

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

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Abstract

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26 **ABSTRACT**

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40 **Key Words : Socrates, Erasmus, Bologna Decleration, Turkish Higher Education**

41 **Law.**

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43 **INTRODUCTION**

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

54

55 In June 19, 1999 the Education Ministers of 29 European countries signed the
56 Bologna Declaration with the the thoughts of importance of education in strengthening
57 and forming (determined, regular and democratic) social structure. By signing the
58 Bologna Declaration they have agreed on joint purposes in the development of European
59 Higher Education until 2010. In Prag May 19,2001 they increased the number and
60 renewed their purpose of structure until 2010. In order to speed up the realization of
61 European educational field to examine the developments, education ministers of 33
62 European Countries met in Berlin at May 19, 2003 and declared that “ Education is for
63 public”. “ The roles of higher education institutions and student organizations are
64 accepted” (European Community Office Of Ankara University 2003).

65

66 In addition to that European Community, started European Education programme
67 in order to form European knowledge, to react to the difficulties of the century in a good
68 way to encourage the education for all and to aid in gaining skills that have been
69 accepted for everyone. Related to this, ERASMUS the higher education part of
70 SOCRATES was accepted in January 24, 2000. Higher education in the content of
71 ERASMUS has a great significance in forming qualified human resources sharing
72 knowledge which comes out as a result of scientific discoveries, developing new skills
73 for the increasing needs, growing coming generations in the frame of Europe.

74

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

81

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

90

91 1. Colloboration among universities:

92 • Students-faculty movements,

93 • Educational programmes: intensive courses, multidicipline activities,
94 joint teaching education activities, such as teaching different subjects in

95 other languages,

96 2. Preparatory activities:

97 • (ECTS) European Credit Transfer System,

98 • Strengthening diploma supplements,

99 3. Conceptual Networks:

100 • Iformation communication networks,

101 • Academic expertise networks.

102

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

114

115 When these law proposals are examined we can see that the one prepared by the
116 ministry of education is more comprehensive.

117 Inset table 1 here.

118

119 **RESULTS**

120

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

129

130 The term “strategic plan” is defined in the NEM, law proposal as “ the plan that
131 includes the long and middle term goals of higher education institutions, their basic
132 principles and politics, goals and properties, evaluating the performance and the way
133 methods and source distribution in order to reach them. In the HEC law suggestion the
134 same term is used and following description made: “the plan of the higher education
135 institution and organizations which includes their long and middle term goals, basic
136 principles and politics goals and properties and the methods and ways to follow in

137 order to reach them and the distribution of financial sources”. It has been determined
 138 that there is no such description in the UC law proposal.

139

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

146

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

157

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

161 administrative and financial freedom is used in the HEC, law proposal and the same
 162 description takes place : “The universities being able to take desicion freely related to
 163 the administrative and financial areas and applying them”.

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

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

174

175 NEM law proposal has twelve (12), HEC law proposal has twelve (12) and UC
 176 law proposal has fifteen (15) parts.NEM and HEC proposal have goals, content and
 177 descriptions subheadings; UC proposal on the other hand, has goals, content and
 178 principles. In the first parts of the three proposals, the explanations of the descriptions
 179 of the whole proposal are given and details explanation for goal, content and principles
 180 take place. In the second part of NEM proposal, goal in higher education, basic
 181 principles and required courses; HEC and UC proposals’ second parts general
 182 satatements in the subheadings take place. In all three proposals the following
 183 subheadings take place high committees and organizations, their organs and duties,
 184 faculty members and teaching staff, academic titles gaining and protection of them

185 financial statements, discipline and punishment subjects. The subjects in the proposal
 186 take place irregularly rather than following each other in an order. Again in the three
 187 proposal, Private Universities take place in the different parts. As a results of this, it
 188 can be stated that there has been no cooperation among these three organizations in
 189 preparing the proposals.

190

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

195

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

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225 **Table 1: Comparison Of Three Different Law Suggestions By Definitions Content,**
 226 **Goals And Principles**

NEM	Scientific Freedom	Strategic Plan	Self Evaluation	Outward Evaluation	Administration And Financial Freedom	Democratic Participation
HEC	Academic Freedom	Strategic Plan	-	National Academic Evaluation & Accreditation Committee	Administration And Financial Freedom	Democratic Participation
UC	-	-	-	-	-	-

227 (HEC, 2004; NEM, 2003)

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