

**THE ACCESS TO EDUCATION AND THE RIGHT'S VIOLATION: INSERTION'S  
CONSEQUENCES OF EMERGENCY DISTANCE LEARNING DURING THE  
COVID-19 PANDEMIC**

***O ACESSO AO ENSINO E A VIOLAÇÃO DE DIREITOS: DESDOBRAMENTOS DA  
INSERÇÃO DO ENSINO REMOTO EMERGENCIAL DURANTE A PANDEMIA DE  
COVID-19***

***ACCESO A LA EDUCACIÓN Y VIOLACIÓN DE DERECHOS: CONSECUENCIAS DE  
LA INSERCIÓN DE LA ENSEÑANZA A DISTANCIA DE EMERGENCIA DURANTE  
LA PANDEMIA DEL COVID-19***



Camila da Silva COSTA<sup>1</sup>  
e-mail: scamilacosta@outlook.com



Amanda Almeida DUARTE<sup>2</sup>  
e-mail: amandajumemi2017@gmail.com



Milene Santiago NASCIMENTO<sup>3</sup>  
e-mail: milenesantiago@hotmail.com

**How to reference this paper:**

COSTA, C. S.; DUARTE, A. A.; NASCIMENTO, M. S. The access to education and the right's violation: Insertion's consequences of emergency distance learning during the COVID-19 pandemic. **Doxa: Rev. Bras. Psico. e Educ.**, Araraquara, v. 24, n. esp. 2, e023023, 2023. e-ISSN: 2594-8385. DOI: <https://doi.org/10.30715/doxa.v24iesp.2.18647>



| Submitted: 22/07/2023  
| Revisions required: 10/08/2023  
| Approved: 18/09/2023  
| Published: 31/10/2023

**Editor:** Prof. Dr. Paulo Rennes Marçal Ribeiro  
**Deputy Executive Editor:** Prof. Dr. José Anderson Santos Cruz

<sup>1</sup> University Center of Barra Mansa (UBM), Barra Mansa – RJ – Brazil. Bachelor's degree in Psychology.

<sup>2</sup> University Center of Barra Mansa (UBM), Barra Mansa – RJ – Brazil. Bachelor's degree in Psychology.

<sup>3</sup> University Center of Barra Mansa (UBM), Barra Mansa – RJ – Brazil. Lecturer in the Undergraduate Psychology program. University Center Geraldo Di Biase (UGB), Volta Redonda – RJ – Brazil. Lecturer in the Undergraduate Psychology program. Doctoral degree in Public Health (IMS-UFRJ).

**ABSTRACT:** This article aims to identify the main challenges that education, especially educators, families, and students in the public school system of three municipalities in the South Fluminense region of Rio de Janeiro, faced with adopting emergency remote learning during the pandemic. Through statements made by mothers and teachers in online focus groups conducted on the Google Meet platform, it was observed that the government did not adequately ensure education. It was noted that necessary resources for learning, such as internet access, technical support to address the unpreparedness of teachers and families to use digital platforms, difficulties in communication between parents and students, and limited access to educational materials and resources, were not provided. Thus, with these reflections, access to education was not guaranteed during this period, constituting a violation of the rights of children and adolescents.

**KEYWORDS:** Social isolation. COVID-19 pandemic. Violation of human rights. Distance education. Basic education.

**RESUMO:** Este artigo tem como objetivo identificar os principais desafios que a educação e, em especial, os educadores, familiares e alunos da rede pública de ensino de três municípios da região Sul Fluminense do estado do Rio de Janeiro enfrentaram com a adoção do ensino remoto emergencial na pandemia. Através de falas disparadas por mães e professoras nos grupos focais online, realizados pela plataforma Google Meet, percebeu-se que o ensino não foi devidamente garantido pelo poder público. Foi observado que não houve a disponibilização de recursos necessários ao ensino, como acesso à internet, suporte técnico para suprir o despreparo dos docentes e familiares para utilizar as plataformas digitais, e dificuldades da comunicação entre pais e alunos, bem como o não acesso amplo ao material e recursos escolares. Assim, com essas reflexões, pode-se indicar que o acesso à educação não foi garantido nesse período, caracterizando-se como violação de direitos de crianças e adolescentes.

**PALAVRAS-CHAVE:** Isolamento social. Pandemia por COVID-19. Violação dos direitos humanos. Educação a distância. Educação básica.

**RESUMEN:** Este artículo tiene como objetivo identificar los principales desafíos que la educación y, en particular, los educadores, familiares y estudiantes de la red de escuelas públicas de tres municipios de la región sur Fluminense del estado de Río de Janeiro enfrentaron con la adopción de la enseñanza a distancia de emergencia en la pandemia. A través de declaraciones de madres y docentes en grupos focales en línea, realizados por la plataforma Google Meet, nos dimos cuenta de que la enseñanza no estaba debidamente garantizada por las autoridades públicas. Observamos que no había disponibilidad de recursos necesarios para la enseñanza, como acceso a internet, soporte técnico para superar la falta de preparación de docentes y familiares para el uso de plataformas digitales, y dificultades en la comunicación entre padres y alumnos, así como la falta de un amplio acceso al material y recursos escolares. Con estas reflexiones, podemos indicar que el acceso a la educación no fue garantizado durante este período, caracterizándolo como una violación a los derechos de los niños y adolescentes.

**PALABRAS CLAVE:** Aislamiento social. Pandemia por COVID-19. Violación de los derechos humanos. Educación a distancia. Educación básica.

## Introduction

In early 2020, due to the COVID-19 pandemic, Brazil and many other countries worldwide faced the challenge of suspending essential services for society to contain the virus's spread. Gatherings and public spaces became significant risks to the overall health and well-being of the population. Furthermore, this was an unknown disease with no established treatment or prevention methods. One of the first measures taken was the closure of schools and the indefinite suspension of in-person classes.

The alternative for continuing education after the Ministry of Education decreed the school closures through Ordinance MEC No. 343, dated March 17, 2020, which "establishes the replacement of in-person classes with digital classes for the duration of the COVID-19 pandemic situation" (BRASIL, 2020a). Educational content started to be delivered through digital means, including video lessons, virtual platforms, social media, television or radio programs, and printed educational materials distributed to parents or guardians (BRASIL, 2020a).

This situation exposed disparities in access to education in Brazil, highlighting the inadequate conditions of public educational institutions for implementing remote learning. It also showcased the difficulties faced by economically disadvantaged students who lacked the necessary resources to continue their education. Of the schools that offered live online classes with direct interaction between teachers and students, only 35.5% belonged to the public education sector, in contrast to 69.8% in the private sector. This information is concerning, especially considering, according to the Brazilian Statistics Institute (IBGE, 2021), in 2019, 82% of elementary school students and 87.4% of high school students were served by public education.

Regarding access to digital resources, it's worth noting that in 2019, only 48.6% of students aged 15 to 17 from the public education sector had simultaneous access to the internet and a computer or laptop in their homes. It's important to highlight that this information may have changed due to the implementation of technological support measures for these students during the pandemic, including free or subsidized internet access (6.3%) and the supply of specialized equipment (9.2%).

Furthermore, the relevance of educational institutions goes beyond the mere dissemination of knowledge, playing a crucial role in the lives of children in situations of social vulnerability and in safeguarding their rights. They often serve as a channel for reporting the hardships experienced in their homes. According to the document "*Desigualdades e Impactos*

*da Covid-19 na Atenção à Primeira Infância* (Inequalities and Impacts of Covid-19 on Early Childhood Care)," published by the *Fundação Maria Cecília Souto Vidigal* (Maria Cecília Souto Vidigal Foundation) in partnership with the United Nations Children's Fund (UNICEF) and Itaú Social, there has been an increase in children's exposure to domestic violence during the period of social distancing:

Experts have also warned that with the closure of schools and limitations on the operation of other reporting channels, reports of violence may have decreased without the violence itself has receded due to the increased difficulty in identifying and reporting cases of violence (UNICEF, 2022, p. 69, our translation).

Nishimori and Cruz (2022) emphasize the importance of the government providing electronic devices and internet access, noting that this initiative was implemented in only a limited number of Brazilian municipalities. Additionally, they highlight the potential increase in social and educational disparities resulting from remote learning and underscore the controversial transition from in-person to online education, mainly when the social, economic, and family factors of public-school students are not adequately considered.

The research aimed to describe the conditions under which certain municipalities in the southern region of Rio de Janeiro implemented remote learning and identified the obstacles faced by teachers, families, and public-school students regarding distance education. The study involved collecting information through online focus groups, primarily involving mothers and teachers from three municipalities in the region, to understand the lived reality. The focus groups were conducted based on questions outlined in the first article of this research series.

This article, through excerpts from the participants' statements, aims to reflect on the landscape of access to education during the pandemic with the implementation of remote learning, raising the question of whether we might be witnessing a violation of students' rights.

## Methodology

Eleven focus groups were conducted, as outlined in the introduction of this volume, involving mothers and guardians of students, teachers, and administrators from the educational network of three municipalities located in the interior of Rio de Janeiro. The focus group can be used as a qualitative research method aimed at gathering detailed information on a specific subject through group interactions (TRAD, 2009). Due to the pandemic, this technique was employed in a virtual format using the Google Meet platform. As noted by Bordini and Sperbi



(2013), the online focus group approach offers several advantages, including cost savings and the opportunity to maintain the participants' anonymity. In the current scenario, another significant advantage lies in the ability to continue research without the risk of virus transmission, as would be the case with in-person meetings.

During the interviews, questions about communication between the Municipal Department of Education and students, parents, and teachers were addressed, as well as the working conditions of teachers, the use of technological resources, and the distribution of food kits to replace school meals. In addition to the interviews, a literature search was conducted on relevant websites to enrich the discussions and support references to the Federal Constitution, the Statute of the Child and Adolescent, and the guidelines from the Ministry of Education regarding the emergency period.

The adoption of Focus Groups represented an attempt to get closer to the reality faced by numerous Brazilian families, considering the concern about the strategies adopted by public entities to ensure the continuity of education, as well as the social vulnerability of children and adolescents. As researchers, we consider it essential to share information about the conditions experienced during such a unique period as the pandemic. Through the testimonies and analysis of official documents, it is possible to paint a picture of Brazilian education during this crisis.

The statements were analyzed using the discourse analysis method, as outlined at the beginning of this set of works. This approach is characterized as interpretative research that follows a methodology focused on constructing meanings that emerge from dialectical interaction between active subjects and self-aware and self-reflective researchers (CAREGNATO; MUTTI, 2006). In this process, data are situated in specific cultural and political contexts and are contextualized within broad historical frameworks without the adoption of causal analysis premises or logic.

### **Remote Teaching during the Pandemic and Learning Processes**

The sudden shift from in-person to remote teaching brought several challenges that needed to be overcome for the education sector to resume its activities. One of the initial challenges faced at the beginning of remote teaching involved adapting the academic calendar. To address this issue, the federal government enacted Provisional Measure No. 934, which was later converted into Law No. 14.040, dated August 18, 2020 (BRASIL, 2020b). With the mentioned legislation, the requirement to fulfill 200 school days was replaced by accepting 800 hours of classes per year. Under this new regulation, it was authorized to "replace ongoing in-

person subjects with classes using means and information and communication technologies," following the guidelines of Recommendation No. 036 issued on May 11, 2020, by the National Health Council (CNS), considering the context of social isolation recommended by the World Health Organization (BRASIL, 2020c).

Emergency remote teaching was then implemented, following the guidelines established by the Ministry of Education (MEC). With this new modality, students began to receive teacher support synchronously or asynchronously, including the availability of immediate feedback from the teachers. The digital resources available to teachers included the use of video conferencing platforms, computers, and tablets, as well as various types of media files, such as apps, videos, or podcasts. Additionally, many educational institutions provided virtual environments to accommodate teachers and students, allowing for the creation of discussion forums and other asynchronous activities. It is worth noting that emergency remote teaching is distinct from Distance Education (DE), in which students receive study materials, often in a fragmented or complete form, and conduct their learning activities at their own pace, exclusively asynchronously, with the assistance of a tutor to understand the content, as emphasized by Renata Costa in an interview with Rabello (2020, online, our translation):

The remote teaching currently practiced [during the pandemic] is similar to DE only in education mediated by technology. However, the principles remain the same as in face-to-face education. Distance education presupposes the support of tutors in a timeless manner, a workload spread across different media resources, and synchronous and asynchronous activities. And that is not exactly what is being done during the quarantine.

According to Prestes (2020), in private educational institutions, there was a swift response through the adoption of digital resources that combined recorded videos and live broadcasts, integrative tasks, and tutor support. This response, influenced by the privileges associated with the student's social class and financial situation, was noteworthy. Furthermore, a quick organization, planning, and training of both teachers and students were identified. It becomes evident that economic factors, such as parents' payment of tuition fees, along with the need for the sustainability of educational institutions, played a fundamental role in promoting this swift response. The educational process continued through strategies developed by educational institutions and government entities. The reality of private schools and institutions facilitated the implementation of remote teaching, as students' financial conditions ensured access to the necessary technological resources and the existence of suitable home

environments for learning. Additionally, schools could quickly transition to the virtual environment and maintain synchronous classes.

However, it is impossible not to recognize the inherent complexity of the process, especially concerning public schools, where the implementation of emergency remote teaching represents a multifaceted challenge. This challenge involved public funding issues, the socioeconomic and family conditions of students, and the need to support teachers in adapting to this new teaching modality.

Guidelines for the implementation of remote teaching can be found in various documents prepared by both the Ministry of Education (MEC) and the National Council of Education (CNE). In May 2020, the MEC published Opinion CNE/CP No. 05/2020 (BRASIL, 2020d), which deals with reorganizing the School Calendar and the possibility of counting non-face-to-face activities toward fulfilling the minimum annual workload. This document outlines alternatives for replacing in-person classes during the pandemic, aiming to mitigate the impacts of the education crisis. It takes into account the structural fragilities and inequalities that permeate Brazilian society. The primary objective was to harness digital information and communication technologies for educational purposes, reduce disparities in learning, maintain a basic standard of quality, and achieve the learning goals set by the National Common Curricular Base.

Regarding early childhood education, the development of guidance materials for parents and caregivers by schools was proposed. These materials consist of educational activities with a playful and recreational nature to be carried out at home with the children. As stipulated in Opinion 05/2020 from the National Council of Education, "the activities, games, play, conversations, and stories proposed should always have the intention of stimulating new learning" (BRASIL, 2020d, our translation). In this context, the alternative of establishing contact with parents and caregivers through digital channels, whenever possible, was considered, with this option being regarded as "viable and feasible even for the public network in all or certain municipalities or localities, respecting their local realities," as indicated in the same opinion. The other alternative was delivering printed educational material, also organized by schools and distributed to the caregivers.

For Elementary Education, various approaches were suggested, including recorded lessons, remote assessments under the guidance of networks, schools, and teachers, the provision of exercise lists, advice to parents and caregivers on learning objectives and daily routines, reading suggestions for parents, the creation of age-appropriate printed materials, the

dissemination of educational videos on online platforms, the conduct of synchronous and asynchronous online activities, supervised self-directed studies guided by caregivers, and homework assignments aligned with the materials used by the school.

In theory, it can be considered that the educational objectives and plans for the pandemic period should be in line with Article 53 of the Child and Youth Statute (ECA) (BRASIL, 1990, our translation), as this article guarantees students the fundamental right to education:

Art. 53. Children and adolescents have the right to education, aiming at their full development as individuals, preparing them for the exercise of citizenship, and qualifying them for work, ensuring them:

I – Equality of conditions for access and stay in school;

II – The right to be respected by their educators;

III – The right to contest evaluation criteria, with recourse to higher school instances;

IV – The right to organize and participate in student organizations;

V – Access to public and free schools close to their residence.

Sole Paragraph. Parents or caregivers have the right to be aware of the pedagogical process, as well as to participate in the definition of educational proposals (BRASIL, 1990, our translation).

However, it is imperative to consider various factors that significantly influence the execution of these activities, such as the lack of access to the internet and technological resources, the unavailability of parents to engage in their children's education, whether by choice, work commitments, or lack of knowledge, as well as the difficulties or impossibilities of contact with teachers for those who do not have access to such resources, among other issues. In addition to technological resources, the importance of other essential elements provided by schools must be considered, without which many students would be deprived, including aspects such as nutrition, security, and emotional support.

Globally, around 390 million students benefit from school feeding policies, according to the United Nations Food and Agriculture Organization (ONU, 2022). Over the past two years, due to the COVID-19 pandemic, many students had this benefit suspended. Many children depend entirely on school-provided meals as their primary source of nutrition. This challenging period has highlighted the significance of school feeding, which has proven even more vital than previously thought. It plays a crucial role in ensuring the conditions for students to learn, stay in school, achieve academic success, and overcome the deficiencies resulting from the impacts of the pandemic.

As "school feeding is a right of public basic education students and a duty of the State," as stated in Article 3 of Law 11,947/2009, whose development dates back to the 1950s, the issue of school feeding has been the subject of struggles to uphold this right. Therefore, there



is no doubt that the provision of "school meals" must be a guarantee for all public primary education students in Brazil.

During the pandemic, in April 2020, the School Meals Law No. 11,947/2009 was replaced by another law, No. 13,987/20. This new legislation allowed for the distribution of food products purchased with resources from the National School Feeding Program (PNAE) to the families of students enrolled in public primary education schools during the period of remote learning (BRASIL, 2009; BRASIL, 2020e).

Considering the guidelines for implementing remote teaching during the pandemic and the reflections related to the actions taken by educational institutions and public bodies, an analysis was conducted of the statements made by mothers and teachers in the focus groups.

The feminine gender refers to the participants, as they were primarily mothers and teachers. The mothers, for the most part, played the role of homemakers, caregivers of children, and overseers of school activities. The teachers, on the other hand, juggled the roles of both mother and educator, meaning they were responsible for both household chores and the monitoring of their children, as well as the fulfillment of their duties in schools.

## **Results and Discussion**

Despite the guidelines from the Ministry of Education (MEC) regarding education during times of social distancing and the rights guaranteed to children and adolescents by the Child and Adolescent Statute (ECA), the statements of the participants in the focus groups highlighted the absence or inadequacy of government actions aimed at ensuring access to education.

During the interviews, caregivers and teachers reported the lack of food distribution and the irregularity of this practice during the school closure period. Additionally, there were reports of declining quality of the provided food products. Even though the school meals law (Law 11.947/2009), Even though the school meals law (Law 11,947/2009), as mentioned above, regulated the distribution of food during the pandemic, considering that the quality of the food should adhere to the guidelines of the National School Feeding Program (PNAE), involving fresh and minimally processed foods, it was observed that the distributed food baskets more closely resembled "basic food baskets," primarily composed of non-perishable items.

Amidst a scenario filled with uncertainties related to the pandemic, increased food insecurity, and hunger, the distribution of food baskets should not have been interrupted.

However, the accounts of mothers and teachers indicate that there was a significant period during which these students did not receive the food baskets. In one of the meetings, a mother reported the replacement of basic food baskets with school meals:

*Responding Mother 1:*

*So, it was only last year, this year, there hasn't been. Last year, regarding school meals, a basic food basket was distributed, but it wasn't something monthly; it was about four times if I'm not mistaken. And this year, there hasn't been, so I don't know.*

Wroblewski, Nascimento and Cunha (2020) highlight the negative impacts of food insecurity, which ripple into academic performance, development, social skills, and children's reading ability. This, in turn, results in delays in the educational progress of these students and increases the likelihood of grade repetition.

Another problematic issue, as reported by caregivers and teachers, was the communication difficulty arising from the lack of necessary technological resources for the process (such as challenges in using apps, social networks, limited internet access, and mobile devices), the absence of appropriate means of contact (restricted to the platform adopted by municipalities), and the physical distance between families, students, and teachers. A mother of a student shared her experience in this regard:

*Responding Mother 2:*

*I did not have much ease in communicating with the teacher. In my case, with young children, I did not receive much support. There should be better interaction between the teacher and the student. Sometimes, they ask us to post in the class group, like photos of the activities or videos of the proposed tasks. We upload them, but I don't see much feedback from the teacher regarding the students. [...] There isn't excellent communication with the students, who are already suffering from the pandemic and the distancing; there should be better interaction.*

Even the perspective of a teacher from the same municipality shares a similar view:

*Responding Teacher 1:*

*[...] they take the printed material home, it also creates a distance. They take the printed material home, do it, and it stays there. They have a deadline to bring it back to school for correction. What caused a setback, first, was the 'chat,' which was closed, and we no longer communicate with the student, and the issue of the printed material.*

The specificity of early childhood education brought additional challenges in terms of communication. Playful school activities, including experimentation, physical activities, outdoor play, and physical contact, characterize this stage. Mothers and teachers share their

experiences of anxiety, irritability, and needs during this period. Teachers emphasize the lack of direct contact with students, and the children miss interacting with their classmates. One teacher illustrates the importance of this exchange, especially in the development of activities and content:

*Responding Teacher 2:*

*[...] they say, 'Miss, Miss, Miss!' and say they missed and wanted to see us more. So, it's very nice. This exchange with them is enriching.*

*[...] Because based on what we gather from them, we can plan the next lessons according to their interests.*

In face-to-face education, communication and interaction beyond the academic realm become intrinsic elements of the teaching and learning process. In this context, when classes are predominantly conceived as vehicles for transmitting theoretical knowledge, students may become bored and inattentive. Therefore, remote learning experiences must be carefully planned to allow students to absorb content to the fullest while maintaining vital social and emotional relationships.

In the second year of distance learning, there were reports of improvement in this situation. A group of teachers mentions the implementation of active outreach to students, a process that began during this period, and the creation of strategies to reestablish and strengthen the bonds between students and teachers. Faced with the lack of feedback from students, teachers started seeking contact with families and the students themselves to understand what was happening. As a result, schools are observing increased engagement from both students and parents, as expressed by one teacher:

*Responding Teacher 3:*

*Education policy this year is very different, which is what should have started last year. So, we're still behind because of last year [...], we're starting this process now, but we've already made much progress. The children have been doing wonderful things, and the parents are more present now, so things are flowing very well.*

However, this was not the reality found in all the municipalities where the research was conducted. The truth for most involves difficulties and distance between teachers and students during remote learning. A teacher says:

*Responding Teacher 4:*

*Last year, in the Terra das Azaleias,<sup>4</sup> we had a 'chat,' we did it, we attended to the students; it happened in a class of [...] thirty-five students, and we had*

<sup>4</sup> Fictitious name of the municipality.

*seven students who accessed. So, we could interact with thirty-five students; only seven students accessed. [...] Then, there were problems with the platform. The government changed, as you saw, and it didn't receive the maintenance it should have had, so we cut the chat, and this year, it only has the forum. Toward the end of last year, we already lost the 'chat.' The forum assists, but we don't have the 'feedback' (much better feedback). We can't talk to the student or the parent."*

As for the transition from in-person to remote and the use of online teaching platforms, two points were most common: the lack of available resources and the lack of familiarity among teachers and parents with technological resources. Regarding the first point, there were complaints about the inability to incorporate video lessons and audio, which led teachers to turn to social media as the primary communication tool. A teacher lists some of the difficulties faced:

*Responding Teacher 5:*

*We greatly miss having an educational platform because 'WhatsApp' doesn't provide us with that security; it's precarious, so that's a significant absence. But it's just a matter of time; things will fall into place and get better." The second point takes the form of a lack of understanding of information technology: "When it was time to log into the platform, it was a shock. What a horrible feeling with this technology issue; I did not know at all. So, I was forced to log in; either you login to get the activity, or you go without it." Additionally, there was a lack of support and training from the education authorities for the teachers; we received approval from the pedagogical side but not the technological side.*

A mother also expresses technology difficulties faced by other caregivers:

*Responding Mother 3:*

*When it was time to log into the platform, it was a shock! What a horrible feeling with this technology issue; I did not know at all. So, I was forced to log in; either you login to get the activity, or you go without it.*

Another relevant point concerns those who couldn't access the teaching platform and were limited to using printed materials provided by the schools. As mentioned earlier, most public school students lack synchronous internet access and don't have a technological device enabling them to access all the content provided by the schools. A teacher makes a significant observation in this regard, based on their experience: "We know that some people aren't even on 3G yet; they haven't even reached 3G" (Responding Teacher 6). For these students, their primary access to curriculum content was through printed materials, but the transmission of knowledge was affected, according to the teacher:

*Responding Teacher 7:*

*[...] We know that many of these ethical and moral values are being worked on in some workbooks, but the actual learning we want to have in math, Portuguese, and other subjects is severely lacking. I don't think it's happening.*

This situation is worrisome for teachers, who consider the future lag they will face with students in the coming years, as confirmed by the statement:

*Responding Teacher 8:*

*Even with workbooks, without teacher interaction, the pedagogical lag is substantial, and it won't be any different. When these children return to normalcy, schools and we, as an education authority, will have to think about how to catch up.*

This concern also affects caregivers, especially when compared to the experience of private school students who have financial and technological resources at their disposal. One mother reports:

*Responding Mother 4:*

*I have friends with children in private schools, and they have been having online classes since the beginning of the pandemic. Then, it became a hybrid; those who were at home were watching the class in real time. Some are in the classroom, and some are at home, but everyone is having that class and learning new things. This worries me because these are socially advantaged children, and this should be happening in private schools while those in public schools are not having it, so what will the future be like? Social inequality is deepening.*

This lag will be observed and experienced in practice, as there were no concrete assessments during the period of remote learning. One teacher complains about this:

*Responding Teacher 9:*

*There was no kind of assessment; there was a qualitative diagnostic assessment that the municipality provided, but it was just for show... There are three random questions from the content; they answered them themselves, and I didn't get any feedback, I don't know if the preschoolers got any feedback.*

Article 53, clauses I and V, of Law No. 8,069/90 establish "equality of conditions for access and permanence in school" and "access to free public school." Moreover, Article 54, clauses V and VII, respectively, of the same legal provision state that the state must ensure "access to higher levels of education, research, and artistic creation, according to the capacity of each individual" and also "attendance in elementary education through supplementary programs of teaching materials, transportation, food, and health care."

Based on the findings of this research, it can be asserted that there has been a violation of fundamental rights. There was no regular distribution of food; access to education was not



widely guaranteed, as students and their families could not access the resources provided by the school when needed due to the lack of technological resources and internet access by the public authorities. Communication between students and teachers was not sufficiently and effectively ensured, resulting in a decline in the quality of education.

### **Final considerations**

Based on the results obtained, it becomes evident that the current state of education is complex and requires reevaluating the direction of education in Brazil. By highlighting inequalities, issues, and challenges, this research unveils a country permeated by fragilities, contradictions, and emergencies, especially in the context of education, encompassing issues related to students, the challenges faced by teachers, and the nature of educational policies and projects.

In this challenging context, both teachers and students face significant obstacles, such as a lack of internet access, technological devices, and parental and institutional support, among others. To overcome these difficulties, applying creativity and various strategies is necessary to enable the development of educational activities. Furthermore, distractions, difficulty in comprehending and assimilating content, and the absence of a suitable study environment negatively impact students' academic performance, contributing to a lack of motivation in the remote learning process.

These issues are exacerbated when considering that, in the future, students who face resource scarcity will compete for university admissions and job opportunities with individuals with access to resources that facilitate their learning. Therefore, the public authorities need to develop strategies that ensure the rights of all students and, at the same time, mitigate the future impacts caused by inequality during the pandemic.

Hence, the need to provide and enhance access to the internet and technology, especially in more remote regions of the country, becomes of utmost importance. This not only facilitates the dissemination of knowledge but also creates more opportunities for the inhabitants of these areas.

The pandemic has also underscored the importance of teachers and other education professionals, who should be duly valued, given that these categories have faced significant challenges in the battle against the coronavirus. They have not only worked in the healthcare

sector but have also played a crucial role in maintaining activities essential for the subsistence and progress of the country.

In this way, it has become evident that the social groups most affected by their right to education in Brazil were ethnic minorities, students in rural areas, and those with low income. These students already faced difficulties in accessing education before the pandemic, and the context of COVID-19 exacerbated these difficulties. However, inequality cannot be used to justify ineffective provision or the absence of schooling because equality can only be achieved through proper and inclusive education for all.

## REFERENCES

BORDINI, Gabriel Sagebin; SPERB, Tania Mara. Grupos Focais Online e Pesquisa em Psicologia: Revisão de Estudos Empíricos entre 2001 e 2011. **Interação em Psicologia**, Curitiba, v. 17, n. 2, set. 2013. Available at: <https://revistas.ufpr.br/psicologia/article/view/28480>. Accessed in: 08 Dec. 2022.

BRASIL. **Lei n. 8.069, de 13 de julho de 1990**. Dispõe sobre o Estatuto da Criança e do Adolescente e dá outras providências. Brasília, DF: Presidência da República, 1990. Available at: [https://www.planalto.gov.br/ccivil\\_03/leis/18069.htm](https://www.planalto.gov.br/ccivil_03/leis/18069.htm). Accessed in: 10 Jan. 2023.

BRASIL. Ministério da Educação. **Portaria n. 11.947, de 16 de junho de 2009**. Dispõe sobre o atendimento da alimentação escolar e do Programa Dinheiro Direto na Escola aos alunos da educação básica; altera as Leis nos 10.880, de 9 de junho de 2004, 11.273, de 6 de fevereiro de 2006, 11.507, de 20 de julho de 2007; revoga dispositivos da Medida Provisória no 2.178-36, de 24 de agosto de 2001, e a Lei no 8.913, de 12 de julho de 1994; e dá outras providências. Brasília, DF: MEC, 2009. Available at: <https://www.fnde.gov.br/legislacoes/institucional-leis/item/3345-lei-n-11947-de-16-de-junho-de-2009>. Accessed in: 03 Jan. 2023.

BRASIL. Ministério da Educação. **Portaria n. 343, de 17 de março de 2020**. Dispõe sobre a substituição das aulas presenciais por aulas em meios digitais enquanto durar a situação de pandemia do Novo Coronavírus - COVID-19. Brasília, DF: MEC, 2020a. Available at: <https://www.in.gov.br/en/web/dou/-/portaria-n-343-de-17-de-marco-de-2020>. Accessed in: 04 Dec. 2021.

BRASIL. **Portaria n. 14.040, de 18 de agosto de 2020**. Estabelece normas educacionais excepcionais a serem adotadas durante o estado de calamidade pública reconhecido pelo Decreto Legislativo nº 6, de 20 de março de 2020; e altera a Lei nº 11.947, de 16 de junho de 2009. Brasília, DF: Presidência da República, 2020b. Available at: <https://www.in.gov.br/en/web/dou/-/lei-n-14.040-de-18-de-agosto-de-2020-272981525>. Accessed in: 03 Jan. 2023.

BRASIL. Conselho Nacional de Saúde. **Recomendação n. 036, de 16 de maio de 2020**. Recomenda a implementação de medidas de distanciamento social mais restritivo (lockdown),

nos municípios com ocorrência acelerada de novos casos de COVID-19 e com taxa de ocupação dos serviços atingido níveis críticos. Brasília, DF: CNS, 2020c. Available at: <https://conselho.saude.gov.br/recomendacoes-cns/1163-recomendac-a-o-n-036-de-11-de-maio-de-2020#:~:text=Recomenda%20a%20implementa%C3%A7%C3%A3o%20de%20medidas,dos%20servi%C3%A7os%20atingido%20n%C3%ADveis%20cr%C3%ADticos>. Accessed in: 03 Jan. 2023.

BRASIL. Ministério da Educação. **Parecer CNE/CP n. 05/2020**. Reorganização do Calendário Escolar e da possibilidade de cômputo de atividades não presenciais para fins de cumprimento da carga horária mínima anual, em razão da Pandemia da COVID-19. Brasília, DF: MEC, 28 abr. 2020d. Available at: <http://portal.mec.gov.br/index.php?option>. Accessed in: 03 Jan. 2023.

BRASIL. **Portaria n. 13.987, de 07 de abril de 2020**. Altera a Lei nº 11.947, de 16 de junho de 2009, para autorizar, em caráter excepcional, durante o período de suspensão das aulas em razão de situação de emergência ou calamidade pública, a distribuição de gêneros alimentícios adquiridos com recursos do Programa Nacional de Alimentação Escolar (Pnae) aos pais ou responsáveis dos estudantes das escolas públicas de educação básica. Brasília, DF: Presidência da República, 2020e. Available at: <https://site.cfp.org.br/wp-content/uploads/2020/07/Portaria-544-de-16-de-junho-de-2020.pdf>. Accessed in: 03 Jan. 2023.

CAREGNATO, Rita Catalina Aquino; MUTTI, Regina. Pesquisa qualitativa: análise de discurso versus análise de conteúdo. **Texto & Contexto - Enfermagem**, v. 15, n. 4, p. 679-684, 2006. Available at: <https://www.scielo.br>. Accessed in: 11 Dec. 2022.

INSTITUTO BRASILEIRO DE GEOGRAFIA E ESTATÍSTICA (IBGE). **Síntese de indicadores sociais: uma análise das condições de vida da população brasileira. Estudos e Pesquisas Informação Demográfica e Socioeconômica**. Rio de Janeiro: IBGE, 2021. n. 44. Available at: <https://biblioteca.ibge.gov.br/visualizacao/livros/liv101892.pdf>. Accessed in: 29 Nov. 2022.

NISHIMORI, Vanessa Cristina Santos Araújo; CRUZ, José Anderson Santos. Alfabetização e ensino remoto: Possibilidades e perspectivas. **DOXA: Revista Brasileira de Psicologia e Educação**, Araraquara, v. 23, n. 00, e022007, 2022. DOI: 10.30715/doxa.v23i00.16858. Available at: <https://periodicos.fclar.unesp.br/doxa/article>. Accessed in: 11 dec. 2022.

ORGANIZAÇÃO DAS NAÇÕES UNIDAS (ONU). Pandemia mostrou que alimentação escolar é mais importante do que nunca. Nações Unidas. **ONU News**, 31 Jan. 2022. Available at: <https://news.un.org/pt/story/2022/01/1778012>. Accessed in 03 Jan. 2023

PRESTES, Luciana. Diferença no enfrentamento da pandemia: básico público e privado. **Centro de Notícia Uninter**, 24 set. 2020. Available at: <https://www.uninter.com/noticias/diferenca-no-enfrentamento-da-pandemia-basico-publico-e-privado>. Accessed in: 04 Dec. 2022.

RABELLO, Maria Eduarda. Lições do coronavírus: ensino remoto emergencial não é EAD. **Desafios da Educação**, 2 abr. 2020. Available at: <https://desafiosdaeducacao.com.br/coronavirus-ensino-remoto/>. Accessed in: 04 Dec. 2022.

TRAD, Leny. Bomfim. Grupos focais: conceitos, procedimentos e reflexões baseadas em experiências com o uso da técnica em pesquisas de saúde. **Physis: revista de saúde coletiva**, v. 19, p. 777-796, 2009. Available at: <https://www.scielo.br/> Accessed in: 20 July 2021.

UNICEF. **Desigualdades e impactos da covid-19 na atenção à primeira infância**. [S. l.]: Fundação Maria Cecília Souto Vidigal, 2022. Available at: <https://www.unicef.org/brazil/media/20221/file/desigualdades-e-impactos-da-covid-19-na-atencao-a-primeira-infancia.pdf>. Accessed in: 03 Dec. 2021.

WROBLEVSKI, Bruno; NASCIMENTO, Natália Greche do; CUNHA, Marina Silva da. Impacto da (in)segurança alimentar no desempenho escolar dos estudantes brasileiros. **Revista Brasileira de Economia de Empresas**, v. 20, n. 2, p. 59-77, 2020. ISSN: 1676-8000. Available at: <https://portalrevistas.ucb.br/index.php/rbee/article/view/11677>. Accessed in: 29 Sept. 2023.

### *CRedit Author Statement*

**Acknowledgements:** We would like to express our gratitude to the teachers and family members who willingly participated in our study.

**Funding:** This research received no financial support.

**Conflicts of interest:** There are no conflicts of interest to disclose.

**Ethical approval:** The research was submitted to the Ethics and Research Committee of the University Center of Barra Mansa and approved under protocol number 4426858. Ethical parameters were strictly adhered to throughout the research process.

**Data and material availability:** The data and materials used in this work are available for access upon request via the authors' email.

**Authors' contributions:** Amanda Almeida Duarte: Contributed to the final drafting of the article. Camila da Silva Costa: Participated in data collection, organized the material identified in the research, and contributed to the final drafting of the article. Milene Santiago Nascimento: Supervised the research and article development and conducted the last review.

**Processing and editing: Editora Ibero-Americana de Educação.**  
Proofreading, formatting, normalization and translation.

