

## **Law of Turkmenistan on education (new version)**

The Law of Turkmenistan “On Education”, adopted on May 4, 2013 (Bulletin of the Mejlis of Turkmenistan, 2013, No. 2, Art. 21; 2014, No. 4, Art. 159; 2017, No. 1, Art. 36; 2018, No. 2, Article 55; 2020, No. 3, Article 50), reworded:

*The present Law regulates the legal basis of relations and defines the principles of state policy in the field of education, as well as the goals, objectives, functions of the education system and the organizational basis for managing its activities.*

### **CHAPTER I. GENERAL PROVISIONS**

#### **Article 1. The concept of education**

The right to education is one of the fundamental and inalienable constitutional human rights.

Improving education as the basis of the spiritual, social, economic and cultural progress of society is a priority for the development of Turkmenistan.

Education is the subject of purposeful and systematic activity of Turkmenistan, based on meeting the needs of the individual, society, state in the upbringing and education of the younger generation.

Education is understood as an activity aimed at the development and improvement of the individual on the basis of national and universal spiritual, moral, cultural and social values and the rules and norms of behavior adopted in the Turkmen society in the interests of a person, society and the state.

Learning is understood as the process of purposefully mastering knowledge, skills, abilities and competence, developing abilities, gaining experience in applying knowledge in everyday life and forming a person’s deep motivation to get education and improve professional qualifications throughout life.

#### **Article 2. Legislation of Turkmenistan in the field of education and its tasks**

1. The legislation of Turkmenistan in the field of education is based on the Constitution of Turkmenistan, consists of the present Law and other normative legal acts of Turkmenistan regulating the issues of education.

2. The objectives of the legislation of Turkmenistan in the field of education are:

- 1) ensuring and protecting the constitutional right of every person in Turkmenistan for education;
- 2) ensuring inclusive and equitable quality education and encouraging lifelong learning opportunities for citizens of Turkmenistan;
- 3) creating of legal guarantees for the continuous functioning and development of the education system in Turkmenistan;
- 4) improving of the legislation of Turkmenistan in the field of education in accordance with generally recognized international standards related to Turkmenistan;
- 5) determining of powers of public authorities in the field of education;
- 6) determining of the powers and responsibilities of legal entities and individuals in the field of education, as well as the legal regulation of their relations in this area.

### **Article 3. Principles of state policy in the field of education**

The state policy in the field of education is based on the principles:

- 1) equality of the rights of every person in education, taking into account the interests and national characteristics of the full realization of his abilities and talents;
- 2) the humanistic nature of education, the priority of universal human values, human life and health, the free development of the individual;
- 3) the organic connection of education with the history, national culture and traditions of the people of Turkmenistan;
- 4) education of citizenship and patriotism, diligence, respect for human rights and freedoms, love for the environment, family, Motherland;
- 5) general accessibility for each person of all types of educational services provided by the state;
- 6) compulsory general secondary education and preparation of preschool children for school, free of charge in state educational institutions for every citizen of Turkmenistan;

- 7) continuity of education and continuity of its levels;
- 8) the provision of quality education throughout a person's life, at all levels of education and its compliance with modern requirements;
- 9) the diversity of forms of education and types of education, as well as educational institutions by types, types and forms of ownership;
- 10) integration of the education system with science and production and its interaction with the education systems of foreign states;
- 11) the secular nature of the state education system and its separation from religious organizations;
- 12) strengthening the social role of education;
- 13) management of the education system in accordance with generally recognized international norms and practices;
- 14) the democratic nature of the management of the education system, based on ensuring the rights of teachers, students, parents or persons replacing them underage students to participate in the management of educational institutions;
- 15) inadmissibility of restriction or elimination of competition in the field of education;
- 16) provision of the education system with highly qualified teaching staff.

#### **Article 4. State guarantees of the rights of citizens of Turkmenistan in the field of education**

1. Citizens of Turkmenistan are guaranteed the opportunity to receive education regardless of nationality, skin color, gender, origin, property and official status, place of residence, language, attitude to religion, political beliefs or other circumstances, as well as age and health status.

On the basis of gender, age and state of health, the Cabinet of Ministers of Turkmenistan can establish restrictions for obtaining education in certain professions of workers, specialities and areas of training, as well as forms of education.

2. The state provides citizens of Turkmenistan with the right to education by creating an education system and appropriate socio-economic conditions for education.

3. The state guarantees the citizens of Turkmenistan to receive compulsory and free general secondary education, and also provides, in accordance with their abilities, accessible vocational education in state educational institutions.

4. In order to realize the right to education of citizens of Turkmenistan in need of social support, the state bears the cost of their maintenance during the period of their education. Categories of citizens who are provided with state social support, the procedure and amount of its provision are established by the legislation of Turkmenistan.

5. The state creates conditions for citizens of Turkmenistan with disabilities, that is, those with disabilities in physical and (or) mental development, to receive education in educational institutions of a general type (inclusive education). For citizens of Turkmenistan who, due to health reasons, cannot attend educational institutions of a general type, special educational institutions are being created for them to receive education based on special pedagogical approaches, correction of developmental disorders and social adaptation.

6. The state provides assistance in obtaining education to citizens of Turkmenistan who have shown a high level of intellectual development and creative abilities in a certain area of educational and research activities, scientific, technical and artistic creativity, physical culture and sports, including through the provision of special state scholarships to them, including scholarships for studying in foreign countries.

The criteria and procedure for granting special state scholarships are established by the Cabinet of Ministers of Turkmenistan.

### **Article 5. Languages of instruction and education**

1. The languages of instruction and education in educational institutions are determined by the present Law and other normative legal acts of Turkmenistan.

2. The Turkmen language, as the state language, is the main language of education and upbringing in all types of educational institutions of Turkmenistan, regardless of their form of ownership.

All educational institutions must provide instruction in the state language of Turkmenistan.

Vocational educational institutions provide education in the state language of Turkmenistan. Based on the purpose of educational programmes and the specifics of the educational process, a foreign language (languages) can be used as the main language of instruction in such educational institutions.

3. The state assists the citizens of Turkmenistan in learning their native language in accordance with the legislation of Turkmenistan.

4. The state, taking into account the growing global social, environmental and economic interdependence, promotes the acquisition of foreign languages by the citizens of Turkmenistan, including the official working languages of the UN, in educational institutions of all types, regardless of their form of ownership.

The study of foreign languages is included in general and professional educational programmes as compulsory subjects.

5. In educational institutions of foreign states or joint with them, functioning on the territory of Turkmenistan, in accordance with the present Law, other regulatory legal acts and international treaties of Turkmenistan, the main language of instruction is the corresponding foreign language (languages).

6. For students enrolled in an institution of higher professional education of Turkmenistan, in order to improve the knowledge of the state language or the corresponding foreign language at a sufficient level necessary for the educational process, a language training course can be organized within one academic year. The final positive certification of this course allows students to continue their education in the selected educational programmes.

7. The state language of Turkmenistan in educational institutions in which the main language of instruction is the corresponding foreign language (languages) is used to teach academic disciplines included in the national component of the educational programme, which is determined by the authorized executive body in the field of education.

8. The state, in accordance with the international treaties of Turkmenistan, assists persons of Turkmen nationality living outside its territory in obtaining general secondary education in their native language.

## **CHAPTER II. EDUCATION SYSTEM**

### **Article 6. Structure of the education system**

1. The education system in Turkmenistan includes:

- 1) state educational standards;
- 2) educational programmes;
- 3) a network of educational institutions;
- 4) bodies exercising management in the field of education, and other bodies created by them.

2. The structural components of the education system indicated in the first part of this article in their formation, functioning and development must:

- 1) meet the rapidly changing needs of the labour market;
- 2) take into account world technological progress, processes of urbanization and migration, environmental, demographic and other problems of global development;
- 3) ensure the implementation of programmes for the socio-economic development of Turkmenistan.

3. The state ensures the effective functioning of the education system through:

- 1) creation and improvement of appropriate effective management mechanisms;
- 2) ensuring the quality of education;
- 3) digitalization of the education system;
- 4) transparent and efficient financial procedures and mechanisms;
- 5) measures in the field of institutional management.

### **Article 7. State educational standards**

1. State educational standards are introduced in Turkmenistan at all levels of education, ensuring:

- 1) general requirements for the content of educational programmes;
- 2) the maximum amount of teaching load of students;

3) requirements for the level of training of students.

State educational standards are mandatory for all types and types of educational institutions, regardless of their form of ownership, as well as other forms of education.

2. State educational standards for vocational education are developed according to the relevant levels of vocational education in the areas of training, specialties and professions of workers.

3. Learning outcomes in areas of training:

1) provide for the setting and solution of an extended class of professional tasks in an enlarged professional (subject) area based on the totality of knowledge, ideas, skills and abilities acquired as a result of mastering the relevant educational programmes;

2) provide, based on the level of education and the qualifications assigned, basic training sufficient for practical activities, and in-depth and specialized training with a focus on research and pedagogical work.

4. Learning outcomes by specialties:

1) provide for the formulation and solution of a certain class of professional tasks in a specific professional (subject) area based on the totality of knowledge, ideas, skills and abilities acquired as a result of mastering the relevant educational programmes;

2) provide basic training sufficient for practical activities, based on the speciality acquired and the qualifications awarded.

5. The results of training in the professions of workers provide for the performance of a certain type of labour functions in a narrow professional (subject) area based on the totality of knowledge, ideas, skills and abilities acquired as a result of mastering the relevant educational programmes, as well as the qualifications assigned.

6. A qualification is understood as a characteristic of the level of preparation of a graduate to perform a certain type of professional activity or specific labour functions, as well as to continue education, reflected in the document on education.

7. State educational standards are the basis for an objective assessment of the training and qualifications of graduates, regardless of the forms of education.

8. State educational standards are based on advanced innovative achievements of world theory and practice in the field of education and provide:

1) unity of the educational space of Turkmenistan and the continuity of general educational and professional educational programmes;

2) compliance of the educational system of Turkmenistan with the principles of the UNESCO International Standard Classification of Education;

3) achieving a high level of education quality;

4) equivalence of education in the context of a variety of educational programmes and types (kinds) of educational institutions, the recognition of documents on education for the unhindered participation of Turkmenistan in the international labour market;

5) objective assessment of the activities of educational institutions;

6) conjugation of the needs of the economy, expressed in the qualification standards of workers, and the content of vocational education;

7) variability of the content of educational programmes of the corresponding level of education, the possibility of forming educational programmes of various levels of complexity and focus, taking into account the educational needs and abilities of students.

9. State educational standards include requirements for:

1) the structure of educational programmes (including the ratio of the mandatory part of the main educational programme and the part formed directly by educational institutions) and their scope;

2) conditions for the implementation of educational programmes, including personnel, financial, logistical and other conditions;

3) results of the development of educational programmes.

10. For students with disabilities, special state educational standards are established.



11. The development and approval of state educational standards are carried out in the manner established by the Cabinet of Ministers of Turkmenistan.

### **Article 8. Educational programmes**

1. An educational programme is a combination of the content of training, its volume and time of implementation, planned learning outcomes, which is presented in the form of a curriculum, a calendar curriculum, curricula in subjects (cycles, modules, courses), other components, as well as evaluative and teaching materials.

2. In Turkmenistan, educational programmes are divided into:

1) general education;

2) professional.

3. General education programmes are aimed at acquiring knowledge, skills, abilities and competencies that contribute to the formation of a general culture of the individual, its adaptation to life in society, the continuation of education at the next level of general secondary education, and the creation of conditions for a conscious choice of professional educational programmes.

General education programmes include:

1) preschool education;

2) primary education;

3) basic secondary education;

4) complete secondary education;

5) out-of-school and additional education of students.

4. Vocational educational programmes are aimed at acquiring knowledge, abilities, skills and competencies that allow one to conduct professional activities in a certain area and (or) perform work in a specific worker profession or speciality (field of training), as well as to consistently improve professional qualifications.

Professional educational programmes include programmes:

1) vocational education;

2) secondary vocational education;

- 3) higher professional education;
- 4) post-graduate professional education;
- 5) advanced training and retraining of personnel.

5. Regulatory terms for the development of educational programmes in educational institutions are determined by the present Law, as well as the regulations on educational institutions of the relevant types and forms of ownership or the relevant state educational standards.

### **Article 9. Levels of education**

1. The classification of levels of education in Turkmenistan is based on the UNESCO International Standard Classification of Education and is carried out in accordance with the content of educational programmes, based on their complexity, acquired knowledge and skills, established requirements for previous educational programmes, conditions of organization and methods of providing educational services.

2. According to general educational programmes, the following levels of education are established:

- 1) level of preschool education;
- 2) levels of general secondary education:
  - a) primary education;
  - b) basic secondary education;
  - c) complete secondary education.

3. The following levels of education are established for professional educational programmes:

- 1) level of vocational education;
- 2) level of secondary vocational education;
- 3) levels of higher professional education:
  - a) specialist programme;
  - b) bachelor's programme;
  - c) master's programme;

4) level of post-graduate professional education.

## **Article 10. General requirements for the content and quality of education**

1. The content of education should provide:

1) the formation of a general and professional culture among students that meets the international level;

2) integration of the individual into the national and world culture;

3) the formation of high spiritual and moral qualities of the individual;

4) development of the abilities of each person.

2. The content of education should meet the goals of achieving national consolidation of the Turkmen people, ensuring civil, interethnic and interfaith peace and harmony in Turkmenistan, take into account the diversity of worldview approaches, promote the realization of the right of students to choose and freely express their opinions and beliefs.

3. The content of education in an educational institution is determined by educational programmes that ensure that students achieve the requirements set by the relevant state educational standards.

4. Quality education should develop the skills, values, attitudes and knowledge that enable a person to lead a healthy and fulfilling life, make informed decisions and solve national and global problems.

5. The quality of education is ensured by:

1) the availability of innovative teaching methods and modern educational programmes that meet the needs and abilities of students;

2) teaching by qualified, trained, motivated teachers using modern pedagogical approaches and relying on appropriate information and communication technologies;

3) the existence and improvement of systems and methods for assessing quality education, including the assessment of learning tools and processes, as well as the availability of mechanisms to evaluate the results achieved.

## **Article 11. Forms of education and types of education**

1. Taking into account the needs and capabilities of students, the development of educational programmes can take place through such forms of education as studying in an educational institution, self-education, and external studies.
2. For all forms of education within the framework of a general education programme or a professional education programme, unique state educational standards are applied.
3. Educational institutions use such forms of education as full-time (full-time, off-duty), full-and-part-time (on-the-job with training beyond the working hours) and part-time (on-the-job).
4. For general education programmes, a full-time form of education (daytime) is established.
5. Lists of professions of workers, areas of training and specialties for which training in full-and-part-time and part-time forms are not provided and established by the Cabinet of Ministers of Turkmenistan.
6. The conditions for obtaining education through self-education and external study are determined by the legislation of Turkmenistan.

## **Article 12. Categories of students**

Depending on the educational programme, form of study, mode of stay in an educational institution, students include:

- 1) pupils - children attending preschool institutions, and children mastering general educational programmes with simultaneous residence or stay in an educational institution;
- 2) students - children mastering educational programmes of primary, basic secondary and complete secondary education, out-of-school and additional education, as well as vocational education (vocational training) in general educational institutions;
- 3) students - persons mastering educational programmes of secondary vocational education, higher vocational education, as well as vocational education (initial vocational education);
- 4) retrainees - persons mastering educational programmes for advanced training and retraining of personnel, as well as vocational education (vocational training);

5) external students - persons enrolled in general educational institutions for passing a transfer and (or) state final certification in general educational programmes.

### **CHAPTER III. NETWORK OF EDUCATIONAL INSTITUTIONS**

#### **Article 13. Educational institutions**

1. Educational institution is an institution that carries out educational activities, including the implementation of one or more educational programmes for students and their education.

2. An educational institution is a legal entity.

3. Educational institutions in accordance with the legislation of Turkmenistan on property may be state, private and other form of ownership.

The basis of the education system of Turkmenistan is state educational institutions.

4. The effect of the legislation of Turkmenistan in the field of education applies to all educational institutions located in the territory of Turkmenistan, regardless of their form of ownership and subordination.

5. Educational institutions include the following types:

- 1) preschool institutions;
- 2) general educational institutions;
- 3) vocational education institutions;
- 4) institutions of secondary vocational education;
- 5) institutions of higher professional education;
- 6) institutions of post-graduate professional education;
- 7) institutions for advanced training and retraining of personnel;
- 8) special educational institutions for students with disabilities;
- 9) special educational institutions for orphans and children left without parental care or persons replacing them;
- 10) institutions of out-of-school and additional education for students;

11) other institutions carrying out educational activities.

6. The activities of educational institutions are regulated by the provisions on educational institutions of the relevant types and forms of ownership, approved by the Cabinet of Ministers of Turkmenistan, and the charters of these educational institutions developed on their basis.

The activities of educational institutions that implement educational programmes for the training of personnel for military and law enforcement agencies, as well as the admission of citizens of Turkmenistan to them for training, are regulated by the provisions approved by the Cabinet of Ministers of Turkmenistan, and the charters of these educational institutions developed on their basis.

The structure of the charter of an educational institution, the procedure for its approval and registration are regulated by the legislation of Turkmenistan.

7. The status of an educational institution (type, kind, form of ownership) is established by its founder.

8. Educational institutions for the purposes of development and improvement of education have the right to create educational associations (complexes), including:

1) an educational complex on the basis of a general education institution and a preschool institution;

2) an educational complex on the basis of a general education institution, a preschool institution, as well as institutions of out-of-school and additional education for students;

3) a pedagogical association on the basis of an institution of higher (secondary) professional education of a pedagogical profile, a general education institution and (or) a preschool institution;

4) an educational and production complex based on an institution of secondary vocational education and an enterprise (organization, institution) of the corresponding sectoral profile;

5) a scientific and innovative association based on an institution of higher professional education, a scientific organization of the corresponding scientific direction and an enterprise (organization, institution) of the corresponding sectoral profile.

The procedure for the creation and operation of educational associations (complexes) is determined by the legislation of Turkmenistan.

**Article 14. Founders of educational institutions and conditions for their creation**

1. The founders of educational institutions may be:

- 1) public authorities;
- 2) local governments;
- 3) legal entities of Turkmenistan and foreign states;
- 4) public associations registered in the territory of Turkmenistan;
- 5) citizens of Turkmenistan and foreign states.

2. An educational institution is created in accordance with the legislation of Turkmenistan.

3. Educational institutions of all types and kinds, implementing educational programmes for training personnel for military and law enforcement agencies, are created by the decision of the Cabinet of Ministers of Turkmenistan.

4. Educational institutions of foreign states or joint with them may be created in Turkmenistan in accordance with the present Law, other regulatory legal acts and international treaties of Turkmenistan.

5. Relations between the founder and the educational institution are determined by the agreement concluded between them in accordance with the legislation of Turkmenistan.

In case of reorganization of the founder, the rights pass to the respective successors.

6. An educational institution may be reorganized or liquidated in accordance with the legislation of Turkmenistan.

**Article 15. Conditions for the functioning of educational institutions**

1. Educational institutions operate in accordance with the uniform requirements for the implementation of educational activities, determined by state educational standards.

In order to comply with these requirements, educational institutions go through the procedures for licensing activities in the field of education and professional training, state control of the quality of education and state accreditation of educational activities.

2. State educational institutions, in accordance with the Laws of Turkmenistan "On Enterprises" and "On Licensing Certain Types of Activities", carry out activities in the field of education and professional training without a license.

Educational institutions of non-state form of ownership have the right to conduct educational activities under the license, which is issued in accordance with the legislation of Turkmenistan on licensing activities in the field of education and professional training.

3. State control of the quality of education is carried out by the authorized executive body in the field of education through the state final certification of graduates, certification of teaching staff and management personnel, certification of the educational institution itself, as well as scheduled and unscheduled inspections of the content and quality of training of students, their compliance with those educational programmes implemented in educational institutions.

4. State accreditation of educational activities confirms the status of an educational institution (with the exception of a preschool institution), as well as the compliance of the content and quality of training of students with state educational standards and is carried out by the authorized executive body in the field of education.

State accreditation of the educational activities of state educational institutions is carried out on their initiative and on the basis of their applications.

State accreditation of the educational activities of educational institutions of non-state ownership is mandatory and gives them the right to issue their graduates with a state-recognized document on the corresponding education.

5. Issues of licensing activities in the field of education and professional training, state control of the quality of education, state accreditation of educational activities are regulated by regulatory legal acts approved by the Cabinet of Ministers of Turkmenistan.



6. Information about the educational institution is placed in the national segment of the Internet.

**Article 16. General requirements for the organization of educational activities in an educational institution**

1. The organization of educational activities in an educational institution is regulated by the curriculum, curricula of subjects (cycles, modules, courses), the annual calendar curriculum and training schedule.

2. Educational institutions, when organizing educational activities, use educational technologies, including technologies based on direct interaction between students and teachers, e-learning and distance learning technologies.

3. Educational technologies are characterized by the mechanisms for implementing educational programmes and organizing the educational process, the formation of which is based on innovative methods and digital systems, as well as the conditions for interaction between students and teachers.

4. When organizing educational activities, an educational institution may combine various types of educational technologies, when it is impossible to fully use technologies based on the direct interaction between students and teachers, due to the occurrence of circumstances beyond the control of the participants in the educational process.

5. Training sessions conducted within the framework of various educational technologies are equivalent both in class and individual work.

6. Educational technologies undergo scientific and methodological expertise and approbation under the leadership of the authorized executive body in the field of education and are recommended by them for use and distribution in the relevant educational institutions.

7. An educational institution during the educational process uses a system of assessments and forms of attestation of students, developed by the authorized executive body in the field of education.

8. In higher professional education, for bachelor's and master's educational programmes, a credit system is used, for specialist educational programmes - an hourly system, if necessary which is reduced to a credit system.

9. The development of educational programmes at the level of complete secondary education and educational programmes at the levels of vocational

education ends with the mandatory state final certification of students and the issuance of a document on the corresponding education.

10. The development of educational programmes at the levels of primary and basic secondary education ends with a transfer attestation of students.

11. Discipline in an educational institution is maintained on the basis of respect for the human dignity of students and teachers. The use of methods of physical and mental violence against students and teaching staff is not allowed.

12. An educational institution carries out individual accounting of the results of mastering educational programmes by students, as well as storing data on these results in archives on paper and electronic media in the manner established by the authorized executive body in the field of education.

13. The use of mobile technical means of students for the purposes of the educational process is determined in the manner approved by the authorized executive body in the field of education.

### **Article 17. Implementation of educational programmes using e-learning and distance learning technologies**

1. The implementation of educational programmes using e-learning is based on:

- 1) information contained in databases and used in the implementation of educational programmes;
- 2) information technologies and technical means providing information processing;
- 3) information and telecommunication networks that ensure the transmission of the specified information over communication lines and the necessary (required) interaction of students and teachers.

When implementing educational programmes using e-learning, an educational institution provides access for students, teachers, educational support and management personnel to an electronic educational and methodological complex, including:

- 1) the curriculum of the educational programme;
- 2) individual curriculum of the student;

- 3) curricula of subjects (cycles, modules, courses);
- 4) a set of educational resources available in electronic form and providing all types of work in accordance with the curriculum of the subject (cycle, module, course);
- 5) means for quality control of assimilation of material;
- 6) methodological recommendations for the student to study the curriculum of the subject (cycle, module, course).

2. Distance educational technologies are understood as mechanisms for the implementation of educational programmes and the organization of the educational process based on the use of information and telecommunication networks that ensures the interaction of students and teachers in a remote mode.

When implementing educational programmes and organizing the educational process using distance learning technologies, an educational institution provides students with access to:

- 1) the electronic educational and methodological complex;
- 2) the set of information and communication technologies and information and telecommunication networks;
- 3) the appropriate technological means.

These access components are necessary and sufficient to organize the interaction of students remotely with pedagogical, educational support and management personnel, as well as among themselves.

3. A prerequisite for starting training using e-learning and distance learning technologies is the availability in an educational institution of:

- 1) electronic educational and methodological complexes for all curricula of subjects (cycles, modules, courses) for each educational programme;
- 2) electronic library;
- 3) information and communication technologies;
- 4) information and telecommunication networks;
- 5) technological means.

4. When implementing educational programmes and organizing the educational process using e-learning and distance learning technologies, an educational institution provides an appropriate level of training for teaching staff, educational support and management personnel through the organization of retraining, advanced training.

5. An educational institution has the right to use e-learning and distance learning technologies in the implementation of educational programmes and the organization of the educational process in the manner established by the authorized executive body in the field of education, taking into account the provisions of this article.

### **Article 18. General requirements for admission to study at educational institutions of Turkmenistan**

1. General requirements for admission to study at educational institutions of Turkmenistan are determined by the present Law and the regulations on educational institutions of the relevant types and forms of ownership, as well as their charters.

2. An educational institution, when admitting a citizen, is obliged to familiarize him and (or) his parents or people who replace them, as well as through the official website of the educational institution on the Internet, with the charter of the educational institution, permits for the right to conduct educational activities and issue a document on the corresponding education of the state standard, educational programmes implemented by this educational institution, and other documents regulating the organization of educational activities.

3. The state provides access to preschool and general educational institutions for all children living in the territory of Turkmenistan and having such a right in accordance with the established age.

4. Admission of children to state preschool and general educational institutions is carried out on the basis of applications from parents or people who replace them and the procedure established by the authorized executive body in the field of education.

5. Admission to study at state educational institutions for obtaining vocational education is carried out on the basis of applications on a competitive basis. The conditions of the competition must ensure the observance of state guarantees of human rights to education and the

enrollment of people from among the most capable and prepared to master the relevant professional educational programme.

6. Admission to study at state secondary and higher professional educational institutions is carried out in accordance with the plans for the admission of students to study, approved by the Cabinet of Ministers of Turkmenistan.

7. For the purpose of professional growth and promotion of employees in the sectors of the economy, as well as to provide the business sector of the economy with professional personnel, working citizens of Turkmenistan are given the opportunity for:

1) receiving secondary vocational and higher vocational education on the job in specialties (fields of training) related to their production activities;

2) continuing education in institutions of higher professional education in a related speciality (field of study) in a shortened programme with a diploma of secondary vocational education.

8. Admission to institutions of secondary vocational and higher vocational education among the citizens of Turkmenistan living in sparsely populated, remote populated areas can be carried out on the basis of targeted training. The relevant ministries, departments, local executive authorities, enterprises and organizations of the non-state sector of the economy can be customers of targeted training.

Targeted training is formalized by an agreement, the parties to which are a citizen of Turkmenistan and his parents or people who replace them, a customer, a professional educational institution, a local executive authority.

The form of the contract is determined and approved by the authorized executive body in the field of education.

The contract must provide:

1) conditions for financing studies, including scholarships;

2) the obligation of a citizen of Turkmenistan after graduation from an educational institution to work in the relevant production for a period determined by the contract;

3) the responsibility of the parties, including financial, in case of non-fulfillment of the terms of the contract.

9. State institutions of secondary vocational and higher vocational education, when admitted to specialties and (or) areas of training that require applicants to have certain creative abilities, physical and (or) psychological qualities, have the right to conduct additional entrance tests of creative and (or) professional directions, the results of which are taken into account during the competition along with the results of entrance examinations in general education subjects.

The list of areas of training (specialties) for which, upon admission, additional tests of a creative and (or) professional orientation may be carried out, is determined by the Cabinet of Ministers of Turkmenistan.

The list of additional tests and the conditions for admission to state institutions of secondary vocational and higher vocational education, training in which is associated with entering the civil service and the citizens of Turkmenistan having access to information constituting a state secret, are established by the Cabinet of Ministers of Turkmenistan.

10. Graduates of educational institutions of Turkmenistan, awarded with gold, silver and bronze medals, are enrolled in state institutions of vocational education in accordance with the following conditions:

1) awarded with gold medals - to higher educational institutions without passing entrance tests for admission to a speciality (field of study) in the profile of state (I place) and international (winner) subject Olympiads; to secondary vocational schools without passing entrance examinations;

2) those awarded with silver medals - to higher educational institutions upon successful passing (the highest mark or the highest score) of the entrance test in one of the core subjects upon admission to the speciality (field of study) in the profile of state (I or II place) and international (participant) subject Olympiads; to secondary vocational schools without passing entrance examinations;

3) those awarded with bronze medals - to higher educational institutions upon successful passing (the highest mark or the highest score) of entrance examinations in two specialized subjects upon admission to a speciality (field of study) in the profile of state (winner) and international (participant) subject Olympiads; to secondary vocational schools without passing entrance examinations.

11. Out of competition, the following are enrolled in state institutions of vocational education, subject to successful completion of entrance examinations:

- 1) orphans and children left without parental care or people who replace them;
- 2) children with disabilities, people with disabilities of groups I and II, who, according to the conclusion of the Medical and Social Expert Commission, are allowed to study in the relevant educational institutions;
- 3) children of military personnel (workers) of military and law enforcement agencies who died in the line of duty;
- 4) graduates of general educational institutions, awarded with gold, silver and bronze medals, who have not fulfilled the conditions of part ten of this article;
- 5) children from big (at least eight children) families.

12. The priority right to enroll in state institutions of vocational education, subject to successful completion of entrance examinations, is enjoyed by:

- 1) winners of the state Olympiad for schoolchildren, members of the national teams of Turkmenistan participating in international Olympiads in academic subjects;
- 2) champions of Turkmenistan and winners of international sports competitions entering educational institutions for the areas of training (speciality) in the field of physical culture and sports;
- 3) winners of national and international creative competitions entering educational institutions for creative areas of training (speciality);
- 4) people with disabilities of group III;
- 5) people who have completed military service by conscription;
- 6) people who have at least two years of work experience in the chosen area of training (speciality).

13. Admission to study in educational institutions of non-state form of ownership of all types is carried out in accordance with the provisions of the present Law and their charters.

Admission to study at educational institutions of foreign states and joint with them, created in Turkmenistan, is carried out in accordance with the present Law, other regulatory legal acts and international treaties of Turkmenistan.

14. A working citizen of Turkmenistan, admitted to entrance examinations to an institution of secondary vocational or higher vocational education, in accordance with the labour legislation of Turkmenistan, at his request, is granted leave without pay, respectively, up to ten and fifteen calendar days, not counting the travel time to the location educational institution and vice versa.

### **Article 19. Special educational institutions**

1. For orphans and children left without parental care or people who replace them, special educational institutions are created, the maintenance in which is carried out on the conditions of full provision by the state. The state promotes and provides support in the creation and operation of family-type orphanages.

2. For children in need of long-term treatment, with disabilities in physical or mental development, who for health reasons cannot attend educational institutions of a general type, special educational institutions are created.

3. The activity of special educational institutions, specified in parts one and two of this article, is regulated by the regulations on them, approved by the Cabinet of Ministers of Turkmenistan.

## **CHAPTER IV. IMPLEMENTATION OF GENERAL EDUCATIONAL PROGRAMMES**

### **Article 20. Preschool education**

1. Preschool education serves the purposes of teaching and educating children from early childhood and ensures the formation of the foundations for the physical and intellectual development of the child's personality, familiarizing him with national and universal spiritual and cultural values, identifying and developing his abilities and talents.

2. Preschool education covers children from one to six years old and includes educational programmes:

1) early development and education of children of primary preschool age (from one year to five years);

2) preparing preschool children for school (from five to six years).



3. Educational programmes for early development and education of children of primary preschool age are aimed at creating a learning environment based on visual and auditory perception and the language environment.

The basic components of these programmes are:

- 1) mastery of oral speech and its use for meaningful communication;
- 2) the implementation of opportunities for active play in order to develop coordination of large and small motor skills in children;
- 3) mastering the basics of personal hygiene and a healthy lifestyle.

The implementation of educational programmes for early development and education of children of primary preschool age is carried out under the supervision of teachers and in their interactive interaction with children.

4. Educational programmes for preparing preschool children for school, implemented through the interactive interaction of children with each other and (or) with teachers, are aimed at:

- 1) improving children's oral speech and social skills;
- 2) the initial development of logical thinking in children and the ability to argue and communicate through the intellectual process;
- 3) knowledge of the alphabet and mathematical concepts;
- 4) familiarization with the outer world and the environment;
- 5) development of gross motor skills (physical exercises through games and other activities).

Play-based classes are used as a form of education to create conditions for social interaction between children and to develop skills, independence and readiness for schooling.

5. The preparation of preschool children for school is mandatory and is carried out for at least one academic year in preschool, general education or other educational institutions, as well as, as an exception, in the family.

6. The quality of preparation of preschool children for school is ensured by teaching staff trained to conduct classes according to the relevant educational programme.

7. Executive authorities in the field of education, together with local governments, organize and coordinate methodological and advisory assistance to families preparing preschool children for school at home.

8. For the upbringing and education of children of preschool age, a network of preschool institutions operates in Turkmenistan to help families.

As types of preschool institutions, based on the conditions of their functioning, there can be nurseries, kindergartens and others.

Executive authorities in the field of education carry out methodological guidance and control over the activities of all preschool institutions, regardless of their departmental subordination and form of ownership.

### **Article 21. Primary education**

1. Educational programmes at the level of primary education are aimed at shaping the student's personality, developing his individual abilities and skills in educational activities, including mastering reading, writing, counting, elements of theoretical thinking, the simplest skills of self-control, a culture of behavior and speech, the basics of personal hygiene and healthy lifestyle.

2. Primary education is compulsory.

3. Learning the educational programmes at the level of primary education begins with children who reach the age of six years in the year of entry into a general education institution.

4. The normative period for mastering educational programmes at the level of primary education is at least four academic years.

5. Primary education can be obtained in one of the following types of general education institutions: general education school, general education boarding school, specialized general education school (indicating the direction of profile education), general education school-gymnasium (in-depth study of subjects in the areas of profile education, inclusion in research work, creativity, a wide range of additional educational services) and others.

6. At the level of primary education, the organization of the educational process on the basis of an integrated approach and responsibility for a group of students (a classroom) are assigned to a specific teacher. At the same time, other teaching staff may be involved in conducting training sessions in specialized subjects in the classroom.

7. Primary education ends with a transfer attestation, the positive result of which allows the student to continue studying in the educational programmes of basic secondary education.

## **Article 22. Basic secondary education**

1. Educational programmes at the level of basic secondary education are aimed at the formation and development of the student's personality by mastering the basics of science, the skills of mental and physical labour; identification of his inclinations and interests; the formation of high moral convictions, aesthetic taste and desire for a healthy lifestyle, a high culture of interpersonal and interethnic communication.

Educational programmes at the level of basic secondary education are aimed at developing students' abilities for social self-determination and at forming a conscious professional orientation.

2. Basic secondary education is compulsory.

3. Learning the educational programmes at the level of basic secondary education begins with children who have completed primary education.

4. The standard term for mastering educational programmes at the level of basic secondary education is, as a rule, up to six academic years, while the total duration of education in a general education institution, taking into account primary education, will be up to ten academic years.

5. Basic secondary education can be obtained in one of the following types of general education institutions: general education school, general education boarding school, specialized general education school (indicating the direction of profile education), general education school-gymnasium (in-depth study of subjects in the areas of profile education, familiarization with research work, creativity, a wide range of additional educational services) and others.

6. Educational programmes at the level of basic secondary education are carried out according to a curriculum focused on specific subjects with an explanation of theoretical concepts on a wide range of issues.

Classroom teaching is conducted by several teaching staff that have pedagogical training in one or more specialized subjects.

7. Basic secondary education ends with a transfer certification, the positive result of which allows the student to continue studying in the educational

programmes of complete secondary education, taking into account the recommended specialized areas.

### **Article 23. Complete secondary education**

1. Educational programmes at the level of complete secondary education are aimed at developing the cognitive interests and creative abilities of the student; formation of skills of independent educational activity on the basis of profile, differentiation and professional orientation of the content of education; preparing the student for life in society, independent life choice and the beginning of labour activity.

Educational programmes at the level of complete secondary education are aimed at specialized and in-depth study of subjects that are more differentiated and provide students with a wider choice of opportunities and directions for preparing for the development of professional educational programmes.

2. Education in educational programmes at the level of complete secondary education is carried out in one of the specialized areas specified in Article 24 of the present Law, chosen by the student on the basis of interests, inclinations and abilities, as well as recommendations from a general education institution based on the results of mastering the educational programme at the level of basic secondary education.

3. Education in educational programmes at the level of complete secondary education begins with children who have a basic secondary education.

4. Complete secondary education is compulsory and can be obtained in one of the following types of general education institutions: general education school, general education boarding school, specialized general education - school (indicating the direction of profile education), general education school-gymnasium (in-depth study of subjects in the areas of profile education), involvement in research work, creativity, a wide range of additional educational services) and others.

5. The standard term for mastering educational programmes at the level of complete secondary education is two academic years, while the total duration of education in a general education institution, taking into account the levels of primary and basic secondary education, will be up to twelve academic years.

6. The development of educational programmes at the level of complete secondary education in general educational institutions ends with the state final certification and the issuance of a certificate of general secondary education, which allows the student to continue their education in educational programmes of vocational education.

Graduates of general educational institutions who have shown high results in studies for the entire period of study, at state and international subject Olympiads and in public work, are awarded gold, silver and bronze medals in accordance with the regulation approved by the Cabinet of Ministers of Turkmenistan.

7. At the level of complete secondary education, students undergo vocational training in accordance with Article 26 of the present Law.

8. Citizens of Turkmenistan who have not mastered general education programmes in a timely manner can complete them through the external study system in order to obtain a document on general secondary education, the provision on which is approved by the authorized executive body in the field of education.

#### **Article 24**

1. The content of educational programmes at the level of complete secondary education is determined on the basis of the profile of education, that is, the orientation of educational programmes to specific areas of knowledge and the requirements for the results of specialized education.

Profile education can be extended to the entire period of study in a specialized general education school and a general education school-gymnasium.

2. Profile education provides for the introduction of subjects into general education programmes, which, in terms of composition and content, should contribute to the effective organization of the educational process and the qualitative development of educational programmes in vocational education institutions.

3. Profile training is formed in the following areas:

- 1) Exact Sciences;
- 2) Natural Science;

3) Humanitarian and Social Sciences;

4) Natural and Exact Sciences.

The specified list of areas of specialized education can be expanded, based on the predicted demand for the sectors of the economy of Turkmenistan in professional personnel in certain areas of knowledge and areas of activity.

4. The profile direction “Exact Sciences” is based on the study of specialized subjects included in the relevant curriculum and contributing to the development of students' inclinations for engineering and technical activities, constructive thinking, invention, as well as the use of information and communication technologies.

General educational institutions or their educational structures, for which the profile direction “Exact Sciences” is defined, may have a mathematical bias, in-depth study of technologies, including digital and robotic technologies, and other types of specialization.

5. The profile direction “Natural Science” is based on the study of specialized subjects included in the relevant curriculum and contributing to students' basic knowledge in the field of the laws of nature related to environmental specialization.

6. The profile direction “Humanitarian and Social Science” is based on the study of specialized academic subjects included in the relevant curriculum and contributing to students' knowledge in the field of history, culture and art, national heritage, education, and other aspects of spirituality.

7. The profile direction “Natural and Exact Sciences” is based on the study of specialized subjects included in the relevant curriculum and contributing to the development of students' inclinations to the knowledge of human nature, his physical health, and environmental well-being in the world around him.

8. Specialization of educational institutions in specialized areas is carried out as follows:

1) multidisciplinary education on the basis of a general education school-gymnasium can be organized in the city of Ashgabat and region centers;

2) one-profile training on the basis of a specialized general education school can be organized in the city of Ashgabat, region centers, as well as, if appropriate conditions exist, in other cities and region centers;

3) classes, specialized in the profiles of education, on the basis of a general education school, a general education boarding school can be organized in cities and region centers;

4) groups in the classroom, specialized in the profiles of education, on the basis of a general education school, a general education boarding school can be organized in rural areas and in small schools.

The list of specialized areas for educational institutions is established by the authorized executive body in the field of education.

### **Article 25. Out-of-school and additional education of students**

1. Out-of-school and additional education of students is an integral part of the education system and is aimed at shaping and developing the creative abilities of children, meeting their individual needs for intellectual, moral and physical improvement, forming a culture of a healthy and safe lifestyle, strengthening health, as well as organizing their free time.

2. Out-of-school and additional education of students is implemented by educational programmes that must take into account the age and individual characteristics of children.

3. In order to develop the diverse interests and abilities of children, a network of institutions of out-of-school and additional education of students is being created: cultural, aesthetic, creative, natural scientific, technical, sports, and others, whose activities are regulated by the legislation of Turkmenistan.

4. Any student is allowed to master educational programmes of out-of-school and additional education of students without presenting requirements for the level of education, unless otherwise stipulated by the specifics of the educational programme being implemented, on the basis of the principle of voluntary choice according to the interests of both the type of institution of out-of-school and additional education of students, and the type of educational programmes.

5. The content of out-of-school education of students and the terms of training are determined by the educational programme developed by the institution carrying out educational activities in the field of out-of-school education of students and approved by the authorized executive body in the field of education.

The development of educational programmes of out-of-school education of students ends with the final certification of students with the issuance of an appropriate document.

6. Educational programmes for additional education of students in the field of arts are developed and approved by the authorized executive body in the field of culture in agreement with the authorized executive body in the field of education.

Educational programmes for additional education of students in the field of Arts are aimed at identifying gifted children at an early age, creating conditions for their art education and aesthetic education, acquiring knowledge, skills in the field of the chosen art form, experience in creative activity and preparing them for professional education in the field of arts.

Admission to study under educational programmes of additional education of students in the field of Arts is carried out according to the results of the selection carried out in order to identify children who have the creative abilities necessary for mastering the relevant educational programme, in the manner established by the authorized executive body in the field of culture in agreement with the authorized executive body authorities in the field of education.

The development of educational programmes for additional education of students in the field of Arts ends with the final certification of students, the form and procedure for which are established by the authorized executive body in the field of culture in agreement with the authorized executive body in the field of education, and the issuance of an appropriate document.

Educational programmes for additional education of students in the field of Arts are implemented in institutions of additional education for students – children’s art schools (by type of art), as well as on the educational base of the relevant institutions of secondary vocational and higher vocational education.

7. Educational programmes for additional education of students in the field of physical culture and sports are developed and approved by the authorized executive body in the field of physical culture and sports in agreement with the authorized executive body in the field of education.

Educational programmes for additional education of students in the field of physical culture and sports are aimed at selecting gifted children, creating



conditions for their physical education, obtaining their initial knowledge, skills in the field of physical culture and sports (including the chosen sport) and preparing for mastering stages of sports training.

Admission to study under educational programmes of additional education of students in the field of physical culture and sports is carried out on the basis of the results of the selection carried out in order to identify children who have the abilities necessary for mastering the corresponding educational programme in the field of physical culture and sports, in the manner established by the authorized executive body in the field of physical culture and sports in agreement with the authorized executive body of the field of education.

Educational programmes of additional education of students in the field of physical culture and sports are implemented in institutions of additional education for students - children's sports schools, as well as on the sports base of the relevant institutions of secondary vocational and higher professional education.

The development of educational programmes of additional education of students in the field of physical culture and sports ends with the final attestation of students, the form and procedure for which are established by the authorized executive body in the field of physical culture and sports in agreement with the authorized executive body in the field of education, and the issuance of an appropriate document.

## **CHAPTER V. IMPLEMENTATION OF PROFESSIONAL EDUCATIONAL PROGRAMMES**

### **Article 26. Vocational education**

1. Vocational education aims to train qualified workers (in the professions of workers, positions of employees) in all main areas of socially useful work.
2. The period of study for educational programmes of vocational education is from one to one and a half academic year (initial vocational education) and up to six academic months (vocational training) depending on the level of complexity of the relevant professions of workers and positions of employees, the frequency (schedule) of conducting training classes.
3. The list of professions of workers and positions of employees, the training of which is carried out according to educational programmes with a period of

study from one to one and a half academic year, is determined by the State Classifier of Professions of Workers and Positions of Employees of Primary Vocational Education of Turkmenistan or the Cabinet of Ministers of Turkmenistan.

The list of professions of workers and positions of employees, the training of which is carried out according to educational programmes with a period of study up to six academic months, is determined by the Classifier of Professions of Workers and Positions of Employees for the vocational training of Turkmenistan, approved by the authorized executive body in the field of education.

4. Vocational education can be obtained in the educational departments of enterprises, institutions and organizations of a non-educational profile, in general educational institutions, institutions of vocational (elementary vocational school, lyceum and other types), secondary vocational and higher vocational education, carrying out educational works in accordance with the present Law and the legislation of Turkmenistan on licensing certain types of works, as well as in the order of individual training from specialists with the appropriate qualifications and licenses.

5. Training in educational programmes of primary vocational education is carried out in the presence of at least general secondary education.

6. Curriculum for educational programmes of vocational education is approved by the authorized executive body in the field of education.

Training in the educational programmes of vocational education is carried out both in full-time and part-time forms of education.

7. General educational institutions at the level of complete secondary education provide training for students in vocational training.

The list of educational programmes for vocational training is consistent with the local executive authorities in whose areas general educational institutions are located.

Local executive authorities provide organizational and production conditions for training students in educational programmes for vocational training.

8. Obtaining a vocational education is certified by an appropriate document, which allows its owner, according to the qualifications assigned, to apply for the performance of the relevant professional activity (work, group of works).

## **Article 27. Secondary vocational education**

1. Secondary vocational education is aimed at satisfaction of individual needs in obtaining and deepening professional education, in intellectual and cultural development and aims to train mid-level specialists for the relevant sectors of the economy of Turkmenistan.
2. Training in educational programmes at the level of secondary vocational education is carried out in the presence of at least general secondary education.
3. Secondary vocational education can be obtained in the various types institutions of secondary vocational education (secondary vocational school, college, etc.), as well as in institutions of higher professional education, if there are licenses for the relevant educational programmes.
4. Training in educational programmes of secondary vocational education is carried out in full-time, part-time and full-and-part-time forms of education.
5. Specialties for educational programmes of secondary vocational education are determined by the State Classifier of Specialties of Secondary Vocational Education of Turkmenistan or the Cabinet of Ministers of Turkmenistan.
6. Admission of students in educational programmes of secondary vocational education in part-time and full-and-part-time forms of study is carried out as long citizen's work experience at least two years at the workplace or in a position related to the speciality chosen in the educational institution, and the availability recommendations from the employer.
7. The standard period for mastering educational programmes at the level of secondary vocational education is from two to four academic years, depending on the speciality being studied and the form of education. The specific period of study is determined by the curriculum of the relevant speciality, approved by the Cabinet of Ministers of Turkmenistan.
8. Obtaining secondary vocational education is certified by a document on education indicating granting the qualification of a mid-level specialist in the relevant speciality.
9. Graduates of an educational institution who have completed their studies in educational programmes of secondary vocational education are sent to work in accordance with the Regulations on the placement of graduates of

institutions of secondary vocational and higher professional education, approved by the Cabinet of Ministers of Turkmenistan.

10. The document on secondary vocational education allows to enter the institutions of higher vocational education of Turkmenistan, as well as continue education in the institutions of higher vocational education of Turkmenistan in an abbreviated form of education in the speciality (training area) corresponding to the (related) speciality specified in the document.

### **Article 28. Higher professional education**

1. Educational programmes of levels of higher professional education provide fundamental theoretical and practical training of highly qualified personnel in areas of training and specialties for the sectors of the economy of Turkmenistan, as well as satisfaction the needs of the individual in intellectual, cultural and moral development, deepening and expanding professional education, scientific and pedagogical qualifications.

2. Higher professional education in Turkmenistan has both two-level and one-level structures for training personnel.

3. The first level of higher professional education (further referred to as the bachelor's programme) of a two-level structure is defined as higher education, which allows to carry out all types of professional activities, training in which is carried out in the areas of training.

Training under the bachelor's programme is carried out in the presence of at least general secondary education.

Education under the bachelor's programme is carried out in full-time, part-time and full-and-part-time forms of education.

Admission of students under the bachelor's programme in part-time and full-and-part-time forms of study is carried out subject to the citizen having at least two years of work experience in the workplace or in positions related to the direction of training chosen in the educational institution, and the recommendation of his employer.

4. The second level of higher professional education (further referred to as the master's programme) of a two-level structure is defined as higher education that provides training for independent solution of a number of professional and (or) managerial tasks, for conducting various types of

pedagogical works and for conducting research work, training in which is carried out in the areas of training.

Training under the master's programme is carried out on the basis of at least higher education.

Education under the master's programmes is carried out, as a rule, on a full-time basis. Part-time education can take place:

1) in case of coincidence (affinity) of the direction of training in the bachelor's programme (speciality in the programme of a specialist) and the direction of training in the master's programme, according to which training is supposed, as well as in the implementation of production (pedagogical, scientific) works in accordance with the qualification of the higher education received;

2) under the training in a master's programme in a pedagogical profile, that is necessary for admission to educational works in accordance with Article 47 of the present Law.

5. Higher professional education of a single-level structure of personnel training (further referred to as the specialist's programme) is defined as higher education that allows to carry out all types of professional, pedagogical and research activities, training in which is carried out in specialties.

Training under the specialist programme is carried out in the presence of at least general secondary education.

Training under the specialist's programme is carried out in full-time, part-time and full-and-part-time forms of education.

Admission of students under the programme of a specialist in part-time and full-and-part-time forms of education is subject to the citizen having at least two years of work experience in the workplace or in positions related to the speciality chosen in the educational institution, and the recommendation of his employer.

6. Persons in the presence of a document on secondary vocational education can continue their education in institutions of higher vocational education in the relevant (related) speciality (field of study) according to an abbreviated programme in accordance with the procedure established by the Cabinet of Ministers of Turkmenistan.

7. Studying in the following educational programmes of higher professional education refers to obtain a second higher education:

1) under a bachelor's programme or a specialist's programme - by persons who have a bachelor's degree, a specialist's degree or a master's degree;

2) under the master's programme - by persons who have a specialist diploma or a master's diploma.

Persons who have a document on higher professional education can continue their studies at institutions of higher professional education to receive a second higher education under a bachelor's programme or a specialist's programme in the relevant (related) speciality (field of study) according to an abbreviated programme, in accordance with the procedure established by the Cabinet of Ministers of Turkmenistan.

8. Higher professional education can be obtained at institutions of higher professional education (higher educational institutions) of various forms of ownership (state, private and others), types (university, academy, conservatory, institute and others) and purpose (national and regional).

9. Higher educational institutions of national purpose (university, academy, conservatory) train professional personnel for the basic sectors of the economy of Turkmenistan and scientific organizations, which are entrusted with their partial financing and material and technical equipment.

National higher education institutions organize their works in accordance with the requirements of international ratings for the quality of teaching, the quality of scientific research and income from research and development, the level of internationalization and international cooperation, financial stability and other requirements for higher education institutions of international level.

Higher educational institutions of regional purpose (institutes) train specialists of mass professions (pedagogical, economic, agricultural, public utilities and other specialties) most popular in the regions of the country.

10. A higher education institution included in the international rating may be granted the right (status) of autonomy by the authorized executive body in the field of education, allowing it to independently carry out educational, research, personnel, financial, economic and other works in compatibility with state systems accountability, especially in the field of public financing, in accordance with the legislation of Turkmenistan and its charter.

11. Higher education institutions may create:

1) scientific organizations in accordance with the areas of scientific activity and the profile of fundamental and applied research in accordance with the Law of Turkmenistan “On Scientific Organizations”;

2) subjects of innovation infrastructure in order to support and service innovation works in accordance with the Laws of Turkmenistan “On Innovation Activity” and “On Science and Technology Parks”;

3) scientific and scientific-pedagogical schools in order to form and develop the scientific potential of the country;

4) departments, other educational structures based on scientific, pedagogical, medical, cultural, industrial and other organizations.

The works of these structures are aimed at ensuring the quality of training of personnel with higher education through the involvement of students, young scientists and teachers under the guidance of leading scientists and teachers in research work and the practical development of innovative production methods.

12. The areas of training and specialties in educational programmes of higher professional education are determined by the State Classifier of Directions of Training and Specialties of higher professional education of Turkmenistan or the Cabinet of Ministers of Turkmenistan.

13. The standard term for mastering educational programmes of higher professional education is for full-time education:

1) bachelor's programme - four academic years;

2) master's programme - from one to two academic years;

3) specialist's programme - from five to six academic years.

The specific period of study for full-and-part-time and part-time forms of study is determined by the curriculum of the relevant area of training (speciality).

14. Obtaining higher professional education is certified by a document on education with the assignment of the following qualifications:

1) bachelor's degree indicating the direction of training (bachelor's programme);

2) a master's degree indicating the direction of training (master's programme);

3) a specialist with an indication of the speciality (specialist's programme).

15. Graduates of higher educational institutions are sent to work in accordance with the Regulations on the placement of graduates of institutions of secondary vocational and higher vocational education, approved by the Cabinet of Ministers of Turkmenistan.

16. Documents on higher professional education with the qualifications of a specialist and a master's degree allow their holders to continue their studies in educational programmes of postgraduate professional education.

A document on higher professional education with a bachelor's degree qualification allows its holders to continue their studies in a master's programme.

## **Article 29. Postgraduate professional education**

1. Postgraduate professional education includes:

1) training of highly qualified scientific and scientific-pedagogical personnel as the highest level of the continuous education system in Turkmenistan;

2) training of highly qualified medical specialists in internship and (or) clinical residency programmes.

2. Postgraduate professional education is carried out in availability of higher professional education (master's degree, specialist's degree).

3. Postgraduate professional education for the preparation of scientific and scientific-pedagogical personnel of the highest qualification can be obtained in institutions of higher professional education and scientific organizations, as well as through competition.

4. Postgraduate professional education for the training of highly qualified medical specialists in internship and (or) clinical residency programmes can be obtained in educational institutions and scientific organizations engaged in medical or pharmaceutical works; in medical institutions with structural units



of educational institutions and scientific organizations of medical profile, as well as in organizations engaged in the production of medicines, production and manufacture of medical devices, pharmacy and other organizations operating in the field of protecting the health of citizens of Turkmenistan.

Passage of internship and (or) clinical residency programmes is carried out for graduates of a higher educational institution of a medical profile who studied on a budgetary basis - at the expense of the State Budget of Turkmenistan, and who studied on a paid basis - at their own expense.

5. Issues of postgraduate professional education are regulated by the legislation of Turkmenistan.

### **Article 30. Advanced training and retraining of personnel**

1. Advanced training and retraining of personnel are carried out with the aim of deepening professional knowledge and skills, updating professional knowledge, taking into account modern achievements in the field of science and technology, as well as international practice, acquiring new professions, specialties and qualifications and ensuring their compliance with the changing conditions of professional work and social environment.

2. Advanced training is aimed at improving and (or) obtaining new competencies necessary for professional works, and (or) raising the professional level within the existing qualifications.

3. Retraining of personnel is aimed at obtaining the competence necessary to perform a new type of professional activity, acquiring a new qualification.

4. The content of advanced training and retraining of personnel is determined by the educational programme developed by the organization carrying out educational works and approved by the authorized executive body in the field of education, taking into account the needs of the person, organization, at the initiative of which advanced training or retraining of personnel is carried out.

5. The content of educational programmes for advanced training and retraining of personnel should take into account:

1) qualification requirements specified in the tariff and qualification reference books for the relevant positions, professions and specialties;

2) qualification requirements for professional knowledge and skills necessary for the performance of official duties, which are established in accordance

with the legislation and other regulatory legal acts of Turkmenistan on public service.

6. Studying in educational programmes for advanced training and retraining of personnel can be carried out at a time, continuously or in stages.

7. The forms of studying and the terms for mastering educational programmes for advanced training and retraining of personnel are determined by the educational programme and (or) the agreement on education.

8. The development of educational programmes for advanced training and retraining of personnel ends with the final attestation of students in the form determined by the organization carrying out educational works independently.

9. Persons who have successfully mastered the relevant educational programme for advanced training and (or) retraining of personnel and have passed the final certification are provided with document on advanced training and (or) professional retraining.

10. In accordance with the labour legislation of Turkmenistan, the employer for his own needs independently determines the need for personnel, forms of advanced training and retraining, which are carried out in the manner determined by the labour or collective agreement (treaty), as well as the conditions for the employees to perform the relevant types of activities (work, services).

If the employee, upon completion of professional retraining or advanced training, fails to fulfill his obligations under the contract without valid reason, he is obliged to reimburse the employer for the expenses incurred by him for these purposes.

11. Advanced training and retraining of personnel can be carried out both at the expense of the State budget of Turkmenistan, and on a contractual basis in educational institutions of all types, in scientific organizations and in industries, other organizations with a license for works in the field of education and professional training of personnel, according to the form of training determined by the requirements of advanced training and retraining programmes.

12. The issues of organizing and conducting advanced training and retraining of personnel are regulated by the legislation of Turkmenistan.

## **CHAPTER VI. EDUCATION OF STUDENTS**

### **Article 31. Basic provisions of education of students.**

1. The main goal of educating students is to form and develop in the younger generation the most important socially significant civic qualities and the ability to manifest them in the creative process in the interests of the individual, society and the state.

2. The main areas of education of students include:

- 1) spiritual and moral education;
- 2) civic-patriotic education;
- 3) military-patriotic education;
- 4) social education;
- 5) cultural and historical education;
- 6) education of a healthy lifestyle.

3. Spiritual and moral education of students is implemented through a set of activities aimed at:

- 1) awareness by the individual of higher values, ideals and guidelines, socially significant processes and phenomena in real life;
- 2) the formation of moral consciousness, the development of moral feelings and the development of skills and habits of moral behavior;
- 3) education of the beauty of the physical body, not disfigured by various artificial wearable images and other cosmetic procedures that are not characteristic of the historical and cultural traditions of the Turkmen people;
- 4) protection from the influence of religious and other organizations whose works are capable of harming the health, moral and spiritual development of the individual.

4. Civil-patriotic education of students is implemented through a set of measures aimed at:

1) education in students of the conscious need for selfless, disinterested service to the Fatherland in the performance of official, labour and public duties, love for the native land;

2) the formation of a legal culture and law-abidingness, internal freedom and respect for state power, state symbols, high morality and general culture, self-esteem and discipline;

3) harmonious manifestation of national feelings and culture of interethnic communication, active citizenship, constant readiness to fulfill one's civic duty and constitutional obligations, pride in participation in the outstanding deeds of ancestors and their traditions.

5.° Military-patriotic education students is implemented through a set of activities aimed at:

1) formation among students of a conscious need to fulfill the constitutional duty in the protection of the Fatherland;

2) increasing the prestige of service in the ranks of the Armed Forces of Turkmenistan, preparing for military service;

3) fostering pride in the Armed Forces of the country, respect for national history, military service and uniforms;

4) preservation, enhancement of the glorious military traditions of the ancestors, perpetuation of the memory of the soldiers who died defending the Fatherland.

6. Social education of students is implemented through a set of activities aimed at:

1) enhancement of the social community of the people;

2) continuity of generations, respect for generally accepted norms of morality;

3) strengthening the family, developing the need to care for children, the elderly, other categories of citizens requiring special care and attention;

4) development of volunteering and charity.

7. Cultural and historical education of students is implemented through a set of activities aimed at:

- 1) preservation and respect for historical and cultural traditions, their continuity for the present and future development of Turkmenistan;
- 2) development of students' national and cultural self-awareness.

8. Education of a healthy lifestyle of students is implemented through a set of activities aimed at:

- 1) promotion of physical culture and a healthy lifestyle;
- 2) development of massive sports and a healthy lifestyle.

9. In order to implement the state policy in the field of education of students, an education system is being created, which is the most important, integral part of the education system and is designed to consolidate and coordinate all multifaceted work in this area.

10. The basis for the implementation of state policy in the field of education of students is state programmes for the education of children and youth, approved by the Cabinet of Ministers of Turkmenistan.

11. Financial support for the position of public and other services in the field of education of students is carried out in accordance with the legislation of Turkmenistan.

12. The legal regulation of works in the field of education of students is determined by the Constitution of Turkmenistan, the legislation of Turkmenistan, including the present Law and the Laws “On State Youth Policy”, “On Physical Culture and Sports”, “On Culture”, “On Protection of the Health of Citizens”, “On military duty and military service”, the Family Code and other normative legal acts of Turkmenistan regulating issues in the field of educating children and youth.

### **Article 32. Education of students in educational institutions**

1. The education of students in educational institutions is carried out in the learning process and outside of educational activities.

2. The main areas of work on the education of students in educational institutions are:

- 1) the formation of a spiritually and morally mature creative personality on the basis of national and universal values;
- 2) education of a citizen and a patriot;
- 3) fostering respect for oneself and other people, family, traditions and customs of the Turkmen people, culture of other national communities;
- 4) formation of creative skills;
- 5) pedagogical and psychological support in the social development of the individual;
- 6) development of a sense of collectivism and interpersonal communication skills;
- 7) mastering the skills of cultural behavior, a healthy lifestyle;
- 8) formation of ecological culture;
- 9) psychological and pedagogical prevention of violations among children and youth;
- 10) formation of aesthetic perception of a person that meets the traditions and customs of the Turkmen people.

3. Educational work in educational institutions is carried out by pedagogical workers, including educational psychologists. Public organizations of both students and employees operating in educational institutions can be involved in educational work with students.

4. Pedagogical workers in the process of educating students are obliged to:

- 1) carry out educational work at a professional level;
- 2) conduct preventive work to prevent violations among students;
- 3) timely inform parents or persons replacing them about violations committed by students;
- 4) respect the honor and dignity of students, their parents or persons replacing them;

5) be an example for students in spiritual, moral and aesthetic behavior and appearance.

5. Pedagogical workers in the process of educating students have the right to:

1) protection of their rights, legitimate interests, honor and dignity;

2) creative initiative, freedom to choose pedagogically sound forms and methods of education.

6. An educational institution creates conditions for students to protect their health and physical improvement. In educational institutions, the study load, internal regulations, nutritional conditions and sanitary standards must comply with state standards and regulations.

7. The discipline of students in educational institutions is ensured through methods based on the principle of respect for human dignity.

## **CHAPTER VII. MANAGEMENT OF THE EDUCATION SYSTEM**

### **Article 33. Powers of the Cabinet of Ministers of Turkmenistan in the field of education**

The Cabinet of Ministers of Turkmenistan:

1) organizes the implementation of the Constitution of Turkmenistan, the laws of Turkmenistan, the legal acts of the President of Turkmenistan and the chambers of the Milli Gengesh of Turkmenistan in the field of education;

2) carries out normative regulation of the works of executive authorities in the field of education;

3) determines the state policy in the field of education;

4) ensures the implementation and protection of the constitutional human right to education;

5) carries out state management of the education system;

6) organizes the implementation of educational reform based on international standards and experience, the history and mentality of the Turkmen people and the introduction of market principles of management into the economy;

- 7) approves and ensures the implementation of programmes for the development and improvement of the education system;
- 8) organizes the execution of the State budget of Turkmenistan in the field of education;
- 9) conducts control over the implementation of the state policy of Turkmenistan in the field of education of students;
- 10) implements the state social policy in relation to employees of the education system, support for the least socially protected students;
- 11) carries out measures for the development of pedagogical science;
- 12) ensures cooperation with foreign states and international organizations in the field of education;
- 13) performs other functions related to its powers in accordance with the legislation of Turkmenistan.

#### **Article 34. Executive authorities in the field of education**

1. In Turkmenistan, for the management of education, a system of executive authorities in the field of education is created, which operates within the powers established by the present Law and other normative legal acts of Turkmenistan.

2. Executive authorities in the field of education in Turkmenistan are:

- 1) the authorized executive body in the field of education;
- 2) local executive authorities.
- 3) Local executive authorities create departments and education departments in velayats, etraps and cities in order to carry out educational works at the levels of preschool and general secondary education.

#### **Article 35. Powers of the authorized executive body in the field of education**

Authorized executive body in the field of education:

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



- 2) develops prospects and directions for the development of education, requirements for its content, level and volume;
- 3) develops state educational standards;
- 4) coordinates the works of educational institutions;
- 5) regulates the organizational, methodological and educational activities of departments and departments of education of local executive authorities;
- 6) ensures international cooperation with foreign states, study and dissemination of advanced world experience in the field of education;
- 7) develops normative and instructive documents on the organization of academic, educational, methodological and scientific work of educational institutions of all types;
- 8) participates in the development of the State budget of Turkmenistan in the field of education;
- 9) provides scientific and methodological support for the state final certification of graduates, who, upon completion of the corresponding level of education, are issued state documents;
- 10) develops conditions for admission to educational institutions;
- 11) establishes the procedure for the admission of children of citizens of foreign states and stateless persons to preschool and general educational institutions;
- 12) develops and submits to the Cabinet of Ministers of Turkmenistan for approval the Regulations on the placement of graduates of institutions of secondary vocational and higher vocational education to work;
- 13) develops regulations on educational institutions;
- 14) carries out licensing of works in the field of education and professional training of personnel;
- 15) ° carries out, together with the relevant educational institutions, the procedures for the recognition and establishment of the equivalence of documents of foreign states on education in Turkmenistan;

16) develops and approves the procedure for attestation and advanced training of education workers;

17) participates in the development of action plans for the implementation of the state policy of Turkmenistan and programmes in the field of education of students;

18) ensures constant control of improving the quality of education through the introduction of innovative teaching methods in educational institutions;

19) controls the process of improving the content of education in educational institutions based on modern interactive multimedia software using digital educational technologies;

20) carries out relevant work on the creation and implementation of a system of electronic databases for educational purposes and ensures their availability;

21) conducts state control in the field of education;

22) performs other functions assigned to its powers in accordance with the legislation of Turkmenistan.

### **Article 36. Powers of local executive authorities in the field of education**

The powers of local executive authorities include:

1) registration of children subject to compulsory education in educational institutions implementing educational programmes of primary, basic secondary and complete secondary education, as well as preparing children of preschool age for school;

2) development of a network of preschool and general educational institutions, strengthening their material base, providing economic services;

3) ensuring the maintenance of buildings and structures of preschool and educational institutions, the arrangement of the territories adjacent to them;

4) social protection of educators, as well as the creation of conditions for their work on the education and training of students in accordance with the standards of material, technical and financial support;

5) approval and implementation of programmes that provide activities for the upbringing of students;

- 6) organization of work in families at the place of residence on the issues of education, upbringing and development of children;
- 7) catering for students of educational institutions and pupils of preschool institutions;
- 8) ensuring, at the expense of local budgets, regular transportation of students to the place of study in rural areas;
- 9) determination of needs and formation of an order for teaching staff, negotiation of contracts for their training, including targeted training;
- 10) control over compliance with state requirements for the levels of preschool and general secondary education;
- 11) creation of organizational and productive conditions for teaching students of general educational institutions on educational programmes of vocational - training;
- 12) realization of other powers in accordance with the legislation of Turkmenistan.

### **Article 37. Public associations of students**

1. In educational institutions of Turkmenistan, public associations of students on a voluntary basis can be created as a result of free will and community of their interests.

2. The purpose of public associations of students is in:

- 1) formation of the foundations of the physical and intellectual development of the personality of the student, familiarizing him with national and universal spiritual and cultural values;
- 2) the formation of highly moral beliefs in the student, a high culture of interpersonal and interethnic communication;
- 3) preparing the student for life in society, independent life choice and the beginning of labour activities;
- 4) formation and development of creative abilities of students;
- 5) formation and development in students of the most important socially significant qualities of a citizen and patriot, the ability to show them in the creative process in the interests of society and the state;

6) fostering respect for oneself and other people, family, traditions and customs of the Turkmen people, culture of other national communities;

7) formation of ecological culture among students;

8) formation of students' aesthetic perception of a person who meets the traditions and customs of the Turkmen people.

3. Taking into account the age of students, established by the legislation of Turkmenistan, public associations of students may have the following organizational forms:

1) children's public organization of students of general educational institutions - age from seven to fourteen years;

2) youth public organization of students in general educational institutions - age from fourteen years and older;

3) youth public organization of students in vocational education institutions - age from eighteen years and older.

4. The legal status of public associations of students is determined by the legislation of Turkmenistan on public associations, the present Law and other regulatory legal acts of Turkmenistan.

The rights and obligations of public associations of students are determined by their charters.

### **Article 38. Documents on education**

1. The document on education issued to persons who have successfully completed general education programmes of general secondary education is a certificate of general secondary education.

2. Documents on education issued to persons who have successfully completed professional educational programmes of the relevant levels of education are:

1) professionally-technical education:

a) a diploma of primary vocational education (with a term of study from one to one and a half academic years);

b) certificate of vocational training (with a period of study of up to six academic months);

2) secondary vocational education - a diploma of secondary vocational education;

3) higher professional education:

a) bachelor's diploma (qualification - bachelor's degree);

b) master's diploma (qualification - master's degree );

ç) diploma of a specialist (qualification - specialist).

3. Documents on education issued to persons who have successfully completed professional educational programmes for advanced training and retraining of personnel are, respectively, a certificate of advanced training and a diploma of professional retraining.

4. The level of vocational education and qualifications specified in the state documents on vocational education provide their holders with the right to engage in professional activities in the territory of Turkmenistan, including performing specific labour functions or holding positions for which mandatory qualification requirements are determined in accordance with the procedure established by the legislation of Turkmenistan to education.

5. A document on education issued to students who have successfully completed educational programmes of out-of-school and additional education is a certificate.

6. Documents on education of a state standard are issued by state educational institutions, as well as educational institutions of a non-state form of ownership that have state accreditation.

A state document on the relevant education is an essential condition for continuing education in the state educational institution of Turkmenistan on educational programmes of the subsequent level of education.

7. Persons who have not completed the education of a particular level, who have not passed the state final attestation or received unsatisfactory results at the state final attestation, a certificate of education in an educational institution is issued according to the model established by the authorized executive body in the field of education.

Persons who have not passed the state final attestation or have received unsatisfactory results at the state final attestation are entitled to undergo a repeated state final attestation not earlier than one year later.

8. The regulation on the state final attestation in an educational institution of the corresponding type is approved by the authorized executive body in the field of education.

9. Children with disabilities who, for health reasons, do not have the opportunity to receive a general secondary education and who studied according to adapted general educational programmes, are issued a certificate of education of the appropriate sample in the manner established by the authorized executive body in the field of education.

10.° Organizations engaged in educational activities have the right to issue to persons who have mastered educational programmes for which final certification is not provided, training documents of the appropriate sample in the manner established by the authorized executive body in the field of education.

11. No fee is charged for the issuance of documents on education.

12. Documents on education are drawn up in the state language of Turkmenistan and a foreign language in the manner prescribed by the authorized executive body in the field of education.

13. Forms of documents on education of the state standard are approved by the Cabinet of Ministers of Turkmenistan.

14. Graduates of institutions of higher and secondary vocational education with the award of a diploma of education are issued an appropriate badge, the provision of which and its description are approved by the Cabinet of Ministers of Turkmenistan.

## **CHAPTER VIII. ECONOMY OF EDUCATION**

### **Article 39. Financing of educational activities**

1. The activity of an educational institution is financed in accordance with the present Law and other normative legal acts of Turkmenistan.

2. Sources of funding for the activities of state educational institutions implementing general educational programmes are:

1) the funds of the State budget of Turkmenistan - for preschool institutions and educational institutions that implement educational programmes in accordance with the requirements of the relevant state educational standards;

2) tuition fees - for general educational institutions that implement educational programmes with in-depth study of academic subjects, as well as provide students with a wide range of additional educational services.

3.° The sources of funding for the activities of state educational institutions implementing educational programmes of secondary vocational and higher vocational education are:

- 1) funds of the State budget of Turkmenistan;
- 2) own funds of citizens;
- 3) funds of ministries, departments, state enterprises and organizations operating on a self-supporting basis;
- 4) funds of enterprises and organizations of the non-state sector of the economy;
- 5) funds of ministries, departments, state enterprises and organizations operating on a self-supporting basis, enterprises and organizations of the non-state sector of the economy for targeted training of citizens living in sparsely populated, hard-to-reach, remote populated areas.

4. The sources of financing the activities of state educational institutions implementing educational programmes of vocational education are:

- 1) funds of ministries, departments, state enterprises and organizations operating on a self-supporting basis;
- 2) funds of enterprises and organizations of the non-state sector of the economy;
- 3) own funds of citizens who wish to independently undergo training in the relevant educational programmes of vocational education;
- 4) funds of the State budget of Turkmenistan for the training of students of general educational institutions on educational programmes of vocational training.

5. Financing of state educational institutions is carried out on the basis of funding standards determined for each type and type of educational institution per student, taking into account the content of educational programmes, learning technologies, forms of education, special conditions

for obtaining education by students with disabilities, ensuring safe conditions training and education, protection of life and health of students.

6. For small and rural general education institutions, based on the conditions of their remoteness from other general educational institutions, transport accessibility and (or) the number of students, the funding standard should take into account costs, regardless of the number of students.

7. Educational institutions of a non-state form of ownership to finance their activities apply the funding standards of state educational institutions as a minimum level and are not limited to the maximum level of funding.

These educational institutions can establish scholarships for certain categories of students (for successful students, for those in need of material support) at the expense of their own, sponsorship and other attracted funds.

8. An educational institution for the implementation of its activities has the right to attract, in the manner prescribed by the legislation of Turkmenistan, additional financial resources by providing paid additional educational and other services provided by the charter of an educational institution, admission to study in educational programmes on a paid basis, as well as through voluntary donations and target contributions of legal entities and (or) individuals of Turkmenistan and foreign states.

The attraction of additional funds by an educational institution does not entail a reduction in the standards of its financing on the part of the founder.

9. Within the available extra-budgetary funds, educational institutions can independently provide social support to needy students.

10. An educational institution independently carries out financial and economic activities, has an independent balance sheet and current account.

#### **Article 40. Paid educational activities**

1. State and other educational institutions have the right to carry out paid educational activities in accordance with the present Law.

2. State educational institutions implementing general educational programmes are entitled to provide educational services on a paid basis in accordance with point 2 of part two of Article 39 of the present Law.

3. State educational institutions of secondary vocational and higher vocational education have the right to carry out training under contracts with



legal entities and (or) individuals with payment of tuition fees by them in the following cases:

- 1) when students are admitted in excess of the planned indicators for the relevant professional educational programmes financed from the State budget of Turkmenistan;
- 2) upon admission to training in full-and-part-time or part-time forms of education;
- 3) to receive a second education at the appropriate level of vocational education;
- 4) upon admission to training in areas of training (specialties) for which - funding is not provided at the expense of the State budget of Turkmenistan;
- 5) upon admission to training on the basis of targeted training.

4. A state educational institution, in availability of an appropriate license, has the right to provide other paid educational services to the population, enterprises, institutions and organizations.

5.° State institutions that implement educational programmes of out-of-school and additional education for students are entitled to carry them out on a fee basis.

6. Income from the paid activities of the state educational institution, specified in parts one, two and three of this article, is used by it in accordance with the statutory purposes.

Paid educational services cannot be provided instead of educational activities financed from the State budget of Turkmenistan. Funds earned in violation of this rule are withdrawn to the State budget of Turkmenistan.

7. An educational institution of a non-state form of ownership collects from students a fee for educational services in accordance with the legislation of Turkmenistan.

Paid educational activities of such an educational institution are not considered as entrepreneurial if the income received from it is fully used to reimburse the costs of providing educational activities (including wages), its development and improvement.

Relations between an educational institution of a non-state form of ownership and a student, his parents or persons replacing them are regulated by an agreement that determines the level of education, terms of study, the amount of tuition fees, guarantees and liability of an educational institution in cases of suspension or cancellation of a license, deprivation of an educational institution of state accreditation, termination activities of an educational institution and others.

8. An educational institution has the right to conduct entrepreneurial and other income-generating activities in accordance with the legislation of Turkmenistan.

9. Individual labour pedagogical activity, accompanied by the receipt of income, is considered as entrepreneurial and is subject to registration in accordance with the legislation of Turkmenistan.

#### **Article 41. Educational lending**

1. Turkmenistan provides state support for educational lending to citizens studying both in educational institutions of Turkmenistan and foreign countries.

2. Educational loans are targeted and are provided by banks and other credit organizations of Turkmenistan to citizens enrolled in educational institutions, regardless of their form of ownership and form of education.

3. Educational loans can be used to pay for education in educational institutions in the amount of the cost of education or part of the cost of education (basic educational loan) and (or) to pay for the purchase of educational and scientific literature, accommodation, meals and other household needs during the period of study (accompanying educational loan).

4. The size and procedure for educational lending are determined by the Central Bank of Turkmenistan.

#### **Article 42. Material base of educational institutions**

1. The material base of an educational institution consists of land, buildings, structures, equipment, vehicles, as well as other consumer, social, cultural and other property used for training, education and solving other problems in the field of education.

Depending on the form of ownership of an educational institution, the material base may be its property or assigned to it on the basis of economic

management or operational management, or used by it on a leasehold or other terms.

2. An educational institution is responsible to the owner for the safety and efficient use of the transferred property.

3. Seizure and (or) alienation of property assigned to an educational institution is allowed only in accordance with the legislation of Turkmenistan.

4. State property assigned to an educational institution may be leased to them in the manner and under the conditions established by the legislation of Turkmenistan.

5. An educational institution that owns property has the right to act as its lessor.

6. Objects of industrial and social infrastructure, including residential premises, in educational, industrial, social, cultural buildings and hostels, as well as clinical bases of medical education institutions that are under the operational management of state educational institutions or otherwise administered, are not subject to privatization (denationalization).

7. The founders of educational institutions, in accordance with their powers, ensure the renewal and development of their material base, social and living conditions for training and education, taking into account the increasing requirements for the level and quality of education. For this purpose, educational institutions are allocated the necessary material resources and investments.

Educational institutions can replenish their material and technical base at the expense of educational structures, experimental and subsidiary farms under their jurisdiction, as well as projects, grants provided by international organizations in the manner prescribed by the legislation of Turkmenistan.

Educational institutions located in sparsely populated, hard-to-reach, remote populated areas, in order to carry out educational activities, are provided as a matter of priority with innovative teaching aids (computers, the Internet, interactive whiteboards, laboratories, and others).

8. Educational institutions must be designed and built in accordance with the established sanitary and building standards and safety requirements, be adapted for free access of persons with disabilities, for use in various

educational purposes, economical in operation, and also provide an opportunity to use them for extracurricular events and, especially in sparsely populated, hard-to-reach, remote populated areas, as centers of social events.

9. Deliberate actions leading to a reduction or deterioration of the material base of educational institutions entail liability established by the legislation of Turkmenistan.

## **CHAPTER IX. SOCIAL GUARANTEES OF REALIZATION OF THE RIGHTS OF CITIZENS TO EDUCATION**

### **Article 43. Rights and social support of students**

1. The rights and social support of students of an educational institution are determined by the present Law, the regulations and charter of the educational institution.

2. Citizens of Turkmenistan have the right to choose an educational institution and form of education in the manner prescribed by the present Law and other regulatory legal acts of Turkmenistan.

3. Students in educational institutions of all types have the right to receive education in accordance with state educational standards, to receive additional (including chargeable) educational services, as well as to free use of textbooks and teaching aids in state educational institutions.

4. The uniform and other attributes of the appearance of students in all educational institutions of Turkmenistan are established by the charter of the educational institution.

5. Graduates of state educational institutions, as well as educational institutions of a non-state form of ownership that have state accreditation, have equal rights to continue their studies at a state educational institution.

6. Students in a state educational institution in the manner prescribed by the legislation of Turkmenistan are provided with scholarships, including those designated by public associations and charitable organizations.

7. Students in a state educational institution are provided with places of residence in dormitories and boarding schools in the manner established by the authorized executive body in the field of education.

8. Citizens of Turkmenistan have the right to receive free education in state educational institutions when mastering general educational programmes and,

for the first time, professional educational programmes of the appropriate level on a competitive basis, financed from the State Budget of Turkmenistan.

9. Students studying in professional educational institutions in part-time and full-and-part-time forms of education are entitled to benefits in the manner established by the legislation of Turkmenistan.

10. In educational institutions, the maintenance and education of orphans and children left without parental care or persons replacing them are carried out on the basis of full state support, including those studying in institutions of higher and secondary vocational education on a full-time basis until the age of 24 years.

11. For children with disabilities who cannot attend educational institutions of a general type, the executive authorities in the field of education create special (correctional) educational institutions (classes, groups) that ensure their development, training, treatment, education, social adaptation and integration into society.

The categories of students sent to these educational institutions, as well as those who are kept on full state support, are determined by the authorized executive body in the field of education together with the authorized executive body in the field of healthcare.

12. Involving a student of a general education institution in labour activities not provided for by the educational programme is allowed in accordance with the labour legislation of Turkmenistan only with his consent and the consent of one of his parents (guardian).

13. Forcing students to join public, socio-political associations, movements and parties, as well as forcing them to participate in the activities of these associations and participation in campaigns and political actions are not allowed.

14. The expulsion of a student from a general education institution is possible before he reaches the age of eighteen years, if educational measures have not yielded a positive result, and his further stay in this institution has a negative impact on other students, violates their rights and the rights of employees, as well as the normal functioning of the general educational institution. The decision to expel a student is made by the authorized executive body in the field of education, taking into account the opinion of his parents or persons

replacing them and with the consent of the commission on juvenile affairs, which determines measures for his employment and continuation of general secondary education in a different form of education.

The decision to exclude orphans and children left without parental care or a person replacing them is made, in addition, with the consent of the guardianship and guardianship body that takes measures to continue their general secondary education in a different form of education and further vocational education and employment.

15. In order to correct juvenile convicts and prepare them for an independent life, in accordance with the Criminal Procedure Code of Turkmenistan, a unified educational process is organized aimed at developing law-abiding behavior in juvenile convicts, a conscientious attitude to work and study, and obtaining compulsory general secondary, primary vocational education , vocational training, raising the educational and cultural level.

16. Students of secondary vocational and higher vocational educational institutions of Turkmenistan have the right to be granted academic leave, transfer to another speciality (field of study) both within a vocational educational institution and to another, the restoration of previously expelled students in accordance with the conditions that are established regulation approved by the Cabinet of Ministers of Turkmenistan.

The specified provision determines the conditions for the possibility of transferring (reinstatement to study) citizens of Turkmenistan who studied in secondary vocational and higher professional educational institutions of foreign states to professional educational institutions of the country.

17. Educational institutions, together with organizations of culture and art, sports, tourism, create conditions for the useful and fruitful spending of extracurricular (free) time by students.

18. Each student has the right to rest, which is expressed in the provision during the calendar year of holidays and days of weekly rest, leisure and a healthy lifestyle, participation in sports and cultural and entertainment events appropriate to his age and state of health.

The state creates favorable conditions for students to relax and use their free time.

Bodies of state power, local self-government, within their competence, take measures to ensure the right of students to rest, leisure and a healthy lifestyle, encourage the activities of individuals and organizations aimed at ensuring - this right.

For these purposes, structures are being created that are different in legal form and form of ownership, including children's health and entertainment centers, cultural and entertainment centers, sports centers (clubs), school recreation areas based on educational institutions, recreation areas at the place of residence of students and in places of mass recreation of citizens, organized by the relevant structures of local executive authorities.

The creation and activities of these structures are determined by the legislation of Turkmenistan.

#### **Article 44. Protection of life and health of students**

1. The educational institution creates conditions that guarantee the protection life and health of students.

2. For children in need of long-term treatment, health-improving educational institutions, including sanatoriums, are organized. Educational sessions for such children may be provided by educational institutions at home or in medical institutions.

3. Medical care for students of an educational institution is provided by health authorities. An educational institution is obliged to provide premises with appropriate conditions for the work of medical workers.

4. The schedule of training sessions in an educational institution should provide for a break of sufficient duration for students to eat.

The creation of conditions for catering in an educational institution is assigned to the educational institution itself. In an educational institution, a room for meals for students should be provided.

5. Responsibility for creating the necessary conditions for study, work and recreation of students of educational institutions is accounted by officials of educational institutions in accordance with the legislation of Turkmenistan and the charter of the educational institution.

#### **Article 45. Rights and obligations of parents or persons replacing them in the field of education**

1. Parents or persons replacing them have the right and obligation to raise children, take care of their health, promotion, education, prepare them for work, instill in them a culture of respect for the laws, historical and national traditions of the Turkmen people, as well as universal human values.

2. Parents or persons replacing them, until the children receive general secondary education, have the right to choose the forms of education and educational institutions in accordance with the present Law, protect the legal rights and interests of the child, and take part in the activities of the educational institution.

3. Parents or persons replacing them are obliged to ensure that their children receive a general secondary education.

4. Parents or persons replacing them are obliged to comply with the requirements of the charter of the educational institution.

5. Parents or persons replacing them carry out the upbringing of children in the family on the basis of:

1) the choice of forms, methods and means of raising children that do not interfere with learning, do not harm health and moral development, and do not allow physical, psychological and other violence against children;

2) cultural traditions and values of the family, the Turkmen people, the achievements of world culture;

3) creating the conditions necessary for the full development of children;

4) laying the foundations for the physical, moral, intellectual development of the individual, starting from early childhood;

5) the formation of aesthetic behavior and appearance in children that meets the national traditions of the Turkmen people;

6) respect for the honor and dignity of teachers, fellow students.

6. The state ensures the implementation of the principle of common and equal responsibility of either parents or persons replacing them for the upbringing of children.

7. For the upbringing and education of children, parents or persons replacing them are responsible in accordance with the legislation of Turkmenistan.



## **CHAPTER X. STATUS OF THE PEDAGOGICAL WORKER**

### **Article 46**

1. Pedagogical workers include persons engaged in educational activities related to the training and (or) education of students in educational institutions, as well as in other organizations implementing educational programmes.

Teaching staff of educational institutions with academic degrees and (or) academic titles are also defined as scientific and pedagogical workers.

2. The state recognizes the special status of teaching staff in society and creates conditions for them to carry out their professional activities.

3. The state policy in relation to teachers is aimed at creating stimulating conditions for educational activities that encourage the interest of an individual teacher and the staff of an educational institution in achieving the following interrelated goals:

- 1) ensuring the highest professional level of teaching;
- 2) the priority of the main attention to the functional responsibilities associated with teaching;
- 3) achieving the maximum effectiveness of teaching, confirmed by the performance indicators (learning material mastering) and learning outcomes.

4. The state policy in relation to teaching staff is based on the implementation of the following interrelated components:

- 1) formation of the composition of teaching staff of educational institutions;
- 2) professional standards for teaching staff;
- 3) pedagogical education;
- 4) sending teaching staff to educational institutions;
- 5) a system for the promotion of teaching staff by position;
- 6) working conditions of teaching staff;
- 7) remuneration and incentive measures for teaching staff;
- 8) the rights and obligations of teaching staff;

9) management of educational institutions.

**Article 47. The formation of the composition of teaching staff of educational institutions**

1. The formation of teaching staff of educational institutions, which includes their selection, allocation and appointment, is based on the following principles:

1) justified by existing and predicted quantitative and qualitative indicators, the need of educational institutions of all types and kinds for pedagogical workers;

2) involvement in educational activities of persons who have both the required qualifications and the willingness to devote themselves to the education and upbringing of students;

3) the formation of the teaching staff of professional educational institutions from among highly qualified personnel of a pedagogical and other profile, living in the territory of Turkmenistan, taking into account the migration legislation of Turkmenistan;

4) raising the status of a pedagogical worker and improving his working conditions;

5) certification of pedagogical workers, confirming their possession of the necessary knowledge, qualifications and qualities of a teacher;

6) fair and transparent procedure for the selection of pedagogical workers;

7) appointment on an equal basis of effective heads of educational institutions with the required knowledge, qualifications and qualities of a leader.

2. Persons with the appropriate pedagogical or vocational education have the right to carry out educational activities in educational institutions.

3. For the implementation of general education programmes specified in part three of Article 8 of the present Law, the following minimum qualification level for pedagogical workers is established:

1) preschool education:

educator of a preschool institution - a bachelor's degree or a specialist's diploma issued by a higher educational institution (faculty) of a pedagogical profile;

2) primary education:

a) teacher of primary education - a bachelor's degree or a specialist's diploma issued by a higher educational institution (faculty) of a pedagogical profile;

b) educator-psychologist - a bachelor's degree or a specialist's diploma in the area of training (speciality) in the field of psychology;

3) basic secondary and complete secondary education:

a) specialist teacher - a bachelor's degree or a specialist's diploma issued by a higher educational institution (faculty) of a pedagogical profile, as well as a bachelor's degree or a specialist's diploma that does not provide for a pedagogical qualification, subject to an additional pedagogical training course at a higher educational institution (at the faculty) of a pedagogical profile;

b) educator-psychologist – bachelor's degree or a specialist's diploma in the area of training (speciality) in the field of psychology.

4. For the implementation of professional educational programmes specified in the fourth part of Article 8 of the present Law, the following minimum qualification level of pedagogical workers is established:

1) vocational- technical education:

Instructor of disciplines - a diploma of secondary vocational education in the relevant speciality, subject to an additional course of pedagogical training in a higher educational institution (at the faculty) of a pedagogical profile;

2) secondary vocational education:

Instructor of disciplines - a specialist diploma in the relevant speciality or a bachelor's degree diploma in the relevant field of study of a higher educational institution. If the diploma does not provide for a pedagogical qualification, then its holder takes a course of pedagogical training in a higher educational institution (at the faculty) of a pedagogical profile;

3) higher education:

Instructor - a master's degree or a specialist's diploma in the relevant field of study (speciality), issued by a higher educational institution (faculty) of a pedagogical profile. If the diploma does not provide for a pedagogical qualification, then its holder takes a course of pedagogical training in a higher educational institution (at the faculty) of a pedagogical profile.

5. Model lists of full-time positions of pedagogical workers and heads of educational institutions of the relevant types are determined by the Cabinet of Ministers of Turkmenistan.

6. Persons are not allowed to educational activities in educational institutions in case of being prohibited by the resolution of the Medical and Social Expert Commission on the basis of medical indications or a court verdict for a crime committed, as well as persons who have a criminal record for an intentional crime of medium gravity, felony and especially grave crimes.

The list of diseases that do not allow the implementation of educational activities is determined by the authorized executive body in the field of healthcare.

7. A public official or civil servant has the right to carry out educational activities off-hour work in accordance with the legislation of Turkmenistan.

8. Persons engaged in educational activities are exempted from pedagogical work in the course prescribed by the labour legislation of Turkmenistan in the following cases:

1) non-compliance with the position held due to insufficient qualifications or a state of health that prevents the performance of pedagogical work;

2) not being elected to office;

3) the commission by an employee performing educational functions of an immoral offense incompatible with the continuation of pedagogical work;

4) non-observance of other requirements of the labour legislation of Turkmenistan and the regulations of the educational institution.

#### **Article 48. Professional standards for pedagogical workers**

1. Professional standards for pedagogical workers are designed to:

1) form a general understanding, common goals and terminology regarding the quality of teaching;

- 2) provide the basis for methodological guidance in matters of professional training of pedagogical workers and of their advanced training;
- 3) determine the principles of professional responsibility of pedagogical workers;
- 4) promote the growth of professionalism of pedagogical workers and improve their status.

## 2. Professional standards for pedagogical workers:

- 1) determine the general ideas regarding the knowledge, professional skills and qualities that pedagogical workers should have;
- 2) are intended to contribute to increasing the competence and professionalism of pedagogical workers, leading to improving the quality of education and learning outcomes;
- 3) define the concept of quality teaching in relation to specific conditions, as well as the knowledge and skills of a pedagogical worker necessary to ensure quality of teaching;
- 4) are aimed at the teacher's confident knowledge of the subject being taught, possession of pedagogical skills, knowledge of the characteristics of the contingent of students, the ability to plan the learning process, assess the level of knowledge of students and manage the learning environment, as well as the ability to constantly improve their professional skills.

## 3. The main conditions for the successful practical application of professional standards for pedagogical workers include:

- 1) the existence of a connection between professional standards for pedagogical workers and learning objectives;
- 2) consistency of the provisions of professional standards with the strategy for improving the quality of pedagogical work;
- 3) the interest and participation of pedagogical workers in the process of developing professional standards;
- 4) regular assessment and revision of professional standards;
- 5) a balanced combination of centralized management and independence of educational institutions.

## **Article 49. Pedagogical education**

1. State policy in relation to pedagogical education is built in the interests of sustainable development and contributes to the formation of value orientations, behavioral attitudes and lifestyles necessary to ensure a sustainable future.

2. The system of pedagogical education includes three interrelated stages:

- 1) initial (basic) training of a pedagogical worker;
- 2) introduction to the profession;
- 3) continuous professional development.

3. The initial (basic) training of pedagogical workers is planned on the basis of quantitative and qualitative indicators of the prospective need for pedagogical workers and provides them with theoretical and practical training for the implementation of high-quality and effective educational activities.

The right of admission to educational institutions of a pedagogical profile is held by persons with personal qualities inherent in the professions of a teacher (instructor) and educator.

4. Educational programmes for the initial (basic) training of pedagogical workers are developed on the basis of the state policy in the field of education, the combination of theoretical training and pedagogical practice, the introduction of innovative pedagogical approaches and methods into the educational process.

5. The objectives of the educational programme for the training of a pedagogical worker are:

- 1) deepening the general education of students;
- 2) mastering by students the ability to teach and educate students;
- 3) educating students awareness of the need to contribute to the social, cultural and economic progress of society both by teaching and by personal samples.

6. Educational training programmes for pedagogical workers include:

- 1) general disciplines;

2) studying the foundations of philosophy, psychology, sociology and law in their connection with pedagogy, studying the theory and history of pedagogy, comparative pedagogy, methods of teaching various subjects and the foundations of experimentation in the field of pedagogy;

3) study of subjects of specialization;

4) teaching practice in educational, extracurricular (extra-classroom) work under the guidance of highly qualified teachers.

7. Pedagogical workers are trained in higher educational institutions (faculties) of a pedagogical profile, as well as in pedagogical secondary vocational educational institutions before the introduction of training of preschool and primary school teachers and instructors of higher professional education programmes, provided for in paragraphs 1 and 2 of part three of Article 47 of the present Law.

8. For pedagogical workers and students in educational institutions of a pedagogical profile, conditions are created for scientific research and experimentation in the field of pedagogy by providing these educational institutions with the necessary means and equipment.

9. Educational institutions of a pedagogical profile should contribute to the development of education by disseminating the results of scientific research in the field of pedagogy and innovative teaching methods in educational institutions, as well as using their experience in their work.

10. According to the results of the successful completion of the stage of initial (basic) pedagogical training, an appropriate qualification is awarded.

11. The issuance of a certificate of education to graduates is conditioned by the successful completion of the probationary period, during which young specialists undergo an introduction to the profession, within which they consolidate the knowledge and skills acquired at the stage of initial (basic) pedagogical training with the help of mentors from among experienced pedagogical workers.

12. Continuous professional development is provided on the basis of taking into account and consolidating the knowledge gained at the stage of initial (basic) pedagogical education. In this regard, continuous professional development is based on regular courses, which should help to increase the

efficiency of work and strengthen the motivation of the teacher, as well as be linked to his promotion and salary increase.

13. The employer is obliged to provide pedagogical workers with time and opportunities for advanced training. The interest of teachers in advanced training is an important condition for their development as active professionals who are able to independently resolve issues that arise in the process of pedagogical work.

14. Continuous professional development courses are conducted on the basis of the relevant educational institution, have a practical orientation and connection with professional tasks that the pedagogical worker solves daily in the auditorium (classroom), and also have an appropriate duration and take into account changes taking place in the education system.

The authorized executive body in the field of education ensures the creation of an extensive system of institutions for advanced training and retraining of pedagogical workers.

15. For teachers of educational institutions who resume their teaching activities after an extended break, advanced training or retraining courses are organized.

16. Information and communication technologies are included in the educational programmes of initial (basic) training, refresher courses and retraining for their qualified and successful use by pedagogical workers during their work with students.

Information and communication technologies are also intended for distance advanced training of pedagogical workers working in sparsely populated, hard-to-reach, remote populated areas.

#### **Article 50. Assignment of pedagogical workers to educational institutions**

1. The assignment of pedagogical workers to educational institutions is based on the application of the following systems:

1) a centralized management system for teaching staff - a system coordinated at the state level by the authorized executive body in the field of education and regulating the appointment of teachers to vacant positions, as a rule, in preschool and general education institutions. This system is based on the application of the Regulations on the assignment of graduates of institutions of secondary vocational and higher educational institutions, approved by the Cabinet of Ministers of Turkmenistan;



2) a system functioning on the basis of educational institutions - a system in which educational institutions independently announce available vacancies and invite possible candidates to directly apply for their filling.

2. When sending pedagogical workers to educational institutions, the conditions for advanced training, remuneration and material incentives, and promotion are taken into account.

### **Article 51. System of promotion of pedagogical workers**

1. In educational institutions, a promotion system is determined, which makes it possible for the career growth and professional development of a pedagogical worker.

2. The promotion system is carried out in two directions:

1) horizontal career growth - a teacher performs such additional duties as developing curricula and methodological materials, assisting colleagues, mentoring, coordinating planning and teaching within a specific subject area, providing support to the leadership of an educational institution.

For the listed additional obligations, indicators are prescribed to assess their compliance, and appropriate material incentives are also provided;

2) vertical career growth - a teacher moves from teaching to performing managerial functions in an educational institution or to administrative work in the structures of the education system.

Vertical career growth is associated with obtaining an official appointment, passing appropriate training and increasing wages.

3. The promotion system is supported by an appropriate system of material and non-material incentives, which should motivate teachers to improve their professional level.

### **Article 52. Work conditions of pedagogical workers**

1. The work conditions of pedagogical workers should contribute to the public perception of the status of a pedagogical worker, the possibility of attracting and retaining highly qualified personnel, as well as the professional satisfaction of persons engaged in educational activities.

2. In determining the working conditions of pedagogical workers, aspects that affect the motivation and morals of teachers, the attractiveness of their

profession, the turnover of teaching staff and their readiness to conscientiously fulfill their duties are taken into account.

These working conditions include:

1) the duration of working time - all aspects of the activities of a pedagogical worker are taken into account in working time, including teaching hours, time for methodological work, continuous professional development, administrative and extracurricular (extra-classroom) work, interaction with parents or persons replacing them;

2) the number of students in the auditorium (classroom) and the quantitative ratio of students and pedagogical workers- these indicators should allow the pedagogical worker to work effectively and ensure the achievement of learning goals based on approaches focused on the interests and capabilities of students;

3) the infrastructure of the educational institution - pedagogical workers must work in safe, properly constructed and operated educational premises in which there is access to drinking water and sanitation facilities for students and pedagogical workers;

4) the availability and quality of teaching and learning materials - the availability of sufficient quality teaching materials for teachers and a sufficient number of high-quality teaching supplies and materials, including textbooks, for students;

5) autonomy and control - endowing pedagogical workers with a certain level of independence in decision-making in the process of teaching and educating students and monitoring the professional activities of teachers.

### **Article 53. Labour relations in the education system**

1. Labour relations between a pedagogical worker and an educational institution are regulated by the labour legislation of Turkmenistan.

2. For pedagogical workers of educational institutions, a reduced working time is established - no more than thirty-six hours a week.

Features of part-time work for teachers are determined by the Provisions on the conditions of part-time work, approved by a special authorized body in accordance with the labour legislation of Turkmenistan.

3. For pedagogical workers and heads of educational institutions, in accordance with the labour legislation of Turkmenistan, an annual basic leave of forty-five calendar days is established.

Annual basic leave is provided, as a rule, during the summer holidays, regardless of the time of entry to work in this educational institution.

4. A pedagogical worker of an educational institution who successfully combines educational activities with scientific work is granted sabbatical leave to write textbooks and manuals, to complete a dissertation for the degrees while maintaining the average salary and position at the place of work on the recommendation of the relevant academic council (or other methodological body), in accordance with the labour legislation of Turkmenistan.

5. The involvement of pedagogical workers in activities not provided for by official duties is not allowed.

#### **Article 54. Remuneration and inspiration of the labour of pedagogical workers**

1. The remuneration of the labour of pedagogical workers is established depending on the functional duties and work provided for in accordance with the labour legislation of Turkmenistan by labour contracts, collective contracts (agreements).

2. The methods for determining the amount of remuneration for teaching staff include:

1) tariff rates and official salaries that determine the levels of remuneration for specific professional and qualification groups of pedagogical workers;

2) periodical increase in tariff rates and salaries of teachers;

3) accounting for the professional category, which is established depending on the level of qualification of the teacher, the complexity and intensity of labour, its conditions, the quantity and quality of labour expended. The professional category of pedagogical workers and the terms of its validity are established in the manner determined by the authorized executive body in the field of education.

3. The incentive measures for pedagogical workers include the provision of various types of leave (including study leave), accelerated promotion, opportunities for continuous professional development, the provision of modern electronic learning tools (including the Internet) for the purposes of the educational process and continuous professional development.

4. To attract teaching staff to work in educational institutions located in sparsely populated, hard-to-reach, remote populated areas, the following are appointed:

- 1) compensation for housing costs or the provision of quality housing;
- 2) covering travel and transportation costs.

5. Employees of educational institutions of all types and other enterprises, institutions and organizations in the course of their educational activities are provided with bonuses to wages for academic degrees and academic titles in the manner and amount determined by the Cabinet of Ministers of Turkmenistan.

#### **Article 55. Rights and obligations of pedagogical workers**

1. Pedagogical workers have the right for:

- 1) conditions for the implementation of their professional activities;
- 2) individual educational activities;
- 3) protection of professional dignity and honor;
- 4) capacity building;
- 5) preferential provision of educational, methodological and scientific literature;
- 6) encouragement for success in educational activities.

2. Pedagogical workers have the right to unlimited access to library and other information systems, international computer networks, databases necessary for their educational and scientific activities.

3. Pedagogical workers with higher pedagogical education and working in the direction of a state body or according to targeted training in a teaching position in a general education institution located in a sparsely populated,

hard-to-reach, remote populated area, for the period of work in it, have the right to receive a deferment from conscription for military service in accordance with the Law of Turkmenistan “On military duty and military service”.

4. Pedagogical workers sent to educational institutions located in sparsely populated, hard-to-reach, remote populated areas are provided with appropriate conditions for social and medical services in accordance with the legislation of Turkmenistan.

5. Pedagogical workers have the right to carry out professional activities outside of their main work, which increases the level of their professional knowledge and skills or allows them to apply their knowledge to solve the problems facing the economy of Turkmenistan. These activities must not counter their obligations to the educational institution that is considered the main employer.

6. In the performance of their professional duties, pedagogical workers shall have the right to freedom of teaching, subject to recognized professional principles regarding teaching standards and methods.

7. Pedagogical workers have the right to take part in the development of new curricula, textbooks and manuals, as well as teaching methods.

8. Pedagogical workers prepare recommendations for students regarding further education in a particular field of knowledge.

9. Within the interests of students, cooperation is ensured between teachers and parents or persons replacing them. At the same time, pedagogical workers must be protected from excessive or unjustified interference by parents or persons replacing them in matters that, by their nature, are part of the professional duties of a pedagogical worker.

10. Pedagogical workers are obliged to:

- 1) constantly improve their professional knowledge and teaching skills;
- 2) respect the honor and dignity of students, their parents or persons replacing them, as well as work colleagues;
- 3) conduct training at a high professional level, ensure that students master the curriculum in accordance with state educational standards;

- 4) create conditions for the manifestation and development of individual and creative abilities of students;
  - 5) observe the norms of pedagogical ethics;
  - 6) educate students in the spirit of patriotism, honesty, morality and diligence;
  - 7) undergo certification for compliance with the position held;
  - 8) undergo preliminary medical examinations upon employment;
  - 9) undergo periodic and extraordinary medical examinations at the expense of the employer;
  - 10) undergo training and testing of knowledge and skills in the field of labour protection;
  - 11) comply with the regulations of the educational institution and internal regulations.
11. Pedagogical workers take part in events with students and their parents or persons replacing them that go beyond the educational process.
12. Pedagogical workers are prohibited from using their official position in the educational process in relation to students for political purposes or to induce them to actions that are contrary to the Constitution of Turkmenistan and the legislation of Turkmenistan.
13. Pedagogical workers are responsible for failure to fulfill their duties in accordance with the legislation of Turkmenistan.

#### **Article 56. Management of educational institutions**

1. Management of educational institutions is carried out on the basis of the legislation of Turkmenistan in accordance with their provisions and regulations on the principles of unity of command and collegiality.
2. Direct management of an educational institution is carried out by its chair, who is appointed to and dismissed from office in the manner prescribed by the legislation of Turkmenistan.

The head of an educational institution is responsible for providing students with quality education, material and moral support for pedagogical workers, rational and efficient use of material resources.

3. Collegial governing bodies of the following forms are created in educational institutions: academic council, board of trustees, pedagogical, methodical (educational-methodical, scientific-methodical) councils and other forms. The powers of these collegiate forms of governing bodies are determined by the provisions and regulations of educational institutions.

4. The head of a state educational institution undergoes certification in the manner prescribed by the legislation of Turkmenistan.

5. To effectively perform the functions of managing educational processes, the heads of educational institutions undergo appropriate training.

The purpose of the educational programme for the training of heads of educational institutions is to provide professional leadership that contributed to their successful functioning and development, guaranteeing high quality education for all students.

6. Educational training programmes for heads of educational institutions include the following modules:

1) strategic planning and development - learning to develop a strategy for an educational institution, analyze and plan its future needs and further development in the state context;

2) official responsibility - training in the ability to be responsible for the effectiveness of the activities of an educational institution to the educational authorities, as well as students, parents or persons replacing them, pedagogical and other employees;

3) training and education - training to ensure effective training and education in an educational institution, checking and evaluating the quality of training and education and the level of achievements of students;

4) control and efficient use of the resources of an educational institution - training in the rational and efficient use of human, material and financial resources;

5) leadership and personnel management - training in leadership, motivation, support and professional development of pedagogical and other employees of an educational institution.

7. The training of heads of educational institutions is carried out both on- and off-the-job, as a rule, in higher educational institutions (at faculties) of a

pedagogical profile and (or) educational institutions for the training (advanced training) of civil servants.

8. The criteria for selecting candidates for training in educational programmes for the training of heads of educational institutions are determined by the authorized executive body in the field of education.

9. The management of the educational institution interacts with stakeholders (educational authorities, teachers and other employees, parents or persons replacing them and (or) representatives of relevant industries) in order to ensure the creation and maintenance of conditions in the educational institution (material and intangible nature) that guarantee fulfillment of its tasks, as well as contributing to the high quality of education.

## **CHAPTER XI. INTERNATIONAL ACTIVITIES IN THE FIELD OF EDUCATION**

### **Article 57. International cooperation**

1. International cooperation of Turkmenistan in the field of education is carried out in accordance with the legislation and international treaties of Turkmenistan.

2. The authorized executive body in the field of education carries out international cooperation through a system of analysis and forecasting of modern world processes in the education and upbringing of children and youth, as well as interstate relations aimed at studying and implementing advanced pedagogical experience and establishing effective connections for the training of professional personnel.

Executive authorities in the field of education, educational institutions can establish direct links with enterprises, institutions and organizations of foreign states that implement various educational programmes, in the manner established by the Cabinet of Ministers of Turkmenistan.

3. Persons of Turkmen nationality who are not citizens of Turkmenistan have the right to receive education in educational institutions of Turkmenistan under the conditions established for citizens of Turkmenistan.



4. Turkmenistan contributes to meeting the educational needs of people of Turkmen nationality living abroad by providing assistance in training teachers and providing educational and methodological literature in the Turkmen language in the manner prescribed by the international treaties of Turkmenistan.

5. Obtaining education by citizens of foreign states in educational institutions of Turkmenistan, as well as citizens of Turkmenistan in educational institutions of foreign states, is carried out under direct contracts concluded by legal entities, as well as individuals with educational institutions, executive authorities in the field of education, in accordance with the present Law, other normative legal acts and international treaties of Turkmenistan.

6. Obtaining education in educational institutions of Turkmenistan by citizens of foreign states and stateless persons permanently residing in Turkmenistan is carried out in accordance with the present Law, other regulatory legal acts and international treaties of Turkmenistan.

7. Citizens of foreign states and stateless persons permanently residing in Turkmenistan, with the exception of cases provided for by international treaties of Turkmenistan, do not have the right to receive in educational institutions of all types and types that implement educational programmes for the training of personnel for the military and law enforcement organs of Turkmenistan.

8. The organization and functioning in the territory of Turkmenistan of educational institutions (or their branches) of foreign states or joint with them is carried out in accordance with the present Law and international treaties of Turkmenistan.

9. Recognition in the territory of Turkmenistan of documents of foreign states on education, on awarding academic degrees and conferring academic titles is carried out in accordance with the legislation and international treaties of Turkmenistan.

#### **Article 58. Foreign economic activity**

Executive authorities in the field of education, educational institutions have the right to independently carry out foreign economic activity in the manner prescribed by the legislation of Turkmenistan.

## **CHAPTER XII. FINAL PROVISIONS**

### **Article 59. Responsibility for violation of the legislation of Turkmenistan on education**

Violation of the legislation of Turkmenistan on education entails liability established by the legislation of Turkmenistan.

### **Article 60. Entry of the present Law into force**

1. The present Law shall enter into force from the day of its official publication, with the exception of part two of this article.

2. Paragraphs 1 and 2 of the third part of Article 47 of the present Law shall enter into force from the year of transition of training of preschool teachers and primary grades teachers in educational programmes of secondary vocational education to educational programmes of higher educational institutions.