

By the Judgement of 14 November 2018 No. 41-II/2018 the Constitutional Court appraised constitutionality of Article 46 of the Federal Law “On Education in the Russian Federation”.

The contested provision was a subject-matter of consideration to the extent to which it serves as a normative ground for the decision on dismissal of an educator of a pre-school educational organisation because of absence of secondary professional or higher education.

The Constitutional Court has recognised the contested provision as not conforming to the Constitution of the Russian Federation to the extent to which it is used to justify discontinuance of labour agreement with educators of pre-school educational organisations who were accepted for the job prior to entering into force of the Federal Law “On Education in the Russian Federation”, successfully carrying out professional pedagogic activity and recognised by the attestation commission as conforming to the occupied post.