



MULTI-LEVEL GOVERNANCE OF EDUCATION POLICY DURING THE OUTBREAK OF CORONAVIRUS DISEASE (COVID-19): FROM THE INTERNATIONAL TO LOCAL

GOVERNANÇA MULTINÍVEL DE POLÍTICAS EDUCACIONAIS DURANTE A PANDEMIA DE COVID-19: DO INTERNACIONAL AO LOCAL

GOBERNANZA MULTINIVEL DE LAS POLÍTICAS EDUCATIVAS DURANTE LA PANDEMIA DE COVID-19: DE LO INTERNACIONAL A LO LOCAL

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ABSTRACT: The objective of this study is to gain a better understanding of the international influences and the levels of governance of Brazilian educational policies in the years 2020 to 2022, during the outbreak of coronavirus disease (COVID-19). In this period, the laws that regulate education in Brazil were issued to ensure the educational supply in the country. To do so, a qualitative approach was supported by documentary research. It was based on discussions about Brazilian federalism in educational attributions. The locus of the research is the Municipal Education Network of Dourados/MS. As a result, there were no definitions related to the coordination regime and the cooperation among the federated entities for educational policies. In the unrestricted assumption of the national guidelines, the municipality demonstrated a low capacity of articulation to implement the e-learning strategies education. Thus, it was limited to vertical management from the Union.

KEYWORDS: Federative autonomy. Educational federalism. Educational public policies.

RESUMO: O objetivo deste estudo é compreender as influências internacionais e os níveis de governança das políticas educacionais brasileiras, nos anos de 2020 a 2022, durante a pandemia de COVID-19. Nesse período foram emitidas normas e diretrizes em caráter excepcional que alteraram a legislação vigente para garantir a oferta educacional no país. Para tanto, recorreu-se à abordagem qualitativa com aporte de uma pesquisa documental. Fundamenta-se nas discussões que versam o federalismo brasileiro nas atribuições educacionais, tendo o lócus da pesquisa a Rede Municipal de Ensino de Dourados-MS. Como resultado, constatou-se a ausência de definições relativas ao regime de coordenação e a cooperação entre os entes federados para as políticas educacionais nos anos em foco. Na assunção irrestrita das orientações nacionais, o município demostrou baixa capacidade de articulação na implementação do ensino remoto, dessa forma, limitando-se a uma gestão verticalizada com a União.

PALAVRAS-CHAVE: Autonomia federativa. Federalismo educacional. Políticas públicas educacionais.

RESUMEN: El objetivo de este estudio es comprender mejor las influencias internacionales y los niveles de gobernanza de las políticas educativas brasileñas en los años 2020 a 2022, durante el brote de la enfermedad por coronavirus (COVID-19). En este período, las leyes que regulan la educación en Brasil fueron emitidas para garantizar la oferta educativa en el país. Para ello, se apoyó en un enfoque cualitativo de una investigación documental. Se basó en discusiones sobre el federalismo brasileño en las atribuciones educativas. El lugar de la investigación es la Red Municipal de Educación de Dourados/MS. Como resultado, se puede observar que no hubo definiciones relacionadas con el régimen de coordinación y cooperación entre las entidades federativas para las políticas educativas. En el supuesto irrestricto de los lineamientos nacionales, el municipio demostró baja capacidad de articulación para implementar las estrategias de e-learning en educación, por lo que se limitó a una gestión vertical desde la Unión.

PALABRAS CLAVE: Autonomía federativa. Federalismo educacional. Políticas públicas educativas.

Introduction

The Union, the states, and the municipalities have concurrent and common competencies among themselves, which are established by the Federal Constitution (CF) of 1988. When the management of the COVID-19 pandemic crisis, to centralize the competencies of the Union in the management of the SUS, these prerogatives had to be reaffirmed through a Direct Action of Unconstitutionality (ADI) No. 6,341 of 2020. Judged by the Federal Supreme Court (STF), the ADI reinforced the role of health authorities and local public managers (states, municipalities, and the Federal District) in adopting normative and administrative measures against the disease (ALVES; RAMOS; DELDUQUE, 2020).

Among other distortions that generated mistrust and disarticulation in subnational managers was the scientific denialism propagated by the then President of the Republic, Jair Bolsonaro (2019/2022). The world was facing a nefarious evil driven by the control of the health crisis that reached every corner of the planet and, in Brazil, such facts ended up being amplified with the rhetoric of the extreme right, minimizing the effects arising from it (PERINI-SANTOS, 2021). At that time, slowing the infection depended on timely and effective leadership by political leaders and a receptive and disciplined response from citizens.

With the spread of the new SARS-CoV-2 coronavirus, between 2020 and 2022, the world experienced one of the biggest health crises since the Spanish flu of 1918. Severe acute respiratory syndromes (SARS) have become imminent threats. With each new public health emergency event, the World Health Organization (WHO) reviews the normative health surveillance instruments with impositions of rules that guide individual and collective behavior. At that time, in the absence of vaccines and other drugs to prevent or treat contagions, Non-Pharmacological Interventions (NPIs) were considered the most efficient and easiest for governments to implement, as they consisted of individual protection measures, environmental hygiene and cleaning, social distancing, and travel related (WHO, 2020a, 2019).

On a large scale, social distancing has had a strong impact on the population, triggering a series of tensions in the social, economic, cultural, and political life of countries, especially in those with low readiness capacity. Prevention of people from crowding together, and school closures were among the actions taken to control the disease and were adopted by 180 countries at the start of the pandemic (OECD, 2020).

With 1.6 million (85%) students without face-to-face classes, one question permeated actors at various levels of governance: how to conceive the formulation of adaptive, coherent,

effective, and equitable educational responses to a crisis that was disrupting educational opportunities all around the world?

Faced with this question, the present research aims to understand the international influences and levels of governance of Brazilian educational policies during the COVID-19 pandemic in the years 2020 to 2022. Therefore, the investigation undertaken is supported by a qualitative and reasoned approach in a bibliographical and documentary study, which adhered to the main educational political-normative devices issued in the years 2020 to 2022. They were analyzed from the recommendations of international organizations to the implementation of actions in a Municipal Education Network in the interior of the state of Mato Grosso do Sul, as a federative locus representing the state and municipal federative levels.

Brazilian federalism and educational policies

Educational policy is included in the list of so-called public policies formulated and implemented by governments (policy–action programs) and aims to minimize social inequalities driven by the lack of opportunities in society (AZEVEDO, 2004). They can be centralized or decentralized, with different degrees of equalization of political and social demands, revealing, from formulation to execution, different levels of autonomy between federated entities.

In this way, the presence of multiple actors in the action arenas, including global and international influences, permeates the trajectory of educational programs and policies from the organization of the agenda to implementation in the context of practice and its effects. As Cury (2017) discusses, due to globalization, society has homogenizing tendencies and education is part of the process of circulating this knowledge.

Given this, it is important to mention the idea of cooperation/collaboration at the federative level, which is presented in the Federal Constitution (CF) of 1988 in the extension of the Brazilian State, demarcating levels of political-administrative autonomy to the Union, the states, the Federal District and municipalities, and their dissolution being prohibited.

As Abrucio (2010, p. 39, our translation) well expresses, "[...] it is very difficult to understand the current educational model and seek its improvement without understanding the federative dynamics, both the more general and the one that operates specifically in the sector". For the author, there are "[...] the dilemmas to implement decentralized policies in a very heterogeneous, unequal country marked by significant intergovernmental tensions".

Regarding the outlining of specific competencies, Article 211 of the Federal Constitution of 1988 establishes that the federative entities will organize, in collaboration, their education systems, to ensure the universalization, quality, and equity of compulsory education and not obligatory. The municipalities will act, as a priority, in primary and early childhood education (BRASIL, 1988).

According to Araujo (2018), common competence, which is dealt with in Article 23 of the CF, requires a balance between federal coordination and cooperation, defining the multiple functions of the federated entities as being proper, supplementary, and redistributive, which are specified in the article 211. For the author, "[...] the proper function is that related to the scope of priority action of the federal entities, while the supplementary and redistributive functions express the collaboration regime and cooperative federalism in educational matters" (ARAUJO, 2018, p. 913, our translation).

About the terms "coordination" and "cooperation", the author understands that it is important to differentiate them, because coordination consists of the procedure that seeks a common result, despite the separate and independent way of acting of the federated entities, whose bases are the concurrent powers of Article 24; cooperation is related to decision-making, which must be executed jointly, and the Union and the federated entities cannot act in isolation (ARAUJO, 2018, p. 912).

Araujo (2018) also points out that, even with the changes that the constitutional text has undergone, in the infra-constitutional legislation in recent decades "[...] there has still not been a definition of how the integrated actions of the federated entities to provide services would take place education for Brazilian citizens throughout the national territory, through the collaboration regime" (ARAUJO, 2018, p. 913, our translation).

However, Dourado (2013, p. 763, our translation) already analyzed that "[...] the bases of cooperation imply [...] guaranteeing the prerogatives of autonomy of the federal entities and, paradoxically, the need for regulatory mechanisms directed to the national welfare". The author evaluates this tension as healthy between the action of federal entities, including the coordination of national policies, and the decentralization processes. Regarding the concept of "autonomy", he considers that it is not an active sovereignty, "[...], but resulting from the implementation of convergence bases demarcated by the tension between the competencies of the Union, especially the privative ones, and the common competences and competitors from the Union, states, Federal District and municipalities" (DOURADO, 2013, p. 766, our translation).

Despite the legislation showing aspects of regulated autonomy between federal entities, in another analysis, Dourado (2018, p. 478) considers that the federal government has been presenting itself as a central actor in the coordination of national policies through the definition of criteria for other entities. As for the municipalities, he points out that "[...] autonomy becomes much more restricted because not even the Constitution allows them to establish their own rules, which is admitted only in a complementary way by the [Law of Guidelines and Bases of National Education, Law No. 9.394 of 1996] LDB" (DOURADO, 2018, p. 383, our translation)

Due to the wide and heterogeneous number of Brazilian municipalities, these entities remain, in part, in a prominent discrepancy in financial, political, and administrative terms, with a strong dependence on other levels of government (States and Union). Thus, it is possible to infer that municipalities have a high degree of autonomy in legal terms, but low state capacity in terms of formulating and implementing public policies.

Methodology

The object of investigation of this study is to analyze the levels of governance of Brazilian educational policies in the years 2020 to 2022, during the COVID-19 pandemic. During this period, rules and guidelines were issued, on an exceptional basis, which changed the current legislation to guarantee the educational offer during the stoppage of face-to-face classes. In this way, the investigation discussions are based on the debate that deals with Brazilian federalism in educational attributions at the three levels of government.

Therefore, a qualitative approach was used, which according to Chizzotti (2003, p. 221, our translation), "[...] covers, today, a transdisciplinary field involving the human and social sciences, [...] adopting multi-methods of investigation to study local phenomenon [...] trying to find meaning [...] and interpreting the meanings that people give to them". For Creswell (2007), qualitative research is an approach that assumes that the meaning given to the phenomenon is more important than its quantification.

According to Cellard (2014, p. 212, our translation), documentary research "[...] allows adding the dimension of time to social understanding, [...] partially eliminates the possibility of any influence". Therefore, the composition of the sample field was based on a screening of the

official websites of the WHO, the United Nations Children's Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the official journals of the *Palácio do Planalto* and the municipal government of Dourados-MS.

We searched for the main documents that guided the formulation of political-normative devices for education in the years in focus. A total of 100 were analyzed and 7 were selected as the object of analysis, being: (a) international: Important messages and actions for COVID-19: Prevention and control in schools; and Distance learning strategies in response to school closures; (b) at the federal level: Opinion CNE/CP No. 5/2020, on the reorganization of the school calendar; (c) municipal scope: Resolution/SEMED No. 050/2020, on the reorganization of the 2021 school calendar; Decree/SEMED No. 2.630/2020, regulation of non-contact pedagogical activities, Resolution/SEMED No.13/2021 and No. 12/2022, provides for the school calendars for the years 2021 and 2022.

The multi-levels of competencies for the execution of educational policies during the pandemic

In the face of the pandemic, the relationship between federalism and public policies occupied even more centrality, mainly on issues involving social policies, including education. As it is a public health issue, mitigating its impact would depend on articulated coordination at various levels of governance.

To maintain a coalition of guidelines that would support social policies around the world, international organizations issued a series of documents to support national and subnational governments. Immediately, within its scope of action, the WHO established international coordination to operate effectively between partners and service providers to ensure frequent communication between all the geopolitical levels (WHO, 2020c).

In education, the international institutions that have ascendancy over the area guided the first discussions through recommendations and technical opinions. According to Table 1, the interruption of classes had a strong social impact:

Actions	Consequences	Impacts
School	Direct costs of education	 Interrupted learning; Increased inequality in learning; Decreased attachment to schooling.
closures	Impacts on student health and safety	 Mental health declines;
Economic	Demand for education	 Increased school dropout rate, especially for the less favored; Increases in child labor, child marriage, and transactional sex; Decreased parental investment in education.
crisis	Offer of education	 Decrease in government spending on education; The quality of teaching decreases; Closing of private schools.
Long term cost		 Increased learning poverty; Decrease in human capital; General poverty increases inequality and social disruption; The intergenerational cycle of poverty and low human capital is reinforced.

Table 1 - Impacts of the pandemic on education

Source: OECD, 2020 (authors' translation).

The first international institution to speak out was UNICEF, in partnership with the WHO and the IFRC, which issued, on March 10, 2020, the technical guidance "Important messages and actions for COVID-19: Prevention and control in schools". Until that date, the WHO had no information on how the virus affected children (UNICEF, WHO, IFRC, 2020).

In the administrative scope of school management, the following recommendations were made: (a) adjustments in school policies; (b) monitoring of school attendance; (c) planning for continuity of education in case of absences/sick leave or temporary schools closure; (d) implementation of age-specific health education; (e) psychosocial support for students; and (f) support for vulnerable populations (UNICEF, WHO, IFRC, 2020).

Meanwhile, UNESCO made available the "Distance learning strategies in response to school closures" on April 29, 2020. The agency emphasized that the effectiveness of this form of teaching should be conditioned by levels of preparation based on the capacity of governments in technological readiness, content, pedagogical support, home learning, and monitoring and evaluation (UNESCO, 2020).

To ensure an equitably and quality return to school, the WHO made available, on December 11, 2020, a "Checklist to support the reopening of schools and preparation for a resurgence of COVID-19 or similar public health crises" (WHO, 2020b, our translation). In Figure 1, it is denoted that the coordination, monitoring, and evaluation were instituted according to the level of responsibility of the agents.

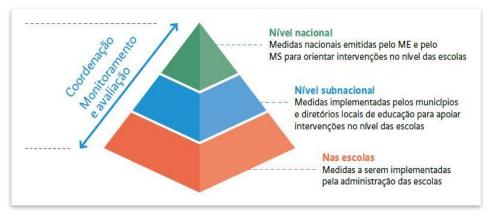


Figure 1 - Multilevel coordination of schools' response to COVID-19

Source: OMS (2020b).

The aforementioned checklist presented actions to guarantee the reopening of schools, as well as recommendations for the resurgence of the virus, with measures of national reach, with responsibility for implementation falling to the Ministries of Education (ME) and Health (MS), at the level subnational, municipal (and state) and local education directorates (councils of education) and, at the school level, recommendations for a co-creation and co-participation approach, based on feasibility in the context of each school, as shown in Table 2 below (WHO, 2020b).

1. Actions at the national level (Ministries of Education and Health)			
Phase	Essential actions		
Reopening	 Contingency planning, based on local transmission rates; National policy on the use of masks in schools; School policies and guidelines on personal protection practices, physical and social distancing, and cleanliness of environments; National disease outbreak preparedness and response plan. 		
Preparing for resurgence of COVID-19	 Guidance on support for distance education; Vaccination continuity plan, mental health and psychological support for students, teachers, and workers during school closures; Committee for monitoring and continuous assessment of the situation in schools, in collaboration with education sectors; Health education. 		
2. Actions at the subnational level (State and Board of Education)			
Phase	Essential actions		
Reopening	 Epidemiological surveillance in schools; School response protocols according to recommendations; Sustainability of critical needs, including school lunches and water, sanitation and hygiene facilities; stocks of essential cleaning items and personal protective equipment (PPE) for students, teachers and school staff. 		

Table 2 - Back to School Checklist by Level of Responsibility

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	 Contingency plans for disease outbreak responses for schools; 		
Preparing for	• Contingency plans to support school food distribution programs for vulnerable		
resurgence of	population groups in the event of school closures;		
COVID-19	• Emergency response team to coordinate contingency plans across national		
	subnational, and school levels.		
3. Actions at the loc	al/school level		
Phase	Essential actions		
	• School support team (EE) composed of teachers (P), school administrators (AE), students and parents/caregivers:		
	• Review of personnel and attendance policies: (a) considering absences due to health reasons and people with pre-existing illnesses; and (b) support remote and blended learning approaches;		
Reopening	• Implementation of Non-Pharmacological Interventions (INF);		
itterpenning	• Ensure adequate ventilation and rearrangement of school layout;		
	• Keeping a record of the health status and evolution of students, including vaccination checks;		
	• Educational and pedagogical sessions on health;		
	• Enforcement of the "stay at home if you have symptoms" policy.		
	• Reassessment and planning of additional human resources needed to implement adapted teaching methods;		
Preparing for	• Continuity of school lunch and health services provided at school;		
resurgence of	• Update on measures adapted to the evolution of the situation.		
COVID-19	• Training sessions on distance learning, safety, cleanliness and disease outbreak prevention, as well as preparedness and response measures;		
	 Provision of teaching materials/platforms. 		
L			

Source: OMS (2020b).

To prevent schools from acting as disease transmission amplifiers, the decision to reopen should also meet the needs of education professionals, considering the recommendations that apply to workers, work environments, and people with health risks, disabilities, and comorbidities (WHO, 2020b).

For these reasons, the unprecedented situation regarding the closure of schools made international organizations seek quick answers in terms of guidelines and guarantees for the continuity of the educational process. The entire school community was called upon to become defenders of the prevention and control of the disease in all environments, that is, expanding the practices learned in schools to homes and the community.

In Brazil, the denialist and centralizing movement generated a wave of uncertainties regarding the attributions and competencies of each federal entity. The situation became even more complex due to the country's territorial extension, in which the risk scenario proved to be heterogeneous within the macro and micro-regions in the states (PERINI-SANTOS, 2021).

In the area of education, according to the study by Silva *et al.* (2020), all states and the Federal District suspended face-to-face classes from March 11 to 23, 2020, which affected approximately 47.9 million basic education students across the country.

The first measure to mitigate the effects of the suspension of classes in basic education was Provisional Measure No. 934, of April 1, 2020, which exceptionally waived the in-person obligation to fulfill the 200 days of effective schoolwork, provided that the minimum annual workload of 800 hours is fulfilled (BRASIL, 2020a). The National Council of Education (CNE) issued eight more opinions, two resolutions, and Law 14.040/2020. The documents regulated the educational offer in the remote format and the return to face-to-face attendance.

Opinion No. 5 directed the organization of school years affected by the state of public calamity. The device addressed issues that had generated many consultations with the National Education Council (CNE), including management and reorganization of the school calendar; the replacement of classes; calculation of workload conducted through non-face-to-face pedagogical activities (APNPs); assessments, and exams in the context of the pandemic (BRASIL, 2020b).

The other documents that made up the federal regulation to guarantee the continuity of formal education during the health crisis were: Opinion No. 6/2020, which reaffirmed the religious observance of Saturday; Opinion No. 11/2020, which issued the educational guidelines for carrying out non-face-to-face pedagogical classes (APNPs); Law No. 14,040/2020 established exceptional educational standards, and the guidelines were established by Opinion No. 15/2020 and regulated by Resolution CNE/CP No. 2/2020; Opinion No. 6/2021, instituted the national guidelines guiding the return to face-to-face attendance and regularization of the school calendar, which were regulated by Resolution CNE/CP No. 2/2021 (MELO, 2023).

At the local level, four political-normative devices of the Municipal Education Network (REME) in the municipality of Dourados-MS, the locus of this study, were examined. Being the second largest in the state of MS, it comprises 85 school units, 40 Early Childhood Education Centers (CEIM), and 45 schools (QEDU, 2022). In 2020, according to data from INEP (2021), the contingent of enrollments was 57,888 (INEP, 2021), that is, more than a quarter of the estimated population in that year, which was 225,495 inhabitants (IBGE, 2022).

The municipality suspended classes indefinitely, starting on March 18, 2020, and they only resumed on June 1 of the same year. According to Resolution/SEMED No. 050/2020, there were 75 consecutive days of stoppage without any school activity, which resulted in 40 missed school days (DOURADOS, 2020b).

To comply with the school calendar in the same calendar year, without replacing the suspended days, but a continuation, the Municipal Secretary of Education (SEMED) used all

possible dates, between June 4th, restart and continuation of the 1st bimester, until December 19, end of the 4th bimester. All Saturdays were included, including school days intended for continuing education, civic and cultural activities, periods for sports games, recess, and bridges (10/13, 14 and 16/16 and 12/7), in addition to implementing after-hours classes (6, 13, 20 and 27/07) and on Corpus Christi holidays (11/06) and the anniversary of the municipality (08/12) (DOURADOS, 2020c).

The offer of APNs (Decree/SEMED No. 2613/2020) followed the same definition established in Opinion CNE/CP No. 5/2020, "as a set of school activities (printed or by virtual means) linked to the skills foreseen in the Curriculum of Dourados-MS for Primary Education, and Experiences for Early Childhood Education" (DOURADOS, 2020b, our translation).

The planning of APNs for elementary education remained linked to the skills and competencies provided for in the new local Curricular Reference, and for early childhood education, to experiences and experiences, with playful, recreational, creative, and interactive activities with the intermediary of parents or guardians (DOURADOS, 2020b).

Regarding the 2021 and 2022 school calendar, Resolutions SEMED No. 13/2021 and 12/2022 were issued, which provided for the organization according to the parameters of a regular school year, which were implemented regardless of the risk situation always experienced in the municipality (DOURADOS, 2021, 2022).

From a learning perspective, the distance learning modality guaranteed the right to education, maintained the students' bond with the school, and, even if minimally, worked on some of the contents provided in the curricula. The APNs were developed considering what students had already learned. Therefore, new objects of knowledge were not introduced. The teacher planned the classes and assisted the students, but the school routine was conducted by family members who had difficulties in mediating the teaching of their children. It can be inferred that there was no systematized pedagogical guidance to support the educational training process, but rather improvised/specific practices that were adopted to continue teaching.

Final considerations

The unprecedented suspension of face-to-face classes on a global scale due to the COVID-19 pandemic caused international organizations, which have ascendancy over their signatories, to articulate themselves to maintain a coalition of guidelines that would support the public social policies in the national spheres.

School closures are part of a series of restrictive measures to contain the spread of infectious diseases. Given the impossibility of face-to-face attendance, the remote teaching format was suggested as an alternative to avoid interrupting the student/school bond. To this end, responsibilities were established for each level of governance.

Therefore, the implementation of emergency remote teaching had to be regulated through exceptional norms and guidelines, thus supporting public and private education networks and systems to continue regular education. However, at the pandemic's beginning, educational policies and proposals were not integrated. Without organicity, states and municipalities acted in a fragmented and disjointed way, that is, there was an absence of interconnection between the federative system and the institutional functioning of public policies, which led to an evident administrative inefficiency on the part, mainly of the municipal entity in question.

According to the current educational legislation, municipalities, through their administrative bodies, must manage their education systems in collaboration with the Union and the states, being able to define norms and pedagogical procedures that best adapt to their peculiarities. However, the municipality of Dourados-MS was limited to vertical management with the Union. By limiting itself to complying with the policies elaborated or disseminated by other spheres, it did not act autonomously and decentralized, thus remaining in the condition of executing the policies created at the federal level.

It should be noted that once the possibilities offered by the federal and state governments have been outlined, it is up to the municipal management, via the education department, to establish the application mechanisms, seeking ways to support the development of the planned actions, always contextualized with their local educational particularities.

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