

# Perception of Master's Course Students on the Legislation that Governs Post-Graduation

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**Keywords**— LDBEN, Master's degree, *Stricto sensu*.

**Abstract**— Since LDBEN 9394/96 was stipulated, in recent years it was possible to perceive a great growth in Brazilian postgraduate courses, including an increase in the offer of postgraduate *Stricto sensu* including in private Higher Education Institutions. In view of this scenario, the present study aims to verify the knowledge of the student, who seeks a *stricto sensu* postgraduate course, about the legislation of MEC LDBEN law 9394/96 in articles referring to graduate studies. In addition, the study also aims to identify the student's profile and motivation for taking the course. As for the methodological procedures, it is a descriptive, exploratory and field research, with a quantitative approach, where a closed questionnaire was applied to the Master's students in Public Health of the first module and their data were tabulated. In the results, regarding the profile, it was observed that most of the participating students were women with an average age of 36,8 years, with varying degrees, however the majority are graduated in nursing with training time varying from 4 to 28 years. As for the knowledge of LDBEN, the majority stated that they had heard of it, but demonstrated that they did not know the content and all were unanimous in stating that it is important to know the content intended for graduate studies as it can be beneficial for the course.

## I. INTRODUCTION

The Brazilian educational system has undergone some changes throughout the governments, and it is currently governed by the Law of Guidelines and Bases of National Education - LDBEN 9394/96, which was instituted on December 20, 1996 establishing the guidelines and bases of national education. In this LDBEN there is a whole chapter dedicated to higher education, where in art. 43 the purpose of higher education is determined and in art. 44 courses and programs covered by higher education have been stipulated, including *stricto sensu* graduate courses.

In 40 years occurred a great increased in Brazilian postgraduate courses, which went from 699 courses in 1976, to about 6131 in 2016, with a growth of more than

800%. In the 2010 Census, a number of 516,983 masters were registered, there was also an increase in the offer of master's courses by Universities, giving greater emphasis to the growth of the post-graduate courses offers in private higher education institutions.

This research aims to verify the student knowledge, who crave a *stricto sensu* postgraduate course, on the legislation of MEC LDBEN law 9394/96 in articles referring to graduate studies. In addition, the study also aims to identify the student's profile and motivation for taking the course.

In order to achieve the objectives, a questionnaire was applied to 12 students in the class of the first master's module in Public Health at Instituto Ideia in partnership with Columbia University by email.

As a *stricto sensu* teacher, I could realize a lack of knowledge by the student about what a master's degree should contain, its functionality and objectives. This reality piqued my curiosity to understand the phenomenon. The study is relevant, because from the best knowledge about the objectives and functionality of the *stricto sensu* course, the student will be more focused and prepared to complete his research in favor of science and society.

### 1.1 BRIEF HISTORY OF POSTGRADUATION

In 1931, the Statute of Brazilian Universities - the university system was structured - giving rise to the first didactic organization that promoted the tutoring relationship between teacher and student that culminated in the graduate course. At that time, the university had a large number of foreign professors, coming from academic missions or asylums in Europe (NOBRE and FREITAS, 2017).

Between 1930 and 1960, there was an expansion of public universities, such as the University of São Paulo, in 1934, and the University of Brasília, in 1961. These were focused on research and this contributes to the emergence of *stricto sensu* courses (master's and doctorate) (NOBRE and FREITAS, 2017).

The period of military government, a period resulting from the movement of conservative forces, National Forces, Church and bourgeoisie, was a period of demonstration of the authoritarian action of the Brazilian State, which resulted in the (re) organization of movements against the authoritarianism in force and the moment when civil society gains vitality (ALVES and OLIVEIRA, 2014).

However, it was during this period of the Military Government that there was a set of reforms in education, where education assumes an instrumental function. The military regime promoted the reform of higher education (University Reform) in addition to the teaching of 1st and 2nd degrees, where according to the Report (1969, p. 210) the argument was to renew "the faith of the immense student population in the intentions and purposes of the Government and breaking obstacles that hinder the functioning of the Brazilian educational machine". The scenario in which these reforms took place was one of political and ideological control over education, few resources for public education, repression of opponents of the state for both teachers and students. And in higher education there was an intense educational upheaval, as the military regime promoted invasion, intervention in universities, removed deans, dismissed or retired teachers and arrested students (ALVES and OLIVEIRA, 2014).

During this period, it was also observed the case of "candidates without a vacancy", as the student passed

the entrance exam, but could not get a vacancy to enter higher education, which led to the mobilization of society. One of the alternatives of the military government to meet these demands was to promote reforms, in order to adapt higher education to the new reality. To meet these demands and remove the focus of resistance to the university regime, reforms in higher education were implemented through decrees, such as Decrees of n. 53 of 1966 and n. 252 of 1967, which served as the basis for the University Reform of 1968. And it was from this reform and Opinion n° 977 CES / CFE, of December 3, 1965, (Newton Sucupira Opinion) that the Postgraduate Program was intensely structured in Brazil.

O propósito era implantar e desenvolver o regime de cursos de pós-graduação no âmbito do ensino superior, uma vez que havia o entendimento de que faltava maior precisão no tocante à natureza dos cursos de pós-graduação então existentes no país. É, pois, neste contexto do Regime Militar, que a pós-graduação vivenciou um movimento de estruturação, normatização e institucionalização, bem como de ampliação do fomento, da expansão e da adoção de sistemática de avaliação, cujas diretrizes e bases permanecem ainda hoje (ALVES e OLIVEIRA, 2014, p. 352).

The Newton Sucupira Opinion generated a model similar to that of the United States (USA) that created two levels of training, the master's and the doctorate, with continuity between the two, as Brazilian laws did not require a master's degree to enter the doctorate (NOBRE and FREITAS, 2017).

Despite the creation of Coordination for the Improvement of Higher Education Personnel (Capes) in 1951, by Decree 29.741, it was only in 1981 that it started to be recognized as the body responsible for the elaboration of the National Plan for Post-Graduation *Stricto sensu*, through Decree of 86.791, with the function of elaboration, evaluation, monitoring and coordination of activities related to higher education (NOBRE and FREITAS, 2017).

## 1.2. THE LEGISLATION OF HIGHER EDUCATION

The Brazilian Education Guidelines and Bases Law regulates the entire educational system in Brazil, whether public or private, from basic education to higher education. And in 1996 it was the second time that Brazil started to have a new LDBEN.

Higher Education has its purpose described in the Law of Guidelines and Bases of National Education - LDBEN (Law 9394/96). Its exposition begins in art. 43 that explains its purposes:

**Art. 43.** A educação superior tem por finalidade:

**I** - estimular a criação cultural e o desenvolvimento do espírito científico e do pensamento reflexivo;

**II** - formar diplomados nas diferentes áreas de conhecimento, aptos para a inserção em setores profissionais e para a participação no desenvolvimento da sociedade brasileira, e colaborar na sua formação contínua;

**III** - incentivar o trabalho de pesquisa e investigação científica, visando o desenvolvimento da ciência e da tecnologia e da criação e difusão da cultura, e, desse modo, desenvolver o entendimento do homem e do meio em que vive;

**IV** - promover a divulgação de conhecimentos culturais, científicos e técnicos que constituem patrimônio da humanidade e comunicar o saber através do ensino, de publicações ou de outras formas de comunicação;

**V** - suscitar o desejo permanente de aperfeiçoamento cultural e profissional e possibilitar a correspondente concretização, integrando os conhecimentos que vão sendo adquiridos numa estrutura intelectual

sistematizadora do conhecimento de cada geração;

**VI** - estimular o conhecimento dos problemas do mundo presente, em particular os nacionais e regionais, prestar serviços especializados à comunidade e estabelecer com esta uma relação de reciprocidade;

**VII** - promover a extensão, aberta à participação da população, visando à difusão das conquistas e benefícios resultantes da criação cultural e da pesquisa científica e tecnológica geradas na instituição.

**VIII** - atuar em favor da universalização e do aprimoramento da educação básica, mediante a formação e a capacitação de profissionais, a realização de pesquisas pedagógicas e o desenvolvimento de atividades de extensão que aproximem os dois níveis escolares. (Incluído pela Lei nº 13.174, de 2015)

The university is a teaching place with a social function of producing knowledge, cultural development, science, technology and man himself as a participant in a society (SEVERINO, 2017).

In the academic environment, research is an essential act, which acts as an educational and scientific process that consists of an investigation process, exercising creative and critical activities and that must be focused on the problems and difficulties of society (LIBÂNEO, 2017).

With that, it can be said that the University is a means responsible for the production of scientific knowledge and technological advancement of society.

Leal (2008) highlights higher education, given the transformations of the contemporary world, should encourage individuals to be more autonomous and proactive by promoting a link between knowledge and life, thus becoming a critical, creative, participative and responsible individual.

In higher education, it is no longer accepted tacit students, nor teachers who use only expository classes,

teaching everyone as if they teaching only one. Critical thinking should be encouraged, preparing the student for the development of research. (RYSOVAS, 2016).

LDBEN 9394/96 in art. 44 also details which courses are included in Higher Education.

**Art. 44.** A educação superior abrangerá os seguintes cursos e programas: (Regulamento)

**I** - cursos sequenciais por campo de saber, de diferentes níveis de abrangência, abertos a candidatos que atendam aos requisitos estabelecidos pelas instituições de ensino;

**I** - cursos sequenciais por campo de saber, de diferentes níveis de abrangência, abertos a candidatos que atendam aos requisitos estabelecidos pelas instituições de ensino, desde que tenham concluído o ensino médio ou equivalente; (Redação dada pela Lei nº 11.632, de 2007).

**II** - de graduação, abertos a candidatos que tenham concluído o ensino médio ou equivalente e tenham sido classificados em processo seletivo;

**III** - de pós-graduação, compreendendo programas de mestrado e doutorado, cursos de especialização, aperfeiçoamento e outros, abertos a candidatos diplomados em cursos de graduação e que atendam às exigências das instituições de ensino;

**IV** - de extensão, abertos a candidatos que atendam aos requisitos estabelecidos em cada caso pelas instituições de ensino.

**Parágrafo único.** Os resultados do processo seletivo referido no inciso II do caput deste artigo serão tornados públicos pelas

instituições de ensino superior, sendo obrigatória a divulgação da relação nominal dos classificados, a respectiva ordem de classificação, bem como do cronograma das chamadas para matrícula, de acordo com os critérios para preenchimento das vagas constantes do respectivo edital. (Incluído pela Lei nº 11.331, de 2006)

**§ 1º.** Os resultados do processo seletivo referido no inciso II do caput deste artigo serão tornados públicos pelas instituições de ensino superior, sendo obrigatória a divulgação da relação nominal dos classificados, a respectiva ordem de classificação, bem como do cronograma das chamadas para matrícula, de acordo com os critérios para preenchimento das vagas constantes do respectivo edital. (Incluído pela Lei nº 11.331, de 2006) (Renumerado do parágrafo único para § 1º pela Lei nº 13.184, de 2015)

**§ 2º** No caso de empate no processo seletivo, as instituições públicas de ensino superior darão prioridade de matrícula ao candidato que comprove ter renda familiar inferior a dez salários mínimos, ou ao de menor renda familiar, quando mais de um candidato preencher o critério inicial. (Incluído pela Lei nº 13.184, de 2015)

**§ 3º** O processo seletivo referido no inciso II do caput considerará exclusivamente as competências, as habilidades e as expectativas de aprendizagem das áreas de conhecimento definidas na Base Nacional Comum

Curricular, observado o disposto nos incisos I a IV do caput do art. 36. (Incluído pela Medida Provisória nº 746, de 2016)

§ 3º O processo seletivo referido no inciso II considerará as competências e as habilidades definidas na Base Nacional Comum Curricular. (Incluído pela lei nº 13.415, de 2017)

In item III, we see the inclusion of the postgraduate course, such as master's and doctorate, considered *stricto sensu* courses, which is the universe of the present study.

## II. METHOD

In order to contemplate the objective of the research, in addition to the bibliographic research, a field research was performed, in which a structured questionnaire was applied, with ten closed questions addressing the legislation that governs the graduate programs, with students of the master's course that is offered by an Instituto Ideia located in Rio de Janeiro in partnership with Columbia University. Instituto Ideia has been in the market for 10 years and offers partnerships with some Universities offering master's, doctoral and post-doctoral courses serving students from all over Brazil.

The sample included twelve students from the master's class in public health, participating in the first module of the course. Those who chose not to participate in the research or did not deliver the questionnaire in a timely manner were excluded. The application of the questionnaire was conducted from May 5 to 12, 2019, through the internet, through electronic mail, where along with the email followed the questionnaire and the Informed Consent Form - TCLE, where each student can respond individually to each item. The collected data were tabulated for better representation. The research followed the Ethical criteria of resolution 510/2016 of the CNS and its complementaries and was approved by the Research Ethics Committee of the UCDB on May 2, 2019 under opinion 3,299,343 and CAAE 11967319.3.0000.5162.

The questionnaire was divided into two parts, the first with the identification of the participant, where the variables sex, age, graduation area, graduation time were used. The second part consisted of questions such as: if you intend to work in the area of the course, what is the

motivation to attend the master's degree and knowledge about art. 43 of LDBEN 9394/96.

## III. RESULTS

### 3.1. STUDENT PROFILE

Regarding the student's profile, the results obtained were categorized in table 1 below.

Table 1 - Profile of students of the Master's course in Public Health, 2019.

Profile	Participants
Age	29 to 60 years 36,8 average
Sex	8 female 4 male
University graduate	5 nursing 2 psychology 2 dentistry 1 medicine 1 pharmacy 1 technologist in aesthetics
Grad year	From 1991 to 2015

Source: Author data.

As for the profile of the participants, we can observed that most of the master's students are female, with an average age of 36,8 years, the majority with a degree in nursing and with graduation time ranging from 4 to 28 years.

This result corroborates the research by Abramowics, Bittar and Rodrigues (2009) on graduates of the master's course at the Federal University of São Carlos, that could be identified that majority of the participants were women. The same occurred with the study performed by Mendes *et al.* (2010) on the profile of master's students in health area at the Federal University of Piauí, which also identified a greater number of female students.

Guedes (2008, p. 118) states that women have been able to reverse a situation of inequality, consolidating a new reality. Reality in which they are more educated than the male contingent.

O recorte da população de nível universitário reflete o quanto a mudança foi rápida e marcante. Nessa perspectiva, a análise geracional e o olhar



específico para a entrada feminina em cada curso universitário revelam diferenciações históricas fundamentais nos tipos de inserção social das mulheres no contexto brasileiro.

In the case of age, an age variation between 29 and 60 years was observed, with an average age of 36,8 years.

Abramowics, Bittar and Rodrigues (2009) considered the average age of the students to be high, in relation to other studies, since the average age found was 43 years. However, Mendes *et al.* (2010) observed in his study a greater number of students aged 25 to 30 years. And Felli *et al.* (2011) in their study on the profile of graduates from the *stricto sensu* course in nursing management found a higher occurrence in the age group of 31 to 40 years.

Regarding graduation, there can be a variation in the area of training, with nursing being the most cited training. Mendes *et al.* (2010) also identified a

multidisciplinarity in his study where in the Master's course in Science and Health, graduates in medicine, dentistry, nutrition, nursing, psychology and physiotherapy were identified.

Still in the profile of the students, it was possible to observe a great variation in the graduation time, which shows that it does not depend on the time of formation to study. Ferreira *et al.* (2016) also found a variety in training time, with 64% with training in the last 5 years, 21% with training in the last 10 years and 15% with training after 10 years.

Scientific knowledge has been produced rapidly in the health field, and this knowledge is often made available in techniques and inputs in practice, thus requiring greater skills for professional health practice, placing these professionals in constant search of updating (VIANA *et al.*, 2015).

### 3.2 - LDBEN KNOWLEDGE

Regarding the questions in the questionnaire focused on the motivation and knowledge of LDBEN 9394/96, the answers were tabulated according to table 2.

Table 2 - Regarding the motivation and knowledge of LDBEN 9394/96 of students in the Master's course in Public Health, 2019.

Quiz	Participants
After completing the master's course, do you intend to work in the training area?	10 Yes 1 No 1 Maybe
What motivated you to pursue a master's degree in public health?	8 functional progression 1 improvement 1 improvement and progression 1 others 1 n /a
Do you know the legislation on higher education LDBEN 9394/96 art. 43?	5 have heard 4 Yes 3 Don't know
At any point during the course, was this legislation introduced to you?	6 do not remember 4 No 2 Yes
If so, in which discipline?	Bioethics
Do you believe that knowledge of this legislation will influence your master's course?	8 Yes 3 Maybe
Did you have any knowledge that the legislation provides for the "incentive to research and scientific investigation work, aiming at the	6 Yes

development of science and technology and the creation and diffusion of culture, and, thus, develop the understanding of man and the environment in which he works? lives ”;	6 No
Did you have any knowledge that the legislation provides for the "promotion of the dissemination of cultural, scientific and technical knowledge that constitute the heritage of humanity"	5 Yes 7 No
Did you have any knowledge that the legislation provides for "stimulating the knowledge of the problems of the present world, in particular national and regional ones, providing specialized services to the community and establishing a reciprocal relationship with it"	5 Yes 7 No
Now, after knowing these items of Law 9394/96, do you believe that this information will be beneficial for the progress of your course?	12 Yes

Source: Author data.

In the first question of the questionnaire, we were able to verify that most of the master's students stated that they wanted to work in the area in which they are studying for a master's degree. However, when asked what motivated them to attend the Master's in Public Health, it was found that the majority claimed to be studying to achieve functional progression, a benefit given to civil servants who, upon the acquisition of a title, may request the passage or “progression to the immediately higher standard within the current class or category of your Functional Career”, consequently increasing their salary (FIOCRUZ, 2017).

Cunha, Junior, and Martins, (2010) affirm that according to the student's investment in their training, it represents an enormous value and reflects on the community and the market that rewards them with higher remuneration, differentiation, status, prestige, recognition, respectability, professional stability, among others.

Giuliani (2010) in his research on master's in the area of administration found that the most cited motivation among the participants was the most qualified training to be able to work with teaching and research.

Ferreira *et al.* (2016, p. 81) adds by stating that students' motivation is generally associated with “the search for new knowledge and qualification to improve performance both in healthcare practice and in health teaching”. And he continues to affirm that when there is an early incentive to graduate in relation to academic activities, it generates greater motivation for the student to attend a master's degree.

When asking about the knowledge of LDBEN 9394/96, most claimed that they had heard of it. Even so, he was asked if this legislation had been presented to him in the master's course and it was observed that the majority did not remember and only 2 students said yes, they were

presented to him. With that, it was asked in which discipline, and the 2 students claimed to be in the discipline of Bioethics. Continuing with the interview, it was asked whether knowledge of the legislation could influence the master's course and the majority responded affirmatively. When asked if they were aware that such legislation provided incentives for research work, we observed that half claimed to know and the other half did not. When asked if they were aware that the legislation provided for the promotion of the dissemination of cultural, scientific and technical knowledge that constitute the heritage of humanity, most responded that they did not know. And being asked if they were aware that the legislation provided for stimulating the knowledge of the problems of the present world, in particular the national and regional ones, providing specialized services to the community and establishing a reciprocal relationship with them, the majority responded that they did not know. Finally, it was questioned whether after knowing these items of law 9394/96, if he believed that the information would be beneficial for the progress of his course, the answer was unanimous and everyone said yes. Knowledge of higher education legislation is of great importance since:

[.....]seu discurso “se concentra na formação de cidadãos conscientes e críticos, no entanto muitas vezes ela se atém apenas a treinar pessoas preparadas para atenderem às necessidades do mercado capitalista. Assim, pensar uma prática educativa emancipadora, é possibilitar que a educação seja veículo de

mudança em todo e qualquer local no qual o sujeito se insere, ou seja, para além da sala de aula (LIMA e LOPES, 2017, p.2).

Higher education should promote and stimulate knowledge in a critical and reflective way, not only focused on the professional area, but also on the social context (LIMA and LOPES, 2017).

Regarding the incentive to research Nervo and Ferreira (2015, p. 32) highlighted that

A pesquisa se torna peça chave da formação dos indivíduos, os preparando para a 'guerra' diária que requer um olhar científico e indagador, e a experiência com a pesquisa científica traz à tona todo esse potencial humano, pois o processo de aprendizagem é de extrema complexidade.

Nervo and Ferreira (2015) also state that research should be stimulated throughout the educational process and not only in postgraduate courses. They also highlighted that it is at that moment that the difficulties of reading, writing and interpreting are revealed.

The same authors also complement:

O educar pela pesquisa, é estimular o aluno à curiosidade pelo desconhecido, instigá-lo a procurar respostas, ter iniciativa, compreender e dar início a elaboração de seus próprios conceitos, e é também um desafio ao professor para transformar suas táticas didáticas (NERVO e FERREIRA, 2015, p. 35).

In the case of "Promoting the dissemination of cultural, scientific and technical knowledge that constitute humanity's heritage and communicating knowledge through teaching, publications or other forms of communication" by Ribeiro (2013) this process is a way of transcending the knowledge, mainly in preparing people with technical capacity to find themselves in a political process with wisdom and intelligence.

However, Pereira and Koshyama (2017) highlight the social-political responsibility that researchers and

institutions have to disclose their scientific research to the population since "society has the right to participate in the debates and decisions that will affect it in the future".

For Roncaglio (2004), he asserts that both higher education institutions and social institutions have responsibility in the formation of the subject, not only for teaching, research and extension, but also for cultural transmission, which meets the purpose of higher education expressed in Law of Directives and Bases of Education, especially in its Art. 43.

In relation to stimulating the knowledge of the problems of the present world, in particular the national and regional ones, providing specialized services to the community and establishing a relationship of reciprocity with it, Mitre et al., (2008) states that:

Tais prerrogativas foram reafirmadas pelas Diretrizes Curriculares, para a maioria dos cursos da área de saúde, acolhendo a importância do atendimento às demandas sociais com destaque para o Sistema Único de Saúde - SUS<sup>16,17</sup>. Neste momento, as instituições formadoras são convidadas a mudarem suas práticas pedagógicas, numa tentativa de se aproximarem da realidade social e de motivarem seus corpos docente e discente a tecerem novas redes de conhecimentos (MITRE et al., 2008, p. 2135).

It is worth remembering that higher education is the continuation of school education, justifying its well-directed goals and aimed at a culture of transformation, in an advanced way to work knowledge, attitudes, values. An education aimed to improve skills focused on the labor market, in addition to the research perspective (FIRMINO E LIMA, 2016).

Regardless of the importance of the items in the articles and their knowledge, we must highlight that the results found in this research are worrying. It should be noted that the researcher in this study is the one who teaches the discipline of Bioethics and before entering the programmatic content of the discipline, she presents the items of article 43 of Law 9394/96. In view of the results presented, we can see the need to promote greater prominence in the presentation of legislation in the classroom.



#### IV. CONCLUSION

In the present research, through the results obtained in the field research, we can conclude that most of the participating students, belonging to the master's class in public health of the first module, in relation to the profile most participants were female, with an average age of 36,8 years, with multidisciplinary training and time of formation of the graduation very long, between 4 to 28 years.

Regarding the knowledge of LDBEN, it was possible to verify that the majority have heard of it, but do not know the content related to the legislation that governs higher education, including the course they are taking. However, we give greater emphasis to the fact that the legislation was presented to them during the course in the discipline of Bioethics, which was remembered by only two students.

We recommend that LDBEN Legislation art. 43 is presented more prominently in the Master's course in Public Health, so that the student starts the course having the necessary knowledge of the course purposes.

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