EVALUATING THE TURKISH HIGHER EDUCATION LAW AND PROPOSALS IN THE LIGHT OF ERASMUS GOALS

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Abstract

Education unity among Europan Community countries is very important in the process of unifying Europe. Hence, with the thoughts of strengthening a regular determined and democratic society, the education ministries of 29 European countries, started the unifying education process by signing the Bologna Declaration in June 19, 1999. SOCRATES and ERASMUS were also accepted in January, 24, 2000. The final step of higher education, is very important in providing qualified human resources sharing scientifically gained knowledge, continuing development of skills for changing needs and educating youngsters towards European ideal. The Turkish Higher Education Law number 2547 which has been in process for 20 years and the law proposals that were prepared by National Education Ministry (NEM), Higher Education Council (HEC) and University Council (UC) in order to change the current higher education law were examined in this paper in the light of ERASMUS.

Key Words: Socrates, Erasmus, Bologna Declaration, Turkish Higher Education Law.
INTRODUCTION

Providing educational unity among European community countries in the process of unification of Europe is very important. Hence Sorbon Declaration was signed in May 25, 1998 in Sorbon, Paris which was referred as “synchronized joint declaration of the higher education system of Europe and these statements take place in that declaration “Europe will take some important steps in the near future. Europe should not just be related to banks, economy and EURO but it should also be a knowledgable Europe (NEM, 2003). We should include the cognitive, cultural, social and technical aspects of our continent and support it. And we should support the universities which plays a significant role in supporting these aspects.

In June 19, 1999 the Education Ministers of 29 European countries signed the Bologna Declaration with the thoughts of importance of education in strengthening and forming (determined, regular and democratic) social structure. By signing the Bologna Declaration they have agreed on joint purposes in the development of European Higher Education until 2010. In Prag May 19, 2001 they increased the number and renewed their purpose of structure until 2010. In order to speed up the realization of European educational field to examine the developments, education ministers of 33 European Countries met in Berlin at May 19, 2003 and declared that “Education is for public”. “The roles of higher education institutions and student organizations are accepted” (European Community Office Of Ankara University 2003).
In addition to that European Community, started European Education programme in order to form European knowledge, to react to the difficulties of the century in a good way to encourage the education for all and to aid in gaining skills that have been accepted for everyone. Related to this, ERASMUS the higher education part of SOCRATES was accepted in January 24, 2000. Higher education in the content of ERASMUS has a great significance in forming qualified human resources sharing knowledge which comes out as a result of scientific discoveries, developing new skills for the increasing needs, growing coming generations in the frame of Europe.

In this study, the law proposal that have been prepared by NEM, HEC and UC in order to change the current higher education law number 2547 that has been criticized for more than 20 years, will be examined with thoughts of scientific freedom, strategic plan, self evaluation, outside evaluation, administrative and financial freedom and democratic participation and they will be looked if they meet the ERASMUS purposes.

Lifelong learning is becoming more important nowadays because of the changes and new developments in education and for knowledge being out of date quickly. The final stage of education, higher education has a great importance in forming qualified human resources, developing the skills for the changing needs, sharing the information that has been gained through scientific investigation and helping the youngsters grow towards European ideal (İlhan, 2003). European community developed ERASMUS in order to have educational unity in higher education. The general goals of ERASMUS are as follows (Kısağürek, 2003):
1. Collaboration among universities:

- Students-faculty movements,
- Educational programmes: intensive courses, multidiscipline activities, joint teaching education activities, such as teaching different subjects in other languages,

2. Preparatory activities:

- (ECTS) Europen Credit Transfer System,
- Strengthening diploma supplements,

3. Conceptual Networks:

- Information communication networks,
- Academic expertise networks.

It is obvious that the current higher education law number 2547 which was accepted on November 4, 1981 does not meet the ERASMUS goals. However, the only missing point of the current higher education law is not that. That law which has been under act for 23 years has been named as “patched sack”. There has been a lot of pros and cons for higher education law since it was established. Hence, we can see that many political parties have placed a change and reform in higher education in their programs. But there is no agreement on what kind of change and reform. With the change of government in 2002, the current government has carried this issue to the agenda and the discussions have started again. Following that many law proposal have been prepared in this process. In this study, these law proposal that have been prepared by NEM, HEC and UC have been compared and discussed in the light of ERASMUS goals.
When these law proposals are examined we can see that the one prepared by the ministry of education is more comprehensive.

RESULTS

The term scientific freedom was explained as follows in the law proposal prepared by NEM: “the rights of the faculty members to carry out the scientific studies and to explain their ideas in the frame of scientific moral rules without the effect of any pressure”. In the law proposal prepared by HEC, the term academic freedom is utilized and described, “with the condition of obeying ethical rules, the right of the faculty members to carry out scientific research freely in and out of the university; to discuss publish and to give out through the way of art without any effect on them. In the law proposal prepared by UC, a similar or close definition is written down.

The term “strategic plan” is defined in the NEM, law proposal as “the plan that includes the long and middle term goals of higher education institutions, their basic principles and politics, goals and properties, evaluating the performance and the way methods and source distribution in order to reach them. In the HEC law suggestion the same term is used and following description made: “the plan of the higher education institution and organizations which includes their long and middle term goals, basic principles and politics goals and properties and the methods and ways to follow in
order to reach them and the distribution of financial sources”. It has been determined that there is no such description in the UC law proposal.

Another description that takes place in the NEM higher education law proposal is self evaluation: “determining if the quality of education given by higher education institutions any kind of actions taken by these institutions obey the laws, the responsibility of these institution to the society, the financial resources are being used according to the accountability and objectively. Both the NEM and UC law proposals do not have such similar term and description.

In the NEM higher education law proposal, accreditation (outer evaluation) terms is used and described as “in the higher education institutions determining that the education and teaching is carried out according to the national and international criterion, these programs are designed in a way that the institution will give qualified graduates by an outside organization and evaluating the quality of administration”. In the law proposal given by HEC, national academic evaluation and accreditation committee is foreseen and described as “The unit which does the institutional performance evaluation of the organization and accreditation of the academic programs carried out by the higher education institution” such a description is not foreseen at the UC law proposal.

Another description which takes place in the NEM law proposal is administrative freedom: “The universities being able to take decision freely related to the administrative and financial areas and applying them”. The same term
administrative and financial freedom is used in the HEC, law proposal and the same description takes place: “The universities being able to take decisions freely related to the administrative and financial areas and applying them”.

In the NEM higher education law proposal, democratic participation term is used and described: “In the higher education institution and high committees, establishment, administration function, the majority of the faculty members, students and other related parts”, while the same terms description is used in the HEC law proposal UC law proposal does not have such description: “In the higher education institution and high committees, establishment, administration function, the majority of the faculty members, students and other related parts”.

When the three law proposals prepared by NEM, HEC and UC contents are looked into carefully in detail, these similarities and differences are seen (NEM, 2003; HEC, 2004):

NEM law proposal has twelve (12), HEC law proposal has twelve (12) and UC law proposal has fifteen (15) parts. NEM and HEC proposal have goals, content and descriptions subheadings; UC proposal on the other hand, has goals, content and principles. In the first parts of the three proposals, the explanations of the descriptions of the whole proposal are given and details explanation for goal, content and principles take place. In the second part of NEM proposal, goal in higher education, basic principles and required courses; HEC and UC proposals’ second parts general statements in the subheadings take place. In all three proposals the following subheadings take place high committees and organizations, their organs and duties, faculty members and teaching staff, academic titles gaining and protection of them
financial statements, discipline and punishment subjects. The subjects in the proposal take place irregularly rather than following each other in an order. Again in the three proposal, Private Universities take place in the different parts. As a results of this, it can be stated that there has been no cooperation among these three organizations in preparing the proposals.

Another issue that has been discussed intensively is the election of university presidents (rectors). The NEM proposes that they be elected for four (4) years and reelect twice in a raw. Both HEC and UC proposals state that the presidents be elected for four (4) years and they can be elected twice at the most.

Another subject, being able to be a member to the political parties, is also being discussed. In the NEM law proposal, eleventh section, under the subheading of being a member and taking duties, number 47 states the following: Faculty members and teaching staff can be member to the political parties; without ignoring their jobs in the higher education institutions, they can establish political parties, take responsibility in the central administrations of the political parties and their research and counseling units. However, during these jobs they can not take any position in the higher education councils and higher education administration levels except positions such as department heads and science/art head. Such a description is not foreseen at the HEC and UC law proposals.
REFERENCES


Table 1: Comparison of Three Different Law Suggestions by Definitions, Content, Goals, and Principles

<table>
<thead>
<tr>
<th>NEM</th>
<th>Scientific Freedom</th>
<th>Strategic Plan</th>
<th>Self Evaluation</th>
<th>Outward Evaluation</th>
<th>Administration and Financial Freedom</th>
<th>Democratic Participation</th>
</tr>
</thead>
<tbody>
<tr>
<td>HEC</td>
<td>Academic Freedom</td>
<td>Strategic Plan</td>
<td>-</td>
<td>National Academic Evaluation &amp; Accreditation Committee</td>
<td>Administration and Financial Freedom</td>
<td>Democratic Participation</td>
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<tr>
<td>UC</td>
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(HEC, 2004; NEM, 2003)