

## On Education

### *Unofficial translation*

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

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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).

the words "higher education institutions", "higher education institutions", "higher education institutions", "medical higher education institutions", "higher education institutions", "higher education institutions", "higher education institutions", "higher education institutions", "higher education institutions" are replaced by the words "higher education and (or) postgraduate education organizations", "higher and (or) postgraduate education organizations", "higher and (or) postgraduate education organizations", "medical organizations of higher and (or) postgraduate education", "organizations of higher and (or) postgraduate education", "organization of higher and (or) postgraduate education" in accordance with the Law of the Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication);

the words “of teaching staff”, “of a teacher”, “of teachers and equal status persons”, “of teachers”, “teachers” shall be replaced respectively with word “of teachers”, “of a teacher”, “of teachers”, “of teachers”, “teachers” in accordance with the Law of the Republic of Kazakhstan dated 27.12.2019 No. 294-VI (shall enter into force upon expiration of ten calendar days after the date of 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) excluded by the law of the republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced after ten calendar days after the day of its first official publication);

1-1) the graduated in a military academy is the person studying in the foreign military educational institutions implementing educational programs of postgraduate education;

2) academy - an organization of higher and (or) postgraduate education that carries out scientific and pedagogical activities in a certain area and is a scientific and methodological center;

2-1) academic credit - unified unit of measurement of the volume of scientific and (or) educational work (workload) of a student and (or) teacher;

2-2) academic mobility - transfer of students or lecturers-researchers for training or research for a certain academic period (semester or academic year) to another organization of higher education and (or) postgraduate education (domestically or abroad) with mandatory re-crediting of completed curricula, disciplines in the form of academic credits in their organization of higher education and (or) postgraduate education or to continue studies in another organization of higher and (or) postgraduate education;

2-3) accreditation body - a legal entity that conducts institutional and (or) specialized accreditation of educational organizations on the basis of standards (regulations) developed by it;

2-4) accreditation standards (regulations) - documents of the accreditation body establishing the requirements to the accreditation procedure;

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) methodics department is a structural subdivision of education authorities, which maintains organizational and methodological support, analysis and assessment of the efficiency of the educational process, generalization and distribution of innovative educational practice, which promotes creative growth of teachers and professional self-actualization thereof;

3-2) military, special educational institutions are the organizations of education subordinated to bodies of a homeland security of the Republic of Kazakhstan, the Ministry of Internal Affairs of the Republic of Kazakhstan, bodies of prosecutor's office of the Republic of Kazakhstan and the Ministry of Defence of the Republic of Kazakhstan;

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

4-1) a bachelor degree is the higher education which educational programs are directed to training with award of degree "bachelor" on the corresponding specialty;

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

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

6-1) the doctor on a profile is the degree awarded to the persons who mastered the program of doctoral studies for the respective sphere of professional activity and defended the dissertation in the Republic of Kazakhstan or beyond its limits, recognized in the order established by the legislation of the Republic of Kazakhstan;

7) international scholarship "Bolashak" - a scholarship established by the President of the Republic of Kazakhstan for training of citizens of the Republic of Kazakhstan in leading foreign organizations of higher and (or) postgraduate education on full-time training or internship in foreign organizations by employees, categories of which are determined by the Republican Commission on Personnel Training Abroad;

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) institution of advanced training - an educational institution implementing latest educational programs for professional personnel development within the continuous education system, which maintains support for innovation process in education and ensures efficient methodological work;

7-3) qualification assignment - the procedure of confirmation of a set of individual abilities, professional knowledge, skills and abilities necessary for performance of work within the limits of a corresponding kind of professional activity;

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 - a procedure to assess the quality of mastering the content of a part or the whole volume of one subject, one academic discipline and (or) module , as well as professional modules within one qualification after completion of their study;

9) final attestation of students - a procedure to determine the degree of mastering the scope of subjects, disciplines and (or) modules provided for by the state mandatory standard of the respective level of education;

9-1) education – the continuous process of education and training which is carried out for moral, intellectual, cultural, physical development and formation of professional competence;

9-2) the educational program – the uniform complex of the main characteristics of education including the purposes, results and content of training, the organization of educational process, ways and methods of their realization, criteria for evaluation of results of training;

10) educational grant - the target amount of money provided to the student on the terms established by the legislation of the Republic of Kazakhstan, to pay for higher or postgraduate education with the award of the degree of "bachelor" or "master";

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;

13-1) an operator of authorized authority in the field of education is a legal entity wholly owned by the government, determined by an authorized authority in the field of education, which maintains placement of public orders for provision of students, master's students and doctoral students with accommodation in dormitories and public educational orders for secondary education at private educational organization, and implements coordination of operation of participants of per-capita standard funding within the scope of applicable laws of the Republic of Kazakhstan, and maintains monitoring and control over adherence of persons specified in Paragraph 17 of the Article 47 of this Law to their obligations on exercise or recovery of expenses of budgetary funds in case of failure to do so;

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) is excluded by the Law of RK from 04.07.2018 № 171-VI (entered into force on the expiration of ten calendar days after the day of its first official publication);

18) a gymnasium is the educational institution implementing the general education training programs of primary, main secondary and general secondary education and educational programs of additional education providing expanded and profound education in public humanitarily and other directions of training according to tendencies 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 is a professional educational training program of postgraduate study, directed to the training of scientific, pedagogical staff and (or ) 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);

19-1) dual training - a form of personnel training combining training in the organization of education with the mandatory periods of industrial training and professional practice at the enterprise (organization) with the provision of jobs and compensation to students with equal responsibility of the enterprise (organization), educational institution and student;

19-2) special status - the status of the organization of higher and (or) postgraduate education, assigned by the President of the Republic of Kazakhstan for making an outstanding contribution to the education, training and professional development of the individual, ensuring a consistently high level of higher and (or) postgraduate education;

19-3) persons (children) with special educational needs - persons who experience permanent or temporary difficulties in getting education, caused by health, who need special, general academic and educational programs of additional education;

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) comprehensive school is an 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) the per capita standard of financing is the standard of financial security of the guaranteed state cost of training at all education levels;

21-2) classifier of directions of personnel training with higher and postgraduate education (hereinafter - Classifier of directions of personnel training) - a document establishing classification and coding of directions of personnel training with higher and postgraduate education and used for implementation of educational programs of higher and postgraduate education;

21-3) organization of higher and (or) postgraduate education - higher education institution implementing educational programs of higher and (or) postgraduate education and carrying out research activities;

21-4) endowment fund of higher and (or) postgraduate education - fund of endowment capital formed at the expense of charitable assistance, gratuitous deductions, donations, grants, contributions of founders (participants) of educational organizations, investment income from which is directed to finance scientific and (or) educational activities;

21-5) higher college - an educational institution implementing integrated modular educational programs of technical and professional, post-secondary education;

21-6) research university - a university that implements the development program approved by the Government of the Republic of Kazakhstan for five years and uses the results of its activities to integrate education and science, generation and transfer of new knowledge and technologies;

21-7) inclusive education - a process ensuring equal access to education for all students taking into account special educational needs and individual opportunities;

22) innovation and education consortium - voluntary equal association on the basis of the agreement on joint activity, in which organizations of higher and (or) postgraduate education, scientific organizations and other legal entities engaged in production, combine intellectual, financial and other resources for the training of highly qualified specialists on the basis of fundamental and applied scientific research and technological innovation;

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 - an organization of higher and (or) postgraduate education that carries out scientific and pedagogical activities, as well as training of personnel for professional activities ;

26) institutional accreditation is an assessment of activity of educational organization on qualitative representation of educational programs in accordance with the stated status and set by the standards of accredited body;

26-1) integrated educational training programs are 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 is a form of training of students of medical higher education institutions within the basic medical education for receiving an access to medical practice;

28-1) the cadet is the person studying in military, special educational institution according to educational programs of technical and professional or postsecondary education;

28-2) adaptation centers of minors are 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 education is the type of education directed to acquisition by students of knowledge, abilities, skills and competences allowing a message professional activity in a certain sphere and (or) to perform work on a concrete profession or specialty;

29-2) professional training - a form of professional training aimed at personal development for acquisition of new or changed professional skills necessary to perform a certain type of work;

30) is excluded by the Law of RK from 04.07.2018 № 172 (entered into force on the expiration of ten calendar days after the day of its first official publication)

30-1) professional practice is a type of the educational activity directed to fixing of theoretical knowledge, abilities, acquisition and development of practical skills and competences of process of performance of certain types of the works connected with future 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 testing is a form of examination, conducted simultaneously by several educational subject with application of information technologies;

34) clinical base - clinic of higher and (or) postgraduate education or health care organization, functioning on the basis of local health care organizations, having a high level of material and technical base, carrying out on the basis of modern methods of organizational, methodological, educational, therapeutic, diagnostic and research work training and retraining of doctors, scientific personnel and providing all types of medical care;

35) college is 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 a choice and independent planning by the learner of sequence of studying of disciplines with accumulation of academic credits;

36-1) the cadet is the person studying in military, special educational institution according to educational programs of the higher education;

37) quota of reception is 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;

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 is academic ranks, awarded by the authorized body in the field of education;

38) distant learning technology is a learning implemented using information and communication technology and telecommunication means with mediated (distant) or incompletely mediated interaction between students and teachers;

38-1) an applied bachelor degree is postsecondary education which educational programs are directed to training with qualification award "the applied bachelor";

38-2) the applied bachelor – the qualification awarded to the persons who mastered educational programs of postsecondary education;

38-3) non-school organization of additional education - training and educational organization, implementing educational training programs of additional education of students and pupils;

39) additional education is a process of education and training carried out in order of satisfaction of comprehensive needs of student and pupils;

40) lyceum is an 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 is an 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 - postgraduate education, educational programs of which are aimed at training personnel with the award of the degree of "master";

41-3) the expert is the qualification appropriated to persons after development of the educational program of the higher education;

42) specialized accreditation – quality assessment of separate education programs, implemented by educational organization;

42-1) preschool organization - an educational organization implementing general education, special training programs of preschool education and training;

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 - the volume of services financed by the state on preschool education and training, secondary education, personnel training, professional development and retraining of qualified workers and specialists to meet the needs of the economy, reproduction of qualified labor force and intellectual potential of the society, as well as on educational and methodical support of the education system;

45-1) the state final exam – the form of a final assessment of students in the organizations of secondary education which is a necessary condition for receiving by them the document of the state sample demonstrating the termination of a course of secondary education;

46) academic program is a program that defines for each subject, each discipline and (or) module the content and scope of knowledge, skills, abilities and competencies to be mastered;

47) curriculum - a document regulating the list, sequence, volume (labour intensity) of academic subjects, disciplines and/or modules, professional practice, other types of educational activities of students of an appropriate level of education and forms of control;

48) training and clinical center - a structural subdivision of the medical organization of higher and (or) postgraduate education, equipped with modern equipment, phantoms and dummies and designed to master and control practical (clinical) skills of students and (or) medical workers;

48-1) training – purposeful process of the organization of activities of students and pupils for mastering knowledge, abilities, skills and competences, development of abilities, acquisition of experience of use of knowledge in everyday life and formation of motivation of knowledge acquisition during all life;

48-2) learning outcomes - the volume of knowledge, skills, acquired, demonstrated by students in the educational program, and the formed values and attitudes confirmed by the assessment;

48-3) educational and health-improving organization of education - a legal entity that performs functions on upbringing, education, health-improvement and rest of children and students;

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;

49-2) the organization of secondary education – the organization of education implementing general education training programs of primary, main secondary, general secondary education, specialized general education and special training programs;

49-3) moral and spiritual education program "Self-knowledge" - a program that defines the goals, content, as well as innovative ways of functioning of the system of upbringing and education, providing harmonious intellectual and moral and spiritual development of students;

49-4) is excluded by the Law of Republic of Kazakhstan dated 01.04.2019 № 240-VI (entered into force after ten calendar days after the day of its first official publication);

49-5) support centers for children in difficult life situations - organizations under the jurisdiction of the educational authorities, providing special social services with the provision of permanent or temporary (daytime) stay, as well as by providing information, advice and mediation services to legal entities whose activities are related to the implementation of measures to prevent difficult life situations;

49-6) on-the-job training - training aimed at acquisition of theoretical knowledge and practical skills by trainees on the basis of educational organizations and/or enterprises (organizations);

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);

50-1) a teacher is a person having teaching or other professional degree in respective area of expertise and conducting professional activities of a teacher on training and education of students and (or) educatees, methodological support or organization of educational activities;

50-2) post-course support for activities of a teacher is a system of actions which ensures development of professional competence of the teacher through continuous monitoring of post-course activities and provision of methodological, advisory assistance;

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) scholarship programs - programs providing training in the Kazakhstan organizations of higher and (or) postgraduate education of foreigners, including persons of the Kazakh nationality who are not citizens of the Republic of Kazakhstan, and financed from the state budget;

53-2) student - a person studying in an educational organization implementing educational programs of technical and professional, post-secondary and higher education;

53-3) state order for providing students, undergraduates and doctoral students with places in hostels - monetary payments for services to ensure the introduction of new places in hostels for students, undergraduates and doctoral students, which are associated with the state educational order;

53-4) class supervision is a function imposed on a teacher on coordination of activities of class students within teaching and educational process;

53-5) register of recognized accreditation bodies - a list of national and foreign accreditation bodies included in the registers and (or) associations of accreditation bodies of member states of the Organization for Economic Cooperation and Development (OECD) formed by the authorized body in the field of education;

53-6) mentor - a qualified employee of an enterprise (organization), who owns production technologies or services, supervises industrial training and professional practice;

53-7) technical and vocational education - education aimed at training qualified workers and specialists of middle level;

53-8) grant "The best organization of technical and professional, post-secondary education" - the money allocated annually by the local executive bodies of regions, cities of national importance and the capital to the state organizations of technical and professional, post-secondary education based on the results of the competition on the basis of rating indicators;

53-9) listener - a person studying in the organization of education on educational programs of additional education and preparatory department;

53-10) reference school (resource center) - organization of secondary education, on the basis of which the educational resources of nearby incomplete schools are consolidated for short-term sessional classes, intermediate and final certification of students in order to provide access to quality education for students of incomplete schools;

54) university - organization of higher and (or) postgraduate education, carrying out scientific and pedagogical activities, personnel training, fundamental and (or) applied research and is a leading 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) unified national testing - one of the forms of selection examinations for admission to higher and (or) postgraduate education;

56-1) national organization of higher and (or) postgraduate education - organization of higher and (or) postgraduate education with a special status;

56-2) national research university - a research university with a special status; 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 in the Republic of Kazakhstan or abroad, admitted by the legislation of the Republic of Kazakhstan;

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); dated 21.07.2015 № 337-V (shall be enforced after ten calendar days after day of its first official publication); dated 13.11.2015 № 398-V (shall be enforced after ten calendar days after day of its first official publication); dated 24.11.2015 № 419-V (shall be enforced from 01.01.2016); dated 09.04.2016 № 501-V (an order of enforcement see Art. 2); dated 05.05.2017 № 60-VI (shall be enforced after ten calendar days after day of its first official publication); dated 05.07.2017 № 88-VI (shall be enforced after ten calendar days after day of**

its first official publication); dated 11.07.2017 № 91-VI (shall be enforced after ten calendar days after day of its first official publication); dated 02.07.2018 No. 165-VI (shall be enforced upon the expiration of ten calendar days after the date of its first official publication); dated 04.07.2018 No. 171-VI (shall be enforced upon the expiration of ten calendar days after the date of its first official publication); dated 04.07.2018 No. 172-VI (shall be enforced upon the expiration of ten calendar days after the date of its first official publication); dated 01.04.2019 No. 240-VI (shall be enforced upon the expiration of ten calendar days after the date of its first official publication); dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2020); dated 27.12.2019 No. 294-VI (shall enter into force upon expiration 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.

3. legal relations regulated by the legislation of the Republic of Kazakhstan in the field of education are not subject to the legislation of the Republic of Kazakhstan on public procurement in terms of acquisition:

- 1) services of accreditation body;
- 2) services, goods on organization of catering of students in organizations of secondary education, as well as goods related to provision of food for children raised and trained in preschool organizations, educational organizations for orphans and children without parental care.

**Footnote.** Article 2 with the change introduced by the Law of Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

## **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) ensures the participation of social partners in solving the problems of professional education and approves the state educational order for the training of personnel with higher or postgraduate education for three years, as well as with technical and professional, post-secondary education in educational organizations financed from the republican budget (except for educational organizations that train specialists for the Armed Forces, other troops and military formations, as well as special state bodies) taking into account the needs of the labor market.
- 5) approves the rules for awarding an educational grant to pay for higher or postgraduate education with the award of a bachelor's or master's degree;
  - 5-1) approve the rules of awarding and amount of grant “Orken”;
  - 5-2) approves rules for conferment of children and youth at the age between fourteen and twenty-nine with ages of merit for patriotism manifested and social activism;
  - 5-3) defines an organization (administrator), to conduct activities on conferment with ages of merit for patriotism manifested and social activism of children and youth at the age between fourteen and twenty-nine;

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) excluded by the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced after ten calendar days after day of its first official publication).

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) defines model personnel establishment of employees of state educational organizations;

12) introduces a proposal to the President of the Republic of Kazakhstan on granting a special status to organizations of higher and (or) postgraduate education and approves the regulations on the special status of organizations of higher and (or) postgraduate education;

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) in coordination with Administration of the President of the Republic of Kazakhstan approves Rules of selection of applicants for award of the international grant of Bolashak and defines the directions of expenditure of the international grant of 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) is excluded by the Law of Republic of Kazakhstan dated 04.07.2018 № 171-VI ( entered into force after ten calendar days after the day of 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);

Note of Institute of Legislation and Legal Information!

The Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021) provides for amendments in sub-paragraph 21).

21) approves the rules for generation and course of expenditure and accounting of funds allocated for provision of financial and welfare assistance for students and educatees of state educational institution from families having a right to receive government targeted social assistance, as well as from families not receiving government targeted social assistance, at which per capita income is below minimum subsistence level, and orphaned children,

children deprived of parental care, living in families, children from families requiring emergency assistance as a result of emergency situation, and other categories of students and educatees defined by governing board of the educational organization, at the amount of at least two percent of budgetary funds, allocated for 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) excluded by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication);

24) shall be excluded by the Law of the Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication);

24-1) approves the reception quota sizes at revenues to study in the organizations of education implementing educational programs of technical and professional, postsecondary and higher education, for representation of authorized body in the field of education;

25) shall be excluded by the Law of the Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication);

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);

29-1) defines the organization (administrator) who is carrying out a complex of actions for the international programs of preparation, retraining and professional development of shots abroad including for the international grant of Bolashak;

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); dated 13.11.2015 № 398-V (shall be enforced after ten calendar days after day of its first official publication); dated 04.07.2018 № 171-VI (shall be enforced upon expiration of ten calendar days after the day of its first official publication); dated 26.12.2019 No. 287-VI (shall enter into force on 01.01.2020); dated 27.12.2019 No. 291-VI (shall enter into force upon expiration of ten calendar days after its first official publication); dated 27.12.2019 No. 294-VI (shall enter into force upon expiration 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) approves the distribution of the state educational order for the training of personnel with higher and postgraduate education;

2-2) develops and approves the rules for the formation and distribution of the state educational order for training personnel with higher and postgraduate education;

2-3) approves and places the state order to provide students, undergraduates and doctoral students with places in dormitories;

2-4) develops and approves the methodology for determining the size of the state order to provide students, undergraduates and doctoral students with places in dormitories;

2-5) develops and approves the rules of organization of nutrition of students in secondary education organizations, as well as the purchase of goods related to the provision of nutrition for children raised and educated in preschool organizations, educational organizations for orphans and children without parental care;

2-6) develops and approves the rules for the formation of a list of unscrupulous providers of services, goods on the organization of food for students in secondary education institutions, as well as goods related to the provision of food for children raised and educated in preschool organizations, educational institutions for orphans and children without parental care;

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;

4-1) develops and approves the rules for monitoring the results of admission of students to higher and (or) postgraduate education in the organization of educational programs;

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

5-1) develops and approves state obligatory standards of education at all levels of education;

5-2) develops and approves standard curricula of the cycle of general education disciplines for organizations of higher and (or) postgraduate education;

6) develops and approves standard curricula and standard curricula of educational levels, except for the levels of higher and postgraduate education, as well as standard curricula and standard curricula of medical and pharmaceutical educational institutions;

6-1) excluded by the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced after ten calendar days after day of its first official publication).

6-2) shall be excluded by the Law of Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication)

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

6-4) coordinates with authorized body in the sphere of criminal and executive activity of the rule of the organization of receiving an initial, main average, the general secondary, technical and professional education by convicts to imprisonment;

6-5) approves the program of moral and spiritual education "Self-knowledge";

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) organizes development and approves the model curriculums and programs of children's music schools, children's schools of design and children's art school;

8) issues a license and (or) an annex to the license to engage in educational activities to provide legal entities:

primary education;

basic secondary education;

general secondary education;

technical and vocational education by qualification, for military, special educational institutions by groups of specialties;

post-secondary education by qualification, for military, special educational institutions by groups of specialties;

higher education in the areas of personnel training;

postgraduate education in the areas of personnel training;

spiritual education;

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

8-2) carries out reception of notifications on commencement or termination of carrying out of activity on nursery education and training;

8-3) approves Provision on the badge “Altyn belgi”;

8-4) excluded by the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced after ten calendar days after day of its first official publication).

8-5) maintains a state electronic register of educational organizations, filing notification on commencement or termination of carrying out of activity on nursery education and training ;

8-6) approves the rules of conferment of ranks “Best University teacher” and “Best teacher”;

8-7) approves the rules of the competitions for awarding grants "The best organization of secondary education", "The best organization of technical and professional, post-secondary education" with the establishment of the size of grants and the procedure for their awarding;

9) conducts 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) shall be excluded by the Law of Republic of Kazakhsta from 04.07.2018 № 171-VI ( shall be enforced upon the expiration of ten calendar days after the day of its first official publication);

10) establishes the requirements and procedure for recognition of accreditation bodies, including foreign ones, and forms registers of recognized accreditation bodies, accredited educational organizations and educational programs;

11) develops and approves standard rules for admission to education in educational organizations that implement general education curricula of primary, basic secondary, general secondary education, educational programs of technical and professional, post-secondary, higher and postgraduate education;

11-1) develops and approves standard rules of activity of the organizations of education of corresponding types;

12) develops and approves the rules of conducting of the unified national test and complex test external assessment of students achievemnts;

12-1) approves the qualification requirements for educational activities and the list of documents confirming compliance with them;

12-2) develops and approves the provision on classroom leadership in secondary education organizations;

13) forms in cooperation with interested central executive bodies, employers and other social partners lists of professions and specialties and approves the classifier of specialties and qualifications of technical and vocational, post-secondary education;

13-1) develops and approves the classifier of directions of personnel training in cooperation with the interested 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;

14-1) develops and approves requirements for compulsory school uniforms for organizations of secondary education;

14-2) develops and approves the rules of cancellation of classes in the organizations of secondary education, as well as in educational organizations that implement educational programs of technical and vocational education, in adverse weather conditions

14-3) approves the list of areas of training of personnel with higher education, in which training in the form of externship is not allowed;

15) approves the list of specialties and qualifications of technical and vocational, post-secondary education, which in the form of correspondence and evening training, as well as externship in the specialties of culture and art, physical culture and sports is allowed;

15-1) develops and approves the rules for issuing a permit to study in the form of externship in educational institutions implementing educational programs of technical and professional, post-secondary education in the specialties of culture and art, physical culture and sports, as well as educational programs of higher education;

15-2) develops and approves the list of professions and specialties in terms of study terms and levels of education for technical and vocational, post-secondary education in accordance with the classifier, approves the classifier of specialties and qualifications of technical and vocational, post-secondary education;

16) develops and approves the rules of transfer and restoration of students by types of educational organizations, except for higher and (or) postgraduate education organizations;

17) develops and approves the rules for granting academic leave to students in technical and vocational, post-secondary education organizations;

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) develops and approves standard rules of carrying out of the current control of progress , intermediate and final certification of students for the organizations of secondary, technical and professional, post-secondary education;

19-1) develops and approves the method of forecasting the needs of educational organizations, implementing general educational curricula of preschool, primary, basic secondary and general secondary education, educational programs Technical and professional education, in textbooks and educational-methodical complexes;

19-2) develops and approves the rules of providing textbooks and educational and methodical complexes of students and pupils of State educational organizations;

19-3) develops and approves rules on formation, use and preservation of the Fund of Libraries of State educational organizations;

**20) shall be excluded by the Law of Republic of Kazakhstan dated 04.07.2018 № 172 ( shall be enforced upon the expiration of ten calendar days after the day of its first official publication);**

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

21-1) executes procedures of apostilization of official documents outgoing from educational organizations;

21-2) develops and approves criteria for evaluation of educational organizations;

21-3) develops and approves criteria for assessment of students ' knowledge;

22) develops and approves the rules for the organization of the order, storage, accounting and issuance of forms of documents of the state sample on education and their provision to educational organizations implementing general education curricula of basic secondary, general secondary education and educational programs of technical and professional, post-secondary, higher and postgraduate education, subordinate educational organizations, exercises control over 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;

23-1) defines and approves the uniform basic textbook in each subject for the organizations of education realizing general education training programs of primary education ;

23-2) determines and approves a single basic textbook on subjects for educational organizations that implement general educational curricula of basic secondary education;

**Note of Institute of Legislation and Legal Information!**

**It is provided for supplement of Article 5 with subparagraph 23-3) in accordance with the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall enter into force on 01.01.2022).**

23-4) develops and approves lists of documents mandatory for introduction by teachers of organizations of secondary, vocational, and post-secondary education, and forms thereof;

24) develops and approves the forms of the standard contract of rendering educational services for preschool organizations, organizations of secondary, technical and professional,

post-secondary education, standard contract on carrying out of professional practice and standard contract on dual training for the organizations of technical and professional, post-secondary education;

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

25) performs management and coordinates carrying out educational and methodical and scientific and methodical work, approves rules of the organization and implementation of educational and methodical and scientific and methodical work in the organizations of education, except for the organizations of education in the field of culture, the rule of the organization of educational process for credit technology of training, develops and approves rules of the organization of educational process for remote educational technologies;

25-1) develops and approves the rules of organization of activities of preparatory departments of higher and (or) postgraduate education organizations of the Republic of Kazakhstan;

25-2) creates the republican educational and methodical council of higher and (or) postgraduate education and educational and methodical associations in the areas of personnel training and approves the regulations on their activities;

25-3) creates the republican educational-methodical council of technical and professional, post-secondary education, educational-methodical associations of technical and professional, post-secondary education by profiles and approves the regulations on their activities;

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) organizes development and approves 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) annually approves the list of textbooks, educational and methodical complexes, grants and other additional literature, including on electronic media, to a statement republican and local budgets;

27-2) coordinates work on providing with textbooks and educational and methodical complexes of students and pupils of the organizations of preschool, secondary education;

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;

29-2) elaborates and approves rules of formation of list of participants of the international Olympic Games and competitions of scientific projects (scientific competitions) in general education objects;

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, except the cases, provided by the law of the Republic of Kazakhstan;

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) after consultation with the authorized authorities in respective sector, develops and approves standard job descriptions for positions of teachers, except for teachers carrying out professional activities at organizations of higher and (or) postgraduate education;

34-1) elaborates and approves rules of pedagogical ethics;

35) develops and approves the rules of competitive replacement of heads of state organizations of secondary, technical and professional, post-secondary education;

36) shall be excluded by the Law of Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication);

36-1) gives academic statuses of the associated professor (associate professor), professor;

36-2) elaborates and approves requirements to scientific publications for inclusion them in the list of the editions recommended for the publication of results of scientific activity;

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) arranges retraining and advanced training for teachers;

38-1) develops and approves rules for arrangement and holding of advance training courses for teachers, as well as post-course support for the activities of a teacher;

38-2) develops and approves rules for development, agreement and approval of educational programs for advance training courses for teachers;

38-3) develop and approve rules for the recognition of learning outcomes obtained by adults through non-formal education provided by organizations included in the list of recognized non-formal education providers;

38-4) develops and approves the rules for recognition of organizations providing non-formal education and forms a list of recognized organizations providing non-formal education;

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) develops and approves the rules for placement of the state educational order for the training of personnel with technical and vocational, post-secondary, higher and postgraduate education, taking into account the needs of the labor market, the preparatory departments of organizations of higher and (or) postgraduate education, as well as pre-school education and training, secondary education;

43-1) elaborates and approves rules of ensuring travel privilege by payment of compensations for students on the basis of the state educational order in the organizations of education implementing educational programs of technical and professional, postsecondary and higher education during winter and summer vacation on the long-distance railway and motor transport (except the taxi);

43-2) develops and approves the rules of placement of the state order for providing students, undergraduates and doctoral students with places in dormitories;

43-3) approves government educational order for secondary education at private educational organization, and maximum amount of parental school fee;

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) elaborates and approves 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) excluded by the Law of the Republic of Kazakhstan dated 29.12.2014 No. 269-V( shall be enforced dated 01.01.2015);

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) establishes the procedure and conditions of detention of juveniles in the centers for adaptation of juveniles and centers for support of children in difficult life situations, in accordance with the laws of the Republic of Kazakhstan;

46-1) organizes the development and approves the method of per capita normative financing of preschool education and training, secondary, technical and professional, post-secondary education, as well as higher and postgraduate education, taking into account credit technology of education (hereinafter - the method of per capita normative financing);

46-2) organizes the development and approves the rules of per capita normative financing of preschool education and training, secondary, technical and professional, post-secondary education, as well as higher and postgraduate education, taking into account credit technology of 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) excluded by the Law of the Republic of Kazakhstan dated 27.12.2019 № 294-VI ( shall enter into force upon expiration of ten calendar days after its first official publication);

46-6) develops and approves the rules of targeted training of doctors of philosophy (PhD) in the organizations of higher and (or) postgraduate education, except for the targeted training of personnel with postgraduate education in the field of health, the rules of which are developed and approved by the authorized body in the field of health;

46-7) develops and approves the rules of appointment of rectors of state organizations of higher education and (or) postgraduate education;

46-8) shall be excluded by the Law of Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication);

46-9) excluded by the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V( shall be enforced upon expiry of ten calendar days after its first official publication);

46-10) elaborates and approves rules of tutoring in the form of the external studies;

46-11) develops and approves rules of organization and conduct of professional practice and rules of identification of enterprises (organizations) as the basis of practice for technical and professional, post-secondary education organizations;

46-12) elaborates and approves rules of the organization of dual tutoring on 398dop to coordination with the interested public authorities;

46-13) develops and approves the rules of allocation of dormitories for educational organizations;

46-14) elaborates and approves rules of the organization of accounting of children of a preschool and school age before receiving secondary education by them;

46-15) excluded by the Law of the Republic of Kazakhstan dated 05.07.2017 No. 88-VI( shall be enforced upon expiry of ten calendar days after its first official publication);

46-16) approves the state educational order in the republican organizations of secondary education;

46-17) develops and approves the structure and rules of elaboration of the program of development of higher and (or) postgraduate education;

46-18) develops and approves the rules of selection of candidates for participation in scholarship programs;

46-19) approves the list of types and types of educational organizations in which per capita normative financing is implemented;

46-20) develops and approves criteria for the reorganization of secondary education organizations, created in the legal form of the state institution, in the legal form of the state enterprise on the right of economic management;

46-21) develops and approves rules for provision for property lease (rent) of health and fitness or sports facilities, reserved for state organizations of secondary education;

46-22) agree an appointment and dismissal of chief executive officers of education authorities of regions, cities of republican status, the capital city, districts (cities of regional status);

**Note of Institute of Legislation and Legal Information!**

**It is provided for addition of subparagraph 46-23) to Part I, Article 5 in accordance with the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).**

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.

The powers of the authorized body in the field of education provided by subparagraphs 4), 4-1), 6), 8-1), 8-3), 11), 11-1), 13), 14-1), 14-2), 16), 19), 25), 27), 34), 38), 38-1), 38-2), 38-2), 43-2), 44-3), 44-5), 46-11), 46-17), 46-18), 46-19) and 46-20) of the first part of this article shall not apply to military and special educational institutions.

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); dated 29.12.2014 No. 269-V (shall be enforced upon 01.01.2015); dated 19.05.2015 No. 315-V (shall be enforced upon ten calendar days after day of its first official publication); dated 13.11.2015 No. 398-V (an order of enactment see Art. 2); dated 09.04.2016 No. 501-V (shall be enforced ten calendar days after day of its first official publication); dated 18.04.2017 No. 58-VI (shall be enforced upon ten calendar days after day of its first official publication); dated 05.05.2017 No. 60-VI (shall be enforced upon ten calendar days after day of its first official publication); dated 05.07.2017 No. 88-VI (shall be enforced upon ten calendar days after day of its first official publication); No. 171-VI dated 04.07.2018 (shall be enforced upon the expiration of ten calendar days after the date of its first official publication); No. 172-VI dated 04.07.2018 (shall be enforced upon the expiration of ten days after its first official publication); No. 240-VI of 01.04.2019 (shall be enforced upon the expiration of ten calendar days after the date of its first official publication); dated 19.04.2019 No. 250-VI (shall enter into force upon expiration of ten calendar days after its first official publication); dated 25.11.2019 No. 272-VI (shall enter into force upon expiration of ten calendar days after its first official publication); dated 26.11.2019 No. 273-VI (shall enter into force upon expiration of ten calendar days after its first official publication); dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2020); dated 27.12.2019 No. 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).

**Article 5-1. Competence of bodies of national security of the Republic of Kazakhstan, the Ministry of Internal Affairs of the Republic of Kazakhstan, bodies of prosecutor's office of the Republic of Kazakhstan and the Ministry of Defence of the Republic of Kazakhstan in relation to military, express educational institutions subordinated to them**

Bodies of national security of the Republic of Kazakhstan, the Ministry of Internal Affairs of the Republic of Kazakhstan, bodies of prosecutor's office of the Republic of Kazakhstan and the Ministry of Defence of the Republic of Kazakhstan in relation to military, express educational institutions subordinated to them carry out the following powers:

1) participate in development of separate sections of the state obligatory standards of appropriate levels of educational activity of military, express educational institutions, except for the organizations of secondary education;

2) participate in development of separate sections of the qualification requirements imposed to educational activity of military, express educational institutions, and the list of the documents confirming compliance to them;

3) elaborate and approve rules of activity of military, express educational institutions;

4) elaborate and approve rules of the organization and exercise of educational process, educational and methodical and scientific and methodical activity in military, express educational institutions (in the organizations of secondary education in coordination with authorized body in the field of education);

5) elaborate and approve rules of carrying out monitoring of progress, the intermediate and final assessment of the studying military, express educational institutions;

6) elaborate and approve standard curricula in coordination with authorized body in the field of education;

7) elaborate and approve standard training programs, except for the organizations of secondary education;

8) develop and approve rules of the organization of works on preparation, examination, approbation, the edition and carrying out monitoring of educational editions and educational and methodical complexes, except for the organizations of secondary education;

9) elaborate and approve Regulations of Admission to tutoring in the military, express educational institutions realizing educational programs of appropriate level;

10) determine terms of the beginning and completion of academic year in military, express educational institutions, except for the organizations of secondary education;

11) elaborate and approve rules of the organization and passing of professional practice and a training studying military, express educational institutions;

12) elaborate and approve translation rules and restitutions in military, express educational institutions;

13) develops and approves job descriptions for teachers at military, special educational institutions, except for positions of civil servants of educational organizations, implementing educational programs of secondary and vocational education;

14) develops and approves rules for vacancy filling for teachers, research workers of military, special educational institutions, except for positions of civil servants;

15) elaborate and approve requirements to information systems and Internet resources of military, express educational institutions;

16) approve lists of specialties and qualifications and educational programs implemented in military and special educational institutions;

17) define forms and technologies of education in military, express educational institutions;

18) elaborate and approve rules of the organization of educational process with use of educational technologies in military, express educational institutions;

19) carry out other powers provided by the present Law, other laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

**Footnote. Chapter 2 is supplemented with article 5-1 according to the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after day of its first official publication); with the change introduced by the Law of the Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 27.12.2019 No. 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).**

## **Article 5-2 – Competencies of the Supreme Court of the Republic of Kazakhstan in relation to the Academy of Justice**

The Supreme Court of the Republic of Kazakhstan in relation to the Academy of Justice exercises the following powers:

1) participates in development of separate sections of obligatory standards for respective levels of educational activities of the Academy of Justice;

2) participates in development of separate sections of job specifications imposed on educational activities of the Academy of Justice, and list of documents certifying adherence thereto;

3) develops and approves regulations on activities of the Academy of Justice;

4) develops and approves regulations for arrangement and implementation of educational process, learning and teaching and research and methodological activities at the Academy of Justice;

5) develops and approves admission regulations for the Academy of Justice;

6) develops and approves standard curriculum and standard educational programs;

7) develops and approves regulations for arrangement of works on preparation, expert evaluation, approbation, publication and monitoring of educational editions, and learning and teaching support kits;

8) develops and approves rules for arrangement and passing of professional internship and practical training of students at the Academy of Justice;

9) develops and approves regulations on re-admission to the Academy of Justice;

10) develops and approves job descriptions for teachers of the Academy of Justice;

11) develops and approves regulations on vacancy filling for positions of teachers, research workers of the Academy of Justice;

12) develops and approves requirements for information systems and Internet resources of the Academy of Justice;

13) determines forms and technologies of studies at the Academy of Justice;

14) develops and approves regulations on organization of educational process with the use of educational technology at the Academy of Justice;

15) exercises other powers stipulated by this Law, other 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 5-2 was added to Chapter 2 in accordance with the Law of the Republic of Kazakhstan dated 21.02.2019 No. 227-VI (for procedures of enforcement, see Article 2).

## **Article 6. Competencies of local representative and executing bodies in the field of education**

1. Local representative bodies:

1) excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall enter into force upon expiration of ten calendar days after its first official publication);

2) render decision on travel privileges for students by public transport (except for taxi);

3) exercise in accordance with the laws of the Republic of Kazakhstan other powers on maintenance of rights and legal interests of citizens.

2. Local executive body of a region:

1) excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall enter into force upon expiration of ten calendar days after its first official);

1-1) implements state policy in the field of education;

Note of Institute of Legislation and Legal Information!

It is provided for addition of subparagraphs 1-2) and 1-3) to Paragraph 2 Paragraph in accordance with the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

2) ensures provision of vocational, post-secondary education;

3) maintains training of children on special educational programs;

4) ensures training of gifted children at specialized educational organizations;

Note of Institute of Legislation and Legal Information!

It is provided for addition of subparagraphs 4-1) and 4-2) to Paragraph 2 in accordance with the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

5) arranges order and provision of an educational organization implementing general educational programs of main secondary, general secondary education and educational programs of vocational, post-secondary education with the forms of nationally recognized certificates of education and controls the use thereof;

5-1) excluded by the Law of the Republic of Kazakhstan dated 13.06.2013 No. 102-V ( shall enter into force upon expiration of ten calendar days after its first official publication);

Note of Institute of Legislation and Legal Information!

Subparagraph 6) is provided in amended Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

6) establishes, reorganizes and liquidates in accordance with the procedures established by the laws of the Republic of Kazakhstan, after agreement with an authorized authority in the field of education, state educational organizations implementing educational programs of vocational, post-secondary education, specialized general educational and special educational programs, as well as children's and youth sports school;

7) - 7-2) excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall enter into force upon expiration of six months after its first official publication);

Comments from Institute of Legislation and Legal Information!

It is provided for addition of subparagraph 7-3) to Paragraph 2 in accordance with the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

8) approves state educational order for training of personnel with higher and postgraduate degrees;

8-1) places state educational order for training of personnel with vocational education, post-secondary education, higher and post-graduate education in view of proposals of regional chambers of entrepreneurs and interested organizations;

Note of Institute of Legislation and Legal Information!

Subparagraph 8-2) is provided for in amended Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

8-2) approves state educational order for secondary education;

8-3) approves state educational order for training of personnel with vocational, post-secondary education;

9) arranges participation of students in Unified National Testing;

10) maintains materials support for state educational organizations, implementing educational programs of vocational, post-secondary educations, as well as specialized general educational and special educational programs (except for educational organizations at penal institutions of the penal system);

Note of Institute of Legislation and Legal Information!

It is provided for addition of subparagraph 10-1) to Paragraph 2 in accordance with the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on

01.01.2021).

Note of Institute of Legislation and Legal Information!

The Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021) provides for additions to subparagraph 11.

11) allocates funds for provision of financial and material assistance for students and educatees of state educational institutions from families having a right to receive state targeted social assistance, as well as from families not receiving state targeted social assistance, in which per capita income is below minimum subsistence level, and orphan children, children deprived of parental care, living in families, children from families requiring emergency assistance as a result of emergency situations, and other categories and educatees determined by governing board of educational organization at the amount of at least two per cent of budgetary funds allocated for current funding of general education schools;

12) annually before August 1, ensures procurement and delivery of student books and learning and teaching support kits in hard copies and electronic forms for educational organizations implementing educational programs of vocational education, as well as specialized general educational and special educational programs on the basis of state order;

Note of Institute of Legislation and Legal Information!

It is provided for addition of subparagraph 12-1) to Paragraph 2 in accordance with the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

Note of Institute of Legislation and Legal Information!

Subparagraph 13) is provided for in amended Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

13) ensures arrangement and holding of school competitions and competition of scientific projects on general educational subjects, competitions of performers and professional skills competitions of a regional scale;

Note of Institute of Legislation and Legal Information!

It is provided for addition of subparagraphs 13-1) and 13-2) to Paragraph 2 in accordance with the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

Note of Institute of Legislation and Legal Information!

Subparagraph 14) is provided for in amended Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

14) maintains additional education for children, implemented at a regional level;

15) arranges retraining of personnel and advance training for employees of state educational organizations financed out of budgetary funds;

16) excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V ( shall enter into force upon expiration of ten calendar days after its first official publication);



16-1) ensures examination of mental health of children and teenagers, and provision of psychological-medical-pedagogic advisory assistance;

17) maintains rehabilitation and social adaptation for developmentally delayed children and teenagers;

18) maintains in accordance with the established procedures social security for orphaned children deprived from parental care;

**Note of Institute of Legislation and Legal Information!**

It is provided for addition of subparagraph 18-1) to Paragraph 2 in accordance with the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

**Comments from Institute of Legislation and Legal Information!**

Subparagraph 19) is provided for in amended Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

19) arranges free and subsidized meals for certain categories of students in accordance with the procedures provided for by the laws of the Republic of Kazakhstan;

20) assists in employment of persons graduated on the basis of state educational order from educational organizations implementing educational programs of vocational, post-secondary, higher or post-graduate educations;

20-1) annually before April 15, submits to authorized authorities in the field of education and public health applications on demand in personnel in rural areas with further employment as per applications submitted;

21) makes proposals to Maslikhat on travel privilege for students by public transport (except for taxi);

22) appoints and dismisses chief executive officers of a regional education authority after agreement with an authorized authority in the field of education;

22-1) exercise educational monitoring;

22-2) annually within specified terms, ensures collection of data of statistical surveys in the integrated information system of education of an authorized authority in the field of education;

23) maintains operation of centres for adaptation of minors and centres for support of children in difficult circumstances;

24) provides conditions for persons kept by centres for adaptation of minors and centres for support of children in difficult circumstances;

24-1) provides assistance to boards of guardians;

**Note of Institute of Legislation and Legal Information!**

Subparagraph 24-2) is provided for in amended Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

24-2) arranges staffing support for state educational organizations;

24-3) makes payments to competition winners – state secondary educational organizations a grant “Best General Educational Organization”;

**Note of Institute of Legislation and Legal Information!**

Subparagraph 24-4) is provided for in amended Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

24-4) issues permits for external studies at educational organization implementing specialized and special general educational programs, as well as educational programs of vocational, post-secondary education on occupations of culture and arts, physical culture and sports;

**Note of Institute of Legislation and Legal Information!**

Subparagraph 24-5) is provided for in amended Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

24-5) provides material and technical resources for education and training centres of the regional level;

24-6) arranges development and approves regulations on operation of psychological services at secondary education organizations;

24-7) develops and approves standard rules of conduct for educational organizations;

24-8) maintains arrangement of training of skilled workers and specialists of middle ranking on dual education;

24-9) make payments to competition winners – state organizations of vocational, post-secondary education a grant “Best organization of vocational, post-graduate education”;

**Note of Institute of Legislation and Legal Information!**

It is provided for addition of subparagraphs 24-10), 24-11) and 24-12) to Paragraph in accordance with the Law of the Republic of Kazakhstan dated 27.12.2019 № 291-VI (shall enter into force on 01.01.2021).

25) exercise to the best interests of local state administration other powers conferred to local executive bodies by the laws of the Republic of Kazakhstan.

3. A local executive body of a city of republican status and the capital city:

1) excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall enter into force upon expiration of ten calendar days after its first official publication);

2) arranges accounting of pre-school and junior school children, and their studies before they achieve secondary education level;

3) arranges and maintains secondary education, including part-time (shift) form of study, and secondary education provided through organizations of educational organizations of residential type;

4) maintains provision of vocational, post-secondary education;

5) establishes, reorganizes and liquidates in accordance with the procedures established by the laws of the Republic of Kazakhstan state educational organizations implementing general educational programs of preschool education and training, elementary, main secondary and

general secondary, vocational, post-secondary education, additional education for children, as well as state educational organizations implementing specialized general educational and special educational programs;

6) - 6-2) excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall enter into force upon expiration of six months after its first official publication);

7) approves state educational order for training of personnel with higher and postgraduate degree;

7-1) approves state educational order for pre-school education and training, amount of parental fee;

**Note of Institute of Legislation and Legal Information!**

**Subparagraph 7-2) is provided for in amended Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).**

7-2) approves state educational order for secondary education;

7-3) approves state educational order for training of personnel with vocational, post-secondary education;

8) arrange participation of students in Unified National Testing;

9) annually before August 1, arranges procurement and delivery of student books, and learning and teaching support kits for state secondary educational organizations, as well as for educational organizations implementing educational programs of vocational education, specialized general educational and special educational programs;

10) maintains additional education for children;

11) allocates funds for provision of financial and material assistance for students and educatees of state educational organizations from families having a right to receive state targeted social assistance, as well as from families not receiving state targeted social assistance in which per capita income is below minimum subsistence level, and orphaned children, children deprived from parental care living in families, children from families requiring emergency assistance as a result of emergency situations, and other categories of students and educatees, determined by the governing boards of a state educational organizations, at the amount of at least of two per cent of aggregate budgetary funds allocated for current maintenance of general educational schools and for placement of state educational order for secondary education at state enterprises founded on the right of economic competence;

12) provides material and technical support for state educational organizations (except for educational organizations at penal institutions of the penal system) and organizations of pre-school education and training;

13) maintains training on special educational programs;

14) maintains training for gifted children at specialized educational organizations;

15) ensures organization and holding of school competitions, competitions of scientific projects on general educational subjects, competitions of performers and professional skills competitions on the scale of a city of republican status, the capital city;

16) maintains examination of mental health of children and teenagers and provision of psychology-medical-pedagogical advisory assistance to people;

17) maintains rehabilitation and social adaptation for developmentally delayed children and teenagers;

18) maintains retraining of personnel and advanced training for employees of state educational organizations financed at the cost of budgetary funds;

19) maintains in accordance with the established procedures social security for orphaned children, children deprived from parental care;

20) arranges in accordance with the procedures established by the laws of the Republic of Kazakhstan medical services for students and educatees of educational organizations, except for preschool organizations and secondary educational organizations not being residential organizations;

21) arranges in accordance with the procedures established by the laws of the Republic of Kazakhstan free and subsidized meals for certain categories of students and educatees;

22) assists in employment of persons graduated, on the basis of state educational order from educational organizations implementing educational programs of vocational, post-secondary, higher or post-graduate education;

23) make proposals to Maslikhat on travel privilege for students by public transport (except for taxi);

24) provides organizations of preschool education and training with necessary methodological and advisory assistance;

24-1) arranges development and approves regulations on operation of psychological service at secondary educational organizations;

24-2) develops and approves standard rules of conduct for educational organizations;

25) appoints and dismisses chief executive officers of education authority after agreement with an authorized authority in the field of education;

25-1) arranges order and provision of educational organizations implementing general educational programs of main secondary, general secondary education and general programs of vocational, post-graduate education with forms of nationally recognized certificates on education and exercises control for the use thereof;

25-2) conducts educational monitoring;

25-3) provides assistance to boards of guardians;

25-4) maintains staffing support for state educational organizations;

25-5) maintains methodological supervision over psychological service at educational organizations;

25-6) makes payments to competition winners – state secondary organizations a grant “Best Secondary Educational Organization”;

25-7) issues permits for external studies to organizations of main secondary, general secondary education, at educational organizations implementing specialized general educational and special educational programs, as well as general educational programs of vocational, post-secondary education on occupations of culture and arts, physical culture and sport;

25-8) provides material and technical resources for methodics department;

25-9) makes payments to competition winners – state organizations of vocation, post-secondary education a grant “Best Organization of Vocational, Post-Secondary education”;

26) maintains operation of centres for adaptation of minors and centres for support of children in difficult circumstances;

27) maintains conditions for persons kept at centres for adaptation of minors and centres for support of children in difficult circumstance;

28) exercise to the best interests of local state management other powers conferred to local executive bodies by the laws of the Republic of Kazakhstan.

**Note of Institute of Legislation and Legal Information!**

It is provided for addition of paragraph 3-1 to Article 6 in accordance with the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

4. A local executive body of a district (city of regional status):

1) excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall enter into force upon expiration of ten calendar days after its first official publication);

**Note of Institute of Legislation and Legal Information!**

It is provided for exclusion of Subparagraph 2) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

2) ensures provision of elementary, main secondary and general secondary education, including part-time (shift) form of education, and general secondary education provided through residential organizations;

**Note of Institute of Legislation and Legal Information!**

It is provided for exclusion of Subparagraph 3) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

3) arranges participation of students in Unified National Testing;

**Note of Institute of Legislation and Legal Information!**

It is provided for exclusion of Subparagraph 4) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

4) arranges accounting of preschool and junior school children, studies thereof before they reach secondary education level;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 4-1) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

4-1) ensures placement of state educational order for preschool education and training;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 5) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

5) establishes, reorganizes and liquidates in accordance with the procedures established by the laws of the Republic of Kazakhstan state educational organizations implementing general educational programs of elementary, main secondary and general secondary education, except for state educational organizations implementing specialized general educational and special educational programs, as well as general educational programs of preschool education and training and additional educational programs for children;

6) - 6-2) excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall enter into force upon expiration of six months after its first official publication);

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 7) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

7) maintains and provides assistance in material and technical support for state educational organizations implementing general educational programs of elementary, main secondary and general secondary education (except for educational organizations at penal institutions of the penal system);

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subdivision 8) by the Law of the Republic of Kazakhstan dated 27.12.2019 № 291-VI (shall enter into force on 01.01.2021).

8) annually before August 1, arranges procurement and delivery of student books, and learning and training support kits to educational organizations implementing general educational programs of preschool training, general educational organizations within the scope predicted by educational bodies for an academic year;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 8-1) by the Law of the Republic of Kazakhstan dated 27.12.2019 № 291-VI (shall enter into force on 01.01.2021).

8-1) approves state educational order for preschool education and training, amount of parental fee;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 8-2) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

8-2) provides material and technical resources for district methodics departments;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 8-3) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

8-3) approves state educational order for secondary education;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 9) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

9) ensures additional education for children;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 10) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

10) ensures organization and holding of school competitions and competitions of scientific projects on general educational subjects, competitions of district (city) scale;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 11) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

11) allocates funds for provision of financial and material assistance for students and educatees of state educational organizations from families having a right to receive state targeted social assistance, as well as from families not receiving state targeted social assistance in which per capita income is below minimum subsistence level, and orphaned children, children deprived from parental care living in families, children from families requiring emergency assistance as a result of emergency situations, and other categories of students and educatees determined by the governing board of a state educational organization at the amount of not less than two per cent of aggregate amount of budgetary funds allocated for current maintenance of general educational schools and for placement of state educational order for secondary education at state enterprises on the basis of the right of economic management;

Note of Institute of Legislation and Legal Information!

Subparagraph 12) is provided for in amended Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

12) ensures in accordance with the established procedures social security for orphaned children, children deprived from parental care, their mandatory employment and provision of housing;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 13) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

13) arranges in accordance with the procedures established by the laws of the Republic of Kazakhstan medical services for students and educatees of educational organizations, except

for preschool organizations and secondary educational organizations not being residential organizations;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 14) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

14) arranges in accordance with the procedures established by the laws of the Republic of Kazakhstan free and subsidized meals for certain categories of students and educatees;

15) assists in employment of persons graduated from educational organizations;

16) assists in provision of housing conditions for young specialists arriving for work to educational organizations located in rural areas;

17) makes proposals to Maslikhat on beneficial travel for students by public transport (except for taxi);

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 18) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

18) provides organizations of preschool education and training, and parents with necessary methodological and advisory assistance;

19) excluded by the Law of the Republic of Kazakhstan dated 26.11.2019 No. 273-VI (shall enter into force upon expiration of ten calendar days after its first official publication);

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 19-1) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

19-1) implements educational monitoring;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 19-2) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

19-2) arranges order and provision of educational organizations implementing general educational programs of main secondary, general secondary education with the forms of nationally recognized certificates on education and maintains control over the use thereof;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 19-3) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

19-3) annually within established terms, ensures collection of data of statistical surveys in the integrated information system of education of an authorized authority in the field of education;

20) excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall enter into force upon expiration of ten calendar days after its first official publication);

21) excluded by the Law of the Republic of Kazakhstan dated 24.10.2011 No. 487-IV (shall enter into force upon expiration of ten calendar days after its first official publication);



Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 21-1) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

21-1) provides staffing support for state educational organizations;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 21-2) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

21-2) exercise methodological supervision over psychological service at educational organizations;

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 21-3) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

21-3) issues permits for external study at organizations of main secondary, general secondary education;

21-4) excluded by the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V ( shall enter into force upon expiration of ten calendar days after its first official publication);

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Subparagraph 21-5) by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

21-5) establishes at educational organizations special conditions for training of persons ( children) with special educational needs;

22) exercises to the best interests of local state management other powers conferred to local executive bodies by the laws of the Republic of Kazakhstan.

Note of Institute of Legislation and Legal Information!

It is provided for exclusion of Paragraph 5 by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2021).

5. Akim of a district in a city, a city of regional, district status, a settlement, a village, a rural district shall:

1) arranges accounting of preschool and junior school children;

1-1) maintains operation of base schools (resource centres);

2) maintains preschool education and training, inter alia arranges in accordance with the procedures established by the laws of the Republic of Kazakhstan medical services at organizations of preschool education and training.

Akim of a settlement, a village, a rural district in case of absence of a school at the settlement shall arrange 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); dated 13.11.2015 No. 398-V (shall be enforced upon ten calendar days after day of its first official publication); dated 09.04.2016 No. 501-V (shall be enforced upon ten calendar days after day of its first official publication); dated 22.12.2016 No. 29-VI (shall be enforced dated 01.01.2017); dated 05.05.2017 No. 59-VI (shall be enforced upon ten calendar days after day of its first official publication); dated 05.05.2017 No. 60-VI (shall be enforced upon ten calendar days after day of its first official publication); dated 05.07.2017 No. 88-VI (shall be enforced upon ten calendar days after day of its first official publication); dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 04.07.2018 № 172-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 01.04.2019 № 240-VI (shall be enforced upon the expiration the expiration of ten calendar days after the day of its first official publication); Dated 26.11.2019 No. 273-VI (shall enter into force upon expiration of ten calendar days after its first official publication); dated 26.12.2019 No. 287-VI (shall enter into force on 01.01.2020).

## **Article 6-1 – Education authorities of a region, city of republican status, the capital city, district (city of regional status)**

1. Education authorities of a region, city of republican status, the capital city, district (city of regional status) exercise functions of local state management in the field of education within respective territory and within competence defined by this Law and other laws of the Republic of Kazakhstan.

2. Regional education authorities assign and dismiss chief executive officers of education authorities of districts (cities of regional status) after agreement with an authorized authority in the field of education.

Footnote. Article 6-1 was added to Chapter 1 in accordance with the Law of the Republic of Kazakhstan dated 26.11.2019 No. 273-VI (shall enter into force upon expiration 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. The unified information system of education includes the register of educational programs implemented by organizations of higher and (or) postgraduate education, data of educational monitoring, statistical observations, and other data obtained by the authorized body in the field of education, local executive bodies, educational organizations in the course of their activities.

**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); No. 171-VI dated 04.07.2018 (shall be enforced upon the expiration of ten calendar days after the day of 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 provides citizens of the Republic of Kazakhstan with free pre-primary, primary, basic secondary, general secondary, technical and vocational education with assignment of working qualifications or working qualifications to graduates within one specialty, as well as on a competitive basis in accordance with the state educational order of free technical and vocational, post-secondary, higher and postgraduate education, if the education of each of these levels is a citizen of the Republic of Kazakhstan.

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.

Foreigners and persons without citizenship, permanently residing in the Republic of Kazakhstan, has 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.

The right to receive free technical and professional, post-secondary, higher and postgraduate education by foreigners on a competitive basis in accordance with the state educational order is determined by international treaties of the Republic of Kazakhstan, except for persons studying under scholarship programs.

2-1. The state provides conditions of creation of informational and communication infrastructure of electronic tutoring with use of information and communication technologies.

2-2. The state creates conditions to provide students, undergraduates and doctoral students with newly introduced places in hostels for students, undergraduates and doctoral students by placing a state order to provide students, undergraduates and doctoral students with places in hostels. Payment for accommodation in dormitories is not included in the state order to provide students, undergraduates and doctoral students with places in dormitories.

The contract of the state order on maintenance of students, undergraduates and doctoral candidates with places in hostels is concluded between the authorized body in the field of education, the operator of the authorized body in the field of education and the owner of a hostel for the term exceeding three years, and comes into force after its obligatory registration in territorial divisions of the central authorized body on execution of the budget. The obligatory condition of the contract of the state order for provision of students, undergraduates and doctoral candidates with places in hostels is the presence of a ban on changing the purpose of the hostel for a period of not less than twenty years.

3. In order to 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 in adaptation centres for minors and support centres for children in difficult situations;
- 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;

11) other categories of citizens determined by the decision of the Government 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.

5. For citizens who for health reasons cannot visit for a long time the organizations of secondary education individual free training at home or in the organizations rendering the stationary help and also recovery treatment and medical rehabilitation will be organized.

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); dated 29.09.2014 No. 239-V (shall be enforced on the expiry of ten calendar day of its first official publication); dated 13.11.2015 No. 398-V (shall be enforced on the expiry of ten calendar days after day of its first official publication); dated 24.11.2015 No. 419-V (shall be enforced dated 01.01.2016); dated 04.12.2015 No. 435-V (shall be enforced dated 01.01.2016); of 09.04.2016 No. 501-V (shall be enforced on the expiry of ten calendar days after day of its first official publication); of 25.12.2017 No. 122-VI (shall be enforced dated 01.01.2018); dated 04.07.2018 № 171-VI ( shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 04.07.2018 № 172-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 01.04.2019 № 240-VI (shall**

be enforced upon the expiration of ten calendar days after the day of its first official publication).

### **Article 8-1. Minimum social standards in education**

Minimum social standards of preschool education and tutoring, primary, main secondary and general secondary education, technical and professional, postsecondary education, the higher education got on a competitive basis are minimum social standards in education according to the Law of the Republic of Kazakhstan “On minimum social standards and their guarantees”.

Footnote. Chapter 2 is supplemented with article 8-1 according to the Law of the Republic of Kazakhstan dated 19.05.2015 No. 315-V (shall be enforced upon the expiry of ten calendar days after day of its first official publication).

### **Article 8-2. The state monopoly in education**

Activities for the organization of conducting examination of textbooks, educational and methodical complexes and grants for education levels and also methodological and a scientific methodological support of an education system and educational process (the state obligatory standards of education, curricula, training programs) fall into the state monopoly.

Footnote. Chapter 2 is supplemented with article 8-2 according to the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon the expiry of ten calendar days after day of 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 Language and Russian are compulsory subjects to be included in a list of subjects during final assessment of students at secondary educational organizations.

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); dated 09.04.2016 № 501-V (shall enter into force on 01.01.2017).

## **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. Excluded by the Law of the Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon expiration of ten calendar days after the day of its first official publication).

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

5. Educational organizations have the right to pass institutional and (or) specialized accreditation in accreditation bodies entered in the register of recognized accreditation bodies.

6. shall be excluded by the Law of the Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon expiration of ten calendar days after the day of its first official publication).

Footnote. Chapter 2 is supplemented by Article 9-1 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); dated 09.04.2016 № 501-V (shall be enforced dated 01.01.2017); with the amendments of the Law of the Republic of Kazakhstan No. 171-VI dd. 04.07.2018 (shall be enforced upon expiration of ten calendar days after the day of 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); dated 13.11.2015 № 398-V (shall be enforced upon the 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) maintenance of increased social status of teachers;
- 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 taking into account individual peculiarities of students for receiving education by persons (children) with special educational needs.

**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); dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); No. 165-VI dated 2 July 2018 (shall be enforced upon the expiration of ten calendar days after the day of 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.

**Footnote. Article 12 as amended by the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication).**

## **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.

**Footnote. Article 13 as amended by the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication).**

### **Article 14 educational training programs**

Footnote. Article 14 as amended by the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication).

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.

Work curricula are developed on the basis of appropriate model curricula and/or model curricula.

Work plans and work curricula are developed by higher and/or postgraduate educational institutions on the basis of higher and postgraduate educational programmes, except for the work programmes of the general education cycle.

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.

The specialized general education training programs providing profound studying of separate subjects of the training program are developed for the fullest development of potential opportunities of gifted persons.

The express training programs considering features of development and potential opportunities of students and pupils defined taking into account the recommendations of psychology and pedagogical consultations are developed for separate categories of persons

3. Educational programs are aimed at training qualified personnel, including workers, and specialists of the middle level in the areas of professional activity in the sectors of the economy, consistent improvement of professional and general educational level of the individual.

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. excluded by the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication);

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.

8-1. Standard training programs on specialties in the field of the water transport are approved by the central executive body performing management in the sphere of trade navigation in coordination with authorized body in the field of education.

9. The organization of education has the right to realize educational programs of various level in the presence of the license if other is not provided by 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); dated 13.01.2015 No. 276-V (shall be enforced upon expiry of ten calendar days after its first official publication) dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); No. 171-VI dd. 04.07.2018 (shall be enforced upon the expiration of ten calendar days after the day of 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.

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.

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.

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); dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication) .**

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

**Footnote. The article 17 with the changes made by the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication).**

1. Technical and vocational education is an integral part of secondary education and is designed to prepare qualified workers and middle-level specialists.

2. Technical and vocational education programmes are divided into educational programmes depending on their content and level of training:

1) providing training of qualified workers.

The content of educational programs provides for the study of general education, general humanitarian, general professional, special disciplines, industrial training and professional practice, or the study of integrated into the basic and professional modules of general humanitarian, general professional, special disciplines, passing industrial training and professional practice with the assignment of working qualifications;

2) providing training for middle-level specialists.

The content of the educational programmes provides for the study of general education, social and economic, general humanitarian, general professional and special disciplines, industrial training and professional practice, or the study of social and economic, general humanitarian, general professional and special disciplines integrated into the basic and professional modules, as well as industrial training and professional practice, with the qualification of "mid-level specialist" and (or) working qualifications.

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 programs of technical and professional education for citizens with general secondary education, provide for the study of general professional, socio-economic, special disciplines and the performance of training and production works that determine the future professional activity in the chosen specialty.

5. Educational training programs of technical and professional education shall consist of the programs of theoretical and industrial training and professional practice.

6. Educational programs of technical and professional education with the use of dual training provide theoretical training in educational institutions and no less than sixty percent of industrial training, professional practice on the basis of the enterprise (organization).

**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); with the changes of the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first**

official publication); dated 04.07.2018 № 172-"I (shall be enforced upon the expiration of ten calendar days after the day of 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 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); with the changes of the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication).

1. Special academic programs are developed on the basis of general education curricula for preschool, primary, basic secondary and general secondary education, technical and vocational education and are aimed at the education and development of persons (children) with special educational needs, taking into account the psychophysical characteristics and cognitive abilities of students and pupils, determined on the basis of recommendations of psychological, medical and pedagogical consultations.

2. For the persons needing long-term treatment and also for children and teenagers with limited opportunities in development special training programs are developed and take root.

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); dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); No. 165-VI dated 02.07.2018 (shall be enforced upon the expiration of ten calendar days after the date of its first official publication)

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

1. Post-secondary education programmes are designed to prepare applied bachelors of secondary education (general secondary or technical and vocational).

2. The content of post-secondary education programmes provides for the study of technical and vocational education programmes integrated into the modules of the educational programmes of technical and vocational education with the inclusion of individual modules or disciplines of the educational programmes of the bachelor's degree.

**Footnote. Article 20 in the edition of the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (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 04.07.2018 № 172 (shall be enforced upon expiration of ten calendar days after the day of its first official publication)..**

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

1. Educational programs of the higher education are directed to training of highly qualified personnel according to requirements of the branches of economy with award of degree "bachelor" or qualification assignment "expert".

The persons which completed training in the educational program of the higher education with award of degree "bachelor" or qualification assignment "expert" can hold positions for which qualification requirements provided existence of the higher education.

2. The content of educational programs of higher education provides for the study of the cycle of general education disciplines, the cycle of basic disciplines, the cycle of major disciplines, as well as the passage of professional practice in the relevant areas of training with a focus on learning outcomes and compliance with the national framework of qualifications and sectoral framework of qualifications.

Higher education programmes include compulsory and elective components.

Within the framework of the elective component, the learner can choose when determining the individual learning pathway:

- 1) disciplines on the main educational program;
- 2) disciplines on additional educational program.

The order and volume of development of disciplines on the basic and additional educational programs are established by rules of the organization of educational process on credit technology of training.

The list of educational programs of higher education is contained in the register of educational programs.

3. The term of development of educational programs of higher education is determined by the state obligatory standard of higher education.

4. For citizens of the Republic of Kazakhstan who have technical and professional, post-secondary or higher education, organizations of higher and (or) postgraduate education develop and implement educational programs providing for shortened terms of education.

5. Development of the professional educational program of an internship is an indispensable condition of admission to clinical practice of the citizens of the Republic of Kazakhstan who got the higher medical education on clinical specialties which list is approved by authorized body in the field of health care.

Rules for training medical personnel in internship are approved by the authorized body in the field of health care.

**Footnote. Article 21 as amended by the Laws of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); with the changes introduced by the Law of Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).**

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

**Footnote. Article 22 as amended by the Laws of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication).**

1. Educational programs of post-graduate education are designed to train teachers, scientific workers and chief executive officers of higher qualification, consistent increase in the level of their academic, pedagogical and professional training.

2. The content of educational programs of postgraduate education provides for: theoretical training, including basic and specialized disciplines, professional practice, research (experimental research) work with writing a thesis (project for educational programs of profile magistracy) with a focus on learning outcomes and compliance with the national qualifications framework and sectoral qualifications frameworks.

The list of educational programs of postgraduate education is contained in the register of educational programs.

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.

**Footnote. Article 22 as amended by the Laws of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 No. 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 27.12.2019 № 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).**



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

**Footnote. Article 23 as amended by the Laws of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication).**

1. Complementary education programmes aim to meet the comprehensive needs of learners, pupils and professionals with a focus on learning outcomes and relevance to national qualifications frameworks and sector-specific qualifications frameworks.

Educational programs for additional education at the Academy of Justice, military, special educational institutions implementing educational programs of higher and postgraduate education are designed for satisfaction of universal needs of students and specialists and are oriented to outcomes of training and (or) compliance with professional competencies, job descriptions and qualification requirements respectively at courts, law enforcement agencies, the Ministry of Defense and national security agencies of the Republic of Kazakhstan.

2. Educational programs of additional education depending on the content and orientation are subdivided into:

1) additional education programs for students and pupils;

2) programs of advanced training for specialists are designed for development of professional competencies proportionate to modern requirements;

2-1) programs for retraining of specialist designed for obtainment of qualification in consideration of demands of the labor market;

3) post-doctoral programs aimed at deepening scientific knowledge, solving scientific and applied problems on a specialized topic under the guidance of a leading scientist.

3. The educational programs of additional education for children implemented by the state organizations of education are approved by the bodies performing functions of state body in relation to these organizations except for educational programs of children's music schools, children's art schools and children's schools of arts which are approved by authorized body in the field of education.

**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); dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); No. 171-VI dated 04.07.2018 (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 21.02.2019 № 227-VI (for procedures of enforcement, see Article 2); dated 27.12.2019 No. 294-VI (shall enter into force upon expiration 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**

Footnote. Article 25 as amended by the Laws of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication).

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

Footnote. Article 25 as amended by the Laws of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication).

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

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

1. Procedures for admission to preschool organizations, organization of secondary, vocational, post-secondary, higher and (or) postgraduate education shall be defined by standard rules for admission to educational organizations of respective type, except for the Academy of Justice, military, special educational institutions.

1-1. Excluded by the Law of the Republic of Kazakhstan dated 04.07.2018 № 171-VI (entered into force on the expiration of ten calendar days after the day of its first official publication).

2. The order of reception on training in the organization of preschool and secondary education, providing reception of all children, including children with special educational needs living in the territory of service of the organization of education, is established by reception rules approved by local executive bodies on the basis of standard rules of reception in educational institutions of corresponding type.

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. Inclusion on training in the organizations of education implementing educational programs of technical and professional, postsecondary, higher, postgraduate education is carried out according to petitions from citizens on a competitive basis. Conditions of a

competition have to guarantee observance of the rights for education and provide transfer of citizens, the most capable and prepared for development of the educational program of appropriate 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. For reception of postgraduate education in the leading foreign organisations of higher and (or) postgraduate education on the full-time form of training according to the list of the specialities confirmed annually in an order established by the legislation of the Republic of Kazakhstan, citizens of the Republic of Kazakhstan have the right to award on a competitive basis the international grant "Bolashak" taking into account the age restrictions established by the legislation of the Republic of Kazakhstan.

An agreement is signed with the citizens of the Republic of Kazakhstan who have been awarded the international Bolashak scholarship for training on the international Bolashak scholarship.

5. When holding a competition for educational grants, as well as to enroll in the ranks of students under the state educational order for training of personnel with higher education in the case of equality of points have a priority right in the subsequent order of priority:

1) persons, awarded with badge "Altyn belgi";

1-1) persons awarded with badge of merit for patriotism demonstrated and social activism

;

2) excluded by the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after day of its first official publication);

2-1) the persons having documents on formation of the organizations of education implementing the educational programs of technical and professional, postsecondary education which confirmed qualification and having length of service in not less than one year;"

3) the winners of the international Olympic Games and competitions of scientific projects (scientific competitions) in general education objects (awarded with diplomas of the first, second and third degree), the international and republican competitions of performers and sports competitions (awarded with diplomas of the first, second and third degree) the last three years which list is defined by authorized body in the field of education and also winners presidential, the republican Olympic Games and competitions of scientific projects in general education objects (awarded with diplomas of the first, second and third degree) the current academic year on condition of compliance to the specialty chosen by them to a subject of the Olympic Games, competition or sports competition.

4) Orphans and children left without parental care, as well as citizens of the Republic of Kazakhstan from among young people who have lost or remained without parental care until adulthood, disabled people of the first and second groups, persons equated in benefits and

guarantees to participants and disabled people of the Great Patriotic War, disabled people from childhood, disabled children, who according to the medical report are not contraindicated to education in the relevant educational organizations, and persons who have documents on education (certificates, certificates, diplomas) with distinction.

5-1. In case of refusal of the owner of the educational grant before its transfer in the organization of higher and (or) postgraduate education the certificate on award of the educational grant is cancelled, and the educational grant is awarded in the established order.

6. Reception on training in educational programs of postsecondary education is carried out on the conditions determined by authorized body in the field of education.

7. Admission for training in organizations of higher and (or) postgraduate education for postgraduate education is carried out at the request of citizens on a competitive basis in the manner prescribed by the authorized body in the field of education.

8. At revenues to study the reception quota is provided in the organizations of education implementing educational programs of technical and professional, postsecondary and higher education for:

1) citizens from among disabled people of I, II groups, disabled people since the childhood, disabled children;

2) the persons equated on privileges and guarantees to participants and disabled people of the Great Patriotic War;

3) citizens from among rural youth for training on educational programs that determine the socio-economic development of the village;

4) persons of the Kazakh nationality who are not citizens of the Republic of Kazakhstan;

5) orphan children and children without parental support and also the citizens of the Republic of Kazakhstan from among youth who lost or without parental support to majority;

6) the citizens of the Republic of Kazakhstan from among rural youth moving to the regions determined by the Government of the Republic of Kazakhstan.

9. Admission for training under educational programs requiring special and (or) creative training, including in the areas of training of personnel in the field of education and health care, is carried out taking into account the results of special and (or) creative examinations. The list of educational programs and the procedure for holding special and (or) creative examinations are determined by standard admission rules.

9-1. The order of admission of students in the organization of higher and (or) postgraduate education before the end of the first academic period is determined by standard admission rules..

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 for training under the state educational order on separate specialties or educational programs of technical and professional, post-secondary and higher education,

requiring work with state secrets, is carried out in the organizations of education having the permission of national security bodies according to the legislation of the Republic of Kazakhstan on 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. Education at educational organizations implementing general educational programs of preschool education and training, elementary, main secondary and general secondary education, educational programs of vocational, post-secondary education, except for military, special educational institutions shall be conducted based on an agreement the standard form whereof is approved by an authorized body in the field of education.

**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); dated 21.07.2015 No. 337-V (shall be enforced upon the expiry of ten calendar days after day of its first official publication); dated 13.11.2015 No. 398-V (an order of enforcement see Article 2); dated 24.11.2015 No. 421-V (shall be enforced upon the expiry of ten calendar days after day of its first official publication); dated 03.12.2015 No. 433-V (becomes effective from 01.01.2016); dated 09.04.2016 No. 501-V (shall be enforced upon the expiry of ten calendar days after day of its first official publication); dated 16.05.2018 № 155-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 02.07.2018 № 165-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 21.02.2019 No. 227-VI (for procedures of enforcement, see Article 2); dated 27.12.2019 No. 291-VI (shall enter into force upon expiration of ten calendar days after its first official publication); dated 27.12.2019 No. 294-VI (shall enter into force upon expiration 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); dated 13.11.2015 No. 398-V (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.

Planning of educational work in organizations of higher and (or) postgraduate education is carried out on the basis of the approved academic calendar for the academic year and schedule of training sessions..

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 educational process shall be implemented based on mutual respect for human dignity of students, educatees, teachers and at all levels of educational system with respect for the rights of physically impaired persons.

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. Initial military training of students of pre-conscription and draft age on the basis of basic secondary education is carried out in educational institutions (except for special ones),

implementing general education curricula of general secondary education, educational programs of technical and professional, post-secondary education.

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.

10. Features of final certification of students who have mastered educational programs of postgraduate education are determined by the authorized body in the field of education.

11. Educational organizations provide parents and other legal representatives of underage students and pupils with an opportunity to get acquainted with the progress and content of the 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); dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication). dated 03.12.2015 No. 433-V (shall be enforced dated 01.01.2016; dated 09.04.2016 № 501-V (shall be enforced dated 01.01.2017); No. 171-VI dated 04.07.2018 (shall enforced upon the expiration of ten calendar days after the day of its first official publication); No. 172-VI dated 04.07.2018 (shall enforced upon the expiration of ten calendar days after the day of 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. For the purposes of integration of education and science, maintenance and improvement of the training and educational process, development and introduction of new educational technology, maintenance of advanced training of teachers at educational organizations and respective infrastructure, training and methodological, and scientific methodological work shall be conducted.

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.

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.

at organizations of higher and (or) postgraduate education, except for the Academy of Justice, military, special educational institutions, – for training and methodological associations on areas of training of personnel.

The management of the teaching and methodical and scientific-methodical work of teaching and methodical associations in the areas of personnel training is entrusted to the Republican teaching and methodical council of higher and postgraduate education.

The Republican Council for Technical and Vocational Education and Post-secondary Education is responsible for supervising the teaching and methodical work of technical and vocational and post-secondary education associations in their respective fields of specialization.

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); dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 04.07.2018 № 172-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); date 21.02.2019 No. 227-VI (for procedures of enforcement, see Article 2).**

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

1. Preschool education of children prior to admission to the 1<sup>st</sup> form shall be implemented in families or since the age of one till admission to the 1st form at 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); with the change introduced by the Law of the Republic of Kazakhstan dated 02.07.2018 № 165-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 27.12.2019 No. 294-VI (shall enter into force upon expiration 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 are admitted to the first grade.
2. The basic types of organizations of secondary education, 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.

Decision of the elimination of the minors satying on the registry of service of a probation from the state organizations of the secondary education is accepted with the consent of service of a probation

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); dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 18.04.2017 № 58-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 09.04.2016, No. 501 -V shall be enforced dated 01.01.2019).

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

1. Technical and vocational education is provided at colleges, colleges and higher education institutions on the basis of basic secondary and (or) general secondary education.

The educational process in the educational institutions implementing the educational programs of technical and vocational education includes theoretical training in the educational institutions, as well as industrial training and professional practice, carried out under the guidance of the master of industrial training, the head of practice in the training workshops, educational facilities and training grounds, under the guidance of a mentor, the master of industrial training, the head of practice - on the basis of enterprises (organizations).

Training under the educational programs of technical and vocational education is carried out in the form of full-time, evening and distance learning.

Thus training under educational programs of technical and professional education on specialities of culture and art, physical culture and sports is supposed in the form of externship for winners of the international, republican competitions and festivals, sports competitions which lists are defined by the authorized bodies in the field of culture, physical culture and sports.

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. The organizations of education realizing educational programs of technical and professional education sell the products of characteristic production which are turned out in industrial practice workshops, educational farms and on training grounds.

4. The learner who has passed the final certification on mastering the educational program of technical and professional education is assigned a working qualification and (or) qualification “mid-level specialist”.

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); dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 172-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 01.04.2019 № 240-VI (shall be enforced upon the expiration of ten calendar days after the day of 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 are not in labor relations with the employer is carried out by the employer directly on the basis of the enterprise (organization), training centers, courses, as well as in various training and production structures of legal entities or educational organizations that implement educational training programs of technical and vocational, 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.

The forms of professional training include training at the enterprise (organization), retraining in another specialty, cooperative training on the basis of corporate responsibility and apprenticeship

4. Persons who passed the qualification exam are assigned the corresponding qualification level in a particular specialty and are issued a certificate of qualification (certificate).

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); with the changes introduced by the Law of the Republic of Kazakhstan dated 04.07.2018 № 172-"I (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

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

Post-secondary education programmes are offered at colleges and higher education institutions.

Training of personnel in post-secondary education programs is carried out in the specialties, the list of which shall be approved by the authorized body in the field of education

A student who has passed the final certification for the development of post-secondary education is awarded the qualification of "applied bachelor".

Training on educational programs of post-secondary education is carried out in the form of full-time, evening and distance learning.

Thus training on educational programs of post-secondary education on specialties of culture and art, physical culture and sports is supposed in the form of externship for winners of the international, republican competitions and festivals, sports competitions which lists are defined by the authorized bodies in the field of culture, physical culture and sports..

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); dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 172-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 01.04.2019 № 240-VI (shall be enforced upon the expiration of ten calendar days after the day of 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. Higher education programmes are implemented in higher education and/or postgraduate institutions.

Higher education programmes are offered in the form of full-time education and/or externship.

The main types of higher and (or) postgraduate education are the national research university, national organization of higher and (or) postgraduate education, research university, university, academy, institute and equivalent (conservatory, higher school, higher school).

In the organizations of higher and (or) postgraduate education in the presence of the appropriate license and material and technical base can be implemented educational programs of technical and professional, post-secondary, higher, postgraduate and additional education, as well as general education programs of primary, basic secondary, general secondary education in the organizations of education in the field of culture.

Providing the educational process on the educational programs of technical and professional, post-secondary education is carried out by organizations of higher and (or) postgraduate education, except for organizations of higher and (or) postgraduate education in the field of culture, at the expense of income received by organizations of higher and (or) postgraduate education from the implementation of paid services.

3. A student who has passed the final certification for the development of higher education is awarded a bachelor's degree or a qualification of "specialist".

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); dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 No. 171-VI (shall be enforced , see Art. 2).**

## **Article 36. Postgraduate education**

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

Training on educational programs of postgraduate education is carried out in the form of face-to-face training.

2. Postgraduate education is carried out in magistracy, residency and doctoral studies of organizations of higher and (or) postgraduate education, scientific organizations on the basic profile of activity and directions of personnel training, as well as by sending scholarship holders of international scholarship "Bolashak" to study in leading foreign organizations of higher and (or) postgraduate education in the full-time form of education in accordance with the list of specialties annually approved in accordance with the legislation of the Republic of Kazakhstan.

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.

4. Training of doctor of philosophy (PhD) on profile on the basis of professional training of Master's programs shall be carried out on two directions: .

- 1) scientific and pedagogical with tutoring term not less than three years;
- 2) profile with tutoring term not less than three years.

4-1. The persons who received degree of the master or mastered educational programs of postgraduate education for military specialties for receiving degree of the doctor of philosophy (PhD), the doctor on a profile have training in doctoral studies of military, express educational institutions not less than three years.

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

The residency provides in-depth training in clinical specialties with the duration of training from two to four years depending on the specialization. Rules for training medical personnel in the residency are approved by the authorized body in the field of health care.

**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); dated 13.11.2015 No. 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 171-VI (for procedures of enforcement, see Article 2).**

## **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. The education of adults (persons who have attained the age of 18) is aimed at meeting their educational needs throughout their lives in order to acquire additional knowledge and skills in accordance with the ongoing socio-economic changes in society.

Adults acquire additional knowledge and skills through additional and non-formal education.

Additional education of adults is carried out by educational organizations, as well as legal entities that have structural subdivisions implementing additional educational programs.

Non-formal adult education is carried out by organizations that provide educational services that do not take into account the place, timing and form of training, and is accompanied by the issuance of a document confirming the results of training.

Results of education received by adults throughout their lives through non-formal education are recognized in accordance with the procedure provided for by this Law and contribute to further employment.

2-1. Training at the preparatory departments of higher education and (or) postgraduate education is related to additional education.

3. Advanced training of personnel shall be conducted at educational organization implementing educational programs of additional education, scientific organizations, institutions of advanced training, in the workplace and during internship on “BOLASHAK” International Fellowship.

Implementation of postdoctoral programs is carried out at the expense of individuals and (or) legal entities in higher and (or) postgraduate education and research organizations that have scientific schools and perform research in the areas of training.

4. Advanced training of senior executives, teachers and scientific workers of educational organizations shall be conducted at least once in 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 have the right to participate in the competition for the international scholarship "Bolashak" for internship, taking into account the age limits established by the legislation of the Republic of Kazakhstan.

An internship agreement shall be concluded with the citizens of the Republic of Kazakhstan who have passed the competitive selection process.

7. The organization which is carrying out a complex of actions for administration of the international grant of Bolashak, created by the Government of the Republic of Kazakhstan:

- 1) carries out informational maintenance of actions for the international grant of Bolashak ;
- 2) carries out the organization and carrying out documents acceptance of applicants for judgment of the international grant of Bolashak;

- 3) carries out a complex of actions for the organization of selection of applicants on a competitive basis;
- 4) signs contracts of tutoring, pledge and (or) guarantee;
- 5) carries out the organization and monitoring of the academic tutoring and passing of training by scholars;
- 6) provides financing of expenses, the bound to the organization of tutoring and passings of training;
- 7) carries out monitoring of performance of terms of the contract by scholars regarding working off in the territory of the Republic of Kazakhstan;
- 8) signs contracts with the international partners, foreign educational institutions for the organization of tutoring of scholars.

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); with amendments by the laws of the Republic of Kazakhstan dated 21.07.2015 № 337-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 27.12.2019 No. 294-VI (shall enter into force upon expiration 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 is an integral part of educational programs of personnel training.

Professional practice is carried out at relevant enterprises (organizations) and is aimed at consolidating the knowledge gained in the process of training, acquisition of practical skills and adoption of best practices.

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

3. In order to conduct professional practice of the educational organization on a contractual basis, enterprises (organizations) shall be defined as the bases of practice, approve the programs and schedules of practice agreed with them.

The contracts define the duties and responsibilities of educational organizations, enterprises (organizations) that are the bases of practice, and students.

4. Expenses for professional practice shall be provided by educational organizations and enterprises (organizations) that are the bases of practice, and shall be determined by the concluded agreements.

5. Agreements with the enterprises (organizations) that are the bases of practice shall be concluded on the basis of the standard form of the agreement for the conduct of professional practice of students.

6. Passing of professional practice is obligatory from the second year of training in educational programs of the higher education. Contents and base of professional practice are defined according to a profile of specialty and contents of the educational program.

7. Requirements of the present article do not extend to professional practice of students in military, express educational institutions.

**Footnote. Article 38 with amendments by the Laws of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 172-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).**

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

1. Educational organization, having the special status may issue the documents confirming education of own sample.

- 1) documents on formation of the state exemplar;
- 2) documents on formation of the independent organizations of education;
- 3) documents on formation of characteristic exemplar.

Documents on formation of the independent organizations of education and also the organizations of education at the President of the Republic of Kazakhstan are equated to documents on formation of the state exemplar.

All types of documents on education contain protective marks.

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.

**Note ILLI!**

**Paragraph 3 is provided for in amended Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall enter into force on 01.01.2021).**

**Note ILLI!**



The following paragraph shall be enforced from 01.01.2017 till 01.01.2021 by the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V.

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

1) educational organizations having licenses for educational activities on general educational programs of main secondary, general secondary education, educational programs of vocational, post-secondary education, as well as higher and postgraduate education at the Academy of Justice, military, special educational institutions and those passed state attestation;

1-1) the international schools having the license for occupation educational activities for general education training programs of the basic of secondary, general secondary education, which underwent the state certification or accreditation in the order of the Republic of Kazakhstan established by the legislation if other is not provided by the international treaties ratified by the Republic of Kazakhstan;

2) educational organizations having licenses for educational activities on educational programs of higher and (or) postgraduate education, except for the Academy of Justice, military, special educational institutions, and those passed accreditation at accreditation bodies entered into Register of Recognized Accreditation Bodies.

Requirements to filling of documents on formation of the state exemplar are defined by authorized body in the field of education.

**Note of Institute of Legislation and Legal Information!**

It is provided for addition of Subparagraph 3-1 to Article 39 in accordance with the Law of the Republic of Kazakhstan dated 09.04.2016 No. 501-V (shall enter into force on 01.01.2021).

4. Documents on formation of the independent organizations of education give the independent organizations of education.

The form and requirements to filling of documents on formation of the independent organization of education are defined by the independent organization of education.

4-1. Educational organizations implementing educational programs of technical and professional, post-secondary education, on the basis of the results of the students' mastering of professional modules within the framework of one qualification and the results of intermediate certification issue a certificate of professional training.

**Note of Institute of Legislation and Legal Information!**

Paragraph 5 is provided for in amended Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall enter into force on 01.01.2021).

**Note of Institute of Legislation and Legal Information!**

Paragraph 5 is provided for in amended Law of the Republic of Kazakhstan dated 09.04.2016 No. 501-V (shall enter into force on 01.01.2021).

**Note of Institute of Legislation and Legal Information!**

**This version of Paragraph 5 shall remain in force until 01.01.2021 by the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V.**

5. Documents on formation of characteristic exemplar have the right to give out:

- 1) the organizations of education having the special status;
- 2) the organizations of education having the license for occupation educational activities for educational programs of the higher and postgraduate education.

The form and requirements to filling of documents on formation of characteristic exemplar are defined by the organization of education.

6. Not finished education or not passed a final assessment, the reference of the established exemplar is issued studying.

7. The documents on education issued by the foreign organizations of education admit in the territory of the Republic of Kazakhstan on the basis of international treaties (agreements).

In the absence of international treaties (agreements) nostrification of the documents on education received by citizens of the Republic of Kazakhstan in the foreign organizations of education and issue of the corresponding certificates to them are carried out in the order determined by authorized body in the field of education.

8. Documents on education issued by foreign organizations of higher and (or) postgraduate education, research centers and laboratories to citizens of the Republic of Kazakhstan - holders of international scholarship "Bolashak", are recognized in the Republic of Kazakhstan without passing the procedures of recognition or nostrification.

**Footnote. Article 39 with amendments by the Laws of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); with the amendments made by the law of the Republic of Kazakhstan 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 04.07.2018 № 172-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 21.02.2019 No. 227-VI (for procedures of enforcement, see Article 2).**

## **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.

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) the organization of technical and vocational education;

4) organizations of post-secondary education;

5) shall be excluded by the Law of Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication);

6) organizations of higher and (or) 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); dated 21.07.2015 № 337-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).**

#### **Article 40-1 Special status of higher education and(or) postgraduate education**

**A footnote. Article 40-1 shall be excluded by the Law of the Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of 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); dated 13.11.2015 № 398-V (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 organizations, including creation, reorganization and liquidation of organizations of higher and (or) postgraduate education of legal entities on scientific and educational activities, are carried out in accordance with the legislation of the Republic of Kazakhstan.

Reorganization of organizations of higher and (or) postgraduate education, established as commercial organizations, in non-commercial organizations is carried out in the order established by the Law of the Republic of Kazakhstan "On non-commercial organizations".

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.

Footnote. Article 42 with amendments by the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

## **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) elaboration and approval of working curriculums and working training programs;

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

2-2) annual informing parents and other lawful representatives, students and pupils until the end of the current academic year about the list:

textbooks and educational and methodical complexes, grants and other padding literature, including on the electronic media offered to use forthcoming academic year;

the training materials used forthcoming academic year;

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 routine monitoring of students' progress, intermediate and final certification of students, with the exception of a single national test;

5-1) assignment to students in the organizations of technical and professional, post-secondary education of working qualifications, qualifications "mid-level specialist", "applied bachelor";;

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;

7-1) maintenance of compulsory periodic medical examination of teachers in accordance with the procedures established by the laws 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;

11-1) providing with health service of students and pupils of the educational organizations , except for the organizations of secondary education which are not related to the residential organizations;

11-2) ensuring protection and strengthening of health of students and pupils;

11-3) ensuring access by the student, to pupils to the Internet with use of services of the telecom operators intended for restriction of access for children to information doing harm to their health and development;

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) shall be excluded by the Law of Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication);

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

4. Excluded by the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication);

5. Excluded by the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication);

6. The educational and improving organizations of education created according to the decision of the Government of the Republic of Kazakhstan:

1) realize general education training and educational programs;

2) carry out complex-valued measures on the organization of improvement, rest of children, including children to whom there is an address social help according to the legislation of the Republic of Kazakhstan;

3) create conditions for development of general education training programs during improvement, rest of children;

4) provide medical care of students;

5) elaborate the innovative pedagogical methods and technologies providing intellectual and moral development;

6) elaborate and publish textbooks, educational and methodical complexes, scientific and methodical grants and recommendations, including electronic and also periodic and serial editions in the field of moral and spiritual development;

7) maintain retraining and advanced training of teachers in the field of moral and spiritual development;

8) conduct scientific research concerning moral and spiritual development.

6-1. State secondary education organizations shall provide health and fitness or sports facilities for property lease (rent) in accordance with the procedures determined by an authorized authority in the field of education.

7. Norms specified in this article do not apply to organizations of higher and (or) postgraduate education.

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); dated 13.11.2015 № 398-

V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 22.12.2016 № 29-VI (shall be enforced dated 01.01.2017); dated 30.06.2017 № 80-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.12.2017 № 128-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 04.07.2018 № 172-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 19.04.2019 No. 250-VI (shall enter into force upon expiration of ten calendar days after its first official publication); dated 27.12.2019 No. 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).

### **Article 43-1. Activity and competence of higher and (or) postgraduate education institutions**

1. Organizations of higher and/or postgraduate education are entitled to carry out the following types of activities from extrabudgetary funding sources

1) training of personnel on educational programs of higher and postgraduate education, as well as scientific-technical, innovation activity, research works, including fundamental and applied scientific research;

2) provision of food, accommodation and medical care to students;

3) provision of food, accommodation and medical services to employees;

4) ensuring safety of students;

5) organization and holding of sports and cultural events;

6) organization and holding of physical culture and health-improvement events, creation of sports and creative sections;

7) publishing and printing activities to ensure the educational process, research, educational and socio-cultural activities;

8) arrangement and participation in different events of international and national levels: in school competitions, other competitions, conferences, workshops among students and teachers;

9) training of students for military service under the program of reserve officers;

10) implementation of general education curricula of primary, basic secondary and general secondary education, as well as educational programs of technical and professional, post-secondary and additional education;

11) creation of technopolises, technoparks, business incubators, innovation centres, commercialisation and technology transfer centres, design bureaus and other structures in the field of activity;



12) participation in the development, testing and implementation of innovative methods, teaching and research technologies aimed at further development and improvement of the education and science system;

13) organization, creation and development of digital interactive educational resources and educational films for all levels of education;

14) participation in the integration of education and science with production;

15) organization, financing of development works, innovative and investment projects with attraction of financial resources of subsidiaries and other organizations of the Republic of Kazakhstan and foreign organizations, as well as participation in formation of mechanisms and infrastructure of venture financing of projects in the field of education and science;

16) other types of activities not prohibited by the laws of the Republic of Kazakhstan.

Organizations of higher and (or) postgraduate education, more than fifty percent of the shares of which belong to the state, and affiliated persons on an equal basis with the types of activities specified in part one of this paragraph have the right to carry out other types of activities provided by the list of activities carried out by legal entities, more than fifty percent of shares (stakes in the authorized capital) of which belong to the state, and affiliated persons, approved by the Government of the Republic of Kazakhstan.

2. The competence of organizations of higher and (or) postgraduate education includes:

1) development and approval of educational programs of higher and postgraduate education in accordance with the state mandatory standards of education;

2) determination of qualification characteristics of positions of employees of higher and (or) postgraduate education organizations in accordance with the legislation of the Republic of Kazakhstan;

3) development and approval of rules for competitive filling positions of faculty and researchers;

4) development and approval of the forms of the contract for the provision of educational services and the contract for professional practice;

5) implementation of educational activities on the basis of independently developed standards of the study load, forms and amounts of remuneration;

6) development and approval of rules for admission to the organization of higher and (or) postgraduate education;

7) development of a program for the development of higher and (or) postgraduate education;

8) awarding of "bachelor's" and "master's" degrees to students;

9) development and approval of the rules of organization and conduct of professional practice and rules for determining organizations as practice bases;

10) development and approval of the rules of transfer and restoration of students in accordance with the standard rules of higher and (or) postgraduate education organizations;

11) provision of academic leave to students on the basis of the opinion of the medical advisory commission, summons for military service, birth, adoption of a child up to the age of three years;

12) drafting and approving internal regulations;

13) development and approval of working curricula and working curricula;

14) introduction of new technologies of education, including credit technology of education and distance education technologies;

15) conducting ongoing monitoring of students' progress and intermediate and final certification in accordance with the standard rules for the activities of higher education organizations and (or) postgraduate education;

16) provision of professional development and retraining of personnel in the order established by the legislation of the Republic of Kazakhstan;

17) financial, economic, material and technical support, including equipment;

18) introduction of modern forms of professional training of personnel;

19) submission of financial statements in the order established by the legislation of the Republic of Kazakhstan.

Organizations of higher and (or) postgraduate education have the right in accordance with the legislation of the Republic of Kazakhstan:

1) create an endowment fund for the organization of higher and (or) postgraduate education;

2) create legal entities for scientific and educational activities at the expense of extra-budgetary sources of funding;

3) open startup companies;

4) attract additional sources of financial and material resources to carry out the statutory activities;

5) establish branches in foreign countries.

4) Organizations of higher and (or) postgraduate education having a special status also have the right:

1) independently determine the content of higher and postgraduate education not lower than the requirements of the relevant state mandatory standards of education;

2) award the degree of Doctor of Philosophy (PhD) and Doctor of Profile in accordance with the procedure established by the authorized body in the field of education.

The organizations of higher and (or) postgraduate education in the organizational-legal form of the state institutions have the right to carry out the types of activities provided in the part of the first paragraph 1 of this article, including at the expense of budget funds in accordance with the legislation of the Republic of Kazakhstan, except for the norms provided in subparagraphs 3), 6), 7), 9), 11), 13), 14) and 15) the part of the first paragraph of the article for the organizations of higher and (or) postgraduate education in the field of culture in the organizational-legal form of the state institutions.

Competences of organizations of higher and (or) postgraduate education, provided for in subparagraphs 2), 3), 6), 9), 10), 11) and 15) of Paragraph 2 of this article, do not apply to the Academy of Justice, military, special educational institutions.

Footnote. Chapter 6 is supplemented by Article 43-1 in accordance with the Law of the Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan 21.02.2019 No. 227-VI (for procedures of enforcement, see Article 2 ).

## **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 an educational organization shall be assigned and dismissed in accordance with the procedures established by the laws of the Republic of Kazakhstan, except for chief executive officers of certain state organizations of higher and (or) postgraduate education, procedures for assignment and dismissal whereof shall be determined by the Government of the Republic of Kazakhstan.

Procedures for assignment and dismissal of chief executive officers of the Academy of Justice, academies of state management, law enforcement agencies, as well as National Defense University named after the First President of the Republic of Kazakhstan – Yelbasy shall be determined by the President of the Republic of Kazakhstan.

List of state organizations of higher and (or) postgraduate educations, chief executive officers whereof are assigned and dismissed by the Government of the Republic of Kazakhstan shall be approved by the Government of the Republic of Kazakhstan.

Heads of state organization of preschool, secondary education, vocational, post-secondary and additional education shall be assigned on a competitive basis in accordance with the procedures defined by an authorized authority in the field of education.

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. Heads of state education organization shall pass attestation once in three years in accordance with the procedures established by the laws of the Republic of Kazakhstan.

Procedures for attestation of the chief executive officers of certain state organizations of higher and (or) postgraduate education to be assigned or dismissed by the Government of the Republic of Kazakhstan shall be defined by the Government 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. The representative of National chamber of businessmen of the Republic of Kazakhstan enters into the structure of collegial body of management of the state organization of technical and professional education in coordination.

9-2. In the organizations of higher and (or) postgraduate education, created in the legal form of a non-commercial joint-stock company, the exclusive competence of the Board of Directors includes the functions provided by the Law of the Republic of Kazakhstan "On Joint-Stock Companies", subparagraphs 1), 3), 6), 7) paragraph 2, subparagraphs 1), 4) and 5) paragraph 3 and subparagraph 1) paragraph 4 of Article 43-1 of this Law, as well as:

1) approval of the staff number;

2) approval of the amount of tuition fees for higher and (or) postgraduate education programs;

3) approval of the form and requirements for filling in the documents on education of own sample;

4) making decisions on creation and liquidation of academic structural subdivisions.

10. This article applies to educational organizations established in the legal form of a state enterprise on the basis of the right of economic management with the Supervisory Board, non-commercial and commercial organizations in the part that does not contradict the provisions established by the laws of the Republic of Kazakhstan "On state property", "On non-commercial organizations" and "On joint stock companies".

**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); dated 21.07.2015 № 337-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.11.2015 № 398-**

V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 171-VI (shall be enforced upon expiration of ten calendar days after the day of its first official publication); dated 27.12.2019 № 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).

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

1. The labor relations of an employee and the organization of education are regulated by the labor legislation of the Republic of Kazakhstan.

Vacancy filling for teachers and scientific workers (academic teaching staff, scientific workers) at organizations of higher and (or) postgraduate education shall be 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.

**Footnote.** Article 45 with the amendments by the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.12.2019 № 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).

## **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 including the means of employees on the basis of government-private partnership.

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 the technological base of enterprises (organizations) and the fixation of mentor, internships for teachers of special disciplines and specialists;

2-1) assistance in providing enterprises (organizations) with workplaces for professional practice by students in educational institutions implementing educational programs of technical and professional, post-secondary education;

3) development of interaction between the parties on the issues of personnel training and promotion 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 vocational education;

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); dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 172-III (shall be enforced upon the expiration of ten calendar days after the day of 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 or educational program of higher education to another, from a paid basis for training on public educational order or from one form of training to another;

7) free use of informational resources in the organizations of education, including in an available form for disabled people, children with restricted opportunities, providing with the textbooks, educational and methodical complexes and educational and methodical grants including made for disabled people, children with restricted opportunities;

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. Excluded by the law of the Republic of Kazakhstan dated 09.04.2016 № 501-V (shall be enforced dated 01.01.2017)

6-2. Excluded by the law of the Republic of Kazakhstan dated 09.04.2016 № 501-V (shall be enforced dated 01.01.2017)

7. The state scholarship may be paid to students, interns, graduate students, doctoral candidates, students of residency, students of preparatory departments of higher and (or) postgraduate education institutions, studying in educational institutions under the state educational order for full-time education. The rules of appointment and payment of the state scholarship, as well as its amount shall be approved by the Government of the Republic of Kazakhstan.

The state registered scholarship is paid to the most gifted master's students of higher and (or) postgraduate education organizations and students of higher and (or) postgraduate education organizations of the Republic of Kazakhstan on the basis of full-time education on the basis of the decisions of the scientific councils of higher and (or) postgraduate education organizations.

Visually impaired and deaf children, orphans and children left without parental care and under tutorship (guardianship), as well as students and masters who have the results of the next interim certification of students only rated "excellent", are entitled to receive an increased state scholarship, the amount of which is determined by the Government of the Republic of Kazakhstan.

Name scholarships established by individuals and legal entities are assigned to full-time students in the organizations of technical and professional, post-secondary, higher and (or) postgraduate education.

The amount of registered scholarships and the procedure for their payment shall be determined by the bodies and persons who founded 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).

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Paragraph 9 of the Law of the Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced dated 01.09.2023).

9. Learners accepted for training in accordance with the state educational order are provided by educational organizations with places in dormitories in accordance with the procedure determined by the authorized body in the field of education.



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. Learners on the basis of the state educational order in the organizations of technical and professional, post-secondary, higher and (or) postgraduate education have the right to preferential travel during the winter and summer holidays on intercity railway and motor transport (except taxis).

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 of secondary educational organizations shall be obliged to observe the dress code, established in the educational organization.

Students in other educational organization shall be obliged to observe the dress code, established in the educational organization.

16. Students and educatees shall respect honor and dignity of a teacher, traditions of an educational institution where they study.

17. Citizens from among rural youth enrolled within quota, established by subparagraph 3 ), Paragraph 8, Article 26 of this Law, for studies on pedagogic, medical, veterinary and agricultural occupations shall work out respectively at state educational organizations, state healthcare organizations, at subdivisions of state agencies, carrying out their activities in the field of veterinary, at state veterinary organizations and organizations regardless of the ownership form of agrarian area of expertise, located in rural area, within at least three years after graduation from organizations of higher and (or) postgraduate education.

Citizens of the Republic of Kazakhstan, who entered the pedagogical and medical specialties on the basis of the state educational order, are obliged to work in the state educational organizations and state health care organizations not less than three years after the end of the organization of higher and (or) postgraduate education.

Citizens of the Republic of Kazakhstan, who studied in other specialties on the basis of the state educational order, are obliged to work not less than three years in the order determined by the Government of the Republic of Kazakhstan.

Citizens enrolled in doctoral studies under the PhD program on the basis of a state educational order are required to work in organizations of higher education and (or) postgraduate or scientific organizations for at least three years after graduation.

Ensuring the monitoring and control over the compliance of the persons mentioned in this paragraph with their obligations to work off or reimburse the budget funds in case of failure to work off is the responsibility of the operator of the authorized body in the field of education.

Citizens of the Republic of Kazakhstan from among the rural youth, arrived within the quota established by subparagraph 6) of paragraph 8 of Article 26 of this Law, for training in pedagogical, technical and agricultural specialties, are obliged to work in the region at the place of training not less than three years after the end of the organization of higher and (or) postgraduate 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.

17-5. On requirements of the operator of the authorized body in the field of education on compensation of expenses of budgetary funds in case of default by young experts of an obligation on working out provided by point 17 of the present article, limitation of claim does not extend.

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); dated 21.07.2015 № 337-V (shall be enforced upon expiry of ten calendar days after its first official publication ); dated 13.11.2015 № 398-V (an order of enforcement see article 2); dated 24.11.2015 № 421-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.12.2015 № 433-V (shall be enforced dated 01.01.2016); dated 09.04.2016 № 501-V (shall be enforced dated 01.01.2017); dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 04.07.2018 № 172-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 28.10.2019 № 268-VI (shall enter into force upon expiration 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.

3-1. Delivery of health care to the students of the organizations of secondary education which are not falling into to the residential organizations is provided by the organizations of primary health care according to the rules approved by authorized body in the field of health care.

4. Excluded by the Law of the Republic of Kazakhstan dated 27.12.2019 № 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).

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); dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 22.12.2016 № 29-VI (shall be enforced dated 01.01.2017); dated 27.12.2019 № 294-VI (shall enter into force upon expiration 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;
- 5) to respect honor and dignity of employees of the organizations of education;
- 6) to fulfill the requirements imposed to an obligatory school uniform, established by authorized body in the field of education;
- 7) to keep the dress code established in the organization of education.

**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); dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication);**

## **Chapter 7. STATUS OF TEACHER CARRYING OUT PROFESSIONAL ACTIVITIES IN ORGANIZATIONS OF HIGHER AND (OR) POSTGRADUATE EDUCATION**

**Footnote: Title of Chapter 7 as amended by the Law of the Republic of Kazakhstan dated 27.12.2019 № 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).**

### **Article 50. Legal status of teacher carrying out professional activities at organizations of higher and (or) postgraduate education**

1. The Republic of Kazakhstan recognizes a special status of a teacher of an organization of higher and (or) postgraduate education, which ensures conditions to carry out professional activities.

2. Legal status of a teacher carrying out professional activities at organizations of higher and (or) postgraduate educations is defined by this chapter.

3. A person shall own the status of teacher during implementation of professional activities and during labor relations with an organization of higher and (or) postgraduate education in accordance with the procedures established by the laws of the Republic of Kazakhstan.

**Footnote: Article 50 as amended by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).**

### **Article 51 - Rights, obligations and liability of teacher carrying out professional activities at organizations of higher and (or) postgraduate education**

Footnote: Title of Article 51 as amended by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).

1. The following persons shall be suspended from professional activities of a teacher of an organization of higher and (or) postgraduate education:

1) those deprived of a right to carry out professional activities of a teacher in accordance with a final and binding court verdict;

2) those declared legally incapacitated or partially incapacitated in accordance with the procedures established by the laws of the Republic of Kazakhstan;

3) those having medical contraindications, registered with drug rehabilitation and (or) psychiatric institutions;

4) without documents of higher or postgraduate education;

5) on the basis of other restrictions provided by the Labor Code of the Republic of Kazakhstan.

2. A teacher carrying out professional activities at an organization of higher and (or) postgraduate education has the following rights:

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) excluded by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 294-VI ( shall enter into force upon expiration of ten calendar days after its first official publication);

8) moral and material reward for the success in the educational work in the form of state rewards honorary ranks, 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.

13) respect of honor and advantage from students, pupils and their parents or other lawful representatives.

3. A teacher carrying out professional activities at an organization of higher and (or) postgraduate education has following obligations:

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) elaborate the life skills, competence, independence, creativity of students;

5) permanently improve its professional skill, intellectual, creative and general scientific level;

6) excluded by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication);

7) observe the regulations of pedagogical ethics;

8) respect the honour and dignity of students, pupils and their parents or other legal representatives;

9) immediately inform law enforcement bodies about the fact that minors have committed acts (or omissions) involving criminal or administrative offences in educational institutions, as well as about the facts that have become known to them in connection with their professional activities outside educational institutions;

10) within one working day from the moment of identification of the child who is in a difficult life situation to inform bodies of a system of prevention of offenses, neglects and homelessness among minors.

For breach of duties or commission of an offence discrediting the rank of a teacher, a teacher carrying out professional activities at organizations of higher and (or) postgraduate education, may be brought to responsibility determined by the laws of the Republic of Kazakhstan.

4. It is prohibited to engage teachers carrying out professional activities at organizations of higher and (or) postgraduate education in types of work not related to performance of their professional duties, except for cases provided for by the laws of the Republic of Kazakhstan.

5. Teachers carrying out professional activities at organizations of higher and (or) postgraduate education are prohibited from the use of the educational process for the purposes of political agitation, religious propaganda or induction of students to actions contradicting the Constitution of the Republic of Kazakhstan and the laws of the Republic of Kazakhstan.

Footnote. Article 51 in edition of the Law of the Republic of Kazakhstan dated 13.11.2015 No. 398-V (shall be enforced upon ten calendar days after day of its first official publication); with the amendments by the Law of the Republic of Kazakhsan dated 09.04.2016 No. 501-V (shall be enforced upon ten calendar days after day of its first official publication); dated 01.04.2019 № 240-VI (shall be enforced upon the expiration of ten calendar days after the

day of its first official publication); dated 27.12.2019 No. 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).

## **Article 52 – Remuneration system for teachers carrying out professional activities at organizations of higher and (or) postgraduate education**

Footnote: Title of Article 52 as amended by the Law of the Republic of Kazakhstan dated 27.12.2019 № 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).

1. Remuneration system for teachers carrying out professional activities at state organizations of higher and (or) postgraduate education shall be determined in accordance with the procedures established by the laws of the Republic of Kazakhstan.

Remuneration for teachers carrying out professional activities at private organizations of higher and (or) postgraduate education shall be determined by their founders and or by a duly authorized person in accordance with the laws 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.

2. Excluded by the Law of the Republic Kazakhstan dated 27.12.2019 № 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).

3. Position salary for teachers carrying out professional activities at state organizations of higher and (or) postgraduate education, bonuses, as well as other incentive payments shall be determined by the laws of the Republic of Kazakhstan.

4. Excluded by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).

5. Position salaries for academic teaching staff and chief executive officers of organizations of higher and (or) postgraduate education having a special status shall be determined in view of multiplying factor.

6. For teachers carrying out professional activities at state organizations of higher and (or) postgraduate education at primary place of employment bonuses shall be established, where there is a respective diploma:

for the degree of Doctor of Philosophy (PhD), doctor on profile in the amount of 17 times the monthly calculation index established by the law on the republican budget and effective on January 1 of the corresponding financial year;

for the degree of candidate of sciences in the amount of 17-fold monthly calculation index, doctor of sciences in the amount of 34-fold monthly calculation index, established by the law on the republican budget and effective on January 1 of the corresponding financial year.



7. Duration of working time of teachers carrying out professional activities at organizations of higher and (or) postgraduate education shall be established in accordance with the labour laws of the Republic of Kazakhstan.

Annual academic load for academic teaching staff of organizations of higher and (or) postgraduate education shall be established within standard annual academic load and shall be approved by the head of an organization of higher and (or) postgraduate education based on the decision of the governing board.

8. In determination of state educational order, average relationship of number of students to teachers to calculate total strength of academic teaching staff of an organization of higher and (or) postgraduate education, except for the Academy of Justice, military, special educational institutions, educational organizations in the field of culture, shall be approved by an authorized body in the field of education.

**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); dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.07.2018 No. 165-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 04.07.2018 No. 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 26.12.2018 No. 203-VI (shall be enforced dated 01.01.2019); dated 21.02.2019 No. 227-VI (for procedures of enforcement, see Article 2); dated 27.12.2019 No. 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).**

### **Article 53. Social guarantees**

1. Teachers carrying out professional activities at organizations of higher and (or) postgraduate educations have social benefits for:

1) dwelling place, as well as housing and (or) residence hall, in accordance with the legislation of the Republic of Kazakhstan;

2) paid annual leave with duration of 56 calendar days.

2. For teachers carrying out professional activities at organizations of higher and (or) postgraduate education, working in rural area:

1) upon decision of local representative bodies, salaries and tariff rates increased for at least twenty-five per cent in comparison with salaries of teachers carrying out teaching activities in city conditions shall be established;

2) social support shall be provided for the payment for public utilities and the purchase of fuel from the budget in the manner and amount approved by local representative bodies.

2-1. For teachers carrying professional activities at organizations of higher and (or) postgraduate education, working in rural area, additional forms of social assistance provided for by the laws of the Republic of Kazakhstan shall be provided.

2-2. Teachers carrying out professional activities at organizations of higher and (or) postgraduate education, working in rural area, owning livestock, shall be provided with feed stuff, land plots for grazing of livestock and haying upon decision of local representative and executive bodies.

3. The following annual payments shall be made to teachers carrying out professional activities at organizations of higher and (or) postgraduate education at the expense of respective budgets:

1) at state organizations of higher and (or) postgraduate education, payment for health improvement once in a calendar year when they are granted regular leave at the amount established by the labor laws of the Republic of Kazakhstan;

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) excluded by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 294-VI (shall enter into force upon expiration of ten calendar days after its first official publication).

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); dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); № 165-VI dated 02.07.2018 (shall be enforced ten calendar days after the date of its first official publication); dated 27.12.2019 No. 294-VI (shall enter into force upon expiration 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. Management of the quality of education is carried out through management decisions at all levels of education, except for technical and vocational, post-secondary, postgraduate education, based on the 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.

In the organizations of primary, basic secondary, general secondary education external assessment of educational achievements is carried out in order to assess the quality of educational services and to determine the level of students' mastery of general education curricula provided by the state mandatory standards of education.

In the organizations of higher and (or) postgraduate education the external assessment of educational achievements is carried out with a view of an assessment of quality of educational services and definition of level of development by students of standard educational programs of a cycle of the general educational disciplines provided by the state obligatory standard of higher education.

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 academic achievements is carried out in the organizations of secondary, higher and (or) postgraduate education:

1) at elementary school – selectively for the purpose of monitoring of educational achievements;

2) at the main school – selectively for the purpose of monitoring of educational achievements and assessment of effectiveness of the organization of educational process;

3) at the common high school – for the purpose of estimation of level of educational achievements;

4) in the organization of higher and (or) postgraduate education - selectively to monitor the development of standard curricula of the cycle of general education disciplines.

6. The list of organizations of secondary, higher and (or) postgraduate education, for which an external assessment of academic achievements is carried out, is determined by the authorized body in the field of education.

7. The organization which is carrying out a complex of actions for carrying out external estimation of quality of educational services:

1) elaborates and introduces tasks of complex testing for the persons coming to the organizations of education realizing educational programs of the higher education;

2) elaborates and introduces technologies of quality control of educational process, models of competitive formation of the contingent of students in the organizations of education;

3) conducts scientific and methodical researches on the theory and methodology of testing of measurement of quality of education and its compliance to requirements of the state obligatory standards 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); dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); № 171-VI dd. 04.07.2018 (shall be enforced upon the expiration of ten calendar days after the day of 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 with a focus on learning outcomes;
- 2) maximum volume of teaching loads of students and pupils;
- 3) level of training of students;
- 4) period of studying.

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.

3. The state obligatory standards of education are developed taking into account inclusive education.

**Footnote. Article 56 with amendments by the Laws of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.12.2015 № 433-V (shall be enforced dated 01.01.2016); dated 04.07.2018 No. 171-VI (to be effective ten calendar days after the day of its first official publication).**

## **Article 57. Licensing of educational activity**

**Footnote. Article 57 in edition of the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication).**

1. Educational activity of legal entities (hereinafter – licentiate) shall be subject to licensing in accordance with the legislation of the Republic of Kazakhstan on licensing.

2. Licencing of the activities in the field of education for legal entities, implementing educational programs of vocational, post-secondary education shall be in accordance with qualifications, as for the Academy of Justice, military, special educational institution shall be in accordance with the groups of occupations.

At the same time, appendix to a license for educational activities shall indicate the code, name, training time by qualification, as for the Academy of Justice, military, special educational institutions by groups of occupations in accordance with the classifier of occupations and qualifications of vocational, post-secondary education.

Licensing of activities in the field of education of legal entities implementing educational programs of higher and (or) postgraduate education is carried out in the areas of personnel training.

At the same time, the code and the name of the direction of personnel training in accordance with the classifier on the directions of personnel training shall be indicated in the annex to the license for engaging in educational activities.

3.A licenser 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. Action of the license and (or) annex to the license for occupation educational activity is limited to administrative and territorial unit limits in a place of registration of the licensee ( according to a legal address), except for the licensee who is carrying out educational activity through the branches having the status of the international schools.

4-1. The branches of non-profit organizations having the status of the international schools having the right to carry out the educational activity which is subject to licensing on the basis of the license and (or) the annex to the license for occupation educational activity, the granted this non-profit organization.

5. The licenser has the right to suspend the license for occupation educational activity for a period of up to six months in the order provided by the legislation of the Republic of Kazakhstan on administrative offenses.

During suspension of action of the license for occupation educational activity the licensee provides continuation of teaching and educational process and elimination of the violations which entailed suspension of action of the license for occupation educational activity.

6. In case of reorganization of the organization of education by change of its look the license and (or) the annex to the license for occupation which are available for it educational activity are subject to renewal in case of confirmation of compliance of again resulted reorganization of the organization of education to the qualification requirements imposed when licensing educational activity.

In case of reorganization of the organizations of education financed by budget funds, the licenser carries out an inspection of compliance to the reorganized organization of education

to the qualification requirements imposed when licensing educational activity before carrying out reorganization.

After carrying out reorganization the licensee submits the application for renewal of the license and (or) the annex to the license for occupation educational activity, and the licensor grants the license and (or) the annex to the license for occupation educational activity on the basis of the inspection which is carried out earlier by the licensor on compliance to the qualification requirements imposed when licensing educational activity.

For renewal of the license and (or) the annex to the license for occupation educational activity the licensee submits the application in the form approved by authorized body in the fields of education, the document confirming payment of licensing fee and also:

- 1) copies of the documents containing information on changes, which formed the basis for renewal of the license and (or) the annex to it;
- 2) data and documents on compliance to the qualification requirements imposed when licensing educational activity.

The licensor refuses renewal of the license and (or) annex to the license for occupation educational activities for the basis provided by the present point in a case:

- 1) non-presentation or the inadequate paperwork specified regarding the fourth the present point;
- 2) discrepancies of the applicant to the qualification requirements imposed when licensing educational activity.

The license and (or) the annex to the license for occupation are renewed by educational activity within thirty calendar days from the date of submission of the statement with the relevant documents.

Before renewal of the license and (or) the annex to the license for occupation educational activity the licensee carries out activity on the basis of the license which is subject to renewal.

**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); dated 27.07.2015 № 337-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 171-VI (shall be enforced expiration of ten calendar days after the day of its first official publication); dated 21.02.2019 No. 227-VI (for procedures of enforcement, see Article 2).**

## **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); with the amendments by the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days 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. State attestation of educational organizations regardless of their departmental affiliation shall be conducted once in five years on a scheduled basis by state education authorities in accordance with their competences.

For educational organizations implementing educational programs of higher and postgraduate education at military, special educational institutions, state attestation shall be also conducted by occupations.

State attestation of organizations of medical and pharmaceutical education shall be performed by an authorized body in the field of health care.

First state attestation shall be conducted in newly established:

1) educational organizations implementing general educational programs of elementary, main secondary, general secondary education after four years;

2) educational organizations implementing general programs of higher and postgraduate education at military, special educational institutions, no later than one year after first graduation of specialists;

3) preschool organizations and organizations of additional education after three years.

4-1. Educational organizations conduct annual self-assessments of educational activities and submit self-assessments to the State education authorities.

5. Excluded by the Law of the Republic of Kazakhstan dated 24.05.2018 No. 156-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

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. State control in the education system is carried out in the form of inspections and preventive control in accordance with the Entrepreneurial Code of the Republic of Kazakhstan.

8-1. At suspension of action of the license for occupation educational activity the licensee has the right to finish academic year of training with issue of the document on education.

8-2. At suspension of action of the license for occupation educational activity the licensee has no right:

1) participate in a competition to placement of the state educational order;

2) to make actions with the license and (or) the annex to the license for occupation educational activity (the termination, renewal, obtaining new annexes to the suspended license for occupation educational activity);

3) to carry out reception on training.

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); dated 29.10.2015 № 376-V (shall be enforced dated 01.01.2016); dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 24.05.20018 № 156-VI (shall be enforced upon the expiration of ten calendar days after the day of 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) on presentation of a service certificate or official ID, freely visit organizations, institutions and facilities of education for the purposes of inspections, and as for departmental educational organizations in consideration of the established visiting regime;

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.

**Footnote. Article 60 with the amendments by the Law of the Republic of Kazakhstan dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.11.2019 No. 273-VI (shall enter into force upon expiration of six months after its first official publication).**

## **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;

4-1) budgetary funding for fellowship programmes;

5) charitable aid, gratuitous contributions and donations, grants, contributions of founders (participants) of educational organizations, funds of endowment funds of higher and (or) postgraduate education organizations.

The sources of financing of the state educational order for personnel training with higher and postgraduate education are the funds of the republican and local budgets.

**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); dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.11.2015 № 403-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.05.2017 № 60-V (shall be enforced upon expiry of ten calendar days after its first official publication); № 171-VI dd. 04.07.2018 (shall be enforced upon expiration of ten calendar days after the day of 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.

Financing of state educational institutions where per capita normative financing is realized is carried out in the volume determined by the method of per capita normative financing and other expenses provided by the legislation of the Republic of Kazakhstan.

4. Financing of the state enterprises of education, organizations of education of other organizational-legal forms is carried out on the basis of the state educational order.

The scope of state educational order for state educational facilities shall be determined in accordance with the method of standard per capita financing and other expenses provided for by the laws of the Republic of Kazakhstan, except for the Academy of Justice, medical, military, special educational institutions, educational organizations in the field of culture, as well as republican organizations of secondary education, the scope of financing whereof is determined by an authorized body of respective sector independently.

The list of services related to the state educational order shall be approved by the authorized body in the field of education.

Income from the sale of services provided within the framework of the state educational order, remaining as a result of financial and economic activities of educational organizations for the current financial year, shall be used by them in the next financial year.

4-1. Excluded by the Law of the Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

4-2. Local executive bodies shall place state educational order for secondary education at state educational organizations.

4-3. Placement of state educational order for secondary education at private educational organizations shall be encumbered on the operator of an authorized body in the field of education.

5. The state educational order for personnel training, advanced training and retraining of qualified workers and specialists shall contain:

- 1) directions of personnel training;
- 2) the volume of the state educational order on forms of education (number of places, grants);
- 3) the average cost of training expenses per student (specialist).

When placing a state educational order for training personnel with technical and professional, post-secondary, higher or postgraduate education in state educational institutions, the administrator of the budget program and the name of the educational organization shall be indicated.

The state educational order also includes training of personnel in educational institutions and (or) their branches, created in the order provided by paragraph 4 of Article 65 of this Law, as well as training of foreigners and stateless persons at the preparatory departments of higher and (or) postgraduate education organizations.

5-1. Financing of training of personnel with higher or postgraduate education on the basis of educational grant or state educational order shall be at educational organizations which have passed accreditation at accreditation bodies entered into register of recognized accreditation bodies, except for the Academy of Justice, military, special educational institutions.

Financing for training of personnel with vocational, post-secondary education on the basis of educational order shall be at educational organizations which have passed accreditation at accreditation bodies entered into register of recognized accreditation bodies, except for the Academy of Justice, military, special educational institutions.

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.

6-1. The state educational order, placed in the organizations of comprehensive education 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 higher education is placed in the form of educational grants differentiated depending on the specialty, type and status of the educational institution.

Expenses of educational organizations implementing professional training programs of higher and postgraduate education per one student on a paid basis can not be less than the amount of educational grant or state educational order.

9. Financing of education of foreigners, including persons of Kazakh nationality, who are not citizens of the Republic of Kazakhstan, under scholarship programs in the Kazakh organizations of higher education and (or) postgraduate education is carried out by allocating budget funds for the relevant period of study.

**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); dated 13.11.2015 № 398-V ( shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.07.2017 № 88-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2018 № 171-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 04.07.2018 № 172-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 21.02.2019 No. 227-VI (for procedures of enforcement, see Article 2); dated 27.12.2019 No. 291-VI (shall enter into force on 01.01.2020).**

### **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. State educational institutions and organizations of secondary education in the organizational and legal form of state enterprises on the right of economic management is prohibited:

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.

State educational institutions implementing educational programs of higher and postgraduate education in the arts, as well as educational programs of technical and vocational education, are entitled to provide educational services on a paid basis in excess of the volume of educational services provided at the expense of budget funds.

3. State educational institutions and organizations of secondary education in the legal form of state enterprises on the right of economic management shall be entitled to provide the following goods (works, services) in addition to the requirements of the state mandatory standards of education on a paid basis with the conclusion of the contract on provision of paid services:

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;

10) conducting scientific research.

Military, special educational institutions shall also have a right to provide chargeable goods (works, service) besides the requirements of state obligatory standards of education in accordance with the regulations for provision of chargeable types of activities on sale of goods (works, services) by military, special educational institutions and spending of funds from sale of goods (works, services), approved by chief executive officers of those state bodies under the jurisdiction whereof military, special educational institutions are.

Regulations for provision of chargeable types of activities on sale of goods (works, services) by the Academy of Justice and spending of funds from sale of goods (works, services) shall be approved by an authorized authority on organizational and material resources support for the activities of the Supreme Court, local and other courts.

3-1. State organizations of secondary education are entitled to provide services on provision of health and fitness or sports facilities for property lease (rent).

Income received from provision for property lease (rent) shall be used by state organization of secondary education independently.

4. Prices for goods (works and services) of the state institutions of education, providing on a paid basis, shall be subject to confirmation in the manner established by the legislation of the Republic of Kazakhstan.

Prices for goods (works, services) of military, special educational institutions provided on a fee basis shall be approved by chief executive officers of those state bodies under the jurisdiction whereof military, special educational institutions are, as advised by their heads.

Prices for goods (works, services) of the Academy of Justice shall be approved by the Academy of Justice after agreement with the authorized authority on organizational and material resources support of the activities of the Supreme Court, local and other courts.

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); dated 19.05.2015 № 315-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.11.2015 № 398-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 171-VI of 4 July 2018 (shall be enforced after ten calendar days after its first official publication); dated 21.02.2019 No. 227-VI (for procedures of enforcement, see Article 2); dated 19.04.2019 No. 250-VI (shall enter into force upon expiration 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 organizations of secondary, technical and professional, post-secondary education, which received grants on a competitive basis "The best organization of secondary education", "The best organization of technical and professional, post-secondary education", spend grants for material and technical and scientific-methodical support of the 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); dated 04.07.2018 № 171-VI (shall be enforced upon the the expiration of ten calendar days after the day of its first official publication); dated 04.07.2018 № 172-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).**

### **Article 64-1. Responsibility of the state for the obligations of secondary education organizations in the organizational and legal form of state enterprises on the right of economic management**

In case of insufficiency of money in the organization of secondary education in the organizational-legal form of the state enterprise on the right of economic management subsidiary liability for its obligations is the administrative-territorial unit of the relevant budget.

**Footnote. Chapter 9 is supplemented by article 64-1 in accordance with the Law of the Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced after ten calendar days after the day of 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 organizations in accordance with the specificity of their operation shall have a right to establish direct relations with foreign organizations of education, science and culture, international organizations and foundations, conclude bilateral and multilateral agreements of cooperation, participate in international programs of exchange of students,



master's students, doctoral students, teachers and scientific workers, enter international nongovernmental 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 activities of international educational institutions and educational institutions established on the territory of the Republic of Kazakhstan by other states or their legal entities and individuals, as well as their branches, as well as control and accreditation of such educational institutions are 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); the Law of the Republic of Kazakhstan No. 156-VI dd. 24.05.2018 ( shall be enforced upon expiration of ten calendar days after the day of its first official publication); dated 27.12.2019 No. 294-VI (shall enter into force upon expiration 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 and transitional provisions**

**A footnote. Title of Chapter 12 in the wording of the Law of Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced after ten calendar days after the day of its first official publication).**

### **Article 67-1. Transitional provisions**

1. The term of validity of the license to engage in educational activities and (or) applications to the license, issued under educational programs of higher and (or) postgraduate education, due to changes in the name of the subspecies of activity applies to the period of training of persons received before January 1, 2019.

2. In case of reissuance of the license to engage in educational activities and (or) applications to the license issued under educational programs of higher and (or) postgraduate education, in connection with the change of the name of the subspecies of activity of the organization of higher and (or) postgraduate education shall be entitled to issue a document of education in the specialty to persons enrolled in them before January 1, 2019.

**Footnote. Chapter 12 is supplemented by article 67-1 according to the Law of Republic of Kazakhstan dated 04.07.2018 № 171-VI (shall be enforced after ten calendar days after the day of its first official publication).**

### **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).**

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of the Republic of Kazakhstan

P r e s i d e n t