 No. 553-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 21.05.2013 No. 93-V (shall be enforced upon expiry of ten calendar days after its first official publication).

#### **Article 44. Management of educational organizations**

1. Management of educational organization shall be carried out in accordance with the legislation of the Republic of Kazakhstan, model rules of activity of educational organizations of relevant type and charter of educational organization on the principles of individual responsibility and collegiality.

2. Direct management of educational organization shall carry out its head.

3. Head of educational organization shall be appointed to a post and released from office in the manner established by the legislation of the Republic of Kazakhstan, except for the chief executive officers of separate state higher education institutions, procedure of appointment and dismissal of which is determined by the President of the Republic of Kazakhstan

The list of the state higher education institutions, chief executive officers of which are appointed and dismissed by the President of the Republic of Kazakhstan, shall be approved by the President of the Republic of Kazakhstan.

The heads of the state organization of secondary education in the legal form of organization of the state institution shall be appointed to the post on a competitive basis.

4. Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication).

5. The head of the state educational organization shall undergo attestation once every three years in the manner established by the legislation of the Republic of Kazakhstan.

Procedure of undergoing of attestation of chief executive officers of separate state higher education institutions, which are appointed and dismissed by the President of the Republic of Kazakhstan shall be determined by the President of the Republic of Kazakhstan.

6. The head of the state educational organization (except for the medical and pharmaceutical educational organizations) in coordination with the body of the state management shall appoint and dismiss from the post of accounting manager.

7. To the heads of the state educational organizations combination of their positions with other executive posts (except for the scientific, scientific and methodological guidance) inside or outside of the educational organizations shall be prohibited.

8. Official duties of the heads of the state educational organizations may not be executed pluralistically.

9. Collegial bodies of management shall be created in the educational organizations.

The forms of collective leadership of educational organization may be a council (academic council) educational organization, school boards, pedagogical, methodical ( educational-methodical, scientific and methodological) councils and other forms, model rules of organization of work of which, including procedure of their election is approved by the authorized body in the field of education.

9-1. Representative of National charter of entrepreneurs of the Republic of Kazakhstan shall enter on agreement into the composition of collegial body of management of the state organization of technical and professional education, except for the autonomous organizations of education.

10. This Article shall be distributed to the educational organization, created in the legal form of organization of the state enterprise on the right of economic management with supervisory board, in a part, not contradicted to the provisions, established by the Law of the Republic of Kazakhstan "On the state-owned property".

Footnote. Article 44 as amended by the Laws of the Republic of Kazakhstan dated 01.03.2011 No. 414-IV (shall be enforced from the date of its official publication); dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No. 130-V (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 45. Labour relations and responsibility of the head of educational organization**

1. Labour relations of employee and educational organization shall be regulated by the labour legislation of the Republic of Kazakhstan.

Substitution of positions of scientific and pedagogical employees (higher-education teaching personnel and scientific workers) in the higher education institutions shall be carried out on a competitive basis.

2. Procedure of appointment to the posts and labour relations of heads and higher-education teaching personnel of educational organizations, learning time of citizens full-time departments of which is equated to performing of military service, shall be determined by the bodies of the state management in accordance with the legislation of the Republic of Kazakhstan.

3. The head of educational organization shall bear responsibility in the manner established by the Laws of the Republic of Kazakhstan for:

- 1) violation of rights and freedoms of students, pupils, employees of educational organization;
- 2) non-fulfilment of functions, referred to its competence;
- 3) violation of requirements of the state obligatory standard of education;
- 4) life and health of students, pupils and employees of educational organizations during educational process;
- 5) the state of financial and economic activity, as well as unauthorized use of material and monetary means;
- 6) other violations of requirements, provided in the regulatory legal acts and conditions of labour agreement.

## **Article 45-1. Social partnership in the field of professional education**

1. Social partnership in the field of professional education is oriented to the improvement of adequacy of results of activity of educational system, approaching of the level of personnel training to the needs of branch of economy and employers, strengthening of relations of education with production, attraction of additional sources of financing.

2. The basic directions of interrelation of partners in the field of professional

education shall be:

- 1) participation of employers in the development of the state obligatory standards of education, model curriculums and programs;
- 2) organization of professional practice of students with the use of technological base of enterprises, internship of teachers of special disciplines and specialists;
- 3) development of interaction of parties on issues of training of specialists and assistance of their employment;
- 4) attraction the specialists, having experience of professional activity in the relevant branches of economy to the teaching process;
- 5) participation in organization of quality control of professional education and assessment of professional degree of training of students;
- 6) attraction of financial means of employers for the development of educational organizations.

3. Social partnership shall be carried out by interaction of parties by creation of commission on:

- 1) republican level;
- 2) regional (regional, city, district) level.

4. Model regulations and procedure of activity of commissions on social partnership in the field of professional and technical education shall be approved by the authorized body in the field of education.

**Footnote.** Chapter 6 is supplemented by Article 45-1 in accordance with the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 04.07.2013 No. 130-V (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 46. Associations in the educational system**

The interests of subjects of educational activity in the educational system may represent their associations, created and existed in accordance with the legislation of the Republic of Kazakhstan.

## **Article 47. Rights, obligations and responsibility of students and pupils**

1. Citizens of the Republic of Kazakhstan, foreigners and persons without citizenship, permanently residing in the Republic of Kazakhstan, shall have a right to choose educational organizations and forms of obtainment education in accordance with entrance conditions.

2. Persons, obtaining education, are the students and pupils.

Pupils, cadets, students, candidates for a master's degree, adjuncts, interns, military students, listeners and candidates for a doctor's degree shall be referred to the students.

Persons, studying and bringing up in preschool, boarding school organizations shall be referred to the pupils.

3. Students and pupils shall have a right to:

- 1) obtainment of quality education in accordance with the state obligatory standards of education;
- 2) education within the state obligatory standards of education on individual curriculums , reduced educational training programs by the decision of the council of educational organization;
- 3) choice of alternative courses in accordance with the training programs;
- 4) obtainment of additional educational services, knowledge according to their aptitudes and needs on a paid basis;
- 5) participation in management of educational organization;

6) reinstatement and transfer from one educational institution to another, from one specialty to another, from paid basis to education on the state educational order or from one educational form to another;

7) free use of information resources in the educational organizations, providing with textbooks, teaching materials and study guides;

8) free use of sporting, reading, school halls, computer classrooms and libraries;

9) information acquisition on provision in the scope of employment of population in accordance with the legislation of the Republic of Kazakhstan;

10) free expression of personal opinion and convictions;

11) respect of its human dignity;

12) encourage and reward for success in education, scientific and creative activity.

4. Students and pupils of all educational organizations of full-time course of study, irrespective of their form of ownership and departmental affiliation, shall have a right to:

1) travel privilege by public transport (except for the taxis) by the decision of local representative bodies;

2) study alongside employment in their free time from study;

3) occupational deferment into military service in accordance with the legislation of the Republic of Kazakhstan.

5. Academic leave may be provided to the student on medical evidences and in other exceptional cases.

6. Citizens, graduated educational organizations irrespective of their form of ownership, shall have equal rights upon entrance to the educational organization of following level.

6-1. Certificates on results of common national testing for participation in the competition for reception of educational grants shall be issued to the persons, received a document on education upon completion of "Nazarbayev Intellectual Schools" and international schools by the authorized body in the field of education. Scores of certificates shall be established by transfer of evaluation (scores) on-scale, approved by the authorized body in the field of education.

6-2. The winners of international Olympiads and competitions on scientific projects (scientific competitions) on general subjects of last three years, as well as participants of these international Olympiads and competitions of scientific projects (scientific competitions) on general subjects of current year (except for the graduates, pretended to the reception of attestation of special sample and sign "Altyn belgi") shall obtain the certificates on results of common national testing, issued by the authorized body in the field of education, on the basis of transfer of evaluation to the scores of certificates. The scale of transfer the annual estimates of students to the scores of certificates shall be approved by the authorized body in the field of education.

7. The state grant may be paid to the students, interns, candidates for a master's degree, candidates for a doctor's degree, listener of residency, listeners of preparatory departments of higher education institutions, students in the educational organizations on the state order on full-time course of study (except for the students of vocational schools). Rules of appointment and payment of the state grant, as well as its amounts shall be approved by the Government of the Republic of Kazakhstan.

The state scholarship shall be paid to the most gifted candidates for a master's degree of higher education institutions and students of higher education institutions of the Republic of Kazakhstan on full-time course of study on the basis of decisions of academic councils of higher education institutions.

Persons having sight and hearing disabilities, orphaned children and children, being left without parental care and being under the wardship (guardianship), as well as students and candidate for a master's degree, having on the results of regular intermediate attestation of students only the marks "five", shall have a right to reception of enhanced state grant, the amount of which is determined by the Government of the Republic of Kazakhstan.

Scholarships, approved by the individuals and legal entities shall be appointed to the students on full-time course of study in the organizations of technical and professional,

post-secondary, higher and postgraduate education.

The amounts of scholarships and procedure of their payment shall be determined by the bodies and persons, established them.

8. Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication).

9. Students, being admitted to the study in accordance with the state educational order, shall be provided with the places of educational organizations in the residence halls in the manner established by them.

10. Diversion of students and pupils from the educational process is not allowed.

11. Orphaned children and children, being left without parental care, students and (or) pupils in the educational organizations for the orphaned children and children, being left without parental care, shall be alimented on the full social security.

12. Other privileges shall be provided to the separate categories of students and pupils in accordance with the legislation of the Republic of Kazakhstan.

13. Students shall have a right to the travel privilege in the period of winter and summer vacations on interurban railway and motor transport (except for the taxi) on the basis of the state educational order in the educational organizations of technical and professional, post-secondary and higher education.

14. Students and pupils shall be obliged to acquire the knowledge, skills, practical skills and competences in accordance with the requirements of the state obligatory standards of education, observe rules of internal regulations, carry out other requirements, provided by the charter of educational organization and agreements on provision of educational services.

15. Students and pupils shall be obliged to be careful of own health, intent to the spiritual and physical improvement.

15-1. Students shall be obliged to observe the dress code, established in the educational organization.

16. Students and pupils shall be obliged to respect honour and dignity of teaching employee, traditions of educational education, in which they are trained.

17. Citizens from the number of rural youth, being admitted to the study on pedagogical, medical and veterinary specialties within the quota, established by the subparagraph 3) of paragraph 8 of Article 26 of this Law, shall be obliged to work accordingly in the state educational organizations, state medical organizations, subdivisions of the state bodies, carrying out activity in the field of veterinary, or in the state veterinary organizations, located in the countryside, not less than three years after graduation of the higher education institution.

Citizens, learning on pedagogical and medical specialties on the basis of the state educational order shall be obliged to work in the state educational organizations and state medical organizations in the manner determined by the government of the Republic of Kazakhstan.

Citizens, being admitted to the study in the doctorate on the program of doctor of philosophy (PhD) on the basis of the state educational order, shall be obliged to work in the higher education institutions or scientific organizations not less than three years after completion of education.

Ensuring monitoring and control of observance of performing duties on summer internship and compensation of expenses of budget funds by the persons, specified in this paragraph, in the case of not working shall be imposed to the attorney agent of the authorized body in the field of education.

17-1. A right to the priority job placement in the state educational organizations and state medical organizations shall have a right:

1) persons, spouses of which live, work or serve in the inhabited localities, provided a vacancy or neighboring inhabited locality;

2) persons, who have one or both of the parents shall be the disabled persons of I and II group, as well as persons, being guardian and trustees, permanently residing in the inhabited locality, provided a vacancy.

17-2. Releasing from duties on summer internship, provided by paragraph 17 of this

Article shall be provided by the decision of the commission on personal placement of young professionals to the following categories of youth professionals:

- 1) persons in the absence of vacancy in the inhabited locality or in the neighboring inhabited locality on the place of residence, work or service of spouse (spouse);
- 2) disabled persons of I and II group;
- 3) persons, being admitted for further study to the Master's degree program, residency, doctorate;
- 4) pregnant women, persons, having, as well as independently bringing up a child ( children) in the age of three years.

17-3. Termination of obligation on summer internship, provided by paragraph 17 of this Article, without compensation of expenses, incurred by the budget funds related with the training shall occur:

- 1) in connection with discharge of duties on summer internship;
- 2) in connection with the death of the student (young professional), approved by the relevant documents;
- 3) in the case of establishment of disability of I and II group during the term of summer internship;
- 4) in connection with releasing from duties on summer internship in the cases, provided by paragraph 17-2 of this Article.

17-4. For breach of duties on summer internship, provided by paragraph 17 of this Article , youth profession shall reimburse for expenses, incurred at the expense of the budget funds in connection with its training, except for the cases, provided by paragraph 17-2 of this Article, to the budget.

18. Measures of disciplinary influence, provided by the rules of internal regulation and charter of educational organization, or other measures, provided by the agreement on provision of educational services may be taken by the students, pupils to them for breach of duties.

**Footnote. Article 47 as amended by the Laws of the Republic of Kazakhstan dated 19.01.2011 No. 395-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 09.01.2012 No. 535-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Article 48. Health protection of students, pupils**

1. Implementation of essential measures on prevention of diseases, health promotion, physical improvement, formation of healthy lifestyle of students, pupils shall be provided in the educational organizations.

2. Teaching loads, mode of classes of students, pupils shall be determined by the provisions, approved by the educational organizations, prepared on the basis of the state obligatory standards of education, sanitation-and-epidemiological rules and regulations, curriculums and recommendations of bodies of health care service and education.

3. Organization of the system of health care service shall carry out the systematic monitoring of state of health of students, pupils, and their medical service. Educational organization shall provide the premises for the medical centers.

In order of health care maintaining of students, pupils of educational organization shall have a right to create the structural subdivisions, providing the medical service of students and pupils.

4. Teaching employees of organizations of preschool, primary, basic secondary, general secondary, technical and professional, post-secondary education shall be obliged to annually attend a free medical supervision in the manner established by the legislation of the Republic of Kazakhstan.

5. Class times in the educational organizations shall provide break of sufficient duration to nutrition and active rest of students and pupils.

Conditions for arrangements for feeding of students shall be created in the educational organizations. Quality control for nutrition shall be imposed on the bodies of health care services.

6. Responsibility for creation of healthy and safe environment of learning, upbringing, labour and rest in the educational organizations shall be imposed on their heads.

Footnote. Article 48 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 49. Rights and obligations of parents and other legal representatives**

1. Parents and other legal representatives of minor children shall have a right to:

- 1) choose the educational organization in recognition of wish, personal habit and characteristics of child;
- 2) participate in the work of bodies of management of educational organization through the parents' committees;
- 3) acquire information from the educational organizations regarding a progress, behavior and learning environment of their children;
- 4) receive a counselling assistance on the problems of education and upbringing of their children in the psychological, medical and pedagogical counselling;
- 5) reception of additional services by their children on the contractual basis.

2. Parents and other legal representatives shall be obliged to:

- 1) create for the children a healthy and safe environment to live and study, provide development of their intellectual and physical powers, moral formation;
- 2) ensure the preschool training with further placement of children to the general education schools;
- 3) execute the rules, determined by the charter of educational organization;
- 4) ensure attendance schools by the children in the educational institution.

Footnote. Article 49 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Chapter 7. STATUS OF TEACHING EMPLOYEE**

### **Article 50. Status of teaching employee**

1. Persons, engaged in educational work, linked with education and upbringing of students in the educational organizations, as well as in the other organizations, implementing educational programs shall be referred to the teaching employees.

Teaching employees of the state educational organizations shall be the civil servants.

2. The state shall recognize the special status of teaching employees in the society and create conditions for carrying out of professional activity.

### **Article 51. Rights, obligations and responsibility of teaching employee**

1. Persons, having special pedagogical or professional education in the appropriate field shall be admitted to the engagement in educational work.

2. Teaching employee shall have a right to:

- 1) engage in educational work with ensuring of conditions for the professional activity;
- 2) engage in scientific and research, experimental work, introduction of new methods and



technologies to the teaching practice;

- 3) individual teaching work;
- 4) free choice of methods and forms of organization of educational work upon conditions of compliance with the requirements of the state obligatory standard of relevant level of education;
- 5) participation in the work of collegial bodies of management of educational organization;
- 6) continuing education at least once every five years, no more than four months;
- 7) early attestation in order to increase a category;
- 8) moral and material reward for the success in the educational work in the form of state rewards, honorary titles, premiums and scholarships;
- 9) protection of their professional honour and dignity;
- 10) occupational deferment into military service;
- 11) sabbatical leave to engage in scientific work with preservation of experience in teaching;
- 12) appeal of orders and instructions of administration of educational organization.

3. Teaching employee shall be obliged to:

- 1) have relevant theoretical and practical knowledge and skills of teaching in the field of their professional competence;
- 2) ensure the quality of provided educational services in accordance with the requirements of the state obligatory standards of education;
- 3) bring up the students in the spirit of rectitude, respect for parents, ethno-cultural values, attitude of care to the world around them;
- 4) develop the life skills, competence, independence, creativity of students;
- 5) permanently improve its professional skill, intellectual, creative and general scientific level;
- 6) undergo attestation at least once in five years;
- 7) observe the regulations of pedagogical ethics;
- 8) respect the honour and dignity of students, pupils and their parents.

Teaching employee may be brought to responsibility, provided by the Laws of the Republic of Kazakhstan for the breach of obligations and regulations of pedagogical ethics.

4. Involvement of teaching employees to the types of work, not related to the performance of their professional obligations, except for the cases, provided by the Laws of the Republic of Kazakhstan, shall be prohibited.

**Note of RCLII!**

Paragraph 5 is in the wording of the Law of the Republic of Kazakhstan dated 03.07.2014 No. 227-V (shall be enforced from 01.01.2015).

5. Persons, to whom educational work is prohibited by court verdict or medical report, as well as having a criminal record, which is not canceled or released in the manner established by the Law, shall not be allowed to the work in the educational organizations.

6. To use the educational process in order of political agitation, religious propaganda or encourage students to take actions, contradicted to the Constitution of the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan, shall be prohibited to the teaching employees.

Footnote. Article 51 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 52. The system of payment for labour of employees of educational organization**

1. The system of payment for labour of employees of the state educational organizations shall be determined in the manner established by the legislation of the Republic of Kazakhstan. Payment for labour of private educational organizations shall be determined by their

incorporators or persons, authorized to that, in accordance with the legislation of the Republic of Kazakhstan.

2. The rules of calculation of salary of employees of the state educational organizations, financed at the expense of the budget funds, shall be approved by the authorized body in the field of education in coordination with the authorized body in the field of labour.

3. Official salaries of teaching employees of the state institutions and public enterprises of education, extra payments and premiums, as well as other incentive payments shall be determined by the legislation of the Republic of Kazakhstan.

4. Extra payments for the work in the rural localities, classroom management, check of exercise books, written works, management of educational cabinets, profound teaching of subjects, work in the regime of experiment, working with children with disabilities and other payments in the manner established by the legislation of the republic of Kazakhstan, shall be disbursed to the employees of educational organizations.

5. Official salaries of higher-education teaching personnel and executive employee of the state higher education institutions, having a special status shall be determined in recognition of multiplying factor.

6. Extra payment upon availability of relevant diploma shall be established to the teaching employees of the state educational organizations on primary employment:

for the degree of doctor of philosophy (PhD) and doctor on the profile in the amount of one monthly minimum wage;

for the degree of candidate of science in the amount of one monthly minimum wage and doctor of science in the amount of two monthly minimum wage.

7. Regulatory teaching loads per week for calculating of monthly salary of teaching employees, directly implementing educational process in the state educational organizations, shall be established:

1) 18 hours:

for organization of primary, basic secondary, general secondary, technical and professional, post-secondary education;

for organization of additional education of students and pupils;

for the specialized and special educational organizations;

2) 24 hours:

for the preschool organizations and preschool groups of nursery education and training and preschool classes of educational organizations;

for the children's and youth sports educational organizations;

3) 30 hours for the educators of boarding school organizations, rest camps, residence halls of organizations of technical and professional, post-secondary education;

4) 25 hours for the educators of special educational organizations and educational organizations for the orphaned children and children, being left without parental care.

Duration of working time of employees of educational organizations, for which a regulatory teaching loads is not established, shall be established in accordance with the labour legislation of the Republic of Kazakhstan.

Annual teaching loads of higher-education teaching personnel of higher education institutions shall be established within the annual standard working time and approved by the head of higher education institution on the basis of decision of academic council.

8. Total number of higher-education teaching personnel of the state higher education institutions upon determination of the state educational order shall be calculated on the basis of average relationship of:

1) students and teachers (average number of students per one teacher) accordingly:

8:1 - for full-time course of study (for the medical higher education institution - 6:1);

16:1 - for evening tuition;

32:1 - part-time education;

2) candidates for a master's degree and teachers - 4:1;

3) candidates for a doctor's degree and teachers - 3:1.

**Footnote. Article 52 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011**

No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 53. Social guarantees**

1. Teaching employees shall have the social guarantees to:

1) dwelling place, as well as housing and (or) residence hall, in accordance with the legislation of the Republic of Kazakhstan;

2) annually paid labour leave with duration of 56 calendar days for the teaching employees and persons of organizations of secondary, general, technical and professional, post-secondary, higher and postgraduate education, equated to them; 42 calendar days - for the teaching employees of organizations of education and methodological support, preschool and additional education;

2. To the teaching employees of education, working in the rural localities, by the decision of local executive bodies shall be:

1) established enhanced salary at least twenty five percent and rate tariffs in comparison with the rates of teaching employees, engage in educational work in an urban setting ;

2) simultaneously paid a monetary compensation to cover expenses for public services and purchase of fuel for accommodation heating at the expense of budget funds in the amounts, established by the decision of local executive bodies;

3) (Is excluded by the Law of the Republic of Kazakhstan dated 24.12.2008 No. 111-IV ( shall be enforced from 01.01.2009).

2-1. Additional measures of social support, provided by the legislation of the Republic of Kazakhstan shall be provided to the teaching employees of education, working in the rural localities.

2-2. Feeds, land plots for grazing of livestock and haying shall be provided by the decision of local representative and executive bodies to the teaching employees, working in the rural localities, having a livestock in private ownership.

3. To the teaching employees of educational organization shall be annually paid at the expense of relevant budget:

1) benefit for health improvement once in a calendar year upon provision them of a regular labour leave in the amount, determined by the labour legislation of the Republic of Kazakhstan in the state educational organizations;

2) holder of the title "Best University teacher" - the state grant in the amount of 2000-fold of monthly calculation index, direction of expenditure of which is determined by the Government of the Republic of Kazakhstan;

3) holder of the title "Best teacher" - reward in the amount of 1000-fold of monthly calculation index.

Footnote. Article 53 as amended by the Laws of the Republic of Kazakhstan dated 24.12.2008 No. 111-IV (shall be enforced from 01.01.2009); dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Chapter 8. STATE REGULATION IN THE FIELD OF EDUCATION**

### **Article 54. Objectives and forms of the state regulation in the field of education**

1. The state regulation in the field of education is directed to creation of conditions, providing enforcement of the constitutional rights to education, and ensuring of high quality

of educational services, provided by the educational organizations.

2. The state regulation in the field of education shall be carried out by legal support, education quality management, standardization, conducting of control.

## **Article 55. Quality management of education**

1. Quality management of education is directed to realization of the state policy in the field of education and shall include the state and institutional structure, constituting the unified national system of quality evaluation of education, rationality of application of funds, allocated to financing of education and generally effectiveness of performance of system of education.

2. Quality management of education shall be carried out by making of management decisions at all levels on the basis of results of educational monitoring.

3. Educational monitoring shall be carried out by use of complex of statistical and analytical estimated figures for external and internal quality evaluation of educational system

4. External evaluation of educational achievements is the one of the types irrespective of educational organizations of monitoring of quality of training.

External evaluation of educational achievements shall be carried out in order of quality evaluation of educational services and level determination of learning of educational training programs of basic secondary, general secondary education and volume of educational subjects, provided by the state obligatory standards of education of higher education, by the students.

5. External evaluation of educational achievements shall be conducted after completion of basic secondary, general secondary and higher education:

in the basic school (after 9 (10) class) - in order of determination of further learning paths;

in the secondary (profession-oriented) school - in order of evaluation of the level of educational achievements;

in higher education - selectively, in order of monitoring of learning of training program in the direction of education.

6. The list of organizations of basic secondary, general secondary education and specialties of higher education, on which the external evaluation of educational achievements is conducted, shall be determined by the authorized body in the field of education.

**Footnote. Article 55 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Article 56. The state obligatory standards of education**

1. Obligatory standards of education, determining a set of general requirements for each level of education shall be established in the Republic of Kazakhstan:

- 1) the content of education;
- 2) maximum volume of teaching loads of students and pupils;
- 3) level of training of students.

2. The state obligatory standards of relevant levels of education are obligatory for all educational organizations irrespective of their form of ownership, types and kinds.

## **Article 57. Licensing of educational activity**

1. Educational activity of legal entities (hereinafter - licensee) shall be subject to licensing in accordance with the legislation of the Republic of Kazakhstan on licensing.

2. Licensing of educational activity of legal entities, implementing educational training programs of technical and professional, post-secondary education shall be carried out on qualifications in accordance with classifiers of professions of technical and professional post-secondary education.

Licensing of educational activity of legal entities, implementing educational training programs of higher and postgraduate study shall be carried out by professions in accordance with classifiers of professions of higher and postgraduate study.

Upon that the reference number, name, term of apprenticeship by professions or qualification shall be specified in the annexes to the license.

3. A licensor shall create consultative and advisory body for collegial and public examination of issues of issuance of license, re-licensing in connection with reorganization of educational organization.

4. Validity of a license for educational activity shall be restricted by the extents of administrative-territorial entity at the place of registration licensee registration (according to the legal address).

5. A licensor shall have a right to suspend validity of a license to the right of engage in educational activity for the term up to six months in the manner provided by the legislation of the Republic of Kazakhstan on administrative offenses.

6. In the case of reorganization of educational organization by changing of its type, their license and (or) annex to the license shall subject to reissuance in the case of confirmation of conformity of qualifying requirements, newly resulted from reorganization of educational organization, presenting upon licensing of relevant type and (or) subtype of educational activity.

In the case of reorganization of educational organization, financed at the expense of budget funds, a licensor shall conduct an inspection of compliance of reorganized educational organization with the qualifying requirements before conducting of reorganization. After conducting of reorganization, a licentiate shall file an application for re-licensing, and license shall issue a license and annex to the license on the grounds of verification for compliance with the qualifying requirements, early conducted by the licensor.

For re-licensing and (or) annex to the license, a licentiate shall file an application on the form, approved by the Government of the Republic of Kazakhstan, a document, approved the payment of license fee, as well as:

1) copies of documents, containing information on changes, constituting a ground for re-licensing and (or) annex to the license;

2) details and documents on its compliance with the qualifying requirements.

A licensor shall refuse in re-licensing and (or) annex to the license, initiated on the grounds, provided by this paragraph, in the case of:

1) nonpresentation or inappropriate execution of documents, specified in a third part of this paragraph;

2) non-compliance with the qualification requirements of the applicant.

A license and its annexes shall be reissued during thirty calendar days from the date of presentation of application with relevant documents.

A licentiate shall carry out an activity on the grounds of a license, subject to re-issuance before re-issuance of license.

**Footnote. Article 57 as amended by the Law of the Republic of Kazakhstan dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after its first official publication).**

## **Article 57-1. Notification on commencement or termination of carrying out of activity in the scope of nursery education and training**

1. An activity of educational organization, implementing the programs of nursery education and training shall be carried out in a notification requirement in accordance with the legislation of the Republic of Kazakhstan on permissions and notifications.

2. Reception of notifications on commencement or termination of carrying out of activity in the scope of nursery education and training shall be carried out by the authorized body in the field of education.

Footnote. Chapter 8 is supplemented by Article 57-1 in accordance with the Law of the Republic of Kazakhstan dated 05.2014 No. 203-V (shall be enforced upon expiry of six months after its first official publication).

## **Article 58. Accreditation of educational organizations**

Footnote. Article 58 is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 59. The state control in the educational system**

1. The state control in the educational system is directed to ensure the right to education by the state and observance by the legal entities, as well as individual entrepreneurs without legal education, implementing educational training programs, compliance of educational activity, carrying out by them, to the requirements of the legislation of the Republic of Kazakhstan in the field of education and legislation of the Republic of Kazakhstan on permissions and notifications and shall be carried out by the authorized body in the field of education, local executive bodies within their competence.

2. The objects of the state control in the educational system shall be:

- 1) educational activity of legal entities, implementing educational training programs;
- 2) level of learning of relevant educational training programs by the students.

3. Basic types of the state control shall be:

- 1) the state attestation of educational organizations;
- 2) **Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication);**
- 3) control of observance of the legislation of the Republic of Kazakhstan on education and qualified requirements, specified to the educational activity.

4. The state attestation of educational organizations irrespective of departmental affiliation and forms of ownership shall be conducted routinely once in five years by the state bodies of management in accordance with their competence.

The state attestation shall be also carried out by professions for the educational organizations, implementing educational training programs of technical and professional education, post-secondary, higher and postgraduate education.

Educational organization, passing institutional and specialized accreditation in the accreditation bodies, introduced in the register of accreditation bodies, accredited by the educational organizations and educational training programs shall be exempt from the procedure of the state attestation on accredited educational training programs (specialties) for the term of accreditation, but not more than 5 years.

The state attestation of organizations of medical and pharmaceutical education shall be carried out by the authorized body in the field of health care service.

First state attestation shall be conducted in the newly created:

- 1) educational organizations, implementing general education training programs of primary , basic secondary, general secondary education, after four years;
  - 2) educational organizations, implementing professional training programs of technical and professional, post-secondary, higher and postgraduate education, no later than the year of first turn-out;
  - 3) preschool organizations and organizations of additional education after three years.
- 4-1. Educational organization, subject to the state attestation, shall conduct

self-evaluation and represent materials of self-evaluation to the state management bodies of education.

5. Attestation of the branches of foreign educational organizations and international educational organizations shall be carried out in accordance with this Law, unless otherwise established by the international treaties, ratified by the Republic of Kazakhstan.

6. Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication).

7. Is excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV ( shall be enforced upon expiry of ten calendar days after its first official publication).

8. Control of observance of the legislation of the Republic of Kazakhstan on education and on permissions and notifications by the educational organizations shall be carried out in the form of verifications and other forms.

8-1. Upon suspension of a license, a licentiate shall have a right to complete the academic year of study with issuance of the document on education.

8-2. Upon suspension of a license, a licentiate shall not have a right to:

1) participate in a competition to placement of the state educational order;

2) execute the actions with a license and (or) annexes to it (termination, re-issuance, receipt the new licenses and (or) annexes to a suspended license).

8-3. Upon suspension of activity of educational organizations, carrying out an activity in a notification requirement, educational organization shall not have a right to:

1) participate in a competition to placement of the state educational order;

2) carry out an activity until the violations are eliminated and activity is resumed by the authorized body in the field of education.

8-4. Educational organization, implementing educational programs of nursery education and training, carrying out an activity in a notification requirement shall subject to the verification in accordance with the Law of the Republic of Kazakhstan "On the state control and supervision in the Republic of Kazakhstan".

An authorized body in the field of education shall have a right to suspend an activity of educational organizations, carrying out an activity in a notification requirement in the manner provided by the legislation of the Republic of Kazakhstan on administrative infractions.

Upon non-elimination of violations, identified in the result of verification and (or) state attestation by the subjects, providing services on nursery education and training, an authorized body in the field of education shall exclude an educational organization from the register of notifications on commencement or termination of carrying out of activity on nursery education and training.

9-10. Is excluded by the Law of the Republic of Kazakhstan dated 17.07.2009 No. 188 (the order of enforcement see Article 2).

11. International and foreign educational organizations and their branches, created in the territory of the Republic of Kazakhstan shall be verified in accordance with the Laws of the Republic of Kazakhstan.

12-16. Is excluded by the Law of the Republic of Kazakhstan dated 17.07.2009 No. 188 (the order of enforcement see Article 2).

Footnote. Article 59 as amended by the Laws of the republic of Kazakhstan dated 17.07.2009 No. 188 (the order of enforcement see Article 2); dated 06.01.2011 No. 378-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.05.2014 No. 203-V (shall be enforced upon expiry of six months after its first official publication).

**Article 60. Rights and obligations of civil servants, carrying out the state control**



1. Civil servants, carrying out the state control in the field of education, shall have necessary qualification and undergo appropriate training in the system of additional education at least once every five years.

2. Civil servants, carrying out the state control in the field of education shall have a right to:

1) attend organizations, institutions and enterprises of education without delay in order of examination upon presentation of certificate of employment, and departmental organizations of education – in recognition of established regime of their attendance;

2) request any necessary information upon conduct of verification, become acquainted with the original documents, relating to the subject of verification.

3. Civil servants, carrying out the state control in the field of education shall be obliged to:

1) observe the legislation of the Republic of Kazakhstan, rights and legal interests of subjects of educational activity;

2) conduct verifications on the basis and in strict adherence to the procedure, established by this Law and other regulatory legal acts of the Republic of Kazakhstan;

3) not prevent to the established routine of work of educational organization in the period of conduct of verification;

4) execute in a timely manner and in full measure the powers, provided in accordance with the Laws of the Republic of Kazakhstan on prevention, detection and restraint of violations of requirements, established by the legislation of the Republic of Kazakhstan in the field of education;

5) serve a certificate on the results of verification on the day of its termination;

6) insure safety of obtained documents and details, received in the results of conduct of verification.

4. Actions (decisions) of civil servants, carrying out the state control in the field of education, and constitute a ground for commission of actions (decision-making), information may be appealed to the superior civil servants and (or) to a court by the interested persons.

## **Chapter 9. FINANCIAL ASSURANCE OF EDUCATIONAL SYSTEM**

### **Article 61. Systems, principles and sources of financing**

1. System of financing of education – a set of republican and local budgets, other sources of incomes.

2. System of financing of education shall be based on the principles:

1) effectiveness and results rating;

2) priority;

3) accountability;

4) responsibility;

5) delimitation and independence of all budget levels.

3. Sources of financing of education shall be:

1) budget financing of the content of state educational institutions;

2) budget financing of the state educational order;

3) incomes from rendering of paid services, not contradicted to the legislation of the Republic of Kazakhstan;

4) credits of financial organizations;

5) sponsor and beneficent support, uncompensated deductions and donation, grants.

**Footnote. Article 61 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Article 62. The state financing of educational organizations**

1. The state shall ensure allocation of budget funds for education in recognition of its priority.

2. Financing of the state educational organizations shall be carried out at the expense of budget funds on the basis of requirements, established by the state obligatory standards of education on the level of education, and regulations, determined by the legislation of the Republic of Kazakhstan.

3. Financing of the state educational institutions shall ensure the content and performing functions of institutions at the expense of the budget funds in accordance with the state obligatory standards of education.

4. Financing of the state enterprises of education, educational organizations of other organizational-legal forms shall be carried out on the basis of the state educational order.

The list of services, linked with the state educational order shall be approved by the authorized body in the field of education.

5. The state educational order for training, continuing education and retraining of qualified employees and specialists shall contain:

- 1) directions of training of specialists;
- 2) volume of the state educational order on the forms of education (number of places, grants);
- 3) average cost of training expenses of one specialist.

Upon placement of the state educational order for the training of specialists with technical and professional, post-secondary, higher or postgraduate education in the state institutions of education shall be specified administrator of budget programs and name of educational organization.

Training of specialists in the educational institutions and (or) their branches, created in the manner provided by paragraph 4 of Article 65 of this Law, as well as training of foreigners and persons without citizenship in the preparatory divisions of higher education institutions shall be also included to the state educational order.

5-1. Financing of personnel training with higher education on the basis of educational grant shall be carried out in the educational organizations, past institutional accreditation in the accredited bodies, introduced in the register of accreditation bodies, accredited by the educational organizations and educational training programs.

Financing of personnel training on separate specialties of higher education on the basis of educational grant shall be carried out in the educational organizations, past the specialized accreditation on these specialties in the accredited bodies, introduced in the register of accreditation bodies, accredited by the educational organizations and educational training programs.

Financing of personnel training on the specialties of postgraduate education on the basis of educational order shall be carried out in the educational organizations, past the institutional accreditation in the accredited bodies, introduced in the register of accreditation bodies, accredited by the educational organizations and educational training programs.

Financing of personnel training on separate specialties of postgraduate education on the basis of educational order shall be carried out in the educational organizations, past the specialized accreditation on these specialties in the accredited bodies, introduced in the register of accreditation bodies, accredited by the educational organizations and educational training programs.

6. The state educational order, placed in the organizations of nursery education and training shall contain the number of pupils and average cost of expenses for one pupil.

7. Content requirements of the state educational order on training and methodological support of educational system shall be determined by the authorized body in the field of education.

8. The state educational order for financing of higher education shall be placed in the forms of educational grants differentially depending on specialty, type and status of educational institution.

Expenses of educational organizations, implementing professional training programs of higher and postgraduate education, per one student on a paid basis may not be less than the amount of an educational grant or state educational order.

**Footnote. Article 62 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced from 01.01.2014).**

### **Article 63. Provision of goods (works, services) on a paid basis by the educational organizations**

1. Educational services, rendering by the educational organizations to the students and pupils at the expense of budget funds, shall be provided at no cost.

2. To the state institutions of education shall be prohibited to:

- 1) provide educational services to the students and pupils on a paid basis within the state obligatory standard of education;
- 2) charge money from students and teaching employees, except for the cases, provided by paragraph 3 of Article 63 of this Law.

The state institutions of education, implementing professional training programs of higher education on specialties of art, as well as educational training programs of technical and professional education shall have a right to provide educational services on a paid basis in excess of the volume of educational services, rendering at the expense of budget funds.

3. The state institutions of education shall have a right to provide the following goods (works, services) in excess of requirements of the state general education standards of education on a paid basis with conclusion of agreement on rendering of paid services on:

- 1) implementing of additional educational programs (development of children and teenager's crafts, aptitude and interests in the field of sport, culture and art, continuing education of specialists);
- 2) organizations of supportive lessons with separate students on subjects (disciplines and cycle of disciplines) in excess of study time, allocated by curriculum and programs;
- 3) organization of profound education of elements of science on subjects (disciplines and cycle of disciplines) with the students;
- 4) organization and carrying out of different measures: sporting competitions, seminars, meetings, conferences among students and pupils, teaching employees and adult population, as well as on development and realization of courseware;
- 5) provision for use of musical instruments and additional services of Internet connection;
- 6) organization of summer holidays, provision of meals of students and pupils, participants of different measures, carrying out in the educational organizations;
- 7) supply of heat power, fed electric power installation and boiler plant;
- 8) organization of professional education (retraining and continuing education of specialists of technical and service work);
- 9) organization of production and sales of products of learning and practice classes, instructional farms, educational-experimental plots.

4. Prices for goods (works and services) of the state institutions of education, providing on a paid basis, shall subject to confirmation in the manner established by the legislation of the Republic of Kazakhstan.

5. Private educational organizations shall use the incomes from sales of goods (works, services), provided on a paid basis, as well as for the education within the state obligatory standards of education, funds of incorporators and other, not prohibited by the legislation, sources of financing independently.

6. Interrelation of educational organizations, rendering the services on a paid basis,

and students (pupil), his (her) parents and other legal representatives shall be regulated by the agreement.

In the case of payment of expenses to the students for all period of studies simultaneously at the time of conclusion of an agreement, payment amount is unchanged until the end of the study period.

Upon progress payments of education the payment amount may be changed no more than once a year in the case of salary increase and in recognition of inflation index.

**Footnote. Article 63 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Article 64. Development of material and technical basis of educational organizations**

1. Creation and development of material and technical basis of the state educational organizations shall be carried out at the expense of budget funds, incomes from services, rendering on a paid basis, other sources, not prohibited by the legislation of the Republic of Kazakhstan.

2. Educational organizations shall have a right to possess and use property in the manner determined by the legislation of the Republic of Kazakhstan. The state property of educational organization shall not subject to exemption or use for the purposes, contradicted to the basic objectives of educational organizations.

3. Privatization of educational organizations shall be carried out in accordance with the Law of the Republic of Kazakhstan "On the state-owned property" and in coordination with the authorized body in the field of education.

4. State institutions of secondary education, awarded a grant on a competitive base "The best organization of secondary education" shall spend a grant for material and technical, scientific-methods support of educational process.

**Footnote. Article 64 as amended by the Laws of the Republic of Kazakhstan dated 01.03.2011 No. 414-IV (shall be enforced from the date of its official publication); dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **Chapter 10. INTERNATIONAL ACTIVITY IN THE SCOPE OF EDUCATION**

### **Article 65. International cooperation and external economic activity**

1. International cooperation of the Republic of Kazakhstan in the field of education shall be carried out on the basis of the legislation of the Republic of Kazakhstan and international treaties of the Republic of Kazakhstan.

2. Educational organization in accordance with specificity of their work shall have a right to establish direct contacts with foreign organizations of education, science and culture , international organizations and funds, conclude bilateral and multilateral agreements on cooperation, participate in the international programs of exchange of students, candidates for a master's degree, candidates for a doctor's degree, teaching and scientific employees, enter into international non-governmental organizations (associations) in the field of education.

Military and special educational institutions shall have a right to carry out training of specialists from the number of foreign citizens in accordance with the international treaties and contracts.

Educational organizations shall have a right to engage in external economic activity in the manner determined by the legislation of the Republic of Kazakhstan and charter of educational organizations.

3. Procedure of carrying out of international cooperation by the educational organizations of the Republic of Kazakhstan shall be established by the authorized body in the field of education.

4. Creation of international and foreign educational institutions in the Republic of Kazakhstan and (or) their branches shall be carried out on the basis of international treaties or by the decision of the Government of the Republic of Kazakhstan.

Award of status of international school shall be carried out by the decision of the Government of the Republic of Kazakhstan in the manner determined by them.

5. Licensing of educational activity of international educational institutions, created in the territory of the Republic of Kazakhstan by other states or their legal entities or individuals, their branches, as well as the state attestation and accreditation shall be carried out in accordance with the legislation of the Republic of Kazakhstan, unless otherwise provided by international treaties, ratified by the Republic of Kazakhstan.

Footnote. Article 65 as amended by the Laws of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012); dated 09.01.2012 No. 535-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.02.2012 No. 553-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

## **Article 66. Satisfaction of educational needs of foreign Kazakh diaspora**

1. Persons of Kazakh nationality, not being the citizens of the Republic of Kazakhstan, shall have a right to obtain education in the Republic of Kazakhstan.

2. The state shall assist to the satisfaction of educational needs of foreign Kazakh diaspora.

3. Creation of educational organizations for Kazakh diaspora abroad and provision of financial and material assistance shall be carried out in the manner established by the international treaties.

## **Chapter 11. RESPONSIBILITY FOR VIOLATION OF THE LEGISLATION OF THE REPUBLIC OF KAZAKHSTAN IN THE FIELD OF EDUCATION**

### **Article 67. Responsibility for violation of the legislation of the Republic of Kazakhstan in the field of education**

Violation of the legislation of the Republic of Kazakhstan in the field of education shall entail responsibility in accordance with the Laws of the Republic of Kazakhstan.

## **Chapter 12. FINAL PROVISIONS**

### **Article 68. Enforcement of this Law**

1. This Law shall be enforced upon expiry of ten calendar days after its first official publication, except for the second part of paragraph 2 of Article 8, item of second paragraph 6, items of second and fifth subparagraph 1) of paragraph 7, subparagraph 2), 3) of paragraph 8 of Article 52 and subparagraph 1), 3) of paragraph 3 of Article 53, which enters into force from 1 January, 2008.

2. Persons, being admitted to the study with appropriate terms of education in the educational organizations before entering into force of this Law, shall complete training on educational programs, being in force as of the date of admission to the training, with issuance

of a document on education of established standard form, being in force as of the date of admission to the training.

3. Shall be considered to have lost force the Law of the Republic of Kazakhstan dated 7 June, 1999 "On Education" (Bulletin of the Parliament of the Republic of Kazakhstan, 1999, No. 13, Article 429; No. 23, Article 927; 2001, No. 13-14, Article 173; No. 24, Article 338; 2004, No. 18, Article 111; No. 23, Article 142; 2006, No. 1, Article 5; No. 3, Article 22; No. 12, Article 71; No. 15, Article 92; 2007, No. 2, Article 18; No. 9, Article 67).

Footnote. Article 68 as amended by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

*The President  
of the Republic of Kazakhstan*