Bakhyt Altynbassov¹, Sholpan Saimova², Ardak Tassova³ **BOLOGNA PROCESS IN KAZAKHSTAN:** ECONOMIC AND LEGAL ASPECTS

The paper is focused on economic, historical and legal analysis of the Bologna process development in Kazakhstan. The current legislation in this area has been explored, identifying its gaps and weaknesses and developing recommendations aimed at improving the current educational legislation.

Keywords: the Bologna process; education; government regulation; academic degree; PhD; international education programs.

Бакит Алтинбасов, Шолпан Саймова, Ардак Тасова БОЛОНСЬКИЙ ПРОЦЕС В КАЗАХСТАНІ: ЕКОНОМІЧНІ ТА ПРАВОВІ АСПЕКТИ

У статті приділено особливу увагу економічному та історико-правовому аналізу розвитку і становлення Болонского процесу в Республіці Казахстан. Вивчено чинне законодавство в цій області, виявлено прогалини та недоліки в ньому, розроблено рекомендації, спрямовані на вдосконалення чинного освітнього законодавства.

Ключові слова: Болонський процес; освіта, державне регулювання; науковий ступінь; PhD; міжнародні освітні програми. Літ. 24.

Бахыт Алтынбасов, Шолпан Саймова, Ардак Тасова БОЛОНСКИЙ ПРОЦЕСС В КАЗАХСТАНЕ: ЭКОНОМИЧЕСКИЕ И ПРАВОВЫЕ АСПЕКТЫ

В статье уделено особое внимание экономическому и историко-правовому анализу развития и становления Болонского процесса в Республике Казахстан. Изучено действующее законодательство в этой области, выявлены его пробелы и недостатки. Разработаны рекомендации, направленные на совершенствование действующего образовательного законодательства.

Ключевые слова: Болонский процесс; образование; государственное регулирование; научная степень; PhD; международные образовательные программы.

Introduction. Today education is the key priority in Kazakhstan's development. Its role in the contemporary stage of development is defined by the country's transition to democracy and market economy, the need to overcome the danger of the country lagging behind the world tendencies of economic and social development. The national system of education is an important factor for Kazakhstan's ranking, its international prestige as a country with a high level of culture, science and education.

Since Kazakhstan became an official participant of The European Area of Higher Education (EAHE) and adopted all the requirements of the Bologna process, studying legal and theoretical aspects of this global phenomenon is a very urgent task. The topicality of the issue is that the fundamental propositions of the Bologna process define the contents and the trends of the planned and performed reforms in national higher education.

Gumilyov Eurasian National University, Astana, Kazakhstan.

Gumilyov Eurasian National University, Astana, Kazakhstan.

³ Gumilyov Eurasian National University, Astana, Kazakhstan.

Entering the world educational space the national educational system of Kazakhstan is suffering significant difficulties. Especially, it is revealed in proper training of research personnel, in attracting foreign professors, recognition of diplomas by other countries, students mobility etc.

Latest research and publications analysis. The analysis shows that in Kazakhstan the above issues are not sufficiently developed. Today there are many Russian studies dealing with the Bologna process as an international phenomenon (Baidenko et al., 2009). In these works high social relevance of integration in higher education is noted, however, there are practically no studies that consider the basic propositions on the Bologna process legal regulation development, reforming of other related institutions of civil society and state.

In Kazakhstan National Academy of Education of the Ministry of Education and Science, tens of joint-stock companies and enterprises subordinated to the ministry, and also various organizations are engaged in the related research. Besides, there is a number of private organizations providing monitoring services at the expense of the state budget. All these organizations are focused on carrying out educational researches in its pedagogical aspect mostly. However, there is no state or private company investigating the regulatory basis in education and science, and more than that, we the area of education and science in Kazakhstan is beyond the focus of the national legal science. It is possible to state that the issue we are trying to cover has not been studied at all.

Kazakhstan state policy in the field of education after 1991 was developed in the direction of reforming the legal base, the system of education management and funding in the context of education qualitative transformation and establishing state sovereignty, its real political and economic independence. In this relation the advancement of higher and vocational education was directly related to the problems of the society development and conditioned by the following: society's transition to market economy; science-intensive production growth; increased volumes of scientific and technical information by almost twice; rapid technologies changes; integrative character of scientific research; active use of information-communication technologies.

The research object covers the key trends of Kazakhstan education system modernization, its qualitative transformation under market economy taking into consideration the globalization trends.

Higher education reforms in the Republic have intensified since 1995, but at the same time their speed and depth are still insufficient, and economic difficulties are the main obstacles in the needed reforms. As a result of the carried out socioeconomic reforms, including those in higher education, within the last years there appeared some positive tendencies, such as: higher education democratization and management decentralization; diversification of higher educational institutions network; forming a new legislative base; implementing new state standards of higher education; growing number of students who study not at the expense of the state budget.

One of most important trend of higher education development is international cooperation, the main task of which for Kazakhstan is integration in the world education community. International cooperation in education is regulated by the laws of the Republic of Kazakhstan and is performed on the basis of international contracts, agreements and conventions.

It is worth mentioning that the state program of education development for formed 2005–2010, worked out in 2004, the basis for its implementation since 2005 and covered the three-cycle structure of higher and postgraduate education (bachelor's degree – master's degree – PhD's degree) and the system of credits (accumulation and transfer).

The new Law of RK "On Education" as of Jule 27, 2007 takes into account international standards in education in the context of Kazakhstan entering the World Trade Organization and integration in the Bologna process.

Legal regulation of education activities is the instrument of the Bologna process realization and at the same time — the means of integration.

The Bologna process is the process of approaching and harmonizing the education systems of European countries for the purpose of developing a unified European Area of Higher Education. Its beginning can be referred to the mid 1970s, when the EU Council of Ministers adopted the Resolution of the first program of cooperation in education. The official date of this process beginning is considered to be June 19, 1999, when in Bologna, at a special conference the Ministers of education from 29 European countries adopted the Declaration "The European Area of Higher Education", also known as the Bologna Declaration.

The ideas of developing a European university community and the unified European Area of Higher Education take their origin from the oldest in Italy and in Europe Bologna University. In 1986, preparing for its 900th anniversary, it addressed all European universities with the suggestion to adopt Magna Charta Universitatum. The idea was taken with enthusiasm, and in the period of the jubilee events in 1988 this document proclaiming universal and eternal values of university education and the need of close relations between them was signed by the rectors of 80 universities (Jowi, 2011). In the Charta the emphasis was made on a special role of universities in the present day world as centers of culture, knowledge and research. Universities are declared independent from political and economic authorities. Teaching is to satisfy society's requirements and is integral with research, i.e. universities are to possess autonomy and students – freedom in selecting a place of training. On May 25, 1998 in Sorbonne, by the initiative of France, Germany, Great Britain and Italy the Ministers of Education from these countries signed a joint declaration. It defines the following key moments: mobility, recognition, and access to labor markets. The mentioned documents are considered to be the Bologna process preconditions.

Based on the Sorbonne Declaration as of June 19, 1999 the Bologna Declaration was signed by 31 representatives responsible for education in 29 countries of Europe.

Both declarations emphasize the leading role of universities in strengthening intellectual, cultural, social, scientific-technical potential, as well as forming the common base of "European knowledge". It was established that the development of European higher education is to be completed within the following decade, i.e. by 2010.

Thus, as the key positions within the Bologna framework adopted were the following: introducing two-cycle training (a system based on two educational levels — bachelor and master); introducing the credit system (unified system of credit units and more compatible degrees); mobility widening (developing integrated programs of training and carrying out scientific research) etc.

At the meeting of representatives from over 300 educational institutions in Salamanca (March, 2001) European University Association was established as the main organization of European universities and a managing committee of the Bologna process. At this meeting the following principles of the Bologna process development were discussed: HEIs (Higher Education Institution) autonomy with responsibility before the state and society; training responsibility before the society; integrity of higher education and research; establishing the conformity of grading system, degrees and quality criteria.

On May 19, 2001 in Prague the education Ministers of the countries which signed the Bologna Declaration confirmed their obligations for the development of The European Area of Higher Education by 2010. At the Prague conference, alongside with the 6 basic lines of the Bologna process development, new trends of cooperation were considered: lifelong education; activation of students' role in reforms implementation; increasing attractiveness and competitiveness of European higher education (www.coe.int).

The Bergen conference (2005) adopted the Universal structure of qualifications for the EAHE including 3 cycles (in the national contexts there were allowed intermediate qualification), universal descriptors for every cycle based on training results and competences, as well as a range of credit units for the first and second cycles. An obligation was also adopted to develop by 2010 national structures of qualifications compatible with the Universal structure of qualifications for the EAHE (www.coe.int).

At the London conference (2007) the progress on the way of the EAHE development was noted. A significant achievement was the beginning of transition from training conducted by teachers to student-centered higher education. There were summed up the results of the main trends of the Bologna process development and planned priorities for 2009: mobility, social measure, employment, realizing the EAHE strategy in the global context (www.coe.int).

The last meeting of the education Ministers of 47 European countries took place in Bucharest, Romania, on April 26–27, 2012 (www.coe.int). At the Bucharest conference the education Ministers decided to focus on 3 basic objectives under the ongoing economic crisis: higher education quality assurance for more students, better teaching labor skills, students' mobility increase. 47 countries adopted a new European strategy increasing mobility for the purpose that at least 20% of graduates in Europe in 2020 should study or have practice abroad. The basic propositions of the Communique are: graduates' employment increase due to educational programs reforming; employment development through the development of relations with employers and entrepreneurs; using the results of training in the system of quality and recognition guarantee (ECTS and Diploma supplement); using experience of countries-participants of the EAHE in implementing national qualification frames; developing and using the Regulations for recognizing foreign qualifications of European area (EAR); widening the list of agencies in European register on quality guarantee.

In Bucharest Kazakhstan suggested to form in Astana a Bureau of the Bologna process for Central Asia. Georgia and Kazakhstan entered the structure of co-chairmen for the periods from July, 2013 and January, 2015, respectively, and will head the work of the Supervisory group of the Bologna process.

Let's note that the Bologna process as such is characterized by the diversity of reforms in national, cultural, educational contexts, their growing dynamics, as well as the development of its conceptual, methodological and legal support.

The Bologna process requires its systemic and integral implementation. It is often characterized by nonlinear character of realization (the movement in the Bologna process is taking place in various systems with different depth, speed and coverage). Besides, the Bologna process gives birth to challenges and risks including higher education commercialization, non-quality transnational higher education etc. In the Bologna process a lot of subjects participate which, undoubtedly, complicates the Bologna reforms implementation (Baidenko et al., 2009).

Having analyzed all legal documents that laid the basis for the Bologna process, we came to the conclusion that this process is the deepest and most scaled structural reformation of higher education in the world. One of the central ideas of the Bologna process is to integrate all European standards of quality in higher education. The preliminary condition is the development of comparable methods and criteria for research and teaching quality assessment.

As it was already noted, in 2010 the Budapest-Vienna Declaration proclaimed the completion of The European Area of Higher Education and noted significant progress in achieving the aims of the first stage of the Bologna process. In Kazakhstan higher school reforms realization is taking place in extremely complicated, long and heavy manner.

The sovereignty acquired in 1991 posed before the Republic of Kazakhstan the problem of entering the world community and before the national education system — the problem of harmonization with international education area. In this connection the state policy in the field of education was implemented in the fields of legislation, management system and education funding (Kazakhstan joint the Bologna Declaration, 2010).

Before joining the Bologna process officially a lot of Kazakhstan HEIs signed the main acts on European education and recognized legally the basic principles of this process. For example, 30 of 148 Kazakhstan HEIs signed Magna Charta Universitatum on which the Bologna Declaration is based.

The main priorities of the Bologna process are reflected in strategic documents of higher and postgraduate education.

As a result of the activities performed in accordance with the documents mentioned, at present in higher education there have been realized the basic principles of the Bologna Declaration.

Having joined the Bologna process, Kazakhstan as a participant country takes duties of fulfilling its basic parameters: mandatory, voluntary and optional.

Today in Kazakhstan there has been developed the needed normative-legal base for implementing the mandatory Bologna parameters that cover the three-level system higher education, ECTS academic credits, academic mobility, European Diploma supplement, higher education quality management and development of the unified European research area.

These 6 parameters are established by the RK Law "On education", State program, Strategic plan of the Ministry, regulations of various department.

Voluntary parameters have the character of recommendation and are useful in the Bologna principles promotion. They are: unified European grading, students' active involvement, poor students' social support, lifelong education.

Optional parameters of the Bologna process are of great relevance in teaching planning taking into account employers' interests and society' demands.

For the purpose of the complete adoption of the Bologna process, Kazakhstan undertook a number of certain measures.

Every year there is a growing number of invited foreign professors who not only lecture, conduct seminars and consultations for students, master students and doctoral candidates, but also deliver master classes for teachers related to teaching process organization, methodology of teaching at higher school, accreditation and certification of programs etc., this gives staff the possibility to improve their qualification without leaving their university and to lecture adjacent disciplines of the world level including those in English. Foreign professors' academic materials are available for students and staff.

The matters of quality assurance became the tools of national policy in which there are political motives of strengthening higher education ties with the labor market and the universities status increase.

In accordance with the amendments to the Law "On education" as of 2007 in the country there is a stipulated realization of a new model of independent assessment of education quality.

Besides, every year Kazakhstan HEIs improve their positions in the world academic rankings. There is established legislatively the new six-stage classification of HEIs. They are: national research universities, national universities, research universities, universities, academies and institutes. The priority belongs to the development of several high-class research establishments for which the model is "Nazarbayev University".

Key research findings. There exist a number of unsolved problems that do not permit to implement completely the tasks posed by the state in the field of higher education integration. In the majority of cases these are the problems of organizational and legal character. Let's consider some of them.

Not always the basic principles of education system management adopted by the Bologna process acts are observed in mutual relations between the subjects of educational relations, namely, the incorrect understanding and interpreting of The European Area of Higher Education principles and rules. The main acts of the Bologna process (Magna Charta Universitatum, the Bologna declaration and others) proclaim the principles of "autonomy and independence of universities", "respect for national systems of education" etc. The concept of "universities autonomy" itself can be interpreted and understood in different ways; as practice shows, even in the countries (the USA, European countries, Australia, Japan, China, Russia), where the export of educational services is a prior branch of economy, university autonomy is accompanied by its high responsibility before the state, local executive bodies and the entire society.

Higher education institution autonomy (institutional autonomy) is its independence in selecting and arranging personnel, in conducting training, scientific, financial-economic and other activities in accordance with national laws, fixed in certain

normative acts (Mission, Statute etc.) regulating the activity of a higher education institution (Baidenko et al., 2009).

The international non-governmental organization "World service of universities" organized in 1920 adopted the Declaration of academic freedom and university (Lima, 1990; Packham, 2007). In the Lima Declaration academic freedom is interpreted in the spirit of educational liberalism and presents, first of all, a complex of teachers' and students' rights in higher education, the condition of university's mission realization, democratic self-management.

In the memorandum on the Bologna process in the Bergen cycle adopted at the International conference in Brussels (2005) it is underlined that "institutional autonomy itself cannot guarantee academic freedom or higher education quality. Autonomy is to be performed within the national frames that equalize institutional freedom by wide social goals... It is necessary to support and widen higher education institutions' administrative autonomy in the public sector" (www.coe.int).

In October 2005 at the international seminar "University of the XXI century as a new model of independence" there was adopted the Novi Sad initiative. In it the principles of relations between HEIs and authorities were spelled out:

- HEIs are to be presenting really working autonomy and freedom of actions;
- academic freedom is to be guaranteed;
- authority bodies are not to restrain the right of HEIs autonomy and to burden them with bureaucratic procedures (The Novi Sad Initiative, 2005).

At the Bologna seminar in Gent dealing with the prospects of development of the Bologna process (May 2008) there was a warning: "governments want to preserve and even widen their managing role by selecting such an interpretation of institutional autonomy that would serve the states interests more, releasing higher education institutions energy. Some governments can adopt the part of the Bologna process that refers to the ministry and legislative level and ignore the contribution of other interested parties" (Egron-Polak and Hudson, 2010).

Attention was paid to the ratio of institutional autonomy and state responsibility for the sphere of higher education at the conference of Ministers in Leuvenin (April 2009) (www.coe.int).

Monitoring of international acts on HEI autonomy shows that under academic autonomy hides "autonomy with responsibility". Universities are to possess academic freedom, to have the right to form independently their strategy, to select their priorities in teaching and research, to send their resources, to orient their programs and to establish their criteria for professors and students admission. Autonomy and independence are to work at those HEIs, where there is a real system of electing HEI officials. Autonomous HEIs are, first of all, to work for the interests of the state, society, region of their location. The work of autonomous HEIs is to be transparent, strict accountability must be observed.

Autonomy is not an abstract concept; it is expressed in concrete actions: in organization and management, in funding, in work with personnel, especially in teaching and carrying out research. Mandatory accountability and transparency are the unchangeable components of autonomy, and simultaneous existence of these requirements do not let a university develop basing exclusively on the demands of the society and market (King, 2008).

Today real autonomy means the transition from words to deeds; this is a real delegation of responsibilities with controlling and transparency. The autonomy success is, first of all, in trust to universities. They are to able to deserve it (Berez, 2012).

In Kazakhstan, as in most post-soviet countries, alongside with this problem there are also some negative tendencies in personnel provision for HEIs: there is no system reproduction of staff, its low social status, widely used off-hour job payment. The cause is the universities' disinterest in personnel labor motivation, on the one hand, strict control over the educational process not permitting to respond flexibly to the achievements of science and engineering, taking into account the production needs, on the other hand.

Besides, credit technology requires serious development of methodologies. However, teachers at HEIs do not get wages for it but they are obliged to perform it in spite of the fact that a lot of methodological developments are truly original and creative work. This demotivates teachers' in doing their methodological work.

As an example of European studies of this problem there is a study on labor motivation in Finland carried out by Tapani Alkula. He notes that employees spend a lot of time at HEI where they work, therefore social environment and expectations at work are important to them. The whole set of such expectations the calls author "work orientation" (Jowi, 2011).

According to his theory, there exist 3 main types of expectations from work: instrumental, value and social. Under instrumental expectations Alkula understands, first of all, various material stimuli, for example, providing normal living conditions; under value he means general moral satisfaction; under social — a will to fulfill a certain function in the society while working (Assaul and Kaparov, 2007).

Unfortunately, in national education among the key problems the central place is taken by the problem of searching for effective ways of improving the system of teachers' labor, as the human factor is the defining one in the work of an educational institution. In this relation many public documents state the main propositions on teachers' support and motivation. However, due to underfunding of education and absence of scientifically substantiated models of staff labor motivation, the problem of rational organization of HEIs teachers' labor motivation is especially urgent (Jowi, 2011).

The Communique of the conference in Leuven/ Louvain-la-Neuve (2009) notes that PhD programs are to provide high-quality studies on various disciplines and in a larger extent be supplemented by interdisciplinary and interbranch programs. State bodies and higher education establishments are to make attractive proposition for beginning researchers (www.coe.int).

The RK Law "On education" regulates state policy on higher education institutions, but in this normative-legal act there is no clear regulation of norms on teacher's status, provision of constitutional rights for education etc. There should also be developed taxation stimuli for students and teachers as social support by HEIs, but the Ministry is to control this strictly and, what is most important, to "anchor" legally these norms (King and McGrath, 2012).

One of the main subjects in all Bologna-related reforms is a teacher of a higher education institution. It is he that plays the key role in realizing the Bologna process, since without changing personal legal awareness and readiness to adopt new proposi-

tions (on teaching organization, the use of new pedagogical technologies, academic mobility etc.) it is impossible to carry out effectively the modernization of higher school. It is possible to influence teachers by persuasion, legal education, regular informing about innovations, motivation for active participation in realizing modernizations in higher and vocational education that changes higher education.

Conclusions. The analysis of the Bologna process development in the CIS countries including Kazakhstan brings us to the following idea:

- at the beginning of 2014 the authorized body in the area of education and science in Kazakhstan adopted a decision to present HEIs autonomy and independence. In specialists' opinion, this step is to impact positively further development of higher education and university science. In the future it is expected to increase the mobility level among staff and students, more access to scientific information etc. This will show that Kazakhstan follows strictly the ideas proclaimed by the Bologna acts;
- the Bologna process offers HEIs a possibility to involve civil society into education management. Public social management by higher education (boards of guardians, supervisory councils, public control over budget spending) brings in a possibility to form institutions of civil society, increasing higher education openness and investment attractiveness;
- as practice shows, in developing and especially in post-Soviet countries entering The European Area of Higher Education, being somewhat contradictory to the traditional system, makes certain problems. It would be more expedient to keep the basic principles of the Bologna process, as "respect for the interests of national education systems" adopted in the Bologna Declaration;
- the Bologna process is the result of the consistent educational policy of European countries. It is necessary to take into consideration that Kazakhstan has been a closed system for a long time, and the legislative system was and is now somewhat different than the European one. Under this plan the initiators of this process would better keep flexible policy, in relation to other post-Soviet countries in particular.

References:

Об образовании: Закон Республики Казахстан от 27.07.2007 №319-III (с изм. и допол. на 13.01.2015) // online.zakon.kz.

Aсаул A.H., Kапаров E.M. Управление высшим учебным заведением в условиях инновационной экономики. — СПб.: Гуманистика, 2007. — 280 с.

Болонский процесс: глоссарий (на основе опыта мониторингового исследования) / Авт. сост.: В.И. Байденко, О.Л. Ворожейкина, Е.Н. Карачарова, Н.А. Селезнева, Л.Н. Тарасюк; Под науч. ред. д-ра пед. наук, проф. В.И. Байденко и д-ра тех. наук, проф. Н.А. Селезневой. — М.: Исследовательский центр проблем качества подготовки специалистов, 2009. — 148 с.

Болонский процесс: европейские и национальные структуры квалификаций (Книгаприложение 2) / Под науч. ред. д-ра пед. наук, проф. В.И. Байденко. — М.: Исследовательский центр проблем качества подготовки специалистов, 2009. — 220 с.

Нуртазина Р.А. Глобальные тенденции и модернизация послевузовского профессионального образования Казахстана // Право: теория и практика. -2004. -№3. - C. 62–75.

Berez, A. (2012). Autonomy as a chance for our universities. Publication on January 20, 2012. 125 p. Bergen 2005 // Bologna for Pedestrians // Council of Europe // www.coe.int.

Bologna 2020: Unlocking Europe's potential Contributing to a better world. Ghent Conference, 18–20 May, 2008. Ed. E. Egron-Polak. The Bologna Process – reflections from the international HEI perspective.

Budapest-Vienna Declaration of the European Higher Education Area. March 12, 2010 // Bologna Process // www.ond.vlaanderen.be/

Egron-Polak, E., Hudson, R. (eds.) (2010). Internationalization of Higher Education: Global Trends Regional Perspectives – the IAU 3rd Global Survey Report. Paris: International University Association // www.iau-aiu.net.

European University Association (2008). EUA policy position: The future of the Bologna Process post 2010. EUA position paper, 11: 290–294.

International Association of University Presidents // www.ia-up.org.

Jowi, J.O. (2011) AFRICA: Universities rethink internationalisation — University World News. University World News, 20 November 2011 // www.universityworldnews.com.

Jowi, J.O. (2012) Africa responds to internationalisation: Redefining the terms of engagement between scholars worldwide. In: Kotecha, P. (ed.). Internationalisation in Higher Education: Perspectives from the Global South. Johannesburg: Southern African Regional Universities Association.

 $\it King, K.$ (2008). The New Politics of Partnership: Peril or Promise? Norrag News, 41 // www.norrag.org.

King, K., McGrath, S. (2012). Education and Development in Africa: Lessons of the Past 50 Years for Beyond 2015. Presentation at CAS@50, Centre of African Studies, University of Edinburgh.

Leuven/Louvain-la-Neuve 2009 // Bologna for Pedestrians // Council of Europe // www.coe.int.

London 2007 // Bologna for Pedestrians // Council of Europe // www.coe.int.

Making the Most of Our Potential: Consolidating the European Higher Education Area Bucharest Communiquй FINAL VERSION // www.ehea.info.

Prague 2001 // Bologna for Pedestrians // Council of Europe // www.coe.int.

The Bologna Process 2020 – The European Higher Education Area in the new decade. Communique of the Conference of European Ministers Responsible for Higher Education, Leuven-la-Neuve, 28–29 April 2009 // Bologna Process // www.ond.vlaanderen.be.

The International Network for Quality Assurance Agencies in Higher Education // www.inqaahe.org.

The joint quality initiative // www.jointquality.org.

The Novi Sad Initiative: Addressing Questions of Governance in Creating the European Higher Education Area, 2005, Vol. 10: 224–229.

Стаття надійшла до редакції 23.02.2015.