

# Legal Aspects of General Education Quality Assessment

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**Abstract:** The article considers the theoretical nature of the system for assessing the quality of services in the field of education and also presents and discusses analytical results of the main problems of the legal framework for the functioning of the system for assessing the quality of education in the Russian Federation at the regional level. An overview of the changes in federal regulatory practice in assessing the quality of general education over the past two years is presented. There is a lack of a unified approach to the regulation of the quality assessment of general education at the regional level. This dictates the need for a more detailed study of the best regional regulatory practices in assessing the quality of general education and developing model acts in the field of assessing the quality of general education, aimed at eliminating existing gaps and contradictions.

## 1. Introduction

Currently, the problem of assessing the quality of education is one of the most pressing for the entire education system of the Russian Federation.

Presidential Decree of Vladimir V. Putin of May 7, 2018 defines national goals and strategic objectives for the development of the Russian Federation for the period up to 2024. In order to achieve the breakthrough scientific, technical, and socio-economic development of the country, it is planned to ensure Russia's entry into the list of the five largest economies in the world, including ensuring economic growth rates higher than the world ones. The government of the Russian Federation should ensure the global competitiveness of Russian education, the entry of the Russian Federation among the 10 leading countries of the world for the quality of general education.

In the framework of the priority national project "Education", the target indicator is the weighted average result in a group of international studies of at least 10th place by 2024.

Over the years, the development of an education quality assessment system has been one of the priorities of many federal-level program documents. So, one of the main tasks of the State Program "Development of Education" for 2018-2025 is to create conditions for the effective development of Russian education, aimed at ensuring the availability of quality education that meets the requirements of modern innovative socially oriented development of the Russian Federation. This development is impossible without the development of a national-regional system of independent assessment of the quality of general education through the implementation of pilot regional projects and the creation of national quality assessment mechanisms. The list of target indicators of the State Program "Development of Education" for 2018-2025, which are integrated into the pilot state programs of federal target programs and departmental target programs, within which the implementation of measures of completed federal target programs is envisaged, includes the execution of the following indicators of the Federal Target Program for Education Development for 2016 - 2020 (Task 5 "Formation of the demanded system for assessing the quality of education and educational results") by 2020 [1]:

- The share of the constituent entities of the Russian Federation in which regional quality assessment systems for the quality of pre-school education, primary general, basic general and secondary general education are established and operate, in the total number of constituent entities of the Russian Federation – 100% (2018 – 69%);
- The share of regional education systems in which assessment tools (based on international) are developed and distributed for use in conducting intra-regional analysis and education quality assessment in the total number of regional education systems – 20% (2018 – 8.5%).

Thus, the planned modernization of the education system at both the federal and regional levels should be aimed at ensuring the quality of education and its compliance with today's requirements of society, primarily through improving the regulatory, and legal activities on the assessment of the quality of general education.

## **2. Materials and Methods**

The problem-analytical review of existing federal and regional regulatory documents in the field of regulation of the system of assessing the quality of general education laid the foundation for the study of the problem of legal support for the functioning of the system of education quality assessment in the Russian Federation. Using the methods of content analysis of documents regulating the quality of education, contextual analysis and selective assessment of existing models of regional regulation in the field of general education quality assessment reveal existing problems and inconsistencies in the regulation of the activities of educational authorities on the assessment of the quality of general education.

## **3. Results**

Creating an effective system for assessing the quality of education, which will allow to identify the features of the system and provide an objective assessment of the activities of educational organizations is one of the main tools for improving the quality of education.

At present, the national education system contains proven tools for assessing the quality of general education, the legal basis of which is the following regulatory documents of the federal level:

- Federal Laws of December 29, 2012 No. 273-FZ “On Education in the Russian Federation” [2]; No. 392-FZ of December 5, 2017 “On Amendments To Certain Legislative Acts of The Russian Federation On The Improvement Of Independent Evaluation of The Quality of Conditions For The Provision of Services by Organizations in the Sphere Of Culture, Health Protection, Education, Social Services, and Federal Institutions Medical and Social Expertise” [3]; No. 184-FZ of October 6, 1999 (as amended on February 6, 2019) “On the General Principles of the Organization of Legislative (Representative) and Executive Bodies of State Power of the Subjects of the Russian Federation” [4];
- Decrees of the Government of the Russian Federation of April 17, 2018 No. 457 [5], No. 662 of 5 August 2013, “On Monitoring the Education System” [6]; No. 1642 of December 26, 2017 “On Approval of the State Program of the Russian Federation “Development of Education” for 2018-2025”[7];
- The Order of the Government of the Russian Federation of April 30, 2014 No. 722-r “On Approval of the Plan of Measures (“Road Map”) “Changes in the Social Sphere Aimed at Improving the Efficiency of Education and Science [8];
- Orders of the Ministry of Education and Science of Russia No. 955 of September 22, 2017 [9], No. 657 of June 11, 2014 [10], No. 462 of June 14, 2013 (as amended on December 14, 2017) [11], No. 1324 of December 10, 2013 (as amended on February 15, 2017) [12], No. 1116 of November 8, 2010 (as amended on January 23, 2018) [13];
- The Order of the Ministry of Finance of Russia dated July 22, 2015 No. 116n [14].

These documents establish both the very concept of the quality of education and the methodology for organizing and conducting an independent assessment of the quality of education, monitoring the educational system, self-examination of educational organizations, and the effectiveness of educational institutions.

Particular attention should be paid to the most significant changes in the legislative framework that have occurred over the past two years in the field of assessing the quality of general education. These changes are aimed primarily at addressing gaps regarding the regulation of an independent assessment of the quality of education, as well as the effectiveness of the activities of educational organizations and their leaders.

The Federal Law of December 5, 2017 №392-FZ made significant adjustments to the independent assessment of the quality of education. The title “Independent assessment of the quality of conditions for the implementation of educational activities by organizations engaged in educational activities” (the independent assessment of the quality of education) has changed. Information on the results of an independent assessment of the quality of education is considered at all levels of government in the field of education when developing measures to improve educational activities, as well as in “evaluating the activities of heads of organizations engaged in educational activities” [3]. The functions of forming public councils to conduct an independent assessment of the quality of conditions for the implementation of educational activities by organizations (hereinafter referred to as the public council for independent quality assessment) were transferred to the Public Chambers (Councils) of the Russian Federation, constituent entities of the Russian Federation, and municipalities. Requirements for the composition of Public Councils for independent quality assessment are clearly defined. The criterion “accessibility of services for people with disabilities” is included in the list of general criteria for an independent assessment of the quality of education in addition to openness and availability of information about organizations engaged in educational activities; the comfort of conditions in which educational activities are carried out; goodwill, courtesy of employees; satisfaction with the conditions of the educational activities of the organization. The possibility of establishing additional criteria for assessing the quality of education has been canceled.

Strengthening the role of civil society in improving the education system acquires special significance. Now, “the results of an independent assessment of the quality of the conditions for the implementation of educational activities by organizations are taken into account when evaluating the effectiveness of the activities of the head of the federal executive body that performs the functions of state policy development and legal regulation in the field of education, senior officials (heads of the highest executive bodies of state power) of the constituent entities of the Russian Federation and heads of executive authorities of the constituent entities of the Russian Federation, heads of local governments of municipal districts and urban districts.”

The Decree of the Government of the Russian Federation No. 457 of April 17, 2018 approved the forms for a mandatory public report of a senior official of a constituent entity of the Russian Federation (heads of the highest executive body of the state power) on the results of an independent assessment of the conditions of service. This report is submitted to the legislative (representative) public authority of the entity, along with a plan to eliminate the deficiencies identified during the independent quality assessment.

Thus, federal regulatory documents clearly define the powers of the executive authorities, public chambers (councils) and their responsibility for conducting an independent assessment of the quality of education and considering their results in the development of state policy in the field of education and evaluation of the performance of both the executive authorities and the heads of educational organizations.

All changes in legislation at the federal level should be reflected at the regional and municipal levels. However, due to the fact that federal regulatory documents do not have a clear indication of the need for regional regulation on the issues under consideration, the executive authorities of the subjects adopt the appropriate legal acts, based on the current regional practice. This leads to a variety of techniques for solving problems and indicates the absence of a unified approach. Thus, on the same issues, some subjects of the Russian Federation adopt acts of regional regulation, while other subjects of the Russian Federation adopt municipal regulations, and regional ones are not. The structure of regional regulations is also distinguished by a variety of approaches based on different principles. For example, in a number of constituent entities of the Russian Federation, regional regulations on the formation of an independent quality assessment system have a clear structure defining the goal, objectives, objects, assessment subjects, their functions, timeframes and results of educational organizations, the others list the sequence of stages [15].

When approving performance indicators of organizations, various approaches are also used: in some subjects of the Russian Federation, indicators are developed depending on the level of education (separately

for pre-school, primary general, basic general, secondary general), in others – for each educational program, in the third – for each individual educational institution.

The lack of uniformity of approaches in the regions is also observed in the legal regulation of issues of monitoring the quality of education, conducting self-examination of educational organizations.

#### **4. Conclusion**

Thus, the legal regulation of the assessment of the quality of education by the subjects of the Russian Federation is characterized by the absence of general principles and approaches.

In this regard, analyzing the best regional practices in the sphere of regulation of activities on the assessment of the quality of general education is of particular theoretical and practical importance for the current and strategic work of specialists of the executive authorities of the Russian Federation subjects exercising state regulation in the field of education, local authorities.

Examples of successful regional regulatory practices in a number of subjects of the Russian Federation (Moscow, Krasnoyarsk region, etc.) [15, 16, 17] should be used in the development of model acts regulating the activities of educational authorities in the field of general education quality assessment.

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