

# Law of the Republic of Azerbaijan

## On education

This Law shall set out basic principles of public policy in ensuring the citizens' educational rights as established by the Constitution of the Republic of Azerbaijan and the general conditions for regulating the educational activities. It shall set the foundation for the adoption of corresponding laws and other legislative acts at various levels of education. Secular and continuous education in the Republic of Azerbaijan shall be a strategically important area of priority, which reflects the interests of citizens, society, and the state. Education in the Republic of Azerbaijan shall be based on international human rights conventions, as well as international agreements, which the Republic of Azerbaijan is a Party to. It shall be developed through integration into global education system whilst prioritizing national, moral, and universal values in education system.

### Chapter I. Basic concepts

#### Article 1. Basic concepts

1.0. The basic concepts used in this Law shall have the following meanings:

1.0.1. entrant - an individual who submits the relevant documents to the higher or secondary *specialized* educational institution for admission;

1.0.2. scholarship - a stipend established by the state, an entity or an individual for the students who have demonstrated exceptional scholastic performance in education, actively participated in the social-cultural life of an academic institution;

1.0.3. adjunct studies (post-graduate military studies) - the training of highly specialized *scientific* personnel in military academic institutions considered as an equivalent to doctoral studies;

1.0.4. academy - a higher, *secondary specialized* educational institution that implements higher and in-service training programs, and conducts fundamental, *theoretical and methodological, pedagogical and methodological* and applied scientific research;

1.0.5. accreditation - a procedure to determine and approve the adherence of an educational institution's activities to the national education standards, and its status;

1.0.6. attestation - a procedure for evaluating the learning achievements of students and the teachers' performance (*except for teachers in public general education institutions (in relation to teachers in general education - in other public educational institutions)*) at each phase and level of education;

*1.0.6-1. certification - a procedure for attesting the level of competence and professional suitability of teachers with higher and specialized secondary education, engaged in teaching and management activities in public general education institutions (in relation to teachers in general education - in other public educational institutions);*

1.0.7. bachelor - a higher vocational-professional degree conferred to the individuals who have completed Bachelor's Degree;

1.0.8. bachelor's Degree - the first level of higher vocational-professional education that trains a broad range of specialists in respective majors;

*1.0.8-1. internationally accredited educational program - an educational program implemented in accordance with the standards set by an international organization or a foreign state, and giving its graduates the right to study in higher educational institutions of two or more foreign countries IB Diploma Programme, Advanced Level of General Certificate of Education and Advanced Placement;*

1.0.9. distance learning - a type of education where the teaching process is organized through electronic, telecommunications, software and technical tools;

1.0.10. dissertation - a science thesis which is submitted for earning a corresponding academic degree;

1.0.11. dissertation student - an individual who is working on dissertation;

1.0.12. doctoral student - an individual enrolled in the doctoral program;

1.0.13. doctor's degree - the highest degree in higher education, a type of advanced *scientific* training that provides conferment of the doctorate degree;

1.0.14. associate professor - an academic title conferred to the teachers in higher educational institutions and an elective office;

1.0.15. doctor of science - the highest academic degree conferred during the second stage of the doctorate program by the fields of science;

1.0.16. home learning - delivery of the general education based on the relevant teaching programs (curricula);

1.0.17. further education - an education based on supplementary education programs provided to meet the citizens' comprehensive educational needs;

1.0.18. doctor of philosophy - a scientific degree conferred during the first phase of doctorate programs by the respective field of study;

1.0.19. individual learning - a type of education for the students who have not been enrolled in educational institution for a long time due to various reasons, also for the students who have an exceptional talent in a certain area of study;

1.0.20. professor-emeritus (doctor) - an honorary academic title/degree conferred by a higher educational institution *and scientific*

*institution* to professors and associate professors distinguished for their scientific and pedagogic work and experiences, as well as the scholars and public figures of foreign countries that have made a special contribution to the global science and education;

1.0.21. formal education - education which concludes with the issuance of *a state document on education*;

1.0.22. gymnasium - a general education institution that offers educational services on various subjects for students who are primarily recognized for their talent and capacity in humanities;

1.0.23. informal education - a type of acquiring knowledge through self-directed learning;

1.0.24. innovation - progressive novelties developed based on various institutions, scientific researches;

1.0.25. institute (higher education institution) - a higher education institution, either independent or a structural unit of the universities, which carries out the training of specialists with higher education on specific specialties, as well as programs of *secondary special and supplementary education*, and conducts applied research;

1.0.26. major - a field of study specified in the corresponding *state* document on education, type of activity within a common specialty;

1.0.27. specialization - a professional specialty obtained on components of the corresponding vocational and professional education major;

1.0.28. campus - an educational complex (town) that houses pertinent material and technical foundation, and an infrastructure;

1.0.29. college - an educational institution that provides educational services based on secondary professional and vocational programs and has the right to confer sub-bachelor vocational and professional degree;

1.0.30. conservatoire - a higher educational institution which trains *sub-bachelors and* highly specialized experts on the field of music;

1.0.31. non-formal education - a type of education received as a result of various courses, clubs and individual courses, wherein no *state document on education* is issued upon completion;

1.0.32. license - *an official document issued* for educational activities *in accordance with the Law of the Republic of Azerbaijan "On licenses and permits"*;

1.0.33. lyceum - a general education institution at the basic and secondary education levels which provides for educational services for talented students under the respective fields of study;

1.0.34. master's program - the second level of higher education;

1.0.35. master - a higher academic professional degree conferred to the individuals who have completed the Master's Program;

1.0.36. *foreign states higher education qualification* - *an academic document, issued by the competent authorities of foreign states and entitling to admit to the higher level of education or to continue education at the next levels of higher education and (or) to engage in labor activity in accordance with the specialty in the country of issue, as well as confirming that the person has knowledge, skills, competence and experience in accordance with the relevant standards*;

1.0.37. professor - *an academic rank, conferred to experienced scientific and scientific-pedagogical personnel* (except for the fields which require special aptitude) for their advanced scientific and academic achievements;

1.0.38. residency - a *basic (basic higher)* education program that carries out specialist training in medical majors;

1.0.39. independent (external) education - a type of education which allows the individuals that have stayed out of general education to receive education or grants a right to the learners to finish any *level* of general education before the regular period;

1.0.40. sub-bachelor's degree - a professional-vocational degree conferred to the graduates *at the level of higher technical vocational education and* the secondary professional-vocational education;

1.0.41. educational credit - the unit of measurement allocated for the mastery of a certain course in accordance with its content and the scope;

1.0.42. teaching plan - the main regulatory document, which determines the amount of teaching hours allocated both for the courses and extra-curricular activities in respective level of education;

1.0.43. education - the process of mastering systematized knowledge, skills and abilities and its results;

1.0.44. educational investments - investing resources for development of education;

1.0.45. teaching program (curriculum) - the national document which specifies learning outcomes and content standards, courses taught, number of weekly teaching and extracurricular activity hours, regulation of teaching process, assessment and monitoring of learning outcomes for each level of education;

1.0.46. educational product - educational innovations, original educational and teaching programs, system of teaching methods, educational modules, educational projects;

1.0.47. educational institution - an institution which carries out the educational process based on corresponding curricula and issues the respective state documents;

1.0.48. autonomy of an educational institution - independence granted to state and municipal educational institutions by the respective executive power body;

1.0.49. educational franchising - a system of complex services for the realization of educational products in domestic or international educational market under corresponding conditions (retaining the official title and the trademark of an educational institution, protection of copyright, etc.);

1.0.50. doctor - a higher vocational-professional degree conferred to the graduates who have received *general (basic higher)* medical education;

1.0.51. doctor-specialist - a higher vocational-professional degree conferred to the individuals who have completed residency based on the respective curricula.

1.0.52. tutor - academic advisor in higher educational institutions;

1.0.53. university - a leading multi-profile higher educational institution, which carries out a broad range of specialist training at all levels of higher education, carries out a *secondary specialized and supplementary educational program* and conducts fundamental, *theoretical and methodological, pedagogical and methodological* and applied scientific research;

1.0.54. *scientific organization, established by the relevant executive authority - an organization that carries out the learning process on the basis of a master's curriculum and issues a public document on education at the master's level to graduates;*

1.0.55. *education services - services for assessing the education quality assurance, provided by the body (structure), defined by the relevant executive authority, and assessing knowledge for the admission of students to an educational institution, as well as the organization by educational institutions, registered in the Republic of Azerbaijan as licensed legal entities of pre-school, general, vocational, secondary specialized, higher, as well as out-of-school and supplementary education, preparation for international subject Olympiads, international competitions and tournaments, as well as other services provided in accordance with the tasks established by their charters.*

## **Article 2. Legislation on education of the Republic of Azerbaijan**

2.1. The legislation on education of the Republic of Azerbaijan shall consist of the Constitution of the Republic of Azerbaijan, this Law, *Laws of the Republic of Azerbaijan "On preschool education", "On general education", "On vocational education"*, other laws that are relevant to education sector, normative legal acts, and the international agreements, which the Republic of Azerbaijan is a Party to.

2.2. The main objectives of the legislation on education shall be to provide for and protect the constitutional rights of citizens with respect to education sector, to properly determine the rights and responsibilities of executive bodies in the sphere of education, learners and teachers, individuals and legal entities, to regulate the relations between them, and to create the legal basis for independent functioning and development of the education system.

2.3. This Law shall not be applicable to religious educational institutions operating within the Republic of Azerbaijan, as well as educational institutions of diplomatic representations and consulates of foreign countries.

## **Article 3. Key Principles of the National Policy on Education**

The key principles of the national policy on education shall be as follows:

3.0.1. humanism - recognizing as a priority the national and universal values, the unrestrained development of the individual, human rights and liberties, health and security, virtues of care, respect, and tolerance for the environment and the people.

3.0.2. democracy - cultivating the learners in the spirit of free thinking, expansion of the power and academic independence to organize and administer education under state-social basis, increasing the autonomy of educational institutions.

3.0.3. equality - creating equal opportunities for all citizens to receive education and providing for the right to education for them.

3.0.4. national consciousness and secularism - establishment and development of a secular education system on the basis of protecting national and national and universal values, and ensuring their dialectic harmony.

3.0.6. efficiency - the organization of education and the scientific works with the contemporary methods oriented towards development, effectiveness, and which are based on outcomes.

3.0.7. continuity, unity, and perpetuity - under the existing educational standards, curricula, and syllabi, the opportunity to receive education at several levels, ensuring a close mutual dialectic link among various levels of education, and its consistent lifelong continuity.

3.0.8. legacy - the consistent conveyance of knowledge and experience obtained in the field of education onto the next generation (cycle).

3.0.9. liberalization - extending the openness of the education area and educational activity;

3.0.10. integration - the development of national education through its efficient integration to the global education system, adaptation, and combination.

## **Article 4. The main goals of education**

The main goals of education in the Republic of Azerbaijan shall be as follows:

4.0.1. to develop citizens and personalities who understand his/her responsibility and accountability before the Republic of Azerbaijan and the state, respects his/her nation's national traditions and the principles of democracy, human rights and liberties, who is committed to the ideas of patriotism and loyal to Azerbaijanism, and who is capable to think independently and creatively.

4.0.2. to train progressively thinking and competitive specialists and personnel, who protect and promote national, moral, and universal values, enjoy a broad world outlook, are able to assess the initiatives and innovations, and have mastered theoretical and practical

knowledge.

4.0.3. to ensure the acquisition of systematized knowledge, skills, and abilities, and the continual improvement of the specialty, to prepare the learners to social life and efficient labor activity.

## **Article 5. State Guarantee of the Right for Education**

- 5.1. The state shall guarantee to create corresponding conditions for each citizen and does not permit for deprivation of any level and form of education.
- 5.2. The State shall secure creation of equal opportunities for each citizen and doesn't tolerate for any discrimination, regardless of the individual's gender, race, language, religion, political views, *ethnicity*, social status, background, and state of health.
- 5.3. The State shall guarantee equal opportunities for men and women in recruitments for all educational institutions, regardless of their type of property, appointing to or election for positions, stimulating and awarding the labor, admission of the learners to educational institutions, providing them with scholarships, selection of curricula and majors, assessment of knowledge, providing the graduates with jobs, continuing education at the next level, furthering the major, etc.
- 5.4. The state shall secure the right to compulsory general secondary education for each citizen. Every student enrolled in the public educational institutions shall enjoy the right to free-of-charge general education. The state shall set forth the right to receive a one-time free-of-charge education at secondary vocational-professional education and each level of higher education in accordance with the legislation.
- 5.5. In accordance with labor market demands, the state shall make a public requisition to the educational institutions for the training of professional specialists and provides the graduates with employment opportunities.
- 5.6. The state shall guarantee for the continuation of education for talented people, regardless of their financial state, and provides for necessary conditions for the people in need of social protection to receive education.
- 5.7. The state shall guarantee protection and development of national educational traditions, and the introduction of innovations.
- 5.8. The state shall carry out special projects and programs related to the education of Azerbaijanis living abroad.

## **Article 6. National Standards of Education**

- 6.1. National standards of education shall be a set of comprehensive norms developed in accordance with the scientific and pedagogic principles, meeting the demands of the individual, society, and the state. They contain common state requirements for a certain period of time (not less than 5 years).
- 6.2. National standards of education shall be determined by taking into account the internationally established progressive criteria in education, national and universal values.
- 6.3. Development, approval, and effectiveness of national standards of education shall be determined by the respective executive authority.
- 6.4. National standards of education shall determine academic content, management, its material, technical, and teaching foundation, infrastructure, teachers' quality indicators, the knowledge, skills, and aptitude of the learners at each degree and *level* of education.
- 6.5. The organization of education shall be arranged in accordance with respective state standards in all educational institutions.
- 6.6. Respective national standards of education shall be taken as the foundation while assessing the operations of an educational institution, the quality of education and the graduates' achievements, accreditation and the final attestation of the graduates.
- 6.7. Special *education* state standards shall be determined for the education of individuals with physical restrictions.

## **Article 7. Language of study**

- 7.1. The language of teaching in educational institutions of the Republic of Azerbaijan shall be state language - the Azerbaijani language.
- 7.2. *Taking into account the wishes of citizens and founders of educational institutions in accordance with international treaties wherein the Republic of Azerbaijan is one of the parties or agreement with the body (structure) defined by the relevant executive authority), teaching in educational institutions on the basis of relevant state educational standards or training programs accredited at the international level can be conducted in other languages too. In general education institutions teaching in foreign languages, the Azerbaijani language, Azerbaijani literature, history and geography of Azerbaijan should be taught.*
- 7.3. Preparatory classes and courses shall be organized for learners who have poor mastery of *the language of education* in accordance with the rules set by the respective executive authority and the educational programs.

## **Chapter II. Educational system of the Republic of Azerbaijan**

### **Article 8. The structure of the educational system**

- 8.0. The educational system shall include the following:
- 8.0.1. all educational institutions, other institutions that deal with educational and instructional process and provide educational services, scientific research institutes and information centers, project, production, clinical, public catering, medical-prophylactic, and pharmaceutical units, sports, recreational and health centers, campuses, cultural-educational institutions and organizations, libraries, dormitories, camps, and other infrastructure that support educational activities and its advancement;
- 8.0.2. educational management bodies and the institutions, and organizations functioning under them;

8.0.3. public and non-governmental organizations, associations, societies, scientific-methodological councils, and other institutions that are involved in educational activities.

#### **Article 9. The quality standards of education**

9.1. The level of education quality shall be determined in accordance with the system of corresponding quality indicators (educational programs - curricula, the readiness level of matriculates, material and technical foundation, infrastructure, information resources, professionalism and scientific-pedagogic level of educators, progressive teaching technologies, etc.) by each academic level, having adjusted to the principles of international and European education systems under the national educational *and professional* standards adopted in the country.

9.2. The level of personnel readiness in educational institutions shall be determined by the competitiveness of the graduates in national and international labor markets, and their role in the social and economic development of the country.

9.3. The level of education quality shall stem from the socio-political, socio-economic, scientific and cultural development needs at each historical period, and is assessed respectively by the *body (structure), established by the relevant executive authority*.

#### **Article 10. Educational program (curriculum)**

10.1. The curriculum shall define the content and mastery rules of education by various educational levels and areas of education in accordance with the respective national standards.

10.2. The curriculum shall encompass teaching plans, teaching programs by subjects, recommendations on methodological support, assessment and other respective teaching technologies.

10.3. The curricula shall encompass all levels and scope of education which are implemented in the Republic of Azerbaijan.

10.4. The duration of implementing these curricula shall be determined by the respective executive authority.

10.5. Respective curricula shall be used for in-service teacher training, distance learning, and other special forms of learning.

10.6. Special general educational programs shall be developed and implemented, providing education, treatment, *development of social skills* and integration into social life of students *with disabilities, including* those with limited health opportunities, who need long-term treatment.

10.7. International curricula shall also be implemented in the Republic of Azerbaijan. Training of the staff under the international curricula shall be regulated under the respective legislation and the charters of educational institutions.

#### **Article 11. General requirements for educational content and organization**

11.1. The general requirements on the content and organization of education shall be as follows:

11.1.1. to develop the necessary skills in learners to adapt to contemporary requirements and conditions, to be competitive, to live and function in information society, to communicate, *to think logically, critically and creatively*.

11.1.2. to take the responsibility, to make collegial decisions, to participate in operations and development of democratic institutions, to become an independent, creative personality and citizen.

11.1.3. to ensure that the learners receive continuous learning, to acquire the knowledge and world outlooks that is renewed constantly, and is based on contemporary standards, to more efficiently meet the needs and grow, and that the life-long learning is open and accessible for everyone.

11.1.4. to develop the skills necessary to master highly intellectual level and practical working ability, new technologies, and to quickly steer in the flow of information.

11.1.5. to create a real opportunity for meeting the demands of society for highly skilled and competitive human resource potential.

11.1.6. to ensure that the organization of the educational process at educational institutions is based on respect for the dignity of learners and teachers, and that any type of physical and psychological violence against the learners is not permissible.

11.2. The general requirements with respect to the content of education and the organization of educational process shall be governed by this Law and other normative-legal acts.

11.3. *In order to prevent HIV infection, sexually transmitted diseases among young people and to improve the level of knowledge in this field, some sections are included in the curricula of the educational institutions. Content, scope and methodology of training on HIV infection prevention at each level of education are based on age-appropriate and accurate information from a scientific point of view with bringing these arguments and reference to human rights.*

11.4. *Advertising in textbooks, teaching aids, teaching materials, school diaries, notebooks, albums, books intended for minors is not allowed.*

11.5. *Advertising, that may exert mentally and physically harmful influence on minors, can not be placed closer to the territory of pre-school and general educational institutions than the distance defined by the relevant executive authority. Outdoor advertising of sports betting, lotteries shall be placed on advertising carriers at a distance of at least 100 meters from children's and educational institutions.*

11.6. *It is forbidden to distribute in educational institutions for children or at a distance of less than one hundred and fifty meters from the borders of these institutions an information product, the circulation of which is prohibited among children.*

11.7. *Evaluation of information products, intended for teaching and upbringing of children in educational institutions is carried out in accordance with the legislation of the Republic of Azerbaijan on education, taking into account the requirements of the Law of the Republic of Azerbaijan "On the protection of children from harmful information".*

## Article 12. Types of education

12.1. The following forms of study shall be carried out in the Republic of Azerbaijan:

12.1.1. formal

12.1.2. non-formal

12.1.3. informal

12.2. The rules for the arrangement of formal education shall be determined by the respective executive authority.

## Article 13. Forms of education

13.1. The following forms of instruction shall be established in the Republic of Azerbaijan:

13.1.1. stationary

13.1.2. correspondence

13.1.3. distance

13.1.4. free (external)

13.2. Home education, *individual learning and stationary education* may be organized within the framework of forms established in the Republic of Azerbaijan.

13.3. The respective executive authority may promulgate other forms of instruction using facilities of modern educational technologies under necessary circumstances.

## Article 14. Educational institution

14.1. The organizational and legal forms, and status of an educational institution shall be established by the corresponding legislation.

14.2. Based on its forms of ownership, the following educational institutions shall operate in the Republic of Azerbaijan:

14.2.1. state

14.2.2. municipal

14.2.3. private

14.3. State educational institutions in the Republic of Azerbaijan shall not directly seek any financial benefit.

14.4. The operations, rights, and, and duties of an educational institution shall be established and regulated by its Charter, taking into account this Law and the respective legislative acts of the Republic of Azerbaijan.

14.5. The following types and kinds of educational institutions shall be established:

14.5.1. pre-school educational institutions (child care institutions, child care institution-kindergarten, kindergarten, *pre-school sanatorium-type educational institution, special pre-school educational institutions for children with disabilities*);

14.5.2. general education institutions (*primary, general secondary and complete secondary schools, lyceum, gymnasium, integrated general education school, special general education school, general purpose boarding school, boarding lyceum, boarding gymnasium, integrated education boarding school, special general education boarding school, sanatorium general education boarding school and other schools*);

14.5.3. out-of-school educational institutions (*centers of creativity and development, centers of ecology and tourism, children's youth sports chess schools, children's youth sports schools, children's youth chess schools, etc.*);

14.5.4. vocational educational institutions (vocational schools, vocational lyceums, *vocational education center*);

14.5.5. institutions of secondary vocational-professional education (colleges);

14.5.6. institutions of higher education (universities, academies, institutes, etc.);

14.5.7. in-service training educational institutions (universities, institutes, centers, etc.);

14.5.8. other institutions implementing educational operations (*children's music schools and art schools, etc.*).

14.6. Educational institutions of different types may also operate as an educational complex and campus.

14.7. *Primary and general secondary education schools in remote rural areas may operate in a small form, regardless of the number of students. Complete classes are organized from primary classes with a small number of students.*

14.8. The institutions of education shall provide education at the expense of state budget and on a remuneration basis. The special-purpose education in the Republic of Azerbaijan (military, *national security* and other) shall be carried out in respective educational institutions at the state's expense.

14.8-1. *Fee for education during the period of education by children who lost their parents and deprived of parental care, as well as by persons*

*of their number, receiving paid education in the state educational institutions of any type, at the magistracy level of a scientific organization, established by the relevant executive authority, as well as in municipal and private institutions of higher, secondary specialized and vocational education is paid from the state budget. Children who lost their parents and deprived of parental care retain this right after adoption.*

14.9. The establishment and activities by the political parties and religious institutions in educational institutions, educational management and other bodies shall be prohibited.

14.10. The uniforms and attributes of the learners in all educational institutions (*with the exception of public general educational institutions*) of the Republic of Azerbaijan shall be established by the regulations of an educational institution. *The uniform of students of public general educational institutions is established in accordance with the Law of the Republic of Azerbaijan "On General Education".*

14.11. The respective executive authority may grant a public higher educational institution the right (status) of autonomy within its framework of authority. An educational institution, which is granted the right of autonomy, shall be free to carry out teaching, scientific research, personnel, financial-economic, and other activities in compliance with existing legislation and its statutes.

14.12. Establishment, expansion, re-organization, and the closure of an educational institution shall be carried out in accordance with the rules established by the legislation.

14.13. The State shall ensure development of all educational institutions, including the private educational institutions, through giving them credits, allocating grants, and granting concessions to state educational institutions in accordance with the legislation.

14.14. The material and technical basis, and educational infrastructure of an educational institution shall not fail the norms established by the respective executive authority.

14.15. An educational institution shall be a legal entity and shall have an independent balance. An educational institution may have a bank account and other accounts in accordance with the respective legislation. An educational institution shall be independent in the performance of its administrative and financial-economic activities within the framework of existing legislation.

14.16. An educational institution shall be entitled to establish a network of affiliate institutions both within the country and abroad (for state educational institutions, under the condition of prior agreement with the respective executive authority), to create educational unions, associations, and alliances with public organizations for the advancement and improvement of education, likewise to join similar organizations in compliance with the legislation and its statutes.

14.17. An educational institution shall be responsible to the citizens, society, and the state for its activities.

*14.17-1. All educational institutions operating in the Republic of Azerbaijan must be connected to the "Centralized Education Information System".*

14.18. Higher and secondary special education institutions operating in the Republic of Azerbaijan shall be connected to the «Student/Graduate» state database system.

*14.19. Institutions of general education and vocational education operating in the Republic of Azerbaijan must be connected to the "Pupil-Graduate" state electronic information system.*

*14.20. Psychological services are organized and psychological assistance is provided in educational institutions in compliance with the requirements of the Law of the Republic of Azerbaijan "On psychological assistance". The order of organization of the psychological services is defined by the body (structure) determined by the relevant executive authority.*

## **Article 15. Founder of educational institution**

15.1. Founder (founders) of the educational institutions may be the state, municipalities, legal entities, and individuals of the Republic of Azerbaijan and foreign countries.

*15.2. Citizens of the Republic of Azerbaijan should prevail in the teaching staff of educational institutions whose founders are foreigners or stateless persons, foreign legal entities. If the local personnel potential do not allow it, the numerical ratio can be changed.*

15.3. The establishment rules and the list of special purpose institutions of education shall be decided by the respective executive authority.

15.4. A founder's liability, scope of authority, and mutual obligations with an educational institution shall be established and regulated by the legislation of the Republic of Azerbaijan, the constituent contract, and the entity's statutes.

## **Article 16. Licensing and accreditation of an educational institution**

16.1. Any educational institution in the Republic of Azerbaijan, *except for public pre-school and general education institutions*, should receive a license to carry out educational activities under the established legislation in the manner prescribed by the Law of the Republic of Azerbaijan "On Licenses and Permits". State educational institutions shall be provided with license for an indefinite term. ~~Private and municipal educational institutions founded by the individuals and legal entities of the Republic of Azerbaijan shall be provided with special permits (license) for a 5-year period. The educational institutions founded by the foreign individuals and legal entities shall be provided with special permits (license) for not less than 3 years.~~

16.2. The recognition of the licenses obtained by the foreign individuals and legal entities, their affiliate branches and representations in order to provide educational activities in their countries, in the Republic of Azerbaijan shall be determined by the agreements signed between the states.

*16.3. Accreditation of an educational institution is carried out in order to verify the compliance of an educational institution's activities with accepted state standards and the requirements of other regulatory acts and creates a legal guarantee for determining the status of an educational institution, the maximum number of students in each specialty (program), and extending its activities for the next term. Accreditation of an educational institution is carried out once in 5 years. A state duty is paid in the amount established by the Law of the Republic of Azerbaijan "On state duty" for accreditation of an educational institution.*

16.4. The accreditation of an educational institution shall be overseen by *the body (structure), established* by the relevant executive authority. The accreditation shall conclude with the issuance of a corresponding quality document - a quality *certificate*.

16.5. Only the operations of educational institutions, which have been registered in the Republic of Azerbaijan as legal entities, received *license* for activities, and accredited, shall be provided with legal provisions.

## **Article 17. Stages and levels of education**

17.1. The following states and levels of education shall exist in the Republic of Azerbaijan:

17.1.1. pre-school education;

17.1.2. general education;

17.1.2.1. primary education;

17.1.2.2. basic education;

17.1.2.3. secondary education;

17.1.3. *Vocational education:*

17.1.3.1. *primary vocational education;*

17.1.3.2. *technical vocational education;*

17.1.3.3. *higher technical vocational education.*

17.1.4. secondary vocational-professional education;

17.1.5. higher education;

17.1.5.1. *baccalaureate general (basic higher) medical education;*

17.1.5.2. *master's degree (residency);*

17.1.5.3. *doctorate (adjunct studies).*

17.2. Mutual connection and continuity among the different stages and levels of education shall be ensured. Each *stage and level* of education (*except for the stage of preschool education and the level of primary education at the stage of general education*) shall conclude with the issuance of a *state document on education* to the graduates based on final ~~assessment and or~~ attestation ~~results~~.

17.3. The activities under the stages and levels of education shall be regulated by the corresponding legislative acts. The accomplishments made by the learners in the previous stage and level shall be taken into account in continuing the education during the next stage and level.

17.4. *An examination to assess and recognize knowledge, skills and qualifications acquired by citizens through non-formal and informal forms of vocational education, and issuing a document confirming their professional specialty, is carried out in the manner established by the body (structure), defined by the relevant executive authority. The fee determined by the body (structure), established by the relevant executive authority shall be paid for services provided in connection with the assessment and recognition of knowledge, skills, competence and practice acquired through non-formal and informal forms of education for vocational education and for other services in connection with these services, the list of which is determined by the body (structure), established by the relevant executive authority.*

## **Article 18. Pre-school education**

18.1. Pre-school education shall constitute the first state of education, and in accordance with the interests of the family and society, ensures the children's intellectual, physical, and spiritual development from the early age, their mastery of simple labor skills, revealing their talent and skills, protecting their health, and developing their aesthetic upbringing, their sensitive attitude towards nature and the people.

18.2. Preschool education shall be carried out under the respective educational program.

18.3. Preschool education in the Republic of Azerbaijan *covers children aged 1 to 6 years*.

18.4. Preschool preparation shall be necessary for the five-year-old children. The rules of organizing preschool education shall be established by the respective executive authority.

18.5. Preschool education shall be either acquired in preschool educational institutions, at establishments within general secondary education institutions, and in the families, at behest of the parents (or their legal guardians).

18.6. The relevant executive authority *carries out* appropriate *educational* measures for families that carry out the upbringing of pre-school-age children at home.

18.7. *The legal, economic and organizational bases of preschool education in the Republic of Azerbaijan are governed by this Law and the Law of the Republic of Azerbaijan "On Preschool Education".*

## **Article 19. General Education**

19.1. The general education shall provide learners with general basics of sciences, promoting the necessary knowledge, skills, and abilities, and preparing them for life and professional activity.



19.2. The general education shall enable learners to develop physically and intellectually, to provide them with the necessary knowledge, to develop the civic-oriented thinking based on a healthy lifestyle and values, to respect national and secular values, and understand his/her rights and duties in the family, society, state, and the environment.

19.3. The general education shall be implemented based on the respective educational programs.

19.4. *The level of general education in the Republic of Azerbaijan covers the stage of preschool education, levels of primary education, general secondary education and complete secondary education.*

19.5. The duration of each stage of the general education, the rules of transition from one stage to another shall be established by the respective executive authority.

19.6. The general education may be provided in general secondary schools, schools with special orientation, gymnasias, lyceums, *professional* and secondary vocational-professional educational institutions, as well, as the schools established within higher educational institutions. *The general education school can also be organized in the form of elementary, general secondary and complete secondary schools separately.*

19.7. A range of extracurricular educational programs shall be implemented in order to enhance the learners' *sports* and creative skills.

19.8. The graduates who complete the general education with special achievements shall be awarded with the gold or silver *badges* under the rules established by the respective executive authority.

19.9. *The main objective of primary education is to assimilate by students the skills of reading, writing and calculation, a sense of patriotism and respect for the values of the Azerbaijani people, state symbols, to form their initial knowledge about man, society and nature, life skills aimed at forming a personality, basic work skills, elements of logical thinking, artistic and aesthetic sense and other features.*

19.10. Primary education shall be implemented based on the respective educational program.

19.11. Primary education in the Republic of Azerbaijan shall start from the age of 6. *At the request of parents or other legal representatives, children over the age of 6 are admitted to the school by the end of each calendar year.*

~~19.12. An educational institution may allow admission to exceptionally talented children at an earlier age at the request of parents or legal guardians of learners.~~

19.13. *The objective of general secondary education is to develop a culture of oral speech, writing and communication of students, to form a healthy lifestyle of them, to educate them in the spirit of loyalty to the state and statehood, the values ??of the Azerbaijani people and universal values, respect for human rights and freedoms, and the development of their cognitive activity and logical thinking, ensuring their ability to apply the knowledge gained from the relevant educational program, use modern information and communication technologies, evaluate events taking place in society, determine their future life path and areas of activity, develop skills of independent learning and decision-making, choosing a profession and preparation for work.*

19.14. The basic education in the Republic of Azerbaijan shall be compulsory. *With the exception of educational institutions that train on the basis of a special program, students who live in the territory where the educational institution is located are accepted into this educational institution in the first place. The procedure for admitting children to a general education institution, transferring students from class to class and moving is established by the body (structure) defined by the relevant executive body*

19.15. The basic education shall be implemented based on the respective educational program.

~~19.16. A final assessment shall be carried out at the basic education level and the students who complete their education receive a corresponding state document – *school-leaving certificate*. The document on completion of basic education shall constitute the basis for continuation of education at the next level and phase of education.~~

19.17. *At the level of complete secondary education is ensured the realization of the talents and abilities of students, their preparation for an independent life, the formation of an active civic position and competitiveness, a tolerant attitude to universal values, free and effective use of modern sources of information, the assimilation of an economic worldview, the ability to communicate in one or several foreign languages, etc.*

19.18. General secondary education shall presuppose the complete acquisition of the curricula at all three stages of general education. General secondary education, *which covers state standards for general education*, in public educational institutions shall be provided free of charge. *Public educational institutions have the right to organize on a fee basis internationally accredited educational programs taught in addition to state standards.*

19.19. *The orientation (humanitarian, technical, natural science, etc.) shall be provided at the level of complete secondary education of general education. Subject oriented classes are composed of at least 15 students. A decrease in the number of students in a subject oriented classes during the school year does not prevent the continuation of the activities of these classes.*

19.20. *In order to assess educational achievements of students who have completed the levels of general secondary and complete secondary education at the stage of general education, and to issue a state document on education to them, in the final grades (IX and XI grades) of general education institutions in the manner established by the body (structure), determined by the relevant executive authority, the final attestation of students is carried out, according to the results of which, for achievements, students are issued a certificate, a distinctive certificate or a certificate of a special sample.*

19.21. *The state document on general education is considered the basis for continuing education at the next level and stage or starting work.*

## **Article 20. Vocational education**

20.1. *Vocational* education shall be carried out in order to train professional labor force in various ~~vocations and popular~~ professions based on the basis of general secondary education, in compliance with the labor market demands.

20.2. *Vocational* education shall be carried out in *vocational* educational institutions regardless of the form of their ownership and educational

structures of individual organizations, enterprises, *the body (structure)*, established by the relevant executive authority and other relevant structures licensed for educational activities, and ends with the assignment of *primary special professional degrees* to graduates in respective areas.

20.2-1. Levels of vocational education:

20.2-1.1. primary vocational education;

20.2-1.2. technical vocational education;

20.2-1.3. higher technical vocational education.

20.2-2. Graduates of the primary vocational education institution are assigned an initial special vocational degree, graduates of the technical vocational education institution are assigned a technical special vocational degree, and graduates of the higher technical vocational education institution are assigned a special sub-bachelor vocational-qualification degree.

20.2-3. Graduates of the highest technical vocational education institution and received a specialized professional degree of sub-bachelor are equated to sub-bachelors who have completed secondary special education.

20.3. Vocational education shall be implemented based on the respective educational programs. Training at the level of high technical vocational education in vocational education institutions is organized according to the system of credits in the manner determined by the body (structure), established by the relevant executive authority. Graduates who have completed vocational education are provided with a state document - a diploma or a certificate in the due order.

20.3-1. The state document on vocational education at the level of high technical vocational education gives the right of admission to an institution of higher education and is considered the basis for obtaining higher education at the next stage of education.

20.3-2. The programs of majors at the level of high technical vocational education must correspond to the programs of higher education in the corresponding majors, and the credits accumulated by sub-bachelor graduates who successfully completed this level of education are taken into account by higher education institutions in majors corresponding to the bachelor's level.

20.4. Graduates, who are admitted to the vocational education institutions following basic general education in accordance with the Law of the Republic of Azerbaijan "On vocational education" are entitled to receive complete secondary education.

20.5. The legal, economic and organizational basis of vocational education in the Republic of Azerbaijan is regulated by this Law and the Law of the Republic of Azerbaijan "On vocational education".

## Article 21. Secondary special education

21.1. Secondary vocational-professional education shall provide for the training of secondary education specialists in various fields of production in accordance with the demands of the society and labor market, on the basis of basic and general secondary education.

21.2. Secondary vocational-professional education shall be implemented mainly at colleges and in the relevant structural units of higher educational institutions of the higher educational institutions, and concludes with the issuance of a sub-bachelor special qualification degree. The graduates enrolled to receive the basic secondary education entering the secondary vocational-professional education shall also receive general secondary education.

21.2-1. With the consent of the founder, the secondary special education can be carried out in the relevant structural units of higher educational institutions. The order of organization of secondary special education in higher educational institutions is established by the body (structure) determined by the relevant executive authority.

21.3. Secondary vocational-professional education shall be organized on the basis of respective educational programs. Education in institutions of secondary vocational-professional education is organized according to the system of credits in the manner determined by the body (structure), established by the relevant executive authority. The graduates completing secondary vocational-professional education shall be provided with a state document on education - a diploma accordingly.

21.4. The state document on completion of the secondary vocational-professional education shall allow for entering higher educational institutions and constitutes the basis to receive higher education in the next stage of education.

21.5. The conformity of the programs in secondary vocational-professional education with the higher education programs on the corresponding majors shall be ensured, and the credits obtained by the sub-bachelors, the graduates who successfully complete this level of education, shall be taken into account by higher education institutions in majors corresponding to the bachelor's level.

## Article 22. Higher education

22.1. Highly specialized experts, scientific and scientific-pedagogic staff shall be trained in the higher education level taking into account the demands of the society and labor market.

22.2. The training of specialists, scientific and scientific-pedagogic staff shall be carried out in three levels at the higher educational institutions of the Republic of Azerbaijan:

22.2.1. baccalaureate general (basic higher) medical education;

22.2.2. master's degree (residency);

22.2.3. doctorate (adjunct studies).

22.3. The baccalaureate level of education shall carry out a wide range of specialists with higher education on educational programs of various

majors, on the basis of general secondary education and secondary vocational-professional education. The Bachelor's degree shall be a completed higher education. The graduates who complete Bachelor's program shall be provided with Bachelor higher professional-vocational degree. The graduates may work in all the fields, other than activities in *scientific institutions and organizations* and the scientific-pedagogic activity of the higher educational institutions. The content of Bachelor's program and the regulations pertaining to these programs shall be determined by the respective executive authority.

*22.3-1. Annual paid preparatory groups at the bachelor's level are organized for higher educational institutions and specialties, established by the relevant executive authority.*

22.4. The master's level education shall envisage a deeper study of a specialization field for scientific-research or professional purposes and shall entitle the graduates to engage in a professional activity, scientific-research and scientific-pedagogic work. The content of and regulations pertaining to the master's education shall be determined by the respective executive authority.

22.5. Master's level program may only operate at the institutions of higher education *and organizations, established by the relevant executive authorities*, having sufficient scientific-pedagogical staff, material-technical assets and educational infrastructure.

*22.5-1. The provisions established by this Law for higher educational institutions, carrying out educational activities at the master's level, are extended to a scientific organization, established by the relevant executive authority.*

22.6. *In compliance with the educational programs and the national standards of higher medical education, higher medical education is carried out at the level of basic (basic higher) medical education and residency, graduates are assigned, respectively, higher specialized professional degrees of a doctor and a medical specialist.* The content of and regulations pertaining to residency education shall be determined by the respective executive authority.

*22.6-1. Education at the bachelor's (basic (basic higher) medical education) and master's (residency) levels in higher education institutions is organized according to the credit system in the manner determined by the body (structure), established by the relevant executive authority.*

~~22.7. The master's level education in the areas of culture, music, arts, sports, architecture, design and others, which require special abilities and have distinguishing features, shall only be provided in the areas that require theoretical education and research. The respective executive authority shall determine the list of such specialties.~~

~~22.8. Doctoral level education, being the highest level of higher education, provides training for scientific and scientific-pedagogical personnel, advanced training and academic degrees.~~

22.9. Doctoral level education is carried out in doctoral schools (postgraduate programs at the military schools), established in higher educational institutions, scientific establishments and organizations, and leads to the appropriation of the relevant academic degree. Academic degrees are awarded in accordance with the Law of the Republic of Azerbaijan "On Science" on the basis of a petition of dissertation boards operating in higher educational institutions, scientific establishments and organizations.

22.10. The following academic degrees shall be established in the Republic of Azerbaijan:

22.10.1. *philosophy doctor (indicating the field of science);*

22.10.2. *doctor of science (indicating the field of science).*

22.11. The procedures for establishment of a doctorate program, admissions to the post-graduate study and conferring academic degrees shall be determined by the body (structure), defined by the respective executive authority.

22.12. The admission of foreigners and stateless persons to doctorate programs is carried out in accordance with international treaties, wherein the Republic of Azerbaijan is one of the parties, an educational grant program, established by the body (structure), defined by the relevant executive authority, the Law of the Republic of Azerbaijan "On Science" and this Law, as well as on the basis of a contract concluded between a higher education institution, scientific establishment and organization and a foreigner or stateless person.

22.13. The individuals who complete the post-graduate studies and receive the relevant academic degree shall be provided with a unified public document, which acknowledges that scientific degree - the diploma.

22.14. Scientific and scientific-pedagogical staff of the institutions of higher education, scientific establishments and organizations and other entities shall be also provided with academic degrees through dissertation. The procedures for admission of students through dissertation to the relevant departments of higher education institutions, scientific establishments and organizations shall be determined by the body (structure), defined by the respective executive authority.

22.15. The staff of the higher education institutions shall be provided with academic titles for their achievements in the field of scientific and scientific-pedagogical activity, through the approved procedure. Following academic titles shall be established in the Republic of Azerbaijan:

22.15.1. *assistant professor;*

22.15.2. *professor.*

22.16. The procedures and requirements for conferring the titles of professor and assistant professor shall be established by the body (structure), defined by the respective executive authority.

22.17. The higher education institutions and scientific establishment in the Republic of Azerbaijan shall be entitled to confer the academic titles of honorable professor/doctor. The procedures and requirements for conferring the titles of honorable professor/doctor shall be determined in accordance with the charter of the higher education institution and scientific establishment.

## **Article 23. Post-graduate (doctoral) education**

~~23-1. Doctoral level education shall be the highest level of higher education which develops scientific and scientific-pedagogical staff and offers~~

advanced professional and scientific degrees.

23.2. The post-graduate education shall be provided through doctorate programs at the institutions of higher education, *scientific establishments* and organizations (or postgraduate programs at the military schools) and leads to the relevant scientific degree. The scientific degrees shall be conferred by the dissertation boards within the institutions of higher education and scientific establishments.

23.3. The following scientific degrees shall be established in the Republic of Azerbaijan:

23.3.1. Philosophy doctor – indicating the field of science;

23.3.2. Doctor of science – indicating the field of science.

23.4. The procedures for establishment of a doctorate program, admissions to the post-graduate study, conferring scientific degrees and the pertinent policies shall be determined by the respective executive authority.

~~23.5. The admission of foreigners and stateless persons to doctorate programs is carried out in accordance with international treaties of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan "On Science" and this Law, as well as on the basis of a contract concluded between a higher educational institution and a foreigner or stateless person.~~

23.6. The individuals who complete the post-graduate studies and receive the relevant scientific degree shall be provided with a *state document* in the prescribed form – the diploma, which acknowledges that scientific degree.

23.7. Scientific-pedagogical staff from the institutions of higher education, *scientific institutions and organizations* and other entities shall be also provided with scientific degrees via the doctoral programs offered through «correspondence». The procedures for admission of students through correspondence to the relevant departments of higher education, *scientific institutions and organizations* shall be determined by the respective executive authority.

23.8. The staff at the higher education institutions shall be provided with scientific titles for their achievements in science and teaching through the approved procedure. Following scientific titles shall be established in the Republic of Azerbaijan:

23.8.1. assistant professor;

23.8.2. professor.

23.9. The procedures and requirements for conferring the titles of professor and assistant professor shall be established by the respective executive authority.

~~23.10. The higher education institutions in the Republic of Azerbaijan shall be entitled to confer the scientific titles of professor/doctor emeritus in accordance with the relevant procedure. The procedures and requirements for conferring the titles of professor/doctor emeritus shall be determined in accordance with the charter of the higher education institution and *scientific institution*.~~

## Article 24. Further education

24.1. Further education shall be a part of continuous education and professional training that enables every citizen holding a state document acknowledging completion of *any stage of higher, secondary specialized and vocational education*, to acquire continuous education. The main objective of the further education shall be to develop human potential through life-long education, advance intellectual and professional training of specialists, adjust them to the continuously changing and modernizing working conditions, maintain active and efficient participation of the senior citizens in the social, economic, political and cultural life of the country.

24.2. Further education in the Republic of Azerbaijan shall include the following areas:

24.2.1. in-service training;

24.2.2. re-training;

24.2.3. internship and advanced training;

24.2.4. repeated *higher education, secondary specialized education and higher technical vocational education*;

24.2.5. advanced degree studies;

24.2.6. adult education.

24.3. The regulations related to the content and implementation of further education shall be determined by the respective executive authority in accordance with the special curricula.

24.4. Further education shall be carried out at in-service and retraining institutions, special entities established under the *educational* institutions, internship and professional development courses, as well as other institutions with appropriate *license* for operating in this field.

24.5. The citizens who receive education in any of the fields of further education shall be provided with a certifying document in accordance with the procedures established by the respective executive authority. Incentives shall be provided to individuals who graduated from in-service training courses.

## Article 25. Scientific research in the system of education

25.1. The scientific researches in the system of education shall be conducted by the relevant scientific-research entities operating under the educational management bodies, at the institutions of higher education and their relevant units (scientific-research institutes, centers, departments, laboratories and etc.).

25.2. The scientific researches carried out in the system of education shall be of fundamental, *theoretical-methodological, pedagogical-methodical* and applied nature.

25.3. The scientific researches in the system of education shall be carried out using public funds, grants, resources from various funds, extra-budgetary funds generated by the educational institutions, outside orders and etc.

25.4. Scientific researches related to the educational development issues shall be innovative in nature and shall be aimed at the study of educational history, improvement of the structure and management of the education, organization of the teaching process on the basis of modern methodologies, development and implementation of new learning technologies and pedagogical innovations in other areas.

#### **Article 26. The general procedures for student admissions to institutions of higher and secondary vocational-professional education**

26.1. The student admissions to institutions of higher and secondary vocational-professional education shall fully maintain the citizens' right to education and shall be carried out on a competitive basis (except as provided by the *articles 26.5 and 26.5.3*) by allowing students who have mastered the educational programs at the corresponding educational level and are competent and prepared, to independently select the specialization and educational institution of their own choosing.

*26.1-1. Reception of bachelors in secondary special educational institutions, and sub-bachelors - to the level of bachelor's degree in relevant specialties of higher educational institutions, as well as transfer of persons who have not completed bachelor's degree (basic (basic higher) medical education), at their own will, to secondary special educational institutions body (structure) defined by the relevant executive authority.*

26.2. The student admissions to institutions of higher and *secondary* vocational-professional education, *as well as to preparatory groups* shall be carried out in accordance with the procedures established by the respective executive authority and based on the students' performance during the student assessment exams.

26.3. Every learner or his/her parents (legal representatives) may review the following legal documents that regulate the teaching process at the institutions of higher and secondary vocational-professional education:

26.3.1. the charter of the educational institution;

26.3.2. the *license* that guarantees educational activities;

26.3.3. the accreditation document of the educational institution.

26.4. A student's achievements in the preceding stage of education shall be taken into consideration during the admissions to the institutions of higher and secondary vocational-professional only in accordance with the procedures determined by the respective educational authority.

*26.5. The winners of subject international Olympiads are admitted to higher education institutions in any specialties, and the winners of republican subject Olympiads, international competitions and high-level competitions - in relevant specialties - without entrance examinations.*

*26.5-1. Students who successfully passed the final examinations, conducted at the end of training in preparatory groups at the bachelor's level for higher educational institutions and specialties, established by the relevant executive authority, are admitted to the first course of higher educational institutions. Rules for the organization of training in preparatory groups of higher educational institutions are established by the relevant executive authority.*

*26.5-2. The list of competitions, international contests and competitions provided for in Article 26.5 of this Law, and the procedure for accepting their winners out of the competition to higher educational institutions are established by the body (structure) determined by the relevant executive authority.*

*26.5-3. Applicants who studied under a special program accredited at the international level, with the fulfillment of the conditions established by the body (structure) defined by the relevant executive authority, are admitted to higher educational institutions in the field of instruction in the language of education received out of competition.*

26.6. The student admissions to *master's level programs (residency)* shall be carried out for individuals holding a bachelor's or other higher educational degrees, in accordance with the procedures determined by the respective executive authority.

#### **Article 27. The state document on education**

27.1. Individuals who have completed any stage or level of education at an *educational institutions (except for doctoral studies)*, shall be provided with a state document on the relevant education, *created in the form of an electronic document in the "Centralized Education Information System"* in accordance with the procedures established by the legislation.

27.2. The state document for completion of education shall constitute a basis for pursuing one's education at the next level or commencing labor activity in the area of specialization.

27.3. Individuals who for various reasons fail to complete a certain stage and level of education shall receive a certificate *created in the form of an electronic document in the "Centralized Education Information System"* in accordance with the procedure established by the respective executive authority.

27.4. *Foreign states higher education qualification* shall be recognized in accordance with the procedures established by the respective executive authority.

#### **Article 28. Catering and medical services at the educational institutions**

28.1. An educational institution shall establish necessary conditions in accordance with the requirements and norms established by the respective executive authority in order to provide catering and medical services.

28.2. The catering services at a higher education institution shall be provided on the basis of a contract between the educational institution and

the legal entity or the individual arranging the catering services.

28.3. The medical services which are provided to learners at an educational institution in accordance with the procedures established by the *body (structure)*, defined by respective executive authority shall be offered free of charge.

### **Chapter III. Management of the educational system, the rights, duties and social protection of the subjects of education**

#### **Article 29. Responsibilities of the State in the field of education**

29.0. The State responsibilities in the field of education shall be as follows:

29.0.1. define and implement the overall state educational policy;

29.0.2. define the concept of development and main priorities of the ~~national~~ system of education;

29.0.3. develop, approve and oversee the implementation of various state programs for development of the ~~national~~ system of education;

29.0.4. determine the priorities and specializations for training of specialists, as well as programs for training of *highly qualified scientific and scientific-pedagogical staff*;

29.0.5. periodically monitor the implementation of state policy and state programs on education;

29.0.6. provide for integration of the national education to the world system of education and establishment of an educational system and environment that meets the international standards;

29.0.7. determine the amount of budget allocations and state education grants aimed at improving the educational sector and finance the public educational institutions;

29.0.8. for each fiscal year determine the norms for financing the public educational system, as well as the cost of education and norms per learner (secondary school student, university student, graduate and etc.);

29.0.9. *determine the admission of ~~pupils and~~ students to professional, secondary special and higher education institutions in the relevant specialties;*

29.0.10. conduct the student assessment during admissions in accordance with the defined procedure;

29.0.11. *create the state electronic information systems "Centralized Educational Information System", "Student-Graduate" and "Pupil-Graduate" and ensure their use;*

29.0.12. develop and approve the state standards of education ~~and programs (curricula)~~ for each education stage and oversee the compliance of education to the relevant state standards;

29.0.13. appoint and discharge the heads of public education institutions in accordance with the procedure enshrined in the legislation;

29.0.14. determine the age limit for professors-teachers working at the public educational institutions to occupy academic and administrative positions;

29.0.15. approve exemplary statutes of education institutions, *pre-school educational institutions and institutions of supplementary education* in conformity with the *level* of education;

29.0.16. approve the statutes of public educational institutions, provide comments on statutes of municipal and private educational institutions;

29.0.17. define the overall requirements for organization of the educational process;

29.0.18. identify the intergovernmental, regional and international development programs in the field of education;

29.0.19. provide the establishment of unified system for statistical data in the field of education;

29.0.20. approve the *description* of state documents on education and their issuance procedures;

29.0.21. *identify the procedures for recognition of foreign states higher education qualifications and carry out the recognition of qualifications;*

29.0.22. determine the norms for teaching loads of pedagogical staff at all higher educational institutions;

29.0.23. approve uniform norms for construction and material-technical provision of educational institutions, determine the overall sanitary-hygienic requirements, as well as student enrollment norms;

29.0.24. grant and revoke a *license* for the operation of educational institutions;

29.0.25. develop and approve the qualifications framework for institutions of primary, secondary vocational-professional and higher education;

29.0.26. carry out the scientific-methodological supervision and control over educational institutions;

29.0.27. carry out the state control of the quality of education in educational institutions;

29.0.28. define the regulations for accreditation of the educational institutions and conduct the accreditation;

*29.0.28-1. determination of the amount of the state duty and fee for services provided for by this Law;*

29.0.29. define the attestation regulations of teachers (*except for teachers in public general education institutions (in relation to teachers of general education - in other public educational institutions)*) and students at the educational institutions, including ~~the final~~ attestation;

29.0.30. provide for coordination of the activities of the educational administration authorities, educational institutions, the public and non-governmental organizations associated with education;

29.0.31. provide for coordination of the scientific researches at the *higher* educational institutions;

29.0.32. adopt, amend and revoke normative-legal acts that regulate the operation of the educational system;

29.0.33. provide for development, approval and publication of the textbooks, subject resources and other *teaching manuals* for the educational institutions;

29.0.34. determine the regulations and conditions for scientific titles and degrees;

29.0.35. provide compensation and incentivize the work of the staff at the educational institutions, establish individual and aimed scholarships to particularly talented learners;

29.0.36. maintain teaching, scientific, scientific-methodological support and information-communication technologies, *digital educational resources* and other technical equipment for public educational institutions;

*29.0.37. approve the educational programs (curricula), syllabus and programs;*

29.0.38. determine the actual need for specialist staff, including the pedagogical staff and regulate their employment;

29.0.39. provide for the implementation of the existing legislative acts in the field of education;

*29.0.40. determine the procedure for organizing free medical care in public educational institutions;*

29.0.41. arrange for minors that have lost parents or are deprived of parental protection be adopted by guardians (trustees) or enrolled in public boarding schools, oversee the fulfillment of their functions by the guardians and trustees, ensure that children with disabilities are referred to special and general educational institutions (*classes of special education and inclusive education*) and social protection institutions.

29.0.42. carry out planning, forecasting, coordination, provision, assessment and other functions in the field of education.

*29.0.43. determine the procedure for certification of educators of the public general education institutions (in relation to teachers of general education - in other public educational institutions) and conducting certification;*

*29.0.44. define the typical staff positions of educational authorities and public education institutions (except for the educational institutions, financed per person) and cost standards;*

*29.0.45. determine the state awards, honors for educators, establishment of awards for educators, distinguished by scientific, pedagogical activity and creativity, and students who distinguished themselves through their high academic performance, including awards and prizes for winners of republican subject Olympiads and other incentive measures.*

## **Article 30. Administration of an educational institution**

30.1. An educational institution shall be administered on the basis of the principles of openness, transparency and democracy in compliance with this Law, relevant normative-legal acts and its own statute.

30.2. Administration of a public educational institution shall be carried out by the management of the educational institution appointed by the *body (structure), established by respective executive authority*. The highest governing bodies of public educational institutions shall be the scientific and pedagogical boards. The establishment and activities of the scientific and pedagogical boards shall be defined by the regulations approved by the respective executive authority and the statute of that educational institution.

*30.3. The highest governing body of the municipal and private educational institution is established by the charter of this educational institution.*

~~30.4. Administration of a private educational institution shall be carried out by the management of the private educational institution appointed by the founding board (trustees).~~

30.5. The deputy head of an educational institution must be a citizen of the Republic of Azerbaijan if the founder(s) of this institution are foreign citizens or foreign legal entities, including if more than 51% of the statutory capital or stocks are owned by foreign legal entities or foreign citizens. The nomination of the head and the deputy head of such educational institution shall be agreed upon by the respective executive authority. The state registration of this educational institution may only be made once the nominations of the head and the deputy head are agreed upon.

30.6. Units of administration and self-administration (general meeting, trustees, scientific, scientific-methodological, pedagogical, parental and student boards) may be established at an education institution to provide for democratic and transparent administration of the educational institution. The procedure for establishment of these types of institutions shall be specified by the statute of the education institution.

30.7. The management of an educational institution shall be carried out by a rector, director or head depending on the status of that institution and in accordance with the statute of the educational institution.

30.8. The age limit for holding academic and administrative positions in an educational institution shall be determined the respective executive

authority. The pedagogical staffs who reach this age limit shall be entitled to take part in the teaching and scientific activities of the educational institution provided that they do not hold any academic and administrative position.

30.9. No public and local self-government authority or any other entity, with the exception of the educational administration authorities may interfere with the matters involving administration of an educational institution.

### **Article 31. Participants of the process of education**

31.0. The following shall be the participants of the educational process:

31.0.1. learners - children, school children, students, cadets, master students, *residents*, doctoral students, *adjuncts* and others;

31.0.2. educators (pedagogical staff) - teachers, assistants, advisors, tutors, mentors, *curators of the residents*, assistant teachers, assistant mentors, pre-military training coaches, defectologists, logopedists, production training masters, practicing psychologists, sociologists-pedagogues, heads of *children's unions*, methodologists, heads of study and music groups, scientific-pedagogical staff, engineering-technical who are directly involved in the teaching process, teaching-support staff, babysitters, instructors, *laboratory assistants*, *librarians*, *social workers*, publishing-editing staff, staff at the leading units of the entities managing the education, supervisors at educational institutions and authorities involved in teaching-upbringing activities, concertmasters and trainers employed by educational institutions, *other persons engaged in pedagogical and administrative activities in educational institutions, as well as staff from social protection and other authorities, as well as medical institutions*, who are directly involved in the pedagogical activity and other individuals involved in the teaching-upbringing process;

*31.0.2-1. teaching assistants - medical workers and other workers;*

31.0.3. parents or their legal representatives;

31.0.4. *founders, as well as* authorities that administer education and municipalities;

31.0.5. other individuals and legal entities involved in teaching-upbringing.

### **Article 32. Rights and responsibilities of learners**

32.1. The rights and responsibilities of learners shall be determined in accordance with the Constitution of the Republic of Azerbaijan, this Law and other relevant legislative acts, international agreements, which the Republic of Azerbaijan is a party to.

32.2. Students and graduates of all educational institutions shall have equal rights.

32.3. The learners' rights shall have to:

32.3.1. get admission to educational institutions in accordance with the procedures set forth by the legislation;

32.3.2. independently choose the educational institution, specialization, profession, the form of training, *the language of education and the foreign language*;

32.3.3. receive quality education up to the level of national standards of education *in a healthy pedagogical environment from a moral and psychological point of view*;

32.3.4. choose the education profile, curricula and extracurricular activity, *including after-school activities (optional courses)*;

32.3.5. freely choose the subjects, number of credits for each semester, educators and advisers-tutors in accordance with the teaching plans offered by the institution of higher education;

32.3.6. use the existing infrastructure (teaching-production, science-research, information, cultural-welfare, sports, fitness centers, *laboratories*, libraries and etc.) of the educational institution;

32.3.7. change the educational institution and specialization in accordance with the established procedure;

32.3.8. take part in the scientific-research activity;

32.3.9. pursue uninterrupted education;

32.3.10. enjoy a learning environment that is free of *life and health* risks and hazards;

*32.3.11. enjoy protection from actions that humiliate the honor and dignity of a person, physical, moral and psychological violence, actions that violate human rights;*

32.3.12. temporarily suspend one's education at an educational institution in accordance with the established procedure;

32.3.13. seek re-assessment of one's knowledge in accordance with the procedure determined by the *body (structure)*, established by the relevant executive authority;

32.3.14. receive a one-time only free-of-charge education *at the level of public special education, the level of vocational education* and each level of the higher education;

32.3.15. receive free-of-charge textbooks at the public and municipal institutions for comprehensive education *and vocational education*;

32.3.16. participate in the organization and management of the educational process, freely express one's ideas and thoughts;

32.3.17. participate in the scientific, public, social and cultural life of the educational institution, take part in the establishment of



scientific societies, study groups, associations, unions and other organizations, join similar types of national and international organizations;

32.3.18. *participate in education related encouraging activities (olympiads, knowledge competitions, subject contests, conferences, seminars, programs and projects);*

32.3.18-1. *receive free psychological assistance as prescribed by the Law of the Republic of Azerbaijan “On psychological assistance”;*

32.3.18-3. *use the opportunities of out-of-school educational institutions to improve knowledge and skills;*

32.3.19. be entitled to other rights prescribed by law.

32.4. Involvement of learners in activities and events unrelated to the process of education, with the exception of cases defined by the legislation, shall be prohibited.

32.5. The learners’ responsibilities shall have to:

32.5.1. acquire knowledge, abilities and practical skills in accordance with the national standards of education;

32.5.1-1. *not to allow cases of evasion from lessons for disrespectful reasons, timely and efficiently complete assignments;*

32.5.1-2. *live a healthy lifestyle;*

32.5.2. respect the honor and dignity of pedagogical staff;

32.5.3. comply with requirements specified by the regulations of the educational institution;

32.5.4. recognize one’s responsibility before the country, the society, the parents and oneself;

32.5.5. comply with the requirements of the legislation on education, ethical norms and regulations associated with the learning and upbringing process.

32.5.6. fulfill other duties assigned by the legislation.

### **Article 33. Educators’ rights and responsibilities:**

33.1. The rights and responsibilities of educators shall be regulated by the Constitution of the Republic of Azerbaijan, this Law and other relevant legislative acts, international agreements which the Republic of Azerbaijan is a party to, the statute of the educational institution and its internal rules of discipline, as well as the employment contract concluded between the employer and educator.

33.2. The educators’ rights shall be to:

33.2.1. be provided with normal conditions for work, scientific-pedagogical activity and education and technologies that meet modern standards;

33.2.2. get actively involved in the organization and management of the educational process in accordance with the statute of the educational institution, *offer suggestions;*

33.2.3. freely choose the form, method and means of teaching, *be provided with educational and methodological manuals;*

33.2.4. require respect for his/her honor and dignity;

33.2.5. to hold positions at an educational institutions, as well as elect and be elected to *elective* positions;

33.2.6. To receive ~~in-service training~~, new specialty, attend probationary work, advance professional levels and scientific degrees;

33.2.7. receive premiums and be rewarded;

33.2.8. for professors who have long performed exceptionally at educational institutions and have provided significant contributions to its scientific-pedagogical life, to hold an associate-professor position with the retention of the monthly salaries and supplemental payments, as well as other benefits and privileges, on the condition that they are free from any academic and administrative position;

33.2.9. be entitled to other rights under the legislation.

33.3. Educators’ responsibilities shall be to:

33.3.1. participate in implementing the national policy in the field of education;

33.3.2. ensure that the educational programs (*curricula*) are acquired, *provide quality education;*

33.3.3. To cultivate the learners’ civic position as independent personalities, prepare them to become patriotic, develop their initiative according to their abilities and skills, for them to live and work independently;

33.3.4. ~~by his/her own work and personal example~~, instill feelings of respect and love to learners’ for the independence of the Republic of Azerbaijan, its Constitution and laws, state attributes, the history, culture, language, customs and traditions, national and universal values of the Azerbaijani people, the society and the environment;

33.3.5. comply with *rules of ethical behavior*, pedagogical ethics and moral norms, honor the reputation of the teaching profession, exhibit characteristics of an intellectual person;

33.3.5-1. *comply with the rules of internal discipline and perform job functions, determined by the employment contract;*

33.3.6. respect the learners' honor and dignity;

33.3.7. protect children and youth from any forms of physical, psychological violence, and deter them from harmful habits, *participate in ensuring the safety and protecting students' health;*

33.3.8. advance professional, scientific and pedagogical expertise, conduct scientific research, *study and apply advanced pedagogical practice, modern methods of interactive learning, innovation,* conduct additional workshops, extracurricular activities;

33.3.8-1. *cooperate with parents, inform parents about the achievements in the studies of students;*

33.3.8-2. *cooperate with the management, psychologist of the educational institution and colleagues, conduct consultations in connection with the training and development of students;*

33.3.9. pass attestation within certain periods as defined by legislation (*certification at the public general educational institutions (in relation to general education teachers - at other public educational institutions);*

33.3.10. fulfill other duties assigned by the legislation.

#### **Article 34. The rights and responsibilities of parents (legal guardians)**

34.1. The rights of parents (legal guardians) in the field of education shall be determined as the following:

34.1.1. choose the education institution for their minor children;

34.1.2. receive information about the organization of the educational process, the quality of education, their children's attendance, behavior and the academic performance at their chosen educational institution;

34.1.3. protect learners' rights, participate in the management of the educational institution;

34.1.4. collaborate with educational institutions and organizations, put forward suggestions and render voluntary donations for the improvement and upgrade of material-technical assets and technical support of the teaching process.

34.1.5. fulfill other rights assigned by the legislation.

34.2. Parents and other legal guardians shall have the following responsibilities in the education field:

34.2.1. provide conditions for their children's physical, moral and intellectual development at early age, ensure that their children receive compulsory comprehensive secondary education and upbringing;

34.2.2. ensure their children are brought up as humanistic, patriotic and labor-loving individuals who respect the language, literature and history of his/her people and national-spiritual and universal values;

34.2.2-1. *observe the rules of internal discipline, protect the business prestige of the educational institution;*

34.2.3. fulfill other duties assigned by the legislation.

#### **Article 35. Social protection of learners**

35.1. Students at the public *and municipal* institutions of comprehensive secondary education shall be provided with textbooks at the expense of the state.

35.2. In order to encourage the learners' activity, stipends (including special stipends) and aid shall be provided to learners studying at public *vocational*, secondary specialized and higher education institutions in accordance with legislation.

35.3. Other concessions may be offered to learners in accordance with legislation.

35.4. Social protection of learners studying at private educational institutions shall be regulated by the statute of that institution.

#### **Article 36. Social protection of educators**

36.1. The state shall guarantee social protection of educators. *Social protection of teachers in educational institutions is determined by this Law, the laws of the Republic of Azerbaijan "On general education", "On vocational education", "On preschool education" and other laws of the Republic of Azerbaijan, as well as the charter of the educational institution.* The scale of pay and official salary of educational staff shall be determined by taking into account their functional responsibilities, professional characteristics, professional qualifications and length of service.

36.2. The public and municipal educational institutions may determine additions to official salaries, rewards and other incentives from non-budget funds at its disposal.

36.3. The amounts paid to the *scientific and scientific-pedagogical* staff working at the public and municipal educational institutions in addition to their official salaries for scientific titles shall be determined by the respective executive authority.

36.4. Educational staff working in the educational institutions for children with disabilities, *with inclusive education for children*, orphans and children deprived of parental care, children in need of strict conditions for upbringing, institutions for talented children, as well as staff working in mountainous and border regions, remote residential areas shall receive additions to their rate of pay and official salary, in the amount determined by the legislation.

36.5. Graduates with pedagogical specialties from secondary and higher professional institutions, who as young specialists immediately start

employment at institutions for comprehensive education, shall receive additional concessions and incentives as determined by the *body (structure)*, established by the relevant executive authority.

36.6. Educators shall be provided with leaves for creative and educational work in accordance with procedures established by legislation.

#### **Article 36-1. Pedagogical activity**

36-1.1. *In educational institutions of the Republic of Azerbaijan, pedagogical activities can be carried out by persons who have pedagogical education in the relevant specialty, as well as specialists with higher education who do not have pedagogical education, in the manner established by the body (structure) defined by the relevant executive authority.*

36-1.2. *The following persons can not engage in pedagogical activities:*

36-1.2.1. *prohibited from engaging in teaching activities by a court decision that has entered into force;*

36-1.2.2. *with a conviction that has not been canceled or outstanding for committing a grave and especially grave crime;*

36-1.2.3. *in respect of whom there is a court decision on legal incapacity or limited legal capacity that has entered into legal force, as well as the application of compulsory medical measures in relation to them;*

36-1.2.4. *prohibited from engaging in teaching activities for diseases listed in the list, approved by the body (structure) defined by the relevant executive authority;*

36-1.3. *A pedagogical worker whose employment contract is terminated for violating the ethical rules of conduct approved by the body (structure) defined by the relevant executive authority cannot engage in teaching activities for one (1) year.*

#### **Article 36-2. Certification of educators in public general education institutions (in relation to teachers in general education - in other public educational institutions)**

36-2.1. *Educators, working in public general education institutions (in relation to teachers in general education - in other public educational institutions), once every 5 (five) years shall be certified by the body (structure) defined by the relevant executive authority.*

36-2.2. *The certification procedure for educators, working in public general education institutions (in relation to teachers in general education - in other public educational institutions) is defined by the body (structure), determined by the relevant executive body.*

36-2.3. *The following persons shall not be certified:*

36-2.3.1. *pregnant women;*

36-2.3.2. *women who are on social leave until the child reaches three years of age and who work after the completion of this leave for less than 1 (one) year in the relevant position (profession) (men raising their child alone);*

36-2.3.3. *persons employed for the first time within 5 (five) years;*

36-2.3.4. *persons who have been certified at least three times.*

36-2.4. *Certified persons are granted the right to engage in teaching activities in public general education institutions (in relation to teachers in general education - in other public educational institutions) within 5 (five) years.*

36-2.5. *Persons who have not participated or have not passed certification for valid reasons, have the right to participate in the re-certification while maintaining the workplace for 1 (one) year. Persons who have not participated in re-certification are considered non-certified.*

36-2.6. *Labor relations with persons who have not been re-certified are governed by the Labor Code of the Republic of Azerbaijan.*

### **Chapter IV. Educational economy**

#### **Article 37. Property relations in the system of education**

37.1. The property of an educational institution shall consist of the property provided to it for ownership or permanent use by the state, municipality, founders (trustees), legal entities and individuals, as well as the assets and intellectual property products obtained through its activities permitted by the law.

37.2. The founder of an educational institution shall provide educational institution with land lot, building and fittings, equipment, education, production, social, cultural, medical, welfare and sports infrastructure, other assets and material-technical infrastructure.

37.3. An educational institution shall bear responsibility for the upkeep, preservation and efficient use of the property under its ownership and use. The activities of an educational institution with regard to management of the property shall be overseen by the founder or their legally authorized representative.

37.4. The enhancement and expansion of the material-technical infrastructure of a public educational institution shall be carried out using the state budget allocations and funds outside the budget.

37.5. An educational institution may obtain movable property and real estate, including buildings, equipment, new technologies, transportation vehicles and etc. as a result of providing services (*educational, scientific-research, consulting, treatment-prophylactic and other*).

37.6. The privatization of public educational institutions (with the exception of institutions for pre-school education) shall be prohibited.

37.7. The property obtained by a public educational institution on its own funds shall become its property in accordance with the legislation.

37.8. The restitution of property allocated to an educational institution shall be carried out in accordance with the legislation.

37.9. An educational institution's bankruptcy proceedings shall be carried out in accordance with the legislation.

#### **Article 38. Financing of the educational institutions**

38.1. The State shall allocate spending from state budget and other sources for the development of education.

38.2. An educational institution shall be entitled to render various paid educational services to individuals and legal entities, engage in business activity, as well as receive voluntary donations and contributions from individuals and legal entities in accordance with procedures determined by the legislation. The funds, property and income obtained from such sources shall not in any way affect the amount of funds allocated from the budget to that educational institution and is independently used in accordance with its statute.

38.3. An educational institution may only use its income for the development of education and the social protection of learners and educators.

38.4. The financing of a public educational institution shall be carried out on the basis of financial norms determined for each level of education. These norms shall be established by taking into account the cost per student, according to the mode, type and category of an educational institution.

38.5. The under-utilized comprehensive secondary schools set up in cases of need by order of the respective executive authority shall be financed at the rate above the established norms of financing.

38.6. A public educational institution shall act independently in the use of its funds generated from the tuition fees and other non-budget resources in accordance with its statute. The public educational institution shall determine independently the amount of allocations from non-budget resources towards material incentives for the staff, or to providing assistance to educators and learners.

38.7. The state shall provide long-term and individual loans to support development of educational institutions and for eligible students to cover their tuitions and other related costs, as well as grants for scientific-research activities, financing of doctoral programs, studying the international experience and other purposes. The procedures and conditions for receiving educational loans and grants shall be defined and regulated under relevant legislative acts. The state grants for education and scientific-research may not be used to finance other activities of an educational institution.

38.8. The state shall provide favorable investment climate to attract investments, including foreign investments into the fields of education and for this purpose it proposes to investors concessions in accordance with the legislation.

38.9. Foreign investment in the system of education shall be carried out in accordance with the procedures established by the legislation.

*38.10. Payment for education shall be effected only in non-cash form.*

#### **Article 39. Sources of financing for public and municipal educational institutions**

39.0. The public and municipal educational institutions shall be financed from the following sources:

39.0.1. state and municipal budget funds;

39.0.2. income from tuition fees;

39.0.3. special grants, bequeathed funds, voluntary contribution and aid provided by individuals and legal entities, including foreign citizens and foreign legal entities;

39.0.4. competition-based scientific-research grants allocated by the state;

39.0.5. income generated by the educational institution for educational, scientific, production, consulting and other services defined by the legislation;

39.0.6. funds allocated by individuals and legal entities under contract for the development of specialists, in-service training and re-training;

39.0.7. funds earned through special-purpose programs and projects financed by state authorities;

39.0.8. The proceeds from sale of physically & morally outdated equipment, transportation vehicles and other assets that belong to the educational institution but are unfit for the purposes of education;

39.0.9. grants and resources obtained by the educational institution through international cooperation;

39.0.10. resources obtained from other sources not prohibited by legislation.

#### **Article 40. Financing of private educational institutions**

40.1. A private educational institutions shall be financed from the following sources:

40.1.1. income generated for provision of educational services;

40.1.2. funds from founders (trustees);

40.1.3. funds from received grants and loans;

40.1.4. contributions, aid, bequeathed funds and gifts provided by individuals and legal entities;

40.1.5. income generated for providing educational, scientific, production, consulting and other services defined by the legislation;

40.1.6. resources obtained from other sources not prohibited by legislation.

40.2. private educational institution independently manages financial resources.

40.3. Private educational institution independently shall determine the tuition fee on the basis of curricula in each level of education.

40.4. The relations between the private educational institution and learners and their parents (legal guardians) shall be regulated under a contract.

#### **Article 41. Business and innovation activity by educational institution**

*41.1. An educational institution may engage in types of business and innovation activity, determined by the body (structure), established by the relevant executive authority, within the framework of its statute, in accordance with the profile and areas of activity, taking as a basis the priority of training.*

41.2. The educational institution shall be authorized to freely dispose of its income obtained from business activities on the basis of the relevant legislation. The resources obtained by the public educational institution through business activities shall be channeled directly to the development of education, *encouragement of students* and social protection of its staff.

41.3. An educational institution may establish legal entities or participate in the activities of other legal entities in accordance with the procedures defined by the legislation in order to conduct its business operations.

*41.4. Relevant experimental production sites can be created, additional classes can be held, study groups, interest courses, exhibitions, etc. can be organized on a paid basis in order to ensure business and innovation activity at an educational institution.*

*41.5. Employees of an educational institution have the right to make rational proposals and engage in innovative activities.*

#### **Article 42. Compensation for damages from inadequate education**

42.1. In case an educational institution is found to have fallen short in the provision of education in accordance with the national standards of education, resulting in the poor training of its learners, the respective executive authority shall put forward a claim in the court of law to which the educational institution must provide remuneration for the damages incurred, including for the necessary costs related to the re-training of graduates or learners at another educational institution.

~~42.2. The claim may only be based on unfavorable opinion issued by the accreditation service to the accredited educational institution (Section 42.1).~~

### **Chapter V. International relations in the field of education**

#### **Article 43. International cooperation and foreign relations in the field of education**

43.1. The international cooperation in the field of education shall be carried on the basis of legislation of the Republic of Azerbaijan and international agreements which it is a party to.

43.2. An educational institution shall establish direct relations with scientific and educational institutions and organizations of foreign countries, international agencies and foundations, concludes bilateral and multilateral agreements for cooperation, joins unions (alliance, coalition, association, etc.) of public and non-governmental organizations and implements other forms of cooperation in line with the nature of its activities.

43.3. Educational institutions and establishments shall be empowered to carry out independent activity on the basis of relevant legislative acts, by engaging in the preparation of joint science and education projects, the organization of fundamental scientific-research and design-construction assignments, scientific-practical conferences, symposiums, exchange of students, master's students, doctoral students, teachers and scientific personnel, the purchase and sale of intellectual property products and patents and other similar areas.

43.4. Educational institutions (with the exception of special-purpose educational institutions) shall be entitled to establish joint structural bodies (centers, branches, laboratories, techno parks, etc.) in the country and abroad in cooperation with foreign counterparts, in order to improve the quality of its activities and expand international relations in compliance with the requirements of the existing legislative acts of the Republic of Azerbaijan.

43.5. There shall be no sovereign guarantees for direct international cooperation agreements of educational institutions.

#### **Article 44. The right of Azerbaijani citizens to receive education abroad and the right of foreign citizens to receive education in Azerbaijan**

44.1. Obtaining education at any stage of education and advanced training of citizens of the Republic of Azerbaijan in foreign countries, education at any stage of education and advanced training of foreigners and stateless persons in the Republic of Azerbaijan is carried out in accordance with international treaties, supported by the Republic of Azerbaijan, on the basis of the quota, established by the state, *the program of the educational grant* and the contracts directly concluded by the education institutions, individuals and legal entities.

*44.1-1. Countries, country quotas, criteria for selecting candidates for the educational grant program, established by the body (structure), defined by the relevant executive authority, and for reasons given, the list of persons who receive the grant, shall be established by the body (structure), defined by the relevant executive authority.*

44.2. The procedures and terms of education for the citizens of the Republic of Azerbaijan to receive education abroad and for foreign citizens to receive education in the Republic of Azerbaijan, as well as procedure of *recognition of foreign states higher education qualifications* shall be regulated on the basis of procedures established by the respective executive authority. *A fee determined by the body (structure), established by the relevant executive authority shall be paid for services provided in connection with the recognition of foreign states higher education qualification in the Republic of Azerbaijan and for other services in connection with these services, the list of which is determined by the body (*

structure), established by the relevant executive authority.

44.3. The right for education at the special-purpose educational institutions in the Republic of Azerbaijan shall not be allowed for foreign citizens, except in cases defined in international agreements.

## **Chapter VI. Transitional and final provisions**

### **Article 45. Liability for violation of this Law**

45.1. For violation of the requirements of this Law, legal entities, individuals and officials shall bear responsibility in accordance with the relevant law.

45.2. In order to strengthen the social protection of employees of the body (structure), established by the relevant executive authority, the fees for services, applied in accordance with Articles 17.4 and 44.2 of this Law shall be transferred to the account of the body (structure), established by the relevant executive authority. The procedure for using these funds shall be approved by a body (structure), established by the relevant executive authority.

### **Article 46. Transitional provisions**

46.1. The candidate of sciences degrees granted prior to the effectiveness of this Law shall be equal to the degree of philosophy doctor in the respective field.

46.2. The individuals enrolled in the postgraduate course prior to the effectiveness of this Law shall be provided with the status of doctoral student.

### **Article 47. Effectiveness of this Law**

47.1. This Law shall enter into force on the day of its publication.

47.2. The Law on Education of the Republic of Azerbaijan, No. 324 of October 7, 1992, (Information of High Council of the Republic of Azerbaijan, 1992, No. 24, article 1031; 1994, No. 16, article 216; 1995, No.7, article 123; Legislation of the Republic of Azerbaijan, 1997, No.3, article 226, No.4, articles 287, 294, No. 6, article 450; 1998, No.1, article 16; 1999, No.5, articles 285, 286; 2001, No.3, article 138, No.11, article 672, No.12, articles 731, 736; 2003, No.1, article 1; 2004, No.4, article 202, No. 6, article 415; 2007, No.11, article 1049) shall be null and void after entry of the present Law into force.

*President of the Republic of Azerbaijan*

*Ilham ALIYEV*

*Baku city, 19 June 2009*

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