


Education public policies and the establishment of the Open University of Brazil¹

Políticas públicas educacionais e o estabelecimento da Universidade Aberta do Brasil

Políticas públicas y el establecimiento de la Universidad Abierta de Brasil

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Abstract: This essay aims to study policies related to the establishment of the Open University of Brazil (UAB) as the main form of expansion and dissemination of higher education through distance in the country. We will use landmarks as laws and decrees relevant to the subject and analyze them according to the policy cycle methodology proposed by Gary Brewer and elucidated by Howlett, Ramesh and Perl. We will deal with documents such as National Education Plan (PNE 2001-2010), which informs about the use of Distance Education for Higher Education and leaves significant gaps, but it was filled by decrees 5.266/2005, 5.800/2006 and 9.057/2017. The results, there is a compilation and discussion about the main decrees and laws which justify the establishment of UAB as a education policy. That policy began a new cycle after the disruption of the hegemonic of Federal Government between the years of 2003 to 2016.

Keywords: Public policies. Distance education. Open University of Brazil.

Resumo: Este artigo tem como objetivo o estudo das políticas relacionadas ao estabelecimento da Universidade Aberta do Brasil (UAB), como principal forma de ampliação e difusão de cursos superiores por meio da Educação a Distância no país. Utilizaremos marcos como leis e decretos pertinentes ao tema e os analisaremos de acordo com a metodologia do ciclo de política proposto por Gary Brewer e elucidado por Howlett, Ramesh e Perl. Faremos a abordagem de documentos como o Plano Nacional de Educação (PNE 2001-2010), que informa sobre o uso da Educação a Distância para o Ensino superior, que possui lacunas significativas a serem preenchidas posteriormente pelos decretos: 5.266/2005, 5.800/2006 e 9.057/2017. Como resultados, temos a reunião e discussão das principais leis e decretos que justificam o estabelecimento da UAB como política pública educacional. Concluímos que esta política iniciou um novo ciclo após o rompimento da hegemonia do Governo Federal, entre os anos de 2003 a 2016.

Palavras-chave: Políticas públicas. Educação a distância. Universidade Aberta do Brasil.

Resumen: Este trabajo ha sido el objetivo o estudios de política relacionados con el establecimiento de la Universidad Abierta de Brasil (UAB) como la principal forma de expandir y difundir la educación superior a través de la educación a distancia. Usaremos marcos tales como leyes y decretos relevantes para el tema y los analizaremos de acuerdo con la metodología del ciclo de políticas propuestas por Gary Brewer y elucidado por Howlett, Ramesh y Perl. Abordaremos documentos como el Plano Nacional de Educación (PNE 2001-2010), que informa sobre el uso de la Educación a Distancia para la Educación Superior, por ejemplo, firmas significativas de los decretos 5.266/2005, 5.800/2006 y 9.057/2017. Como resultado, tenemos que cumplir y discutir las principales leyes y decretos que justifican el establecimiento de la universidad abierta del Brasil como una política pública educativa. Concluimos que esta política ha empezado un nuevo ciclo después del rompimiento de la hegemonía del Gobierno Federal entre 2003 y 2016.

Palabras clave: Políticas públicas. Educación a distancia. Universidad Abierta de Brasil.

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Introduction

Public policies are institutional actions taken by governments that materialize in different ways. According to Howlett, Ramesh and Perl (2013, p. 6), we understand that the primary agent of public policy is a government that plays a special role “by virtue of its ability to make official decisions on behalf of citizens”, as explained by Norberto Bobbio, through the principle of universality, understood as one of the characteristics of the modern typology of political power, “we understand the capacity of the holders of political power, and they make legitimate and truly effective decisions for the whole community” (BOBBIO, 1998, p. 957). Thus, whenever we are talking about public policies it should be understood that they are those made by governments.

Policies can be considered as complex actions that involve “numerous actors from various organizations [...] at different levels” (RODRIGUES, 2013, p. 70) and whose key feature is the materialization of measures taken by governments. It is necessary to remember that no policy is made based on principles of neutrality, that is, they are taken from the actor(s) that holds the political power.

One of the most worked and discussed educational policies is the Open University of Brazil (*in Portuguese, Universidade Aberta do Brasil - UAB*), a policy of access to higher education developed through a partnership between Federal, State and / or Municipal entities. UAB is not an educational institution, “but it is a network of public higher education institutions articulated to offer higher education courses” (BORGES, 2015, p. 84), in the distance modality. Its objectives are to develop Distance Education and expand and internalize the offer of higher education, especially to train teachers to work in basic education in Brazil.

For the UAB policy to work, it is necessary that several other mechanisms, such as laws, decrees and actions of the three public spheres, act accordingly. In order to improve the understanding of this policy, we believe that it is necessary to fully understand such mechanisms that underpin the UAB. Therefore, this work has as its central objective the understanding of the various policies that structure the UAB.

National Education Plan Policy (PNE 2001-2010), established by Law No. 10.172 of January 9, 2001 (BRASIL, 2001), deals with the topic of Distance Education and the use of Information and Communication Technologies (ICT), but its use for higher education is not directly mentioned. However, the first objective for higher education is to raise the gross enrollment rate to 30% of people between 18 and 24 years and this can be used as a justification for the UAB to be instituted later.

The undergraduate courses promoted by UAB are not 100% distance learning, due to the obligation of students to develop some activities in the face-to-face support centers, such as exams, tutorials, internships, laboratory practices and job defense. Therefore, the nomenclature of Education a Distance to UAB is used as a condition for greater differentiation with regular face-to-face courses, due to the online nature that exists in this policy of access to higher education.

According to the ideas presented, the UAB is a material manifestation of the State through politics and with this, Distance Education (DE, *in Portuguese: Educação a Distância - EaD*) appears as a central point in the expansion of the number of vacancies offered in higher education, especially for teacher training courses with the intention of democratizing access to it.

Policies do not go from birth to death, they are reinvented in a cyclical process. There are several models for methodological analysis of policy cycles and we chose Gary Brewer's model, elucidated by Howlett, Ramesh and Perl (2013) because it simply and directly addresses the analysis of the key points of public policy development. We analyzed within this methodological perspective two of the decrees that regulate Article 80 of the Guidelines and Bases Law (LDB 9394/96) (BRASIL, 1996), which lays the foundations for the functioning of distance education in Brazil and the National Education Plan Policy 2001-2010 (BRASIL, 2001).

This cycle consists of five phases: (1) Agenda Setting; (2) Policy Formulation; (3) Decision Making; (4) Implementation; and (5) Evaluation. Given that the Open University System of Brazil was established by decree, that is, already appearing in the policy cycle at the decision-making stage, there is little material available for us to be able to discuss the full cycle in a broader way.

In Decrees, the first two phases concerning the cycle do not necessarily become publicly accessible as they are usually done with laws, where there is publication from the explanatory memorandum to the creation of a new law, its provisional text, debate and voting in legislative houses of Brazil. Based on the analysis of the National Education Plan (BRASIL, 2001), we sought to reconstruct the first phase of the cycle, since at the time of the UAB creation decree, the current PNE was the referred document.

Institution and expansion of the Open University public policy of Brazil

The expansion of distance learning courses through public Higher education institutions (HEIs) is governed by the Open University of Brazil (*in Portuguese, Universidade Aberta do Brasil - UAB*), created by Decree No. 5,800 of June 8, 2006, which aims to: develop distance learning, expand and internalize the offer of higher education courses in Brazil (BRASIL, 2006). The UAB operates from a partnership between the Union, States and Municipalities, where there is division of duties such as provision of funds, hiring teachers, coordinators, face-to-face and distance tutors, maintenance of face-to-face clusters, provision of staff for technical support etc. With this decree, distance education was instituted as a policy to encourage the development of higher education, especially in the countryside, to train basic education professionals (BRASIL, 2006).

To make public policy it is necessary to identify a problem, seek a solution and apply it, even if this whole path is permeated by imperfections. In the case of UAB, one of the problems identified was the lack of access to higher education by inhabitants in much of the interior of the country. There are state and federal universities operating in the interior of the

country, but the demand is greater than the offer of places and, moreover, these HEIs are unable to attend the places in person when there is a massive demand for undergraduate courses. Once the problem of vacancies was identified, the UAB policy was instituted as one of the solutions to increase the number of people entering public HEIs throughout the country, especially in the countryside, emphasizing the undergraduate degrees. From this, we present the second scenario of higher education promoted by University of Pernambuco (UPE) adding e-learning.

The operation of the UAB is established from the collaboration between Federal Agents, States and Municipalities. It is up to the Federal Government to give the course operating guidelines, such as the workload of compulsory and optional subjects, as well as complementary activities. It is also the Government's responsibility to provide for the expenses of some agents (this is done through a scholarship system), such as tutors, course coordinators and teachers. The states and / or municipalities are responsible for providing, mostly, the presence support center, which is an “operational unit for the decentralized development of pedagogical and administrative activities related to the e-learning courses and programs offered by public higher education institutions” (BRASIL, 2006).

The poles are environments where face-to-face activities are carried out, “such as tutoring, assessments, internships, professional and laboratory practices” (BRASIL, 2017) etc. The classroom should also “have adequate infrastructure and human resources” (BRASIL, 2006), both to meet the activities mentioned at the beginning of this paragraph, and to be a study environment for students who wish to be in a space that favors their studies. It is important that the support center has, for instance, a library, a computer lab and the eventual presence of a tutor in its course to provide technical and academic support to the students.

State and Municipal Entities that are interested in the maintenance of an on-site support center must meet some requirements of the Ministry of Education (MEC), which “will establish technical cooperation agreements or agreements with the federative entities [...] by public notice” (BRASIL, 2006). Thus, we identify the cooperative means for the operation of the UAB courses, where the HEIs participate providing and regulating the courses, states and municipalities, in return for a public notice, offering the physical space for activities that necessarily must be done face-to-face and the Federal Government through its various agencies, provide staffing funds through the scholarship system.

As seen, the internalization of higher education through distance education was a way sought by the government to democratize access to public HEIs through the UAB and its agreements with universities and federal institutes. About this process, Falcão and Schurster (2016, p. 12) affirm that “democratization of teaching is not just access to the classroom”, even if virtual. There are a number of factors that drive this process to fruition. According to Ana Cavalcanti (2016, p. 20), the “democratic principle presumes a right condition in the search for equality”.

Therefore, the mere fact of opening a certain number of places in universities does not in itself guarantee that the people who will fill them will have the same conditions of use; This requires action by other public policies to promote democratization. Thus, “talking about

democratization means ensuring everyone's right to quality public education, with equal opportunities for training” (ANDRADE, 2015, p. 241).

The creation of the Open University of Brazil follows an Online Learning logic based on models that have existed in European countries since the 1970s and its establishment as an educational policy was only possible thanks to the Law of Education Guidelines and Bases of Education, LDB 9394/96, Art. 80 (BRASIL, 1996), which deals with the incentive and development of Brazilian education at all levels of education through distance learning. Subsequently, a decree was required to regulate this article of the LDB, as it was limited to presenting distance education as a possibility of enabling the teaching-learning process.

Results the UAB regulatory policy cycle

There are two gaps present in the PNE 2001-2010 (BRASIL, 2001) that are interesting to our study. The first refers to the regulation of distance education providers, since, as stated in the document, “the Federal Government is responsible for the accreditation of institutions authorized to offer distance education courses, as well as the establishment of the requirements for the examinations and the registration of diplomas” (BRASIL, 2001). It is established in the law that the Government is responsible for the above activities, but does not inform how this practice should be done.

The second gap is in relation to the system in which Distance Education will be developed in Brazil and this opening is a justification for the subsequent creation of UAB. These gaps were important for establishing the policies that regulate the UAB itself and some ancillary practices, such as the use of ICTs, On-Site Assessments, Diplomas, Accreditation and Recertification of institutions offering distance learning.

In 1998 with Decree No. 2494 of 10 February (BRASIL, 1998) established the first regulation of Article 80 of the LDB - Law 9394/1996, which was repealed in 2005 in favor of Decree No. 5622, signed on December 19, that on May 25, 2017 Decree No. 9057 revoked the previous one. In the specter of Distance Education regulatory change, one can see the manifestation of Gary Brewer's proposed policy cycle, where he “introduced the notion of the public policy process as a constantly moving cycle. It also recognized that most policies do not have a fixed life cycle from birth to death” (HOWLETT; RAMESH; PERL, 2013, p. 14). For purposes of analysis, we have explored only the last two decrees, as they establish that distance education must be implemented through Information and Communication Technologies.

Through Decree No. 5266/2005 there was the regulation in Article 80 of the Law of Guidelines and Bases, which proposes Distance Education as a possibility of teaching at all educational levels. This policy of the Ministry of Education served as the basis for the establishment of Decree No. 5800/2006, which establishes the Open University System of Brazil, i.e., the first mentioned decree emerged as filling the first gap to the PNE 2001-2010 and the second decree fills the second gap mentioned.

The first stage of the policy cycle is intrinsically linked to the demands proposed within the governmental sphere and for this reason, the establishment of decrees appear as a more efficient and direct proposal in the establishment of a public policy. Concerning the second part (Policy Formulation) and the third part (Decision Making) of the policy cycle chosen for analysis, they are compromised, due to the way the policies were institutionalized, i.e., by decree. Since we only have access to the decree itself and to the publication made in the Federal Official Gazette, which have the same content, there is no way to deepen the analysis in relation to the formulation. Regarding decision-making, the third phase, the Decree presents itself as decision-making made by the executive branch mediated by the Ministry of Education.

In the fourth part of the cycle we have the implementation, which is the way policies will be effectively implemented. Within the theories linked to this practice, the UAB is a type of top-down policy, that is, it is established from the top down from the state sphere to the public. The fifth point, Evaluation, is within the political universe, so it is subject to choice and change of method according to the group in power. Therefore, due to the fact that the UAB is at its core an access policy, the data that will prevail in analyzing the system's effectiveness for policy proponents will be numerical, prioritizing the system's ability to offer and fill vacancies in the higher education.

By analyzing the Synopses of Higher Education in Brazil, documents available on the website of the National Institute for Educational Studies and Research “Anísio Teixeira” (INEP), we identified a data progression when it comes to the access promoted by UAB since 2009, the first year in which Online Education appears in the Higher Education Census and, therefore, in the synopses.

Three points were analyzed: (1) Number of newcomers; (2) Total of students enrolled; and (3) Graduated. With this data it is possible to observe that the access policy remains the same during the data sampling period, which goes from 2009 to 2017. Only in 2009 there is a great discrepancy compared to other years, which is not explained in the document. We are led to believe that this disparity was due to the start of the policy implementation, and the financial incentive was quite high. We consolidate this data in Table 1 for ease of analysis.

Table 1. The development of the UAB in all states of the Country (2009-2017)

Year	Nº of Admission	Enrolled Students	Graduated
2009	332.469	838.125	132.269
2010	40.174	181.602	12.190
2011	34.045	177.924	23.699
2012	48.527	181.624	35.152
2013	36.906	154.553	23.017
2014	43.915	139.373	16.051
2015	30.323	128.393	15.700
2016	24.490	122.601	15.303
2017	86.965	165.572	13.732

Source: INEP/MEC (BRASIL, 2018).

According to Table 1, the number of newcomers in distance learning within a short time is noticeable. In 2016, the lowest number of new entrants was seen and the highest in 2009, 24,490 and 332,469 people, respectively. Between 2010 and 2016 there is a constancy at this point and a variation that reaches around 24,000 people between the lowest and the highest admission rate, which for a system that is based on external funding to the institutions that offer the courses, it is possible to consider that there is regularity of admission. Regarding the other two points, there is something similar in their proportions.

Taking into account that within the total number of enrolled most of the newcomers and graduates of the same year are included, except the ones of the year 2009, the dropout was somewhat controlled. This year just over 132,000 left people from the system due to the completion of the course. However, with its more than 838,000 enrolled, the situation regarding the enrollment should be in the range of 700,000, but the total number of enrollment among novice and veteran students is 181,602 people, which shows a dropout of more than 500,000 students.

In the following years, according to data provided by INEP, this situation remained constant, considering that in 2010, for example, 12,190 people completed their courses, leaving the balance of enrolled at 169,412 people. In 2011 there were 34,045 students enrolled, which would leave a balance of 203,457 people, however, the number of enrolled was 177,964, i.e., the dropout (between dropout or non-enrollment) was 25,533. In establishing the dropout rate along these lines, we have table 2:

Table 2. Dropout in UAB in all states of the Country (2009-2017)

Year	Dropout Number
2009-2010	564.428
2010-2011	25.533
2011-2012	21.128
2012-2013	28.825
2013-2014	6.087
2014-2015	25.252
2015-2016	14.582
2016-2017	28.691

Source: INEP/MEC (BRASIL, 2018).

Based on official data from INEP, the policy of the Open University of Brazil can be considered effective in terms of access to higher education. Although in some years the entry rate is similar to that of dropout, there is maintenance and constancy in both the number of enrolled and graduating, showing that the policy in question, still in the early stage of development for having just over 10 years of age established by decree, can achieve one of its main objectives.

From the perspective of the policy cycle, after the evaluation there is the possibility of a return to the first phase, that is, a new agenda setting, which can be either a continuity of the agenda that initially established the policy or a rupture. That happens because the public policies are generally implemented by government agents and are never based on

assumptions of neutrality, so, from a change in the base of governments, it is natural that there will be changes in the ways of conducting state bureaucracy. In 2016, there were significant changes in the federal government base and many policies were changed to align with the agendas of the parties that made up that base. The decree regulating LDB Art. 80 has been amended, giving us the possibility to analyze the resumption of the UAB policy cycle.

Analysis of Decrees on the use of Distance Education

For the sake of clarity and to make the text more fluid, we will call Decree No. 5,622 of December 19, 2005 **First Version** and Decree No. 9,057 of May 25, 2017 **Second Version** of the regulation of Article No. 80 of Law 9,394/96. We will analyze the two texts comparatively, sometimes bringing quantitative and mostly qualitative data. To delimit the scope of the analysis, a comparison will be made between the following points of the decrees: The offer of higher education courses and course accreditation, use of Information and Communication Technologies and compulsory classroom activities.

Each Decree has a reserved chapter to systematize how the higher education courses will be offered Online. The **First Version** has only 4 articles and 5 items; The **Second Version** has 9 articles and 10 items. In this case, you can see that the second version has more details than the predecessor.

In Art. 20 of the **First Version**, which deals with the prerogative of opening higher education courses, it is written that only “institutions that have the prerogative of university autonomy accredited to offer higher education” (BRASIL, 2005), which may open or close undergraduate and postgraduate distance learning courses. In the **Second Version** of the document there is no mention of the degree of autonomy that the institution needs to open a higher education course, but it states that the public HEIs have automatic recognition for opening courses and that private institutions must apply for authorization from the MEC.

In the **First Version** it is found that institutions without university autonomy must apply “with the competent body of the respective education system for authorization to open courses and programs” (BRASIL, 2005) in distant learning, that is, before there was a longer way to go in order to be able to offer a distance learning higher education course, as from the **Second Version** onwards institutions can apply directly to the MEC for accreditation to offer courses.

One way to explicit the difference between the two regulatory decrees that may compromise the quality of the distance learning course refers to the institution's accreditation with the Ministry of Education. In the **First Version**, it is said that “the institution's request for accreditation for distance education must be accompanied by an application for authorization of at least one course in the modality” (BRASIL, 2005), while in the **Second Version**, it says that “the institutions of private higher education institutions should apply for accreditation for the offering of distance learning higher education courses to the Ministry of Education” (BRASIL, 2017) and does not mention the need to present a course proposal.

In the **First Version** there is a chapter to deal with the subject, and in it, it is exposed all the possibilities of accreditation, re-accreditation and discrediting in all educational levels, while in the **Second Version**, there are few articles and paragraphs that talk about this theme, which are diluted by the whole decree. Thus, we observe some evidence of weakness and excessively openness of the **Second Version** when compared to the **First**, especially when it comes to the accreditation of the courses.

It is possible to observe improvement about the accreditation of public HEIs. According to the **Second Version** of the decree, the public HEI that wishes to offer any distance learning course will have its accreditation done automatically, since Article 12 of the second version states that “the public higher education institutions of the federal, state systems and district not yet accredited for the provision of higher education distance learning courses are automatically accredited for a period of five years” (BRASIL, 2017).

In both versions of the Decree, Distance Education is characterized by the use of ICT in the educational process, using it as a means of communication and interaction between teachers, tutors, students, “developing educational activities in different places or times” (BRASIL, 2005). Both definitions are demonstrated in Art. 1. The **Second Version** of the document is more complete, because in addition to pedagogical didactic mediation using ICT tools, there will be work done by “qualified personnel, with access policies, monitoring and compatible evaluation” (BRASIL, 2017). We characterize the definition of the **Second Version** as more complete because it contemplates in its text the need of:

a) Qualified personnel. To perform the tutor and teacher activities in distance learning some training in the area is required because the Virtual Learning Environment becomes the classroom, however, that is not the same dynamics of the classroom courses and therefore, the proposed distance learning activities cannot be the same as those of regular classroom.

b) Compatible assessment. Since the main learning environment should be thought differently from the conventional classroom, assessment should be done in the same way. Assessments should be designed to encourage students to focus on knowledge, not just to reproduce multiple-choice test response techniques, for instance. Assessments should also be designed according to the virtual environment that will be used, as the various systems have different modes of learning assessment.

Assessment in classroom courses usually takes place through tests or assignments, which make up 100% of each unit's grade. Usually in distance learning courses it is done (or should be done) differently. Each unit's grade must be divided between 3 or more activities, as long as the face-to-face test has a weight greater than 50% of the final grade.

In the **First Version**, it is said that “compulsory classroom activities, including assessment, internships, work defense or laboratory practice” (BRASIL, 2005), must be done in the classroom. In the **Second Version**, there is the permanence of these same items, however, there is no mention in relation to the obligation, because it makes it very vague or implied that these activities are not optional to be performed at the poles. Article 4 is as follows:

In-person activities such as tutorials, appraisals, internships, professional and laboratory practices and job defense [...] will be carried out at the educational institution's headquarters (in the case of private education), at the distance education centers or in the professional environment (BRASIL, 2017).

In the **Second Version** there is no indication that the aforementioned activities mandatory and the displacement to perform activities in the poles seeks to make unfeasible and / or difficult access to UAB courses by people residing in the capitals, which is a positive barrier. since one of the main objectives of the public policy in question is to increase access to higher education for people residing in the interior of the country. Due to this, there is the possibility of distorting the original meaning of the UAB policy, which is to internalize the undergraduate courses, in order to raise the quality of basic education in the most varied municipalities of the federation. We note that there is a major flaw in the **Second Version** regarding the control of compulsory classroom activities by students of UAB graduations.

Final considerations

Definitions of what public policy is and ways of how they materialize in society were presented. In the case studied, the policy is the establishment of the Open University of Brazil and its material manifestation was linked to the case of the University of Pernambuco. The possibility of expanding the scope of action of public universities has become a reality through the use of Information and Communication Technologies.

We know that the simple use of Information and Communication Technologies for educational purposes does not solve problems of student permanence in the various higher education courses offered in partnership with the Open University of Brazil. The use of distance education by public higher education institutions, therefore, cannot be seen as the solution of the problems, but as an alternative of comprehensiveness of the offer of education to regions of the country where the face-to-face education due to its physical limitations cannot attend.

We understand by using the methodology of analysis of the policy cycle that they are not born and die, but are continually reinvented and re-signified from gaps left by legislation and the diverse needs of the expansion of state action. As we have seen, the first time that distance education was mentioned in public policy was in the Law of Guidelines and Bases of National Education in 1996 and specifically from Art. 80 decrees could have been developed and other laws that drove the establishment of distance learning as a factual way of promoting education at all levels of schooling.

The policy of the Open University of Brazil emerged to complete the projections and pretensions established in the National Education Plan 2001-2010, which had two gaps identified by us in the section aimed at distance education, one related to the regulation of educational course providers and one concerning the system that would develop Distance Education in the public sphere.

From Decree No. 5,800/2006 we were able to analyze and discuss its manifestations and developments, especially in the specific case of the University of Pernambuco, which has direct action from UAB, with the promotion of five distance-learning undergraduate courses and the use of UAB tools to the expansion of ICT use in classroom teaching.

We have seen in this text what public policies are and how they are established and modified according to the needs and agendas of the holders of power. In the methodological analysis of the policy cycle that within the policy of the PNE 2001-2010 there were two gaps that could be used as justification for the creation of the Open University of Brazil. Without the regulation of Article 80 of the law it would not be possible to create a policy like the UAB, that is, it was first necessary to regulate the forms and means of distance education to later establish the system that would coordinate the expansion of higher education by distance education.

Analysis of data from higher education synopses is the best indication that UAB policy is succeeding as an access. Indicators of the number of entrants at the beginning of the policy are symptomatic of the investment applied for the policy to be adhered to by universities and students. Subsequently, there is a decrease in the number of tickets and an increase in dropout, which can be explained by the lack of adaptation to the type of education in question due to numerous factors. These could be the lack of internet access and devices, like computers and tablets; lack of personal organization for the studies due to not having a mentor who disciplines and demands activities and lack of continuous dialogue and establishing trust with peers and teachers. After moments of high dropout, there was regularization of supply and entry versus dropout. Thus, as a policy of access to UAB proves to be effective, as it maintains regularity.

Other correlated policies for the establishment of the UAB are the decrees that regulate Article 80 of the LDB, which deals with the possibility of using Distance Education at all levels of education in Brazil. The **First Version** of the decree, as we have seen, was signed in 2005 and the **Second Version** was signed in 2017, revoking the first. We also saw that there were some continuities and ruptures, where we qualitatively evaluated some of the proposals of the two decrees comparing them and identifying some advances and setbacks.

In the **Second Version** there is an advance in the use of ICT, because its definition is more complete and includes the need for qualified personnel to perform the activities of tutor and teacher and the need for these actors to have some specific training to perform the teaching role in Virtual Learning Environments. This need for trained staff opens a gap for proposing teacher education policies in the virtual realm. Other points that we consider as advancing the **Second Version** over the **First** are the access policies and compatible evaluation. The UAB itself is an access policy, however, it is mentioned that state and municipal entities can charge as well as develop ancillary policies to increase student access to the UAB system. Regarding the second point, when considering Distance Education as a modality that needs a specific methodology to be developed, the evaluation must also be thought differently.

Regarding the accreditation of courses and institutions, in the **First Version**, it is stated that only universities can open or close distance undergraduate courses. But, in the

Second Version there is no mention regarding the degree of autonomy that the HEI should have, i.e., opens the possibility for colleges and university centers to open distance learning courses without the need for partnership or affiliation with a university to open a course or program. In the **Second Version**, an advance is that the public HEI has automatic recognition of the course.

In the **First Version**, accreditation is possible only if there is already an authorized course proposal for opening. The **Second** is that institutions should apply to the MEC for accreditation, but do not mention the need to present and / or authorize a course proposal. That is, higher education institutions, especially private ones, may apply for accreditation as a distance learning provider without even having a course project presented. We see this as a setback.

Still on accreditation, there is an entire chapter in the **First Version** that addresses the issues of accreditation, disqualification, and re-accreditation of courses and institutions, while in the **Second Version**, these points are diluted and mentioned throughout the text without any emphasis. We see this as a setback, as it indicates an over-opening of the minimum requirements for the establishment of distance learning courses, favoring the opening of higher education to any institutions, with no state control.

References

ANDRADE, Maria Edgleuma de. Interiorização da educação superior: demandas de democratização e parceria com o poder público municipal. **Holos**, Natal, v. 2, p. 235-249, abr. 2015. <https://doi.org/10.15628/holos.2015.2192>.

BOBBIO, Norberto. Política. In: BOBBIO, Norberto; MATTEUCI, Nicola; PASQUINO, Gianfranco (org.). **Dicionário de política**. Tradução de Carmen C. Varriale *et al.* 11. ed. Brasília: UnB, 1998. p. 954-961.

BORGES, Felipe Augusto Fernandes. A EaD no Brasil e o processo de democratização do acesso ao ensino superior: diálogos possíveis. **Ead em foco**, Rio de Janeiro, v. 5, n. 3, p. 75-94, 2015. <https://doi.org/10.18264/eadf.v5i3.283>.

BRASIL. Decreto n. 2.494, de 10 de fevereiro de 1998. Regulamenta o art. 80 da Lei n. 9.394, de 20 de dezembro de 1996, e dá outras providências. **Diário Oficial da União**, Brasília, DF, 11 fev. 1998.

BRASIL. Decreto n. 5.622, de 19 de dezembro de 2005. Regulamenta o art. 80 da Lei n. 9.394, de 20 de dezembro de 1996, que estabelece as diretrizes e bases da educação nacional. **Diário Oficial da União**, Brasília, DF, 20 dez. 2005.

BRASIL. Decreto n. 5.800, de 8 de junho de 2006. Dispõe sobre o Sistema Universidade Aberta do Brasil - UAB. **Diário Oficial da União**, Brasília, DF, 9 jun. 2006.

BRASIL. Decreto n. 9.057, de 25 de maio de 2017. Regulamenta o art. 80 da Lei n. 9.394, de 20 de dezembro de 1996, que estabelece as diretrizes e bases da educação nacional. **Diário Oficial da União**, Brasília, DF, 26 maio 2017.

BRASIL. Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira (Inep). **Sinopses Estatísticas da Educação Superior – Graduação**. Brasília: INEP/MEC, 2018. Disponível em: <http://inep.gov.br/sinopses-estatisticas-da-educacao-superior>. Acesso em: 20 nov. 2018.

BRASIL. Lei n. 10.172, de 09 de janeiro de 2001. Aprova o Plano Nacional de Educação e dá outras providências. **Diário Oficial da União**, Brasília, DF, 10 jan. 2001.

BRASIL. Lei n. 9.394, de 20 de dezembro de 1996. Estabelece as diretrizes e bases da educação nacional. **Diário Oficial da União**, Brasília, DF, 23 dez. 1996.

CAVALCANTI, Ana Claudia Dantas. Políticas públicas: controle e qualidade. *In*: FALCÃO, Pedro Henrique de Barros; SCHURSTER, Karl (org.). **Educação, política e outras histórias**. 1 ed. Rio de Janeiro: Autografia; Recife: Edupe, 2016.

FALCÃO, Pedro Henrique de Barros; SCHURSTER, Karl (org.). **Educação, política e outras histórias**. 1 ed. Rio de Janeiro: Autografia; Recife: Edupe, 2016.

HOWLETT, Michael; RAMESH, Mohan; PERL, Anthony. **Política pública: seus ciclos e subsistemas: uma abordagem integral**. Rio de Janeiro: Elsevier, 2013.

RODRIGUES, Luiz Alberto Ribeiro. **Políticas de gestão escolar: uma análise do plano de desenvolvimento da escola na região da Mata Norte de Pernambuco (1999-2007)**. Recife: Edupe, 2013.

Notes

ⁱ Translated by Amanda Souza Moraes e Silva Gomes – Translator of the International Relations Office - University of Pernambuco (UPE).

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