

LEGAL SUPPORT OF THE HIGHER EDUCATION QUALITY

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ABSTRACT. The current situation is characterized by a large increase in attention to the quality of higher education almost all over the world, and especially to such an effective tool for ensuring and improving such quality as independent accreditation. The article discusses the legal aspects of ensuring the quality of education and the trends in the formation and development of modern legal methods and approaches. In this regard, the issues of coordination and improvement of accreditation activities on an international scale are of current importance. International networks and associations for quality assurance of higher education have gained wide scope - associations of accreditation agencies from different countries, whose role is aimed at the formation and support of common requirements for ensuring the quality of education. International networks and associations for quality assurance of higher education have gained wide scope - associations of accreditation agencies from different countries, whose role is aimed at the formation and support of common requirements for ensuring the quality of education. In the modern world, this field of activity is directly related to the development of the internationalization of higher education. The purpose of the study of this article is to reveal the activities of various organizational forms of associations, individual features and determine their role in ensuring the quality of education in higher educational institutions. The scientific methods of comparative analysis, collection and processing of primary data, statistical observation and comparison were applied in the article. The value of the article lies in the formation of scientific, practical and methodological provisions, including various aspects of in-depth study of existing international organizations, networks and organizations to ensure the quality of education, modern approaches to improving the conditions for training graduates of higher educational institutions based on world quality standards and international principles for the development of national legal country systems. Results of the study - international experience has been studied and the main trends in ensuring the quality of graduate training in the context of the transformation of the higher education system have been considered. Much attention is paid to the analysis of international approaches to achieving one of the main goals - the high quality of higher education, which is a necessary condition for increasing the competitiveness of graduates and their demand in the labor market. The practical significance of the article lies in determining the need for independent accreditation as the main mechanism for ensuring the quality of higher education, which is a key condition for increasing the competitiveness of educational services. In turn, it is important for accreditation agencies to join international networks and associations, which allows raising the status, authority and quality level of their activities.

KEY WORDS: legal support, quality of education, independent accreditation, legislation, international networks, international standards.

ЖОҒАРЫ БІЛІМ САПАСЫН ҚҰҚЫҚТЫҚ ҚАМТАМАСЫЗ ЕТУ

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АҢДАТПА. Мақалада білім сапасын қамтамасыз етудің құқықтық аспектілері және қазіргі заманғы құқықтық әдістер мен тәсілдердің қалыптасу және даму тенденциялары қарастырылған. Осыған байланысты халықаралық ауқымда аккредиттеу қызметін үйлестіру және жетілдіру мәселелері өзекті болып табылады. Осыған байланысты халықаралық деңгейде аккредиттеу қызметін үйлестіру және жетілдіру мәселелері өзекті болып табылады Жоғары білім сапасын қамтамасыз етудің халықаралық желілері мен қауымдастықтары кең ауқымға ие болды - әр түрлі елдердің аккредиттеу агенттіктерінің бірлестіктері, олардың рөлі білім сапасын қамтамасыз етудің ортақ талаптарын қалыптастыруға және қолдауға бағытталған. Қазіргі әлемде бұл қызмет саласы жоғары білім беруді интернационалдандырудың дамуымен тікелей байланысты. Бұл мақаланы зерттеудің мақсаты – бірлестіктердің әртүрлі ұйымдық нысандарының қызметін, жеке ерекшеліктерін ашып көрсету және олардың жоғары оқу орындарында білім сапасын қамтамасыз етудегі рөлін анықтау. Мақалада салыстырмалы талдаудың, алғашқы деректерді жинаудың және өңдеудің, статистикалық бақылаудың және салыстырудың ғылыми әдістері қолданылды. Мақаланың құндылығы ғылыми, практикалық және әдістемелік ережелерді қалыптастыруда, оның ішінде білім сапасын қамтамасыз ету үшін қолданыстағы халықаралық ұйымдарды, желілер мен ұйымдарды тереңдетіп зерттеудің әртүрлі аспектілерін, жоғары оқу орындарының түлектерін оқыту үшін жағдайларды жақсартудың заманауи тәсілдерін қамтиды. ұлттық құқықтық ел жүйелерін дамытудың әлемдік сапа стандарттары мен халықаралық принциптеріне негізделген жоғары оқу орындары. Зерттеу нәтижелері – халықаралық тәжірибе зерделенді және жоғары білім беру жүйесін трансформациялау жағдайында бітірушілерді даярлау сапасын қамтамасыз етудің негізгі тенденциялары қарастырылды. Түлектердің бәсекеге қабілеттілігін және олардың еңбек нарығындағы сұранысын арттырудың қажетті шарты болып табылатын негізгі мақсаттардың бірі – жоғары білімнің жоғары сапасына қол жеткізудің халықаралық тәсілдерін талдауға көп көңіл бөлінеді. Мақаланың практикалық маңыздылығы білім беру қызметінің бәсекеге қабілеттілігін арттырудың негізгі шарты болып табылатын жоғары білім сапасын қамтамасыз етудің негізгі тетігі ретінде тәуелсіз аккредиттеу қажеттілігін анықтауда жатыр. Өз кезегінде, аккредиттеу агенттіктерінің халықаралық желілер мен бірлестіктерге қосылуы маңызды, бұл олардың қызметінің мәртебесін, беделін және сапалы деңгейін көтеруге мүмкіндік береді..

ТҮЙІН СӨЗДЕР: құқықтық қолдау көрсету, білім сапасы, тәуелсіз аккредиттеу, заңнама, халықаралық желілер, халықаралық стандарттар.

ПРАВОВОЕ ОБЕСПЕЧЕНИЕ КАЧЕСТВА ВЫСШЕГО ОБРАЗОВАНИЯ

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АННОТАЦИЯ. Современная ситуация характерна большим ростом внимания к качеству высшего образования практически во всем мире и особенно к такому действенному инструменту обеспечения качества, как независимая аккредитация. В статье рассматриваются правовые аспекты обеспечения качества образования и тенденции формирования и развития современных правовых методов и подходов. В связи с этим, актуальное значение имеют вопросы координации и совершенствование аккредитационной деятельности в международных масштабах. Большой размах приобрели международные сети и ассоциации гарантии качества высшего образования – объединения аккредитационных агентств разных стран, роль которых направлена на формирование и поддержку общих требований к обеспечению качества образования. В современном мире эта сфера деятельности напрямую относится к развитию интернационализации высшего образования. Целью исследования данной статьи является раскрытие деятельности различных организационных форм объединений, отдельных особенностей и определении их роли в обеспечении качества образования высших учебных заведений. В статье были применены научные методы сравнительного анализа, сбора и обработки первичных данных, статистическое наблюдение и сопоставление. Ценность статьи заключается в формировании научных, практических и методологических положений, включающих различные аспекты глубокого изучения существующих международных организаций, сетей и организаций по обеспечению качества образования, современных подходов к совершенствованию условий подготовки выпускников высших учебных заведений на основе мировых стандартов качества и международных принципов развития национальной правовой системы страны. Результаты исследования – изучен международный опыт и рассмотрены основные тенденции обеспечения качества подготовки выпускников в условиях трансформации системы высшего образования. Большое внимание в статье уделено проведению анализа международных подходов к достижению одной из главных целей – высокого качества высшего образования, что является необходимым условием повышения конкурентоспособности подготовки выпускников и их востребованности на рынке труда. Практическое значение статьи заключается в определении необходимости проведения независимой аккредитации как основного механизма обеспечения качества высшего образования, что является ключевым условием повышения конкурентоспособности образовательных услуг. В свою очередь, важным является вхождение аккредитационных агентств в международные сети и ассоциации, что позволяет повысить статус, авторитет и уровень качества их деятельности.

КЛЮЧЕВЫЕ СЛОВА: правовое обеспечение, качество образования, независимая аккредитация, законодательство, международные сети, международные стандарты.

INTRODUCTION. Education is currently evolving amidst global challenges and threats. The role and significance of education as an important factor in shaping a new quality of the economy and its growth at the global and national frontiers of development in the contemporary world are high. To a large extent, this is due to the adequacy of the ongoing processes of transformation of education to ensure the quality of training and thus the development of the potential of the nation as a whole. Therefore, there is a growing imperative to improve the education system aimed at the development of human resources and their effective use. Under the conditions of change, the requirements for human resource competencies and qualifications are constantly increasing, which causes the need to improve the competitiveness and quality of training of graduates.

One of the principles of state policy in the field of education in Kazakhstan, according to the legislation in the field of education, is the continuity of the educational process, ensuring the continuity of its levels. This means a gradual transition from one level of education to another, which is expressed in preservation, consistent change and recognition of learning outcomes. Thus, higher education and ensuring its quality today are important priorities for the development of legal science in Kazakhstan. Therefore, a new systemic understanding of all factors affecting the quality of higher education and, on this basis, a significant strengthening of regulatory influences on the education system and, first and foremost, legal provision is required.

On the one hand, legal provision of education in Kazakhstan is steadily developing and improving in accordance with the strategic goals of state development. On the other hand, it can be said that there is a lack of systematic scientific legal research in legal science. The main purpose of the study is to examine the accreditation framework, identify features of different organizational associations and forms, justify their importance in ensuring the quality of higher education institutions in the global community.

It is known that the quality of education is a certain level of knowledge, competence and skills, mental, moral and physical development, which is achieved by students at a certain stage of study based on the goals set. At the same time, independent accreditation is an important mechanism to ensure the quality of education. Therefore, the role and necessity of accreditation is increasing. An important factor today is the accession of accreditation bodies to international networks for quality assurance in higher education, which is very important and relevant in the context of entering the global educational space and developing international labour market.

MATERIAL AND METHODS OF RESEARCH.

The article explores the theoretical and practical issues of quality improvement in higher education in terms of its legal content, justification and provision. The stages of different international networks and associations for quality assurance in higher education are consecutively considered. In this regard, the issues of institutional understanding, formation and development of international organisations as associations, networks that have defined the general principles, regulations, rules, guidelines, standards, criteria and approaches to quality assurance in higher education are studied.

Using modern scientific methods from the general to the particular, from the simple to the complex, as well as through comparative analysis, monitoring, processing of the collected material and its generalisation, it was possible to trace and compare the results obtained on quality assurance in higher education.

The study analyses the most important factors influencing the development of international, public, stakeholder and legal institutional quality assurance and the formation of key mechanisms and instruments.

Since the mid-1980s, national models of Higher Education Assessment began to emerge in Europe in the Netherlands, France and the UK, giving other countries an impetus for development. The concepts used in the analysis of higher education programmes (quality assurance, quality assurance, quality control, quality management, quality audit, quality

assessment, evaluation and accreditation) first appeared [1].

Subsequently, other Western countries started to use similar assessment systems. Over the past 40 years, these systems have undergone significant changes. The quality assessment approaches introduced in the eighties were used until the beginning of the 21st century and were aimed mainly at improving higher education.

At the beginning of the new century, a system of accreditation appeared in Europe for the first time, the role of which was to obtain an official opinion on the compliance of an educational programme or organisation to certain standards. This is how the Dutch accreditation framework emerged, which was about assessing the quality of education, but the focus shifted from improving higher education to its accountability. This system was heavily criticised and debated at length, due to the costliness and bureaucracy of its implementation. This was followed in 2012 by a new framework of independent accreditation in the Netherlands, which is used today in international practice [2].

Today, there are many international networks and associations around the world with the operational scope to ensure quality in education.

One of the main international networks is ENQA (European Higher Education Quality Assurance Association), a membership-based association of legal entities - quality assurance organisations of the European Higher Education Area (EHEA) Member States.

The process that led to the creation of ENQA was set in motion by the European Recommendation 98/561/EC of 24 September 1998 on European cooperation on quality assurance in higher education [3,4,5]. Although the criteria of the Recommendation are of little importance, they are central to the formation of a European-wide system of legal harmonisation of national legislation in the field of quality assurance in education. They are also instrumental in creating transparent systems for quality assurance, supporting universities in improving quality, stimulating

the exchange of information and promoting international cooperation among the organisations responsible for evaluation and quality assurance.

ENQA was founded in Helsinki in 2000 by the signatories of the Bologna Accord under the name European Network for Quality Assurance in Higher Education. In 2004, the word Network in the title was changed to Association.

ENQA is the official reference organisation in the field of quality assurance in higher education in the EHEA and conducts its operations based on the conference decisions of the Ministers of Education of the EHEA member states and their adopted European Quality Standards (ESG). Membership in the network is either full membership or associate membership [6,7].

In 2009, the ENQA Programme for Quality Assurance in the European Higher Education Area was adopted, which formulates 14 key principles:

- Promotion of harmonisation of quality assurance processes, based on common principles.
- Use of the European ESG standards for quality assurance in the EHEA and recognition of ESG by national higher education frameworks in a context of autonomous institutions and agencies.
- The need for external evaluation of quality assurance agencies stipulated in the ESG and supported by ENQA.
- The responsibility for quality imposed on higher education institutions, whose responsibility is internal quality assurance.
- The importance of achieving the necessary balance between internal and external quality assurance processes, which must be mutually consistent.
- The dependence of quality improvement in higher education on the interactions and links between the various actors and partners involved - HEIs, students, stakeholders, quality assurance agencies and governments - which should provide continuous feedback.

The core guiding document for the ENQA operations and its member quality assurance agencies today is the Standards and Guidelines for Quality Assurance in the European Higher

Education Area (ESG-2015) adopted at the 2015 EHEA Ministerial Conference in Yerevan [8,9].

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The International Network for Quality Assurance Agencies in Higher Education (INQAAHE), founded in 1991 and based in Barcelona, Spain, is the largest and most authoritative network [10,11].

INQAAHE focuses on collaboration with other organisations for external evaluation and the development of transnational education. The network includes accreditation agencies and other organisations that have an interest in the high quality of higher education organisations. Membership in the network is divided into 3 types: full membership, associate membership or affiliate membership. Full members are organisations responsible for assessing the quality of HEIs and/or programmes (quality assurance agencies, universities accrediting other educational institutions, recognition bodies of accreditation agencies). Associate members are organisations with an interest in the results of quality assessment, but not involved in the higher education assessment procedure (HEIs). Affiliated members are individuals with an interest in quality assurance.

INQAAHE currently has 300 member organisations from 90 countries. The main document in the activities of the network and its member accreditation agencies is the INQAAHE's Guidelines of Good Practice (GGP) [12,13]. This document stresses the responsibility of HEIs for the quality of education and, above all, for the establishment of internal quality assurance systems. INQAAHE's GGP emphasizes that external quality assurance agencies should be independent and their decisions should not be influenced from outside.

One of the large international networks is the Asia-Pacific Quality Network (APQN), established in January 2003 with the assistance of INQAAHE's International Network of Quality Assurance Agencies in Higher Education and with financial support from the World Bank

[14]. APQN was established in 2009 and is headquartered in Shanghai, China. APQN is an independent legal entity and at the same time serves as a regional network of INQAAHE. APQN has four types of membership: full membership, candidate full membership, associate membership and observer membership. APQN has 208 members from 40 countries and territories in the Asia-Pacific region.

APQN has developed the Chiba Principles as a guiding document, as well as the APQN Procedure Guidance, which sets out the general principles for establishing quality assurance frameworks, the relationship between the parties involved (states, HEIs, agencies) and the standards, procedures and their periodicity.

CEENQA, the Central and Eastern European Network of Quality Assurance Agencies in Higher Education (CEENQA) was founded on November 19, 2000 in Budapest, Hungary and officially founded on October 19, 2002 in Vienna, Austria as the regional network of the International Network of Quality Assurance Agencies in Higher Education INQAAHE. The headquarters is located in Düsseldorf, Germany [15]. Currently, the network includes 27 agencies from 19 countries and one pan-European agency. CEENQA is an associate member of the European Network of Quality Assurance Agencies in Higher Education ENQA.

The initiative to establish a network originated from accreditation agencies, which started to emerge in the early 1990s in Eastern Europe. Each country solved management problems in its own way, but most of them reached the point of introducing accreditation procedures based on the US experience, adapting it to their own requirements and conditions. And also based on the US experience, with the support of university associations and educational governing bodies, accreditation agencies began to be established - as relatively independent autonomous organisations to assess the quality of education.

Initially the network was created for quality assurance agencies representing Central and Eastern European countries, i.e., on the geographical basis. Currently, the network grants the right of membership to all agencies

of the member countries of the Bologna Process, as well as to the countries bordering the member countries of the network. Membership in CEENQA is based on the principle of voluntariness and support for its goals and objectives and should not limit cooperation in matters of quality assurance.

The Association of Quality Assurance Agencies of the Islamic World (AQAAIW, QA-Islamic) was formally established on 4 May 2011 at a meeting in Astana, Kazakhstan, to improve the quality of higher education in the Islamic world [16]. AQAAIW has identified the following approaches and functions of activities:

- Promoting common principles and standards for quality assurance in higher education in the Islamic world;
- Promoting learning and the dissemination of knowledge and information;
- Promoting transnational research and development in the field of quality assurance in higher education;
- Providing expertise and advice on quality assurance to assist in the establishment of quality assurance agencies;
- Cooperation with other organizations contributing to quality assurance in higher education.

AQAAIW has 16 full members (national external quality assurance agencies) from Algeria, Azerbaijan, Bahrain, Brunei, Egypt, Gambia, Indonesia, Iran, Kazakhstan, Malaysia, Pakistan, Saudi Arabia, Sudan, Turkey, Northern Cyprus, Uganda as well as 21 associate members.

WFME - World Federation for Medical Education (WFME), established in 1984, whose mission is to strive to improve the delivery of medical care and since 2004 to improve the quality of medical education through the creation of a system of accreditation of medical educational organisations. Thus, for example, the IAAR is the first organisation of CIS countries, which has received full recognition of the World Federation for Medical Education (WFME), which entitles the IAAR to conduct international accreditation of medical organizations and educational programmes, not only in the Republic of Kazakhstan, but also

far abroad.

There are a number of other networks (associations) of higher education quality assurance, both general and specialized, among them:

- EASPA - European Alliance for Subject-oriented and Professional Accreditation and Quality Assurance;
- ENAEE- European Network for Quality Assurance in Engineering Education;
- EQANIE- European Quality Assurance Network for Informatics Education;
- ECTN- European Chemical Thematic Network Association;
- EAPAA- European Network for Public Administration Accreditation;
- NOQA - Nordic Network for Quality Assurance in Higher Education;
- CIQG/CHEA - International Quality Group of the Council for Higher Education Accreditation in the United States [17,18,19].
- ANQAHE - Arab Network for Quality Assurance in Higher Education;
- AfriQAN - African Higher Education Quality Assurance Network;
- CANQATE, the Caribbean Area Network for Quality Assurance Agencies in Higher Education;
- RIACES, the Ibero-American Network for Quality Assurance in Higher Education.

The organizations operating in the world in the field of quality of education are international, but their legal status is different. As you know, in the theory of law international organisations are divided into international intergovernmental (interstate) organisations (IGOs) and international non-governmental (non-governmental, public) organisations (INGOs) [20,21,22,23].

The first IGOs include, in particular, the specialized agency of the United Nations Educational, Scientific and Cultural Organisation UNESCO, the European Higher Education Area (EHEA), the African and Malagasy Council on Higher Education CAMES with members being sovereign states.

International quality assurance networks in higher education, on the other hand, are usually non-profit non-governmental organisations,

their members do not include sovereign states but legal entities from different countries, specialising in accreditation in the field of higher education. According to this characteristic, they should be classified as international non-governmental organisations - INGOs - meeting 3 criteria [21]:

- the international nature of their composition and objectives;
- private nature of their founding;
- voluntary nature of the activities.

It is important to note that the decisions taken by these networks and their members, as a rule, are not legally binding for the countries. Therefore, to legally ensure the activities of independent (from the state and HEIs) accreditation (where accreditors are members of international networks of education quality assurance), legal legalization at the state level is necessary. That is, authorization of the activity itself (accreditation) and the activities of the relevant organisations (accreditation agencies), as well as giving legal effect to their actions and acts [20].

Examples of effective implementation of these conditions we see not only in the United States and in the European Higher Education Area, where purposeful implementation of the Bologna Process principles, including accreditation, into national legislation, but also in Kazakhstan as an EHEA member. For this purpose, three legal conditions are fulfilled in the Republic of Kazakhstan:

1. The notion of accreditation in higher education, its goals, types and principles are included in the national legislation - the Law of the Republic of Kazakhstan "On Education".

2. The Ministry of Science and Higher Education of the Republic of Kazakhstan created and approved the Register of 1 - recognised accreditation bodies in the country.

3. The results of work and decisions of accreditation bodies are officially recognised. The Ministry of Science and Higher Education of the Republic of Kazakhstan created and approved the Registers 2 and 3 - accredited HEIs and accredited educational programmes (respectively the main types of accreditations - institutional and specialized).

Thus, the above-mentioned conditions are the necessary legal support for the functioning of independent accreditation in higher education in the country.

RESULTS AND THEIR DISCUSSION. The conducted analysis of international networks and associations of quality assurance in higher education, taking into account the peculiarities and certain differences, allows identifying the common mission, which includes:

1. Organization, methodological support and facilitation of accreditation of higher education institutions and educational programmes by accreditation agencies.

2. Formation of the best practices of quality assurance in higher education, which are summarised by the network internationally in the process (as well as in the case studies and international events organised by the networks to discuss the best practices - forums, conferences, etc.)

3. Translating these good practices into international standards and normative (instructional) materials developed by the network on accreditation processes and quality assurance in education, and disseminating them among accreditation agencies (as well as observers and other interested parties) that are part of the network.

4. Use this experience in the process of accreditation and practical introduction of the best international experience in quality assurance of education in the work of accredited HEIs at the national level.

5. The introduction of this experience into post-accreditation monitoring is an important aid to HEIs in improving the quality of education and another type of practical use of international experience in the field of higher education quality at the national level.

International networks and associations for quality assurance in higher education and their member accreditation agencies are thus an ongoing source of international best practice in improving the quality of higher education and global standards in national higher education frameworks. In this regard, they represent an effective mechanism for the internationalization of modern education and an effective guide to

global standards in this framework.

In the Republic of Kazakhstan, improving the quality of education, is a priority task and, as noted above, depends on the development of an independent accreditation system, which becomes responsible for the quality of the education system in line with global standards and whose role cannot be fully filled by other actors in the quality of education - the state, society and HEIs. Hence, there are two principal strategic objectives of accreditation.

Firstly, accreditation has now become the key mechanism of international quality assurance in higher education. Therefore, it is accreditation that should ensure effective compliance of the quality and content of education with the real needs of the economy and society. To this end, HEIs should actively engage stakeholders in the development of new educational programmes.

Under the conditions of academic freedom and managerial autonomy, almost full responsibility falls on the independent accreditation system. Therefore, representatives of key stakeholders and students should be included in the composition and involved in the work of accreditation bodies. Interaction of accreditation bodies with a maximum range of major employers and student organisations should be established and institutionalised on an ongoing basis. By ensuring this, the accreditation system will be able to support the interests of the country, its economy and society as a whole in a meaningful way on an ongoing basis.

The experience of the Independent Agency for Accreditation and Rating (IAAR) in actively developing partnerships with employers - associations and professional associations - can be highlighted as a particular solution to such a task at the institutional level of the accreditation agency. They include more than 35 organisations: National Chamber of Entrepreneurs of the Republic of Kazakhstan "Atameken", National Medical Association of the Republic of Kazakhstan, Association of Students of Kazakhstan and others.

Firstly, memoranda have been signed with them and IAAR actively involves them in improving accreditation standards and

guidelines, increasing their level of compliance with employers' requirements, replenishing the database with qualified experts, their participation in expert groups and boards, for this purpose experts receive targeted training and upgrade their qualifications.

Secondly, in recent years independent accreditation has truly become a key vector of education quality assurance. Numerous international networks for quality assurance in education and numerous accreditation agencies and other organisations that are part of them gain experience and implement international standards and regulations for quality assurance in practice. For instance, the Independent Agency for Accreditation and Rating (IAAR) is the leading international accreditation agency in Europe, Central Asia and Latin America, established in 2011 to improve the quality of education and competitiveness of educational programmes based on global standards. IAAR conducts institutional and specialized accreditation of higher education institutions in 15 countries in Europe, Central Asia and Latin America.

IAAR is a full member of the European Association for Quality Assurance in Higher Education (ENQA), which permits conduct of international accreditation of higher education institutions.

IAAR is included in the European Register of Quality Assurance Agencies (EQAR) and HEIs accredited by IAAR are automatically included in the international database of DEQAR. Owing to this, foreign applicants and students choose accredited HEIs. This improves the corporate image and recognition of HEIs in the global educational space, expands internationalisation and academic mobility and attracts more international students to HEIs.

IAAR is a full member of European, Asian and American networks and agencies for quality assurance and accreditation: INQAAHE; CIQG; CHEA; IREG; IQA; CEENQA; APQN; APQR. Through full membership in international networks, IAAR-accredited higher education institutions are granted international accreditation status.

The IAAR is internationally accredited

LEGAL, INSTITUTIONAL AND INTERNATIONAL QUALITY ASSURANCE OF HIGHER EDUCATION

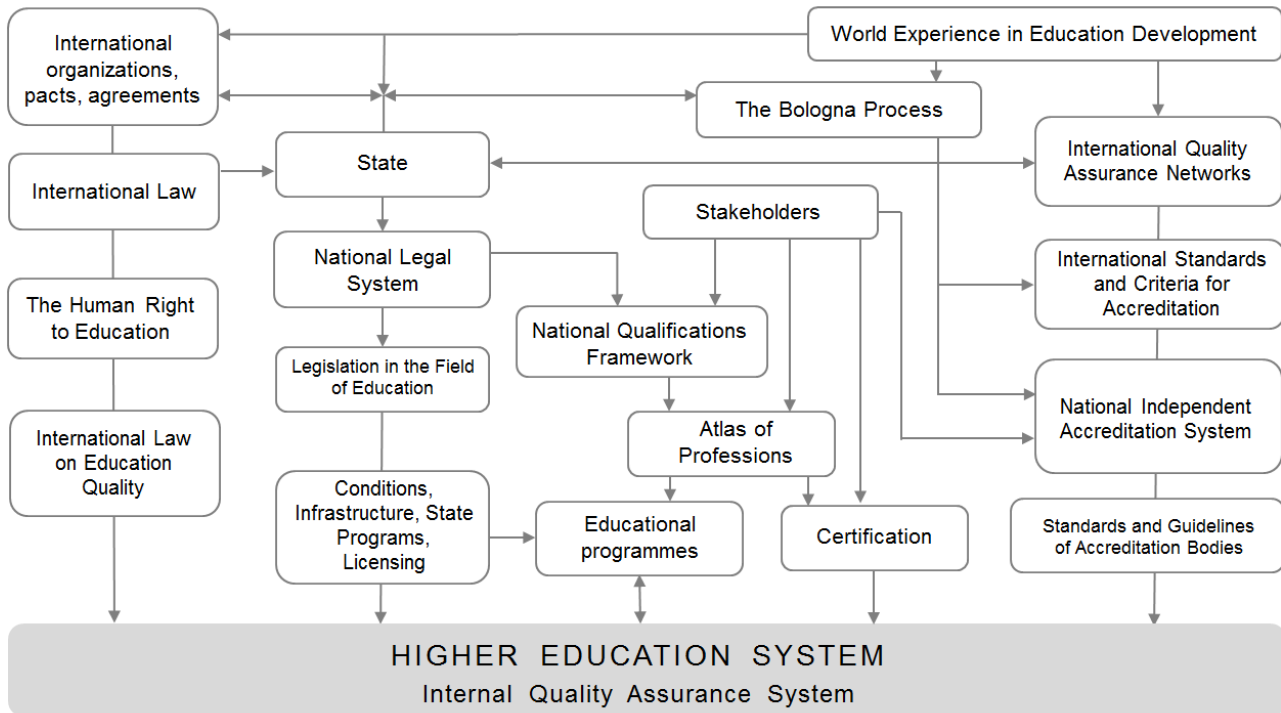


Figure 1 – Model for quality assurance of higher education in the Kazakhstan [24]

according to the European Standards of Quality - ESG and the World Federation for Medical Education (WFME) Standards, ensuring a world-class quality of education.

IAAR has a base of international experts, more than 4000 people, from 35 countries worldwide. In such circumstances, the main task of accreditation agencies at the national level becomes the promotion of quality culture in the educational system of the country, in higher education institutions - new approaches and best practices of international requirements to the quality of education through accreditation procedures and post-accreditation monitoring.

The activities of accreditation bodies operating in the market of accreditation services of Kazakhstan are aimed at solving this problem. For this purpose, in the field of institutional and methodological support of accreditation organizations' work it is necessary to improve the legal quality assurance of education.

On the basis of the conducted research, a model of quality assurance of higher

education as an integral system of education quality assurance, based on legal aspects and mechanisms of international and national law of the Republic of Kazakhstan is proposed (Figure 1).

The conceptual approach includes the main elements: international law, state legal and management vertical, stakeholder participation and independent accreditation system. The model presented consists of four main governance elements:

1. The international law vertical.
2. State legal and governance vertical.
3. The stakeholder participation vertical.
4. The vertical of independent accreditation systems.

All elements generate and direct to the object of regulation - system of higher and postgraduate education having internal quality management systems – “impulses” of legal and institutional governing influence (institutes considered as rules, norms, recommendations, etc.).

The international law vertical includes institutions (international organisations, primarily the UN) and international legal acts in the fields of human rights and quality of education.

The state vertical includes state bodies and the national legal system in this field, in turn educational legislation and the National Qualifications Framework, as well as state mechanisms for regulating and ensuring the quality of higher and post-graduate education.

The vertical of stakeholder participation (primarily employers) includes structures (NCEs, associations) and representatives, as well as mechanisms of their participation in the formation and improvement of the National Qualifications Framework, development of professional standards, activities of the national accreditation system, organisation and implementation of confirmation (certification) of specialists' qualifications, as well as participation in the HEIs' activities.

The vertical of independent accreditation systems includes international higher education quality assurance systems, international accreditation standards and regulations, national system of independent accreditation, own standards, procedures and other documents (institutions) of accreditation agencies' activities.

Thus, all verticals interact closely with each other, with the global higher education system, adopting best practices, with regional international governmental associations (Bologna Process), etc. This shows the need for an integrated consideration of education quality assurance systems under the development of objective processes of globalization, affecting virtually all elements of the system, and in the interaction of all elements with each other.

CONCLUSION. Due to the particular importance of the key priority - enhancing the quality of higher education for the economic development of the country and the practical absence of educational law as an independent comprehensive branch of law, Kazakhstan needs to intensify legal research in this area, seeking to strengthen their real contribution to the improvement and development of legal

provision of education.

The main outcome of the study is a systematic presentation of a multifactorial scientific vision of legal and institutional quality assurance of education at the country level and its interaction with international structures.

In legislative and practical activities while forming the composition and number of accreditation agencies recognized and operating in the market of the country (Register 1 of the Ministry of Science and Higher Education RK), the experience of developed countries on correlation of the number of agencies with the number of population and number of educational organisations should be taken into account.

Critical factors (challenges and threats) to the quality of higher education that require adequate strengthening of its legal and institutional support, generated by the processes of globalization, the declining role of the state and sovereign interests in the regulation of higher education and its quality, the mismatch of knowledge and professional competencies and skills obtained in the process of education objectively necessary were identified and analyzed in detail. To overcome existing challenges and threats to the quality of higher education, it is necessary to focus on creating an effective system for monitoring, analysis and forecasting the labor market in the country.

The systematization of the most important mechanisms of quality assurance in higher education has been conducted, as well as international and state mechanisms of influence on the quality of higher education and, at the systemic and legal level, stakeholder mechanisms of influence on quality assurance have been identified as part of the system of quality assurance in higher education.

Thus, the research provides a comprehensive and consistent analysis of the formation and evolution of international networks and associations of quality assurance in higher education, as well as identifies strategic objectives and legal characteristics of their development. The development of legal and

institutional support for accreditation of higher education in Kazakhstan is presented, based on the study of history and stages of emergence of various accreditation systems in the field

of higher education, as well as criteria for independence of these systems from the states in the regulation and implementation of their accreditation activities.

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