

Independent Learning Without Enforceable Guarantees: The Syllabus, Assessment Appeals and Generative Ai In Uzbekistan's Credit-Module Higher Education

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Received: 26 August 2026; **Accepted:** 22 September 2026; **Published:** 10 October 2026

Abstract: Under Uzbekistan's credit-module system, independent learning forms a large part of student workload, yet statute treats it mainly as preparation for external examinations. This article asks whether its legal instruments give students enforceable guarantees. It combines doctrinal analysis of the Constitution, the Law on Education, the Civil Code and Resolution No. 824 with a 2025 survey of 580 students and 358 teachers. All students reported unilateral syllabus changes; 58.1% of teachers called anti-plagiarism mechanisms absent or formal. The article proposes a binding syllabus, a two-tier appeal and statutory rules on generative AI.

Keywords: Independent learning; syllabus; student rights; academic integrity; generative AI; assessment appeal; higher education law; Uzbekistan.

Introduction: The credit-module system has changed the place of independent learning in Uzbek universities. Resolution No. 824 of the Cabinet of Ministers of 31 December 2020 measures a credit by the total workload of the student. This workload includes both classroom hours and hours of independent study. The European Credit Transfer and Accumulation System, on which the Uzbek model draws, equates one credit with 25–30 hours of student work. The hours a student spends without a teacher are thus a counted part of the curriculum. They affect grades and progression. For fee-paying students, they also form part of the service received under a contract.

The statutory framework has not followed this shift. The Law "On Education" No. ZRU-637 of 23 September 2020 lists self-education among the forms of education (Article 15). It regulates self-education together with family education (Article 18). Article 21 links the results of self-education to attestation by external. The Law does not address independent study inside a university programme. That study is governed by Resolution No. 824, by syllabi and by internal acts of each institution. None of these acts defines the legal force of the syllabus. None sets a procedure for contesting the

assessment of independent work. None regulates the use of generative artificial intelligence (AI) in assignments.

Two developments make the question pressing. First, the Constitution of 2023 guarantees the right to education (Article 50). It also grants higher education institutions academic freedom "in accordance with law" (Article 51). The academic freedom of an institution requires a counterweight in the procedural rights of the student. Second, generative AI has changed the conditions under which independent work is produced and checked. UNESCO has called on governments to regulate the use of generative AI in education, including data protection, age limits and the validation of AI-assisted work. The Strategy for the Development of Artificial Intelligence Technologies until 2030, approved by Presidential Resolution No. PP-358 of 14 October 2024, sets national goals for AI. It does not regulate the use of AI by students.

Self-directed learning has been studied extensively in pedagogy. Knowles described it as a process in which individuals take the initiative in diagnosing their learning needs, formulating goals and evaluating outcomes. Zimmerman treated self-regulation as a set

of skills that the learning environment must support. These works do not ask what legal guarantees the learner holds. Uzbek legal scholarship has examined the governance, financing and digitalisation of higher education. It has not examined independent study as a set of legal relations. This article addresses that gap. Its research question is whether the legal instruments of independent learning in Uzbekistan give students enforceable guarantees, and which legislative changes would provide them.

The study combines three methods. Doctrinal analysis covers the Constitution of 2023, Law No. ZRU-637, the Civil Code, the Law "On Personal Data", Resolution No. 824 and Resolution No. PP-358. Comparative analysis covers the EU Artificial Intelligence Act, the English scheme for the independent review of student complaints and the ECTS Users' Guide. The empirical part is a questionnaire survey conducted by the author in 2025 among 580 students and 358 teachers of Uzbek higher education institutions. Separate questionnaires for students and teachers covered the legal nature of the syllabus, assessment criteria, appeals, academic integrity, workload and the use of AI. The number of valid answers varies by item; for instance, 564 students answered the item on the syllabus. The sample is not probabilistic. Its results indicate the direction and scale of problems rather than exact population values. Of the student respondents, 66.6% studied under a fee-paying contract and 33.4% on state grants.

Independent learning within a credit-module programme is not a private matter of the student. Three elements make it a legal relation. The first is a normative basis: the Regulation approved by Resolution No. 824 includes independent study hours in the credit and requires a syllabus for each course. The second is a set of subjects with defined roles: the student, the teacher and the institution. The third is legal consequences: the result of independent work enters the final grade and may lead to academic debt or expulsion. On this basis, the organisational-legal mechanism of independent learning is defined here as a system of legal norms, governing structures, resource support and control procedures that regulates the self-organised study of a student within an educational programme.

The student's position in this relation has two sides. The Constitution recognises education as a right, and Article 47 of Law No. ZRU-637 lists the rights of learners. The same Law imposes a duty to master the programme. For a fee-paying student, the relation also has a contractual side. A contract for paid educational services falls under the Civil Code rules on the paid provision of services. Two thirds of the surveyed students are in this position. In civil law terms, they

receive a service of defined content. The syllabus sets that content.

The contractual side is weak in practice. Most surveyed students stated that their contract sets out the obligations of the institution. A noticeable part reported that these obligations are stated only in general terms or not at all, and a significant share admitted that they had not read the contract they signed. A contract that does not specify the obligations of the provider gives the student little to rely on in a dispute. The Civil Code defines a contract for paid services through the provider's obligation to perform specified actions or activities on the customer's instructions. The Code cannot specify those actions for a particular course. The syllabus is the only document that defines what the institution promises in a particular course. Its legal force therefore determines whether the student's contractual position has any practical value.

The first gap concerns the syllabus. The survey shows that students do not regard it as a source of rights. Of 564 respondents, 56.2% described it as a non-binding recommendation and 9.2% as an information sheet; 10.6% had never considered the question. Only 23.9% regarded it as binding on both the teacher and the student.

Practice confirms this perception. Every student who answered the relevant item reported that during the academic year the teacher had changed syllabus rules unilaterally and without the students' consent. Of these, 82.8% reported several such cases and 17.2% reported that changes were constant. The finding does not concern individual conduct alone. It reflects the absence of any rule that fixes the syllabus once it is published.

Civil law offers a solution. Article 237 of the Civil Code prohibits unilateral refusal to perform an obligation and unilateral change of its terms, except where the law provides otherwise. Under Article 369, a proposal addressed to an indefinite circle of persons and containing all essential terms of a contract is a public offer. A published syllabus meets these conditions in substance. It is addressed to all students enrolled in the course. It states the topics, tasks, deadlines, weighting and assessment criteria. Students accept it by enrolling and performing the tasks. Its terms are set by one party, which brings the relation close to a contract of adhesion under Article 360. In such contracts the law protects the adhering party against terms that are clearly burdensome.

Recognising the syllabus as a public offer has three consequences. Assessment terms cannot be changed after the course begins without the consent of

students, unless the syllabus itself sets a procedure for change. A student may rely on the syllabus in an appeal as a document of binding force. The institution bears responsibility for the teacher's departure from it. Students appear ready for this model: 80% of respondents view independent learning as an opportunity to demand proper learning conditions and to choose an individual learning path.

An objection may be raised that a binding syllabus restricts the academic freedom of the teacher. Article 51 of the Constitution vests academic freedom in higher education institutions and makes it subject to law. The teacher exercises this freedom when drafting the syllabus: in choosing topics, tasks and methods of assessment. Once the syllabus is published and students have relied on it, its assessment terms affect their rights. Freedom in drafting does not imply a power of unilateral revision. The same logic applies to any public offer: the offeror chooses the terms but is bound by them after acceptance. A syllabus may still provide for changes in defined cases, such as force majeure or a switch to distance learning, with prior notice to students.

Assessment criteria themselves were rated as fairly clear. The mean score was 4.19 out of 5, and 59% of students gave the highest score. Yet more than 25% reported some degree of ambiguity. High clarity combined with unstable rules indicates that clarity is achieved through oral explanation by individual teachers. Such informal transparency does not create rights. It depends on the teacher and does not reach all students equally.

The second gap concerns appeals. Article 55 of the Constitution guarantees judicial protection of rights and freedoms. Judicial review of an individual grade is, however, a remote remedy. An effective internal procedure must come first. Neither Law No. ZRU-637 nor Resolution No. 824 sets a step-by-step procedure for appealing the assessment of independent work. Institutions fill the gap with local rules of varying quality.

Students rated the clarity of the appeal procedure at 3.69 out of 5. Only 45.7% found it fully clear; 54.3% met difficulties, and 22.5% described it as unclear or entirely unclear. Respondents also cited fear that an appeal would damage relations with the teacher. That fear is rational where colleagues of the same teacher examine the appeal and no external body exists.

English law offers a tested model. Part 2 of the Higher Education Act 2004 established a scheme for the independent review of student complaints, operated by a designated body, the Office of the Independent Adjudicator. The scheme does not review academic

judgement as such. It reviews whether the institution followed its own rules and treated the student fairly. This distinction suits Uzbek conditions. A two-tier procedure is therefore proposed. The first tier is an appeal commission within the institution, bound by a fixed term for decision. The second tier is a student ombudsman acting on a public basis. The second tier would examine compliance with the syllabus and with procedure, not the academic merit of the mark.

The content of the procedure matters as much as its existence. Article 47 of Law No. ZRU-637 grants learners the right to protect their rights and legitimate interests. This right requires several procedural elements. The student must be able to see the assessed work and the rubric applied to it. The appeal must be filed and decided within fixed terms. The commission must not include the teacher whose mark is contested. Its decision must state reasons and refer to the syllabus criteria. Assessed work must be kept until the appeal period expires. Without these elements, an appeal turns into a request for reconsideration addressed to the same person. The survey data on fear of reprisal show that students already perceive it in this way.

The third gap, and the widest, concerns academic integrity. Of the students surveyed, 66.8% stated that the rules had been fully explained to them. Another 25.1% had a general idea of the rules but did not know the consequences of a breach, and 8.1% had received almost no information. Among teachers, 58.1% stated that anti-plagiarism mechanisms are absent, applied formally or unknown to them. The two questionnaires point to the same institutional deficit.

Generative AI changes the scale of the problem. Text produced by a language model is not copied from an existing source. Software designed to detect copied text cannot identify it reliably. Cotton, Cotton and Shipway showed that ChatGPT can produce essays that pass ordinary checks. They recommended redesigning assessment rather than relying on detection. Perkins concluded that the use of large language models is not plagiarism per se and that institutions must define acceptable use in advance. Eaton described a "postplagiarism" setting in which hybrid human–AI writing becomes ordinary and the rules of attribution must change.

Uzbek teachers are divided. Of those surveyed, 56.6% considered tools such as ChatGPT necessary and useful in teaching, while 43.4% expressed doubt or concern. Their concerns related to new forms of plagiarism, the decline of critical thinking and their own lack of competence with the tools. The division reflects the absence of rules rather than a rejection of technology. Without a norm, the same act — drafting an

assignment with an AI tool — may be permitted by one teacher and penalised by another. This contradicts legal certainty and the principle of equal opportunities in education set out in Article 4 of Law No. ZRU-637.

A second risk arises on the control side. Remote proctoring involves facial recognition, recording of the student's surroundings and analysis of behaviour. Coghlan, Miller and Paterson showed that such systems raise issues of privacy, fairness and trust that technical measures do not resolve. The Law "On Personal Data" regulates consent to processing (Article 21) and the processing of biometric data (Article 26). The same problem arises in the digitalisation of transport, where monitoring infrastructure collects personal data on a large scale. Yuldashev argues that such data may be used only for the purposes fixed by law. The argument applies equally to proctoring records: they may serve only to verify the identity of the examinee and the conditions of the test. No act of the education authorities sets the conditions of proctoring for independent work.

The EU Artificial Intelligence Act provides a point of reference. It classifies as high-risk the AI systems intended to evaluate learning outcomes and to monitor prohibited behaviour of students during tests. It prohibits AI systems that infer the emotions of natural persons in education institutions, except for medical or safety reasons. Uzbekistan is not bound by the Act. Its categories are nevertheless useful for national rule-making. They show that the object of regulation is not AI in general but specific uses that affect the legal position of a student.

A national rule on generative AI in independent learning should therefore classify uses rather than ban the technology. Three categories are proposed. The first covers uses prohibited without exception, such as submitting AI-generated text as one's own work in a task designed to assess individual writing. The second covers uses permitted with disclosure, such as language editing, searching for sources or generating a draft structure, where the student states the tool and the purpose. The third covers uses permitted freely, such as checking spelling. The syllabus of each course would place its tasks within these categories. This approach follows the UNESCO recommendation that institutions validate AI tools and define their pedagogical purpose before use. It also reflects the finding of Perkins that a breach can be established only against a rule announced in advance. A sanction imposed without such a rule lacks a legal basis. Nor can the output of an AI-detection tool serve as the sole ground for a sanction. Software cannot be an independent subject of legal responsibility, and punishing a person for the result of an algorithmic error

contradicts the principle of fault. The decision must be taken by a commission that has heard the student's explanation.

The fourth gap concerns the teacher. Independent learning shifts the teacher's role from transmitting information to advising and giving feedback. Workload rules have not followed this shift. Of the teachers surveyed, 52.2% stated that their work in guiding independent study is not counted in their workload or is counted only marginally; 47.8% were satisfied. Teachers named substantive assessment of student work, individual feedback and consultations as the least recognised activities. The outcome is formal guidance and reproductive assignments, which are the easiest to delegate to an AI tool. The legal status of the teacher and the integrity of student work are therefore connected. Of the teachers, 61.3% regard independent study as the main learning activity, while 38.7% still treat it as a supplementary task for consolidating classroom material.

The findings support one conclusion. The weak points of independent learning in Uzbekistan are not accidental. They follow from the absence of norms on four matters: the force of the syllabus, the appeal procedure, the permitted use of AI and the recognition of teacher work. In each case the gap is filled by the discretion of an individual teacher or institution.

Teachers disagree on the level of regulation. Of them, 41.7% favour a single national act, and 36.4% prefer autonomous rules adopted by each institution. The Constitution resolves this tension. Article 51 grants academic freedom "in accordance with law". The law may therefore set minimum procedural guarantees, while institutions retain freedom over content and methods. A model regulation adopted by the Cabinet of Ministers is a suitable form. It binds institutions on procedure and leaves pedagogy to them.

The comparative material supports this approach. The ECTS Users' Guide links credits to learning outcomes and workload. The English scheme separates academic judgement from procedural fairness. The EU Artificial Intelligence Act regulates particular uses of AI rather than the technology as such. All three models protect the student through procedure and transparency, not through central control of content.

The study has limitations. The survey is not representative in the statistical sense and relies on self-reporting. The high share of fee-paying students may have made respondents more critical. These limitations do not affect the doctrinal findings. The gaps in Law No. ZRU-637 and Resolution No. 824 exist independently of the survey data.

Independent learning in Uzbek universities is a legal

relation without enforceable guarantees. The survey of 580 students and 358 teachers shows that the regulatory gaps cause concrete harm: unilateral syllabus changes, unclear appeal routes, uncertainty over the use of AI and unrecognised teacher work. These findings call for six legislative measures.

First, Article 18 of Law No. ZRU-637 should be supplemented to distinguish academic independent learning within an educational programme from independent learning for professional development and to state the guarantees of the learner in each case. Second, the law should establish that a published syllabus binds the institution and the student and that its assessment terms may not be changed unilaterally after the course begins. This rule follows from Articles 237 and 369 of the Civil Code. Third, the Cabinet of Ministers should adopt a Model Regulation on the organisation of independent learning in higher education institutions. The Regulation should provide for a two-tier appeal procedure with fixed terms.

Fourth, rules on academic integrity and digital ethics should define plagiarism and data falsification, set the permitted uses of generative AI, require disclosure of AI use in assignments and provide proportionate sanctions. Fifth, the conditions of remote proctoring should be set in line with the Law "On Personal Data", including purpose limitation, retention periods and a ban on emotion recognition. Sixth, the rules on teacher workload should count individual consultations, feedback and tutoring in independent learning as paid work.

These measures leave academic freedom intact. They make its exercise accountable to the student, whose right to education the Constitution guarantees.

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