

Section 1

Theory, methodology and practice of lifelong learning

LEGISLATIVE REGULATION NOVELS OF EDUCATIONAL ACTIVITY IN THE RUSSIAN FEDERATION

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Russian Federation State Duma on December 29, 2012 adopted the Federal Law “On Education in the Russian Federation”, which regulated the new rules of legislative regulation of educational activities and retained the previously existing positions of the legislator in the field of education by enhancing their significance. The date September 1, 2013 was identified as the beginning of the legal power and operation of the “new” law.

It should be recognized that, regardless of the public response, the negative opinions of opponents of education reform and the implementation of the fundamental ideas of the Bologna process, the adoption of the mentioned law is not accidental and is due to the following circumstances.

On the one hand, since the adoption of the Law of the Russian Federation “On Education” (1992) and the Federal Law “On Higher and Postgraduate Professional Education” (1996), which were the laws of the transitional period, of the crisis phase in the development of Russia, there have been significant changes in the conditions of the state economy functioning, in the system of executive authority and organizational fundamentals of the educational system functioning. On the other hand, the modernization of the educational system, which took place during the last 20 years required constant updating of legislation on education by making frequent changes into specified legal acts, the structure of which was not designed for this, that led to an imbalance in a series of the federal legislation rules.

In its turn, the adopted Federal Law “On Education in the Russian Federation” eliminates existing shortcomings and gaps in legislation in this area. Analysis of the Law confirms that it contains a number of novelties (innovations) of educational activity legislative regulation. We consider the following novelty to be the most prominent.

1. The list of definitions, which includes 34 basic terms and concepts that describe the educational system, is introduced in the Russian Federation education legislation for the first time.

2. Education levels are aligned in the Law in a continuous and uniform system on the basis of the Constitution of the Russian Federation regulations, taking into account the Bologna Declaration and the International Standard Classification of Education. It allows to implement the principle of continuous education under the conditions of its levels continuity. For example, the following levels of general and vocational education are defined:

- levels of general education: preschool education, elementary general education, basic general education, secondary general education;
- levels of vocational education: secondary vocational education, higher education – Bachelor’s degree course, higher education – Specialist’s degree course, Master’s degree course; higher education – training of highly qualified personnel.

As we can see, pre-school education was included into the list of levels of education as the level of general education. One more level of higher education is introduced – training of highly qualified personnel, which includes programs of scientific and pedagogical staff training, residency programs, trainee assistantship programs. At that, implementation of the scientific and pedagogical staff training programs as a separate level in the system of higher education does not provide separation of educational component from research component.

This model is designed to resolve a problem of shortage of professional teaching and research staff with skills in both research and teaching activities.

At the same time Grand PhD course is considered as a form of training of highly qualified personnel and is removed from the list of educational programs and levels of education. It is no more a subject to be regulated by the education law and must be implemented in the framework of the Federal Law “On Science and State Scientific and Technical Policy”.

3. The term “primary vocational education” is not used in the Law and does not stand out as a separate level. But the level of second-

ary vocational education involves two types of programs: training of qualified workers (employees) and training of mid-level professionals, that expands the possibilities of such training. It is not about giving up substantive content of initial vocational education in its current form, but about the refusal of the dead-end nature of this educational level and of the complexity of the subsequent educational and professional trajectory laying by the graduates of basic vocational education, in order to improve their social status.

Moreover a separate chapter “Vocational Training” is marked out in the law, which stipulates vocational training according to the training programs depending on occupations of workers or positions of employees. A part of educational programs of initial vocational education can be mastered through appropriate short-term vocational training programs that would attract under the Public-Private Partnership employers’ resources for working personnel training and make this work more mobile.

4. Along with the basic educational programs in the field of education there are allocated additional educational programs of various orientation and complexity which are generated with a glance of age peculiarities, interests, abilities, level of education and professional qualification of students.

The Law determines that additional education includes such subspecies as additional education of children and adults, and additional vocational education.

5. Modern educational requirements, conditioned by the introduction in educational practice of new forms of implementation and development of educational programs, educational technologies, forms and methods of education are entrenched in the Law. In particular, there are for the first time introduced at the legislative level the rules relating to credit-module system of organization educational process and system of credits, networking when implementing educational programs, including a mechanism for offsetting the results of learning the individual parts of the educational program in the third-party organizations. Moreover the rules of using the distance learning technologies in the educational process, training on integrated educational programs are introduced.

In other words, students are given the opportunity to choose different training courses at the educational institution or outside it using e-learning and distance learning technologies, as well as the networking of educational institutions, and the opportunity to choose educational resources through the use of electronic educational resources along with the print during the educational process.

6. The Law provides regulations to ensure the openness of educational institutions by securing the participation of interested public representatives, employers and learners in the effectiveness of educational activities assessment.

7. The Law focuses on the issues of informational support of education management and information transparency of educational organizations that mandate having a web-site by educational organization, putting the required information available to consumers of educational services (parents, pupils, students), and on the issues of adoption of comprehensive list of information required for placement and publication.

8. The Law contains provisions that ensure greater empowerment in pre-school general and additional education of children by expanding access to free education in the educational institutions of various forms of property and legal organizational forms.

9. The following legal frameworks are laid down in the Law:

- legal frameworks of vocational training in the training centers of vocational qualifications that can be created independently, at work, and as structural units of organizations carrying out educational activities: in professional educational organizations, educational organizations of further education and in general education institutions (at the third level of general education);

- legal frameworks for the modernization of the personnel training and mid-level professionals systems, providing training of persons in a number of occupations within secondary vocational education, instead of the now implemented system within the initial vocational education;

- legal frameworks of conducting experimental and innovative activity in the scope of education;

- legal frameworks defining forms of public representatives and employers participation in the education administration, one of which is the Institute of Vocational and Public Accreditation of Educational Programs.

Thus, of the Federal Law “On Education in the Russian Federation” has a strategic and systematic nature, focused on the long-term perspective. It represents a single, integrated basic legislative act that comprehensively regulates relations in the sphere of education, taking into account the needs of modern educational practice, the general trends of socio-economic development of the country and world trends in education.

Translated from Russian by V.B. Kandratsenka