NORMATIV HUJJATLAR TA'SIRINI BAHOLASH VA HUQUQIY MONITORING: MUSTAQIL TA'LIM SOHASIDA QO'LLASH IMKONIYATLARI

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Annotatsiya. *Tezisda oliy ta'limda mustaqil ishni tartibga soluvchi hujjatlarning amaldagi natijasini kuzatish va baholash zarurati tahlil qilinadi. Huquqiy monitoring va oldindan baholash vositalarining mazmuni, ularning ko'rsatkichlari hamda ma'lumot manbalari ko'rib chiqilib, takrorlanuvchi nuqsonlarning oldini olish yo'li ko'rsatiladi.*

Kalit so'zlar: *huquqiy monitoring, ta'sirni baholash, me'yoriy hujjat, samaradorlik ko'rsatkichi, qayta aloqa, qonun ijodkorligi, ta'lim siyosati, nuqsonning takrorlanishi*

Аннотация. *В тезисах анализируется необходимость наблюдения и оценки фактических результатов документов, регулирующих самостоятельную работу в высшем образовании. Рассматриваются содержание правового мониторинга и оценки на стадии подготовки, их показатели и источники сведений; указан путь предупреждения повторяющихся недостатков.*

Ключевые слова: *правовой мониторинг, оценка воздействия, нормативный акт, показатель эффективности, обратная связь, нормотворчество, образовательная политика, повторение недостатка*

Abstract. *The thesis analyses the need to observe and assess the actual results of the documents that regulate independent work in higher education. It considers the content of legal monitoring and of assessment at the drafting stage, their indicators and sources of data, and indicates a way of preventing recurring defects.*

Keywords: *legal monitoring, impact assessment, normative act, performance indicator, feedback, law-making, education policy, recurrence of a defect*

Introduction. Adopting a document does not end the work: unless its actual results are established, an old defect may reappear in the next one. Rules on independent work have tended to suffer from three kinds of defect: the hours were not

counted reliably, the supporting arrangements were missing, and the student had no effective protection. Such defects recur when no one measures what a rule has produced. This thesis examines legal monitoring and ex ante impact assessment as means of preventing that recurrence.

Aim and tasks. The aim is to show what the two instruments mean for the regulation of independent study. The tasks are to propose monitoring indicators, to identify sources of data and to link assessment to the drafting stage. The general rules of the law governing normative acts [1] are not analysed independently here; they serve only as a framework and remain a subject for further research.

Two instruments. Ex ante assessment determines the expected effect, cost and risk before a document is adopted. Monitoring observes the actual result of a document already in force. The former looks forward and asks what is likely to follow; the latter looks back and records what did follow. Used together, they make rule-making a process that learns from its own results.

Indicators. Monitoring indicators for independent work can be arranged in three groups, corresponding to the three defects named above. Accounting indicators compare the real number of hours of independent work with the limit in the regulation. Support indicators show whether consultation hours were actually held and whether information sources were used. Protection indicators record the number of student complaints and how they were handled. A good indicator is measurable, tied to the objective and hard to manipulate. The number of consultation hours is easy to measure but says nothing about their quality; student satisfaction shows quality but is subjective. Indicators should therefore be used in pairs, one quantitative and one qualitative.

Illustration of an accounting indicator. The figures here are illustrative. Suppose the curriculum assigns 90 hours of independent work to a subject, while a survey shows that students spend 60 hours on average. The gap of 30 hours is one third of the plan. It has two possible explanations: tasks are set below the planned volume, or the planned hours are set too high. In either case there is a ground for reviewing the curriculum or the system of tasks, and even a simple survey produces a meaningful conclusion.

Illustration of a protection indicator. Protection indicators include the number of student objections, the time taken to consider them and the outcomes. If one subject draws far more objections than the others, the assessment criteria in that subject may be unclear. If there are no objections at all, students may simply be unaware of the mechanism, so this indicator has to be read together with other data.

Sources of data. Data may come from student surveys, a register of complaints, an analysis of curricula and institutional reports. What matters is that data are col-

lected in a uniform format: if each institution counts its indicator differently, comparison is impossible. The range of 25–30 hours per credit [2] makes uniformity harder, so the reporting form must state the hour count explicitly. Data must also be complete, comparable and reliable, and poor data are worse than none, because a document based on mistaken conclusions can make the problem worse.

Feedback. Monitoring is more than observation: its results must return to the improvement of the document. The credit-module regulation has been amended several times [2]. If each amendment openly stated which observation it was based on, the changes would be reasoned, and information from complaint channels such as the one in the Higher Education Regulation [3] could be taken into account.

Content of ex ante assessment. Assessment at the drafting stage analyses the expected consequences of a draft. It looks for answers to five questions: what problem is to be solved; which alternative ways of solving it exist; what are the costs and benefits of the chosen way; whom does it affect and how; and by what indicator will success be measured. For independent work the questions become concrete. The problem is the shortage of support and protection; the alternatives are a law, a subordinate act or an institutional document; those affected are students, teachers and institutions; the indicators are the three groups above. The alternative of changing nothing should also be assessed, since its consequence is that existing defects continue.

Types of monitoring. Monitoring may be continuous, periodic or targeted. Continuous monitoring collects data regularly, for example every semester. Periodic monitoring carries out a general assessment some years after entry into force. Targeted monitoring is launched when a specific problem appears, for instance a rise in complaints. For independent work, continuous monitoring with light indicators combined with deeper periodic analysis is recommended.

Consultation and the level of the act. Interested parties, namely students, teachers, heads of institutions and experts, should be consulted through surveys, focus groups, open discussion or written proposals. Students point to practical difficulties, teachers to workload, and managers to resource limits. The depth of assessment should match the level of the act: a law, whose effects spread across the country, needs a broad systematic assessment, while an internal document may need only a discussion by the institution's council and a study of student opinion.

Openness, cost and risks. If results are open, they become an instrument of public scrutiny, though personal data must be protected and results published in aggregated form. Monitoring costs time and money, so it should be proportionate to the importance of the document: simple assessment for minor changes and deep assessment for systemic ones. Several risks need attention. Formality turns report-writing into the goal. Data may be adjusted by institutions to look better. An excessive number of indicators places a burden on institutions and may lead them to work for the

indicator rather than for the objective. The remedy is to keep indicators few, precise and relevant, and to verify data independently.

Organisation and use of results. The body responsible for monitoring must be clearly designated: an institution's quality assurance unit and the relevant structure of the authorised body at sector level can fill this role, with adequate staff and funds. Results should become practical decisions, such as amending the document, giving recommendations or ordering further research, and they should be presented to decision-makers in a short and precise form. Academic research complements this work: universities and research centres can give independent assessments that serve as a check on official reports.

Specific features of independent work. Independent work takes place outside the classroom and cannot be observed directly. Indirect indicators such as surveys, the results of assignments and student activity on the learning platform are therefore used. They do not show the whole situation but are enough to reveal the general trend, and this limitation has to be taken into account in interpreting results. Priority should go to the most pressing questions, such as whether consultation hours were actually held and whether the assessment criteria were known in advance, starting with indicators on which data are easy to obtain.

Assessment and monitoring distinguished. The two should not be confused. Assessment is carried out at a particular moment and determines the value of a document; monitoring is continuous observation showing the direction of change. Assessment may come before and after adoption, while monitoring takes place only after entry into force. The gap between expected and actual effect then provides information for improving future assessments. A review clause, for example an analysis three years after entry into force, makes this planned in advance.

The rule-making cycle. Impact assessment and monitoring are parts of one cycle: a problem is identified, a draft is prepared and assessed, the document is adopted, implemented and monitored, and then improved in light of what the results show. Only a closed cycle allows learning to continue. In the field of independent study the cycle has not been closed fully: documents were adopted, but their results were not studied systematically, which allowed defects to recur. Closing it would turn existing experience into a lesson for the future.

Baselines and timing. An effect can be recognised only against a starting point. Before a new rule on independent work takes effect, data on the current hours, consultations and complaints should be recorded as a baseline; later measurements are then compared with it. The timing also matters: a rule that affects the structure of a whole academic year will show its results only when that year has been completed, so early figures should be treated as provisional and not used to judge the rule.

Survey design. Since student surveys are a central source, their design affects the quality of the whole system. The questions should be formulated neutrally and refer to a defined period, answers should be anonymous, and the response rate should be reported together with the results. A survey answered by a small and self-selected group of students may give a false picture, so the sample and its limits must be stated openly. Where possible, the same questions should be repeated every year, so that changes can be followed over time.

Causes and attribution. A change in an indicator does not by itself prove that a rule caused it. Student workload can change because of a new curriculum, a change in teaching staff or an external event, apart from the regulation. The analysis should therefore name other possible explanations and, where possible, compare institutions that applied the rule with those that applied it differently. Careful attribution prevents the opposite mistake, in which a useful rule is repealed because of a change it did not cause.

Reporting to decision-makers. A monitoring report should be short and standardised. It can open with the main finding in one or two sentences, then give the three groups of indicators in a table, state the quality of the data and end with specific recommendations. Such a format lets decision-makers compare reports from different periods and institutions and shows quickly which indicator has moved. A lengthy narrative without a fixed structure makes comparison impossible and weakens the feedback that monitoring is meant to provide.

Scope and limits of the study. The thesis is conceptual: it proposes indicators and a procedure but does not test them on real data, and the general law on rule-making is treated only as a framework. Piloting the indicators in several institutions for one academic year would show which of them are practicable and which should be dropped, and would give the first real baseline for the field.

Role of students and teachers in monitoring. Students and teachers are not only sources of data but also participants in the system. If they are told how their answers will be used and see changes made as a result, they have a reason to answer carefully; if nothing ever changes, response quality falls and the survey becomes a formality. Short feedback notes explaining what was changed after each round are a simple way of sustaining participation and of showing that monitoring serves a purpose.

Proportionate start. A system with many indicators cannot be built at once. A realistic beginning is to choose one indicator from each of the three groups, for example the gap between planned and actual hours, the share of consultation hours actually held and the average time taken to consider an objection. After one cycle the results show which indicators are practicable, and others can be added gradually. This

restrained start limits cost and avoids the formality that excessive reporting would produce.

Monitoring in the education sector compared with other fields. Impact assessment is often discussed in connection with economic regulation, where costs and benefits are easily expressed in money. Education is harder, because many effects are gradual and cannot be priced. This is a reason for modesty rather than for abandoning the tools: indicators of hours, support and protection are simple and are not monetary, yet they capture exactly the defects that have been observed. Where monetary estimates are not possible, a clear verbal comparison of alternatives is better than no comparison at all.

Practical wording of a review clause. A document on independent work might close with a short clause: the responsible body shall publish a report on the three groups of indicators once a year; a general review of the document shall be carried out three years after entry into force; the report shall state the baseline, the data sources and the limits of the data. A clause of this kind turns the proposals into a duty that can be checked, and it ensures that the learning cycle described above is built into the document from the outset and is not left to the goodwill of later officials.

Conclusion. First, ex ante assessment and monitoring complement each other. Second, accounting, support and protection indicators cover the main defects in the regulation of independent work. Third, the format of data collection should be uniform. Fourth, the result of monitoring should serve as a ground for reviewing the document.

References

1. Law of the Republic of Uzbekistan "On Normative Legal Acts", No. ZRU-682.

2. Resolution No. 824 of the Cabinet of Ministers of the Republic of Uzbekistan of 31 December 2020 (Annex 1: Regulation on the procedure for introducing the credit-module system; as amended by resolutions No. 153 of 4 April 2022 and No. 608 of 29 September 2025).

3. Regulation on Higher Education approved by order of the Minister of Higher Education, Science and Innovation of the Republic of Uzbekistan (registered with the Ministry of Justice on 3 April 2026 under No. 3807).