LEGAL REGULATION OF HIGHER EDUCATION IN KAZAKHSTAN: PROBLEMS AND PROSPECTS

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ABSTRACT
In the article discussed the issues of legal regulations of higher education in Kazakhstan. It mainly focused on the university autonomy and raises the importance of the academic freedom. The regulatory framework is aligned with the Bologna process, as well as the country’s regulations and the State programs. The research also provides recommendation on how to overcome obstacles and nurture the development of the education system. Based on the analysis of the legislative documents as well as review of the current state programs, the article concludes that there are many opportunities for higher institutions in Kazakhstan given, and they granted autonomy. The independence of higher education establishments creates fair competition among them, and hopefully, better transparency of the educational system. The article also touches the role of the teacher, and his or her social and legal meaning. Further improvements and experiments are favored and a list of recommendations is offered in the given research.

Keywords: University Autonomy, Academic Freedom, Education System, Quality of Higher Education, Bologna Process

INTRODUCTION
The right for education is a constitutional institution and is the basis for the legal status of an individual. The state with its possibilities must become a guarantor of the constitutional rights of an individual, including rights in the sphere of education. Measures of state support for education are needed to be combined with the strengthening of the role of state in ensuring the compliance of educational activities with the individual and society needs.

The purpose of this research is the analysis of legal regulation of the higher education and autonomy of the higher education institutions problem aspects. The system of higher education in Kazakhstan is actively seeking for a new ways of effective implementation in the world educational space. There is the constant work on improving the education system in the whole world. The main goal of the development of the higher education is the provision of quality education services at the level of world standards, satisfaction of long-term strategic interests of society, the state and the individual, improving the quality of training specialists through systemic reform of the university system.

Within a short period of its development, the Kazakhstan’s education system, including higher education, has changed significantly. The Republic of Kazakhstan is integrating into the European educational space taking into account the international standards in the field of education in the context of Kazakhstan’s accession to the World Trade Organization and integration into the Bologna
process. There are a lot of positive moments in the ongoing reform of the state, as a result of which, Kazakhstan’s universities became recognizable in the list of world rating companies; scientists and professors got the opportunity to get training courses in the best universities and research centers in the world; students got the possibility to study in the best universities in the world by the program of academic mobility; new scientific and research institutes and centers are actively created; in the connection with the elimination of the traditional dissertation councils the distribution of diplomas of candidates and doctors of sciences was terminated; the state allocates huge sums of money for the development of science and education, etc. The above mentioned measures are carried out to ensure the quality of the higher education and activization of scientific work in higher educational establishments.

LITERATURE REVIEW

Theoretical interpretation of such problems as optimization of the status of the university, the ratio of autonomy and state control, changed in the system of higher education management that they become adequate to social changes, and the analysis of legislation and practice make it possible to determine the general state of legal regulation of the activities of higher education institutions and outline ways to improve legislation on higher education. All this should contribute the achievement of the most rational combination between public, group, personal and other interests in determining the functions of higher educational establishments, establishing their rights and duties, legislative consolidation of their role in public life (Barabanova, 1996).

It is worth noting that the legal regulation of educational activities and law as a whole act as tools for the implementation of the Bologna process and at the same time as means of managing the processes of integration. The reform of the education system in the Republic of Kazakhstan should be carried out in a comprehensive manner based on a competently developed scientific conception. The solid regulatory and legal framework which is capable to take into account the current education in the Republic from the standpoint of its tasks, functions, steps, features, methodology, tendencies of development, etc. Undoubtedly, at the same time, these structural components of the educational system should be organically intertwined in the overall context of the country’s strategic development course. It is necessary to solve a number of methodological problems in order to establish the adequacy of the transformational processes in the field of the creation of the general goal of forming a highly developed democratic society with a socially oriented market economy, a deep awareness of existing problems, a large-scale forecasting of the evolution of education and measures to increase its effectiveness. First of all, it is important to define the concept of education, the educational process in its modern meaning, to reveal the structure, the subjects of the educational process, its tasks.

We also need to understand the need for autonomy of universities, which in turn will enable competition between universities that form their programs on the basis of practical recommendations of employers, and the competitiveness of teachers and graduates in the market in modern conditions of integration and globalization.

Legal prerequisites of autonomy of higher education institutions are discovered in the accession of Kazakhstan to the Bologna Process in 2010 that opens great opportunities for Kazakhstan’s universities to implement joint educational projects, such as dual diploma education, mutual recognition of academic courses, international accreditations, and the issuance of a European-wide appendix to the diploma for Kazakhstan’s university graduates.

There have been major changes in the system of higher education after the accession as:
- credit training technology was introduced in the educational process of universities;
- transition to a three-level model of training specialists: bachelor, master and doctoral studies such as the PhD.

The main priorities of the Bologna Process are reflected in the strategic documents of higher and postgraduate education:
- the Law of the Republic of Kazakhstan “On Science” as of February 18, 2011;
- Strategic Development Plan of the Republic of Kazakhstan up to 2020;

Realization of one of the main goals of the Bologna Process, a multi-level system of consecutive and consistent qualifications of higher education, is complicated and time consuming in the Kazakhstan’s university system.

Kazakhstan as a participating country of the Bologna process assumes obligations to fulfill its main parameters until 2020: mandatory, recommendatory and optional. Kazakhstan’s universities are legally obliged to meet international standards and criteria of international rating companies and agencies in the world educational space.

The issues of quality provision have become the instruments of national policy, which are based on political motives of strengthening the link between higher education and the labor market as well as the raise of status of universities. In addition, annually Kazakhstan’s universities improve their positions in the world academic rankings (“Centre of Bologna Process and academic mobility,” 2012). At the same time, there are a number of unresolved issues, which do not allow implementing the tasks set by the state in the field of higher education in a full way. In most cases, these are the problems of an organizational and legal nature.

First, the basic principles of management of the education system, approved by the acts of the Bologna Process in the mutual relations between the subjects of educational relations, are not observed. Namely, there is no a proper understanding and interpretation of the principles and rules of the European higher education space. The main acts of the Bologna Process (the Great Charter of Universities, the Bologna Declaration, etc.) proclaim the principles of “autonomy and independence of universities”, “respect for national education systems”, etc.

The notion of university autonomy can be interpreted and understood in different ways. As practice shows, even in the countries (USA, European countries, Australia, Japan, China, Russia), where the export of educational services is a priority sector of the economy, and it doesn’t matter whether it is the state or private university, the university’s autonomy is accompanied by high university responsibility to the state, local executive bodies and the society as a whole.

The autonomy of a higher educational establishment (institutional autonomy) is an autonomy in the selection and placement of staff (personnel), in the implementation of educational, scientific, financial, economic and other activities in accordance with national legislation, fixed in specific regulatory acts (mission, Charter, etc.) that regulate the activity of a higher educational establishment (Baydenko, 2009).

In the Lima Declaration of the World Service of Universities the academic freedom is explained in the spirit of educational liberalism, it is primarily a set of rights and freedoms of trainers and students in the higher education sector, the condition for the realization of mission of universities, democratic self-government (Fernando, 1990).

The “Great University Charter” states, “The University acts within a society with a different organization that is the result of different geographical and historical conditions and represents an institution that critically interprets and disseminates culture through research and teaching. In order to meet the demands of the modern world, a university in its research and teaching activities, must have moral and scientific independence from political and economic power” (“The documents of the Bologna Process,” 2007).

The Institute of autonomy was used in sixteen documents out of fifty. The analysis of the current understanding of the term “university autonomy” under the new conditions, the ratio of autonomy, accountability and provision of quality was carried out in “Trends in the educational structures of higher education in Europe” (Trends III) (Reichert & Tauch, 2003).
The Memorandum on the Bologna Process in the Bergen Cycle, adopted at the International Conference in Brussels (2005), stresses that “institutional autonomy in itself cannot guarantee academic freedom or the quality of higher education. Autonomy should be implemented within a national framework that balances institutional freedom with broad social goals.

It is necessary to maintain and expand the administrative autonomy of higher educational establishments within the public sector” (Fenech, 2005). The Lisbon Declaration of 2007 defines four types of university autonomy:

• Academic autonomy is the ability to make decisions about academic programs, about methods and directions of instruction, disciplines, and awarding degrees.

• Organizational autonomy is the possibility of independent creation of structural divisions and approval of positions, conclusion of contracts, election of officials and governing bodies.

• Financial autonomy is the ability to receive and dispose of financial resources, making decisions about paying students for education, and accumulating a surplus.

• Personnel autonomy includes responsibility for recruiting, career advancement, and determining the salaries of higher education institution staff (Abdrasheva, 2016).


As we see, in international documents academic autonomy is understood as "autonomy with responsibility". Universities should have academic freedom, have the right to form their own strategy independently, choose their priorities in training and conducting scientific research works, spend their resources, as well as profile their programs and establish their criteria for admission of professors and students.

Essentially, autonomy and independence should operate in those universities where there is a real system of the election of university officials. Autonomous universities should primarily work in the interests of the state, society; the region where the university is located (for example, as in the US states). Activities of autonomous universities should be transparent and strict accountability must be observed.

State universities in Kazakhstan do not have autonomy, especially financial autonomy. Even if there is the autonomy, it is in an insignificant extent. It limits their rights and does not allow them to develop in a full way at the international level. Private universities are absolutely autonomous and independent in all ways, namely, in academic, financial, and organizational. In addition, they do not bear any responsibility before the state and society. The Institute of the Board of Trustees, which allegedly controls their activities, does not have any legal force, i.e. quasi-educational body of the university.

METHODOLOGY

The methodology is based on a mix of the legal research methods and social-political analysis. Methods of the analysis and synthesis; a method of comparative jurisprudence, on the example of experience of foreign countries; formal-legal methods are applied.

The research is based on the exploratory research and analysis of the theoretical literature and legal documents. It is a desk research aimed at to explore the legal side of the higher education. In order to produce the analysis of the legal documents, there were considered in the retrospective and were compared to each other. The research had been limited by time, therefore there is no surveys collected, so the findings are mostly based on the secondary data.

Modern opportunities of autonomous higher education institutions are wide open. Today, the real autonomy means to move finally from words to actions, this is the present delegation of responsibility with the exercise of control posteriori, transparency. The success of autonomy, first of all, is in the trust to the universities. They themselves must cause this trust, and they must be able to deserve it (Berets, 2012).
Structural changes in higher education, which are associated with the realization of the concept of continuous multi-level education and the transformation of universities into educational and research-and-production complexes, need legal support.

The rights and academic freedoms granted to universities as well as assigned duties allow them to fulfill their functions and solve their tasks already today; they testify the real filling of the university autonomy. The competence of universities in administrative and legal relations is stipulated by their position as managed objects and self-controlled systems. A necessary condition for the activity of an educational establishment is its autonomy, which covers academic freedoms and independence in the field of financial and economic activities, scientific research, and the formation of self-government bodies. The optimal regime is the achievement of a balance between autonomy and state control (Barabanova, 1996).

Article 30 of the Constitution of the Republic of Kazakhstan defines, “The state establishes universally binding standards of education. The activities of any educational establishments are corresponded with these standards” (“The Constitution of the Republic of Kazakhstan,” 1995). Thus, the state sets standards of education for higher educational establishments. Therefore, the strict regulation of the educational process needs to follow the norms of the State Compulsory Education Standard, and it makes difficulties in the realization of the autonomy of universities, as well as the cooperation of Kazakhstan’s universities with foreign ones, especially in the realization of joint educational programs.

“In order to meet the demands of the modern world, university in its research and teaching activities must have moral and scientific independence from political and economic power.” Autonomy means the independence of universities in resolving issues within their competence (Estermann, Nokkala, & Steinel, 2011). Real autonomy of universities takes place in a situation when the founder fulfills its obligations to finance universities as well as it creates the necessary conditions for their activities, and universities themselves independently decide all the issues related to the content of education, teaching methods, staffing etc. In this case, the founder - and not only it- can, “order” the university the training of specialists necessary for the national economy and culture, which is formalized in an appropriate manner (contract) (“What is the university autonomy?”, 2012).

The system of academic self-government that existed in the past is criticized for its inability to respond to modern challenges of the time. Competition between universities is increasing in the issues of forming educational programs that meet the modern requirements of employers, encouraging the search for new financial sources and expanding the base of attracted resources.

The profile of higher educational establishments and their openness to the society significantly strengthen the competition between universities for attracting applicants and extra-budgetary funds as well as encourage them to activate their internal reserves. Along with this, there is a reorganization of the management structures of the university, professionalization at different levels of management is intensifying (the rector’s office, the dean’s office, etc.), which is a prerequisite for the introduction of management on a contractual basis in order to attract managers with entrepreneurial thinking and strategic managerial competence (Pevzner & Shirin, 2012).

The structure and functions of higher educational establishments, curricula and programs, in spite of the declared university autonomy, are largely determined by the instructions of the state educational authorities, which solve many issues of university activity. It is obvious that the trend of autonomy affected primarily the centrist model, provoking a certain decentralization of management, which appears in three aspects of the autonomy of state universities: administrative, financial, and pedagogical.

Administrative autonomy presupposes the establishment of the rector’s electivity, presenting him the right to appoint vice-rectors. The right of the university to draft and approve the staffing table; form an internal management structure; create structural subdivisions, etc. independently.
Financial autonomy presupposes the right to free disposal of finances presented by the state, and other private and public funds provided to the university; the right to provide paid educational services; the right to dispose income received from the independent activity.

Pedagogical autonomy presupposes independence in the development of curricula and programs, the choice of teaching methods and subjects of scientific research, the choice of methods for testing knowledge and final certification (Laurie, 1996).

Academic freedom of universities in different countries of the world acts as a guarantee of independence of their internal intellectual life, liberal principles of their management and provides innovative character of the university development.

Secondly, now universities have become full subjects of the market economy, which produce intellectual products and services, and it is important to become relevant to a dynamically developing society. The competition of higher education institutions is the guarantee of competitiveness of higher education institutions. As in any sector of the market, the educational market requires a variety of universities (Dushin, 2010).

Consumers of educational services derive an undoubted benefit from this contest, gaining, at least, the freedom to choose the place of education. Today, international educational services are provided by the countries of the European Union, the United States of America, China, the countries of the Asia-Pacific region - Taiwan, Hong Kong, Australia and New Zealand.

The competition in the international market of educational services has increased dramatically in recent decades (Bolshakova, 2016), which are due to:
- mass higher education in many countries;
- expansion of the use of information and networking technologies;
- the internationalization of the labor market and the need for qualified specialists;
- increasing number of private companies and international universities which provide educational services, including the international market of educational services;
- realization of dual diploma programs;
- recognition of the idea of developing economy based on knowledge.

Any disadvantage and advantages of higher educational establishments are the key evaluation criteria for determining the degree of their competitiveness through the content of educational programs and conditions for their realization, methods and technologies of educational activity (E-Learning, start-up, etc.), educational management.

In many higher educational establishments in Kazakhstan, and in higher educational establishments of the post-soviet countries, the sphere of higher legal education focuses its main attention to on the development of criminal and criminal enforcement sector (judges, investigators, criminologists, prosecutors) and the state apparatus. Market economy is increasingly in need of qualified personnel required specifically in the field of legal support for business (corporate lawyers, lawyers, lawyers of state companies, lawyers in the field of non-commercial law, notary specialists, lawyers in international law), which in turn requires the introduction of specialization in the educational process (Simpson & Marinov, 2016).

In order to provide high-quality educational services in this area, a number of resources (the strongest pedagogical, material-technical, information-communicative, and others) are required. A base for reinforcing theoretical knowledge with practical skills is needed (for example, a courtroom, a legal clinic), which mean practical orientation of the educational process (for example, through dual training). The overwhelming majority of Kazakhstan’s universities provide more theoretical than practical training skills.

FINDINGS

The necessity of normative consolidation of the notion "autonomy of the university" has been identified and justified, and issues related to the competence of universities have also been analyzed. It was proposed at the state level to strengthen the possibility of universities to introduce practical-
oriented specializations. Taking into account the requirements of employers to expand the competitive market of educational services. Also in the article attention is drawn to the questions of the legal status of university teachers.

What higher education institutions are necessary to modern society? Analyzing a question, we can tell:

• with the unique educational programs that take into account the specialization. For this purpose, it is necessary to give students the freedom to choose the academic disciplines that are read at other departments. In order to enable them, let us say, along with economic disciplines, to obtain the necessary legal knowledge, and vice versa, with the subsequent issuance of an academic certificate.

• corroborating the theoretical teaching with practical skills through a dual system of training. As the achievement of competitiveness of high-class specialists should become an advantage of the university in the actual proportion of graduates who are employed by profession.

An important requirement of the employer is the existence of an experience of at least one year. This approach encourages the graduate to combine study with work, which becomes a negative factor in the training of a specialist. Universities have the opportunity to solve this problem, to minimize this factor (Birzhanova, 2015). In this case, for example, at law clinics of universities, students have the opportunity to obtain such experience and preferably in different areas of law, here students would practice a certain number of mandatory hours, and provide legal assistance to the population as well as receive the desired experience.

Thus, the relations of the subjects of the market of educational services are based on cooperation and competition between competitive universities. Universities need a new format for training specialists. Higher education needs non-standard approaches and lack of formalism and dependence from the public sphere. In order to improve the quality of education of legal specialists, it would be necessary to step aside from standard approaches to education, and gain independence from attachment to the state. The independence of higher education establishments is the basis for creating a non-standardized competitive education where fair competition, business practices, business ethics, openness and transparency should be observed, and universities, their consumers (trainees and employers) and business partners are interested in it.

Teacher as support is the driving force of higher education institution. The social status of the teacher is the defining factor for the status of higher education institution. In addition to the above mentioned problems, there are also negative trends in providing of higher educational establishments with staff: there is no systematic reproduction of teaching staff, moreover, part-time job is widely practiced (Mulikova, Tazhigulova, & Abildina, 2013). The reason for this is the lack of interest of universities in the system of labor motivation of employees, on the one hand, and on the other hand the excessive administration of the educational process, which does not allow to react flexibly to the achievements of science and technology, and to take into account the changed needs of production.

In addition, credit technologies require a serious development of the methodological base. However, lecturers in Kazakhstan’s universities do not receive payment for writing methodic instructions, but they are obliged to fulfill them, despite the fact that many methodic instructions are authored. As a result, motivation of lecturers who are busy with the methodic work is reduced.

The example of the European studies on this issue can show the investigation of labor motivation in Finland, carried out by Tapani Alcula. He notes that employees spend considerable time at the university, where they work, that’s why the social environment and expectations for work are important for employees. The whole universe of such expectations, the author denotes as the concept of “work orientation” (Dryaglov & Kupriyanov, 2014).

According to his theory, there are three basic types of expectations from work - instrumental, valuable and social. Under the instrumental, Alcula, first of all, understands various kinds of material incentives, for example, ensuring normal living conditions; Under the valuable - different kinds of desires, which on the whole can be characterized as moral satisfaction, and under social - the desire to perform a certain function in society via working .
In the domestic sphere of education, unfortunately, among the main problems is the problem of finding effective ways to improve the motivation system for lecturers, as the human factor is the determining factor in the activity of the educational establishment. In this regard, many government documents set out the main provisions on the support and motivation of lectures. However, due to underfunding of the education sector and the lack of scientifically based models of motivation of the teaching staff, the problem of rational organization of the system of motivation of university lectures remains especially urgent.

The social status of teaching staff at Universities is in disadvantaged positions. This trend continues everywhere. Today, in order to live normally, lecturers work at two or even three universities. It is necessary to fulfill scientific activity until late at night to have good scientific indicators. So, in order to meet the requirements and criteria that are put to lecturers, it is necessary to work 15-18 hours a day. Therefore, many scientists prefer to be busy with administrative positions at universities because of a high salary, and there is no necessity to write scientific work, and there is also a real opportunity to move up the career ladder.

Many developed countries with the research and scientific universities provide faculty with all necessary opportunities for scientific activities, i.e. a separate room with the access to scientific and information bases, communication facilities, office equipment, etc. This attitude towards the faculty from the side of the university is an important stimulating factor.

After all, the Communiqué of the conference in Leuven/Louvain-la-Neveu (2009) clearly states that doctoral programs should provide high-quality research in various disciplines and are increasingly complemented by interdisciplinary and intersectoral programs. State bodies and institutions of higher education need to make more attractive the career trajectory of the beginners in the research work (Assaul & Kaparov, 2007).

Legislative bases of legal status of the teacher is not well presented. It should be noted that norms of Law of the Republic of Kazakhstan “On Science” in the question of social security and stimulation of employees in the field of education and science do not work. From a legal standpoint, norms are dead. It is necessary to adopt a number of by-laws in order to realize these norms.

The Law of the Republic of Kazakhstan “On Education” does not have the clear regulation of norms which determine the “status” of the lecturer, in order to provide constitutional right to education regardless of the forms of ownership of educational establishment. Also, it should be necessary to create tax incentives for social support of students and lecturers by universities, but at this time the Ministry of Education and Sciences of the Republic of Kazakhstan should strictly control the regulations of the current legislation on education.

It should be noted that one of the main subjects of all Bologna reforms is a lecturer of a higher educational establishment. It plays a key role in the realization of the provisions of the Bologna Process, since it is impossible to effectively implement any modernization changes in higher education without changing sense of justice towards adopting of new provisions (on organizing the educational process, applying new pedagogical technologies, using academic mobility, etc.). The lecturer can be influenced by the method of recommendation and persuasion, legal education, regular information and training in innovations, motivation to actively participate in the modernization of higher professional education, which changes higher education and forms the basis for successful implementation of the planned reforms (Butenko, 2007). It is from these problems people must proceed in the analysis and monitoring of the university system.

As practice shows, without proper attention to the teaching staff, the quality of education in higher education establishments cannot be raised. Hence it follows that without creating the conditions, there is the risk to lose the best professors who can write and activate the research activities of the university. And it is very important when universities take the status of research universities. New ways of governing and management in universities are an immediate result of changing governance models. There are more rigorous funding models, better linked with performance and results in public universities. It is a combination of transparency and stimuli for a well-done job. This evolution has not happened at the same speed in all the countries. Nevertheless, the campuses with the most excellence.
in teaching and research are usually located in those countries with more advanced reforms in the governance of higher education institutions (Michavila & Martinez, 2018)

CONCLUSION
Based on the desk research done, it is visible that the synergy of higher education institutions and employers is present in Kazakhstan. A separate direction is given to the definition of the level of services in the educational market, the evaluation of the quality of education through the development of clear rating criteria for the evaluation of universities, their ranking by employers. In this aspect, the experience of Russia is interesting, where an interdepartmental commission has been created to raise the quality of higher legal education. By the decision of this commission, the Bank of Experts was established at the Association of Lawyers of Russia. These experts conduct public accreditation of universities that train lawyers (Maulenov, 2015).

Important issue of the evaluation of the quality of education should be the issue of ranking by employers. For example, in the sphere of Kazakhstan’s legal education, Kazakhstan’s Association of Commercial Lawyers (KazBAR) could carry out this activity.

There is the lack of transparency and openness of universities activities in Kazakhstan. For example, in the US, the Rectors of the Universities make annual report on the financial activities of universities in front of professors and students. This practice should be extended to all public and private universities in Kazakhstan. Annual reports of all higher educational establishments of Kazakhstan must be published in the republican press.

As a result of the study, the following conclusions can be drawn:
It is noted that in the mutual relations between the subjects of educational relations, the basic principles of the management of the education system, approved by the acts of the Bologna Process, are not observed. Namely, misunderstanding and interpretation of the principles and rules of the European Higher Education Area the principles of “autonomy and independence of universities|”, “respect for national education systems”, etc.

It is substantiated that autonomy and independence should operate in those universities where there is a real system of electivity of the university officials (rector, vice-rector, deans, heads of departments, etc.). Moreover, autonomous universities should primarily work in the interests of the state, society, the region where the university is located (for example, as in the US states). Activities of autonomous universities should be transparent and strict accountability should be observed.

It is revealed that in the normative legal acts of the authorized body in the sphere of higher and postgraduate education the question of the pedagogical workload of the teaching staff of the departments of higher educational establishments is not sufficiently regulated. One of the real problems of the university system is the amount of academic load of teachers. As it is known, lecturers of universities conduct several disciplines classes within one academic year, this varies from 5 to 15 disciplines. These are the consequences of the fact that normative legal acts of the Ministry of Education and Science of the Republic of Kazakhstan and university acts do not sufficiently regulate this issue. This gap in the current legislation regulating academic issues, provides an opportunity for the leaders of university to broadly interpret this issue and subjectively make a decision.

It has been proven that in order to achieve success, competitiveness and efficiency in the current business environment, it is necessary to have highly qualified, multilingual specialists of the international class, most in demand in the professional labor market. One of the most important components of the socio-economic development of modern society is the sphere of higher legal education

The State Program for the Development of Education in the Republic of Kazakhstan until 2020 and the Concept of the Legal Policy of the Republic of Kazakhstan for the period from 2010 to 2020 open a new stage in the program for the development and strengthening of the national legal system. The New Economic Policy “NurlyZhol” determines the way for the Republic of Kazakhstan to become one of the thirty most developed countries in the world, and defines the necessity to train lawyers of a new
generation who are able to solve and realize the goals set by the Head of the state in the regional and international markets.

To solve the above-mentioned problems of managing the university system, it is necessary to:
- first of all, to fix the notion of “autonomy of the university” legislatively, and decide which issues are referred to the competence of higher educational establishments;
- due to the absence of clear explanations on the autonomy and independence of higher education establishments at the level of legislative and subordinate acts in the sphere of higher postgraduate education, it is necessary to adopt local acts inside the university that provide autonomy and freedom for scientific activity;
- in order to realize the autonomy of higher educational establishments, it is necessary to introduce a system of election of university officials;
- at the level of the university and its structural subdivisions, it is necessary to intensify the teaching staff, to improve the methods of encouragement and motivation, including scientific staff;
- at the level of the ministry’s act to limit the number of disciplines that a lecturer can hold in one academic year. In extreme cases, it is necessary to resolve this issue in a positive way by the decision of the academic council of the university;
- to strengthen the work in combating formalism and paperwork of the university system;
- universities need to develop unique educational programs that take into account specialization, in the context of the requirements of employers to expand the competitive market of educational services;
- universities need to strengthen the practical orientation of educational programs in order to improve the level of employment of graduates;
- for the purposes of publicity and transparency of the activities of universities, it is necessary to introduce an annual official reporting of the activities of Higher educational establishments.

Practical implications of work are expressed in total the recommendations and offers directed to improvement of the legislation of the Republic of Kazakhstan on the higher education. The findings from what can be considered as an experiment in the field of educational reform during the rigid economic and social periods can be useful to the public authorities, higher education institutions and the international organizations, which are engaged in processes of reform in education. Also influence of considerable practical recommendations on administrative decisions of legislative, educational bodies and society in general is important. It is advised to look at other countries’ examples, even to different education systems, to see the ways of implementing changes without harming the efficiency of universities. It is important also to hire well educated professionals with international work and study background, as they have wider understanding of the differences in educational systems.

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