



## **KAZAKHSTAN** by Roman Podoprigora

### *Overview*

Kazakhstan is the largest country in Central Asia in land mass and the ninth largest territory in the world, with a multi-ethnic and multi-religious population. The major ethnic groups are Kazakhs and Russians. Kazakhstan became independent in 1991 after many years of being part of the Russian Empire and the Soviet Union. As independent state, Kazakhstan is trying to conduct many reforms, including educational ones. However, the Soviet past is still powerful in many areas. In education, many Soviet approaches like excessive government involvement, centralization, tough supervision and control coexist with attempts to input modern educational approaches and technologies.

The Kazakhstani system of elementary and secondary schools includes government and non-government educational organizations with obvious domination of government schools: 7,100 public schools with about 2,580,000 students against 120 private schools with about 20,000 students in 2018. The system includes these variations: school (regular and most popular), lyceum (school which provides more deep knowledge for mathematics and natural sciences), gymnasium (which provides more deep knowledge for humanistic sciences), specialized school (school with special attention to one or more disciplines), ungraded school (schools with a small number of pupils). There are also so called Nazarbayev Intellectual Schools (named in honor of the first President of Republic of Kazakhstan) which have their own legal status.

Today the system includes three levels: elementary (1-4 grades), secondary (5-9 grades) and upper secondary (10-11 grades). At present, the term of education is 11 years. By 2020 Kazakhstan plans to introduce a 12 years term. Generally, schooling begins at the age of 7, but children can enter to the school at the age of 6.

The two main languages of school education are Kazakh (approximately 70% of schools) and Russian.

Non-government schools are not funded by the state and primarily depend on tuition.

Educational institutions to varying degrees and forms are accountable before the Ministry of Education and Science and local government authorities. All key issues of school activity are decided by the government which also tightly controls school activity especially that of government schools. The non-government schools are more free in their operation but also feel serious government pressure.

The Ministry of Education and Science establishes the typical curricula which all schools must follow, based on the State Compulsory Standard of Education adopted also by this Ministry.

Disadvantaged students have a right to financial and government support. They can be excluded from the school only on the decision of a state body in case of serious violation of law or of systematic violation of the school charter.

## *Legal Framework*

Article 30 of the Constitution of the Republic of Kazakhstan dated 30 August 1995 guarantees the right of citizens to free secondary education in state educational institutions. Secondary education shall be obligatory (section 1 of article 30). Fee-based education in private educational institutions shall be carried out on the grounds and in manner prescribed by law (section 3 of article 30). The state shall set uniform compulsory standards in education. The activity of any educational institution must comply with these standards (section of article 4).

The main regulatory act in the educational area is the Law on Education dated 27 July 2007 (Law 2007). This law defines the main principles of state educational policy, government educational management, definition and tasks of educational system, content of education, requirements for educational activity, status of subjects of educational activity, including teachers, financial support of the educational system and many other issues.

There are also numerous by-laws which regulate various aspects of educational activity: licensing requirements, attestation and evaluation, educational standards, curricula, etc.

There is also a special law devoted to Nazarbayev Intellectual Schools: Law on Status of Nazarbayev University, Nazarbayev Intellectual Schools and Nazarbayev Fund dated 19 January 2011. This Law qualifies such schools as autonomous educational institutions created by the Cabinet of Ministries. These schools are not subordinated to the Ministry of Education and Science.

## *Structure of government-operated schooling*

Government operated schools are controlled both locally and nationally. The following bodies are involved in regulation of religious activity:

*Cabinet of Ministries* (national level):

- establishes the Rules of State Attestation of Educational Institutions;
- determines the Standard Staff Lists for Employees in State Educational Institutions and Staffing List of Pedagogical Workers;
- defines the Rules of Award of Fellowship for Entering to Nazarbayev Intellectual Schools.

*Ministry of Education and Science* (national level):

- approves compulsory state educational standards;
- adopts typical curricula;
- issues licenses for school educational activity;
- adopts Model Rules of Activity of Educational Institutions;
- defines qualification requirements to educational activity;
- approves Model Rules of Admission to Educational Institutions;
- conducts state attestation of schools;
- adopts the Rules of Uniform National Testing and other forms of evaluation of pupils' educational attainments;
- establishes the date of start and end of school year;
- establishes the obligatory requirements to school uniform;
- establishes the Rules of Transfers and Restoration of Pupils;
- approves the forms of documents used by the educational institutions;
- approves basic textbooks for every subject in elementary school;
- approves the Model Agreement between School and Pupil;
- approves the Rules of Scientific and Methodological Work in Schools;
- exercise the control over implementation of legislation by the schools;
- approves the Rules of Teaching Ethics;
- approves the Rules of Per Capita Education Financing and List of Educational Institutions with Per Capita Education Financing;
- adopts the Rules of Food Providing in elementary and secondary schools.

*Local government bodies:*

- create and close government schools;
- approve the Model Internal Regulations;
- provide staff for state educational institutions;
- provide for logistic support for schools;
- provide for delivery of textbooks to the schools by August 1;
- provide for medical service in schools;
- provide for educational monitoring;

- provide for financial and other assistance to orphans, pupils from low-income families.

There is no distinctive character based on different approaches including religion or pedagogical character as well as no diversity in teaching methodology and methods. All educational activity must comply with the government standards and requirements. It is impossible to create schools with involvement of religion since the educational system has an explicitly secular character and any manifestation of religion in government or non-government schools is prohibited by the law.

## *Freedom to establish and operate non-government schools*

Kazakhstani laws permit individuals and non-governmental entities to establish and operate schools which meet attendance requirements for pupils. There are no prohibitions for certain organizations and individuals. All schools must comply with the government standards and as a rule these standards do not permit paying attention to various interests of founders. For instance, from the formal legal point of view, religious associations can create their own private schools which can provide for secular education. However, there is no sense today for these associations to establish schools because they cannot teach religion and they must comply with government educational standards which distance themselves from religion as far as possible.

Schools can operate either on for-profit and non-profit bases. Most schools have status of non-profit legal entities. However such status does not prohibit conducting commercial activity.

## *Homeschooling*

Parents are allowed to educate their children at home in lieu of attending schools. In legal terms it is considered externship. Law establishes who can use this opportunity:

- pupils who have health problems confirmed by the government agency;
- pupils who are Kazakhstani citizens and reside temporarily abroad;
- pupils who have marks “4” and “5” (highest mark) for all subjects throughout their study program

The local educational authorities issue permission for externship. Externship can be granted for a one year class during the school year except pupils of third group who can get externship for one or two year classes during school year. Externs must pass interim and final attestation in schools in accordance with general procedures.

## *Public funding of schools*

All government schools are financed from the state budget. Most schools have a status of state institution (*uchrezhdenie*) that means limitation in their own financial activity. All school expenses are included in the state budget. However, the government schools have a right to provide for-pay services beyond the state compulsory standards. All prices for such services are established by the government and all payments are collected on government financial accounts. These days, the government has implemented a pilot project to provide per capita financing to government schools. It is planned that all government school will be shifted to this principle of financing in 2020.

The state provides financial and material assistance to:

- children from families having the right to obtain targeted social assistance from the state;
- children from families whose average per capita income falls below the minimum subsistence level;
- orphans and children without parental care;
- children with disabilities;
- children from large families;
- children living in the adaption centers for juveniles;
- children living in boarding schools;
- children who (for health reasons) are educated at home or receive education in medical organizations;
- children from families requiring emergency assistance in emergency situations.

Above-mentioned assistance is as a rule provided only to schools operated by government or to pupils educated in such schools, but in some cases the pupils can use state assistance outside of government schools (children with disabilities or educated at home).

The State also supports talented children. For instance it issues grants for studying in Nazarbayev Intellectual Schools which select the most gifted children.

As for private schools, they are not subsidized by the State. The main sources of financing of private schools include tuition and resources of founders. However, the government considers the opportunity to extend per capita financing over private schools in the future.

## *Support for families*

Under the Law 2007, parents have the right to participate in school administration through a Parents' Committee. This institution exists from the Soviet times and is ineffective. Members of such committees as a rule follow recommendations of school administration and only in very rare cases have their own opinion.

The Law also provides for the rights of parents:

- to choose the type of educational establishment, taking into account their child's wishes, individual learnings and characteristics;
- to get information regarding academic performance, behavior and learning environment of their children;
- to receive consultative assistance on the problems of education of their children;
- to get additional educational services on a contractual basis.

From 2007, Boards of Trustees have been set up in Kazakhstani schools. Representatives of parents are also included on these Boards, but, as in the case of Parents' Committees, Boards

have no serious influence on school life despite attempts of government to make Boards one of the instruments of public control of school administration and as a public representative in the dialog with government educational authorities.

Families have no direct support for the transportation to school. However, all pupils are entitled to special reduced fares on public transport.

## *Distinctive character of schools*

Law 2007 declares that one of the principles of state educational policy is diversity of educational organizations by forms of ownership, education and instruction and kinds of education (section 1 of article 3).

Despite such declaration, the school system in Kazakhstan is centralized and heavily regulated by the government. The state keeps an education monopoly and does not welcome educational alternatives. Public and private schools have a common regulatory framework concerning different aspects of educational activity. Such activity is impossible without government license. The national government sets educational standards, typical curriculum of each academic subject, approves textbooks, defines qualification requirements and applies many other regulatory instruments to both government and private schools.

Thus, the freedom to operate schools according to a distinctive understanding of education is limited. For instance, religious associations have the legal possibility to create their own schools but these schools cannot propose their own approaches in education.

Some minor expressions of school distinctiveness can be observed the case of educational-innovation lyceums (previously Kazakh-Turkish lyceums). However, these expressions touch more internal environment with certain ethic rules and discipline rather than distinctive perspectives.

Another example is the few very expensive international schools. The status of international school is granted by the Cabinet of Ministries. International schools must be authorized by the International Baccalaureate Office or have institutional international accreditation. These schools have opportunities to implement their own educational programs integrated with government educational standards and to propose various educational options in addition to such standards. As a rule they teach many subjects in English. One of such schools (Kazakhstan International School) declares that they put emphasis on family values.

However in both examples, schools cannot ignore the government views on education and must comply with many government requirements including license for operation.

There is one more example: Nazarbayev Intellectual Schools. These schools are not subordinated to the Ministry of Education and have full freedom to train pupils in accordance with own educational approaches and methodology. But these schools also present the government view and are considered as model for all other schools.

## *Decisions about admitting pupils*

Government schools must admit children who are living on the territory they serve. These schools also may admit other children if they have opportunity to do so. In accordance with government standards, class size is 25 pupils (for elementary level) or 30 pupils (for secondary



level). In specialized schools (musical, mathematics and natural sciences, Nazarbayev Intellectual Schools etc), candidates must pass through examinations which check children abilities.

Private schools have their own policy regarding admission. Only some of them have special entry requirements connected with capacities of the child. For most others the main question is ability of parents to pay for education.

There is no prohibition on single-sex schools or single-sex classes. However, the most popular practice is for boys and girls to be taught in mixed classes.

Religion or other beliefs are not considered at all at the time of admission. Moreover, demonstration of religious affiliation can be a reason for wary attitude to pupils. Serious problems exist for Muslim schoolgirls who attend the school in headscarf. The school administration - based on the Instruction of Ministry of Education and Science - prohibits such girls from attending school on the basis of wearing a headscarf. As mentioned above, parents cannot create own schools or use religious association for such creation in order to provide the education taking into account religious convictions. Thus, there is serious conflict between the right to education (and even obligation for secondary education in terms of Constitution) and the right to freedom of religion or belief.

There are no known court rulings on the issue of decisions about admitting pupils.

### *Decisions about staff*

Teachers and other staff as a rule are appointed by the School Director of both government and private schools. Since there are no distinctive options, the issue of compliance with the religious, philosophical or pedagogical mission of the school does not arise in practice. However, particularly in private schools, the school administration has the right to select staff in accordance with their views on educational process. In government schools, the decisions rely upon formal qualifications such as university or college degree and work experience.

There are no known court rulings on the issue of decisions about staff.

### *Accountability for school quality*

The Government uses various instruments in order to provide the school quality. The authorities of different levels establish qualitative requirements for educational institutions, compulsory educational standards, composition and content of educational programs, conditions of educational activities, requests to teachers, and many other issues in educational area anticipated to promote the school quality.

There is a special government body inside the Ministry of Education and Science - Committee for the Control of Education and Science - one of whose objectives is government control over quality of educational services.

Law 2007 has a special article (article 55) about quality management aimed to evaluate the effectiveness of educational system functioning.

The quality management system includes:

- educational monitoring. In frames of this monitoring schools must submit to authorities dozens of reports regarding different aspects of school activity;

- external evaluation of pupil's attainments. External evaluation is provided by government authorities in form of tests for pupils of 4, 9 and 11 grades.

Legislation also contains provisions about control over educational activity. This control includes:

- government attestation of schools held every five years;
- government inspections of education activity. Schools belong to the group of high risk among other subjects of inspections which means state bodies may make inspection once a year. The inspection (evaluation) list used by authorities in time of inspection includes 47 positions.

Under the Law 2007, educational institutions must make self-evaluation of educational activity and submit results to local government bodies responsible for education. Schools also have a right to obtain internal or external accreditation on a voluntary basis which also confirms or not confirms the school quality.

All abovementioned provisions apply to government and private schools except Nazarbayev Intellectual Schools.

Thus, the system of accountability focuses upon both the in-puts of schooling such as staff qualification, curriculum followed, and resources, and also results of external examinations with attention to mastery of essential knowledge. The huge attention of government authorities to various forms of documentation by educational organizations and to compliance of their activity with many formal requirements should be noted. The real quality of education dissolves in this array of documents and formalities.

## *Teaching of values*

Teaching values are expressed in different forms in Law 2007. This Law establishes objectives of educational system including:

- development of creative, ethical and physical abilities of the child, building of firm foundations of moral and health lifestyle, intellectual enrichment;
- upbringing imbued with a sense of citizenship, patriotism, love of country, respect to state symbols and state language, venerating folk traditions, intolerance to any anti-constitutional and anti-social actions;
- upbringing persons with an active civil stance;
- familiarizing with national and world culture; study of history, customs and tradition of Kazakhs and other peoples of Kazakhstan;
- acquisition of state (Kazakh), Russian and foreign language skills;

Some values are expressed in principles of state educational policy also stipulated in the Law 2007:

- secular, humanistic and developmental nature of education, priority of civil and national values, individual life and health, free development of personality;
- respect of human rights;



- stimulation of erudition and development of endowments.

All schools must follow these legislative provisions and have no opportunity to formulate their own approaches to the values taught.

The Law does not forbid certain forms of teaching as harmful to children. At the same time, there are limitations on political and religious activity in the schools. The Law also prohibits propaganda of racial, ethnic, religious, social intransigence and exclusivity, dissemination of military and other ideas contrary to universally recognized principles of international law and humanism.

### *Special populations*

Law 2007 and other regulatory acts contain special provisions regarding assistance to children from families with low incomes, orphans and children without parental care, children with disabilities and health problems, children from large families. Such assistance includes direct financial aid, full state care, assistance in organization of educational process, creation of special educational institutions, more complicated procedures for expulsion from the school.

Government assistance is provided mostly through government-operated schools.

Children from ethnic minority groups have the opportunity to obtain education in schools in their native language. There are some schools with teaching in the Uzbek, Uighur or Tadjik languages. There are also special classes with learning native language, literature, history (German, Polish, Ukrainian) for representative of such minorities.

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