POLÍTICAS EDUCACIONAIS PARA O ENSINO MÉDIO: IMPLICAÇÕES E PERSPECTIVAS PARA COM A GARANTIA DESSE DIREITO À EDUCAÇÃO

POLÍTICAS EDUCATIVAS PARA LA ESCUELA SECUNDARIA: IMPLICACIONES Y PERSPECTIVAS PARA LA GARANTÍA DE ESTE DERECHO A LA EDUCACIÓN

EDUCATIONAL POLICIES FOR HIGH SCHOOL: IMPLICATIONS AND PERSPECTIVES FOR GUARANTEING THIS RIGHT TO EDUCATION

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RESUMO: O presente artigo se insere no âmbito das discussões que marcam os três primeiros anos de implementação do novo currículo do Ensino Médio no Brasil. Seguindo o paradigma qualitativo, realizamos uma pesquisa documental acerca dos instrumentos legais que amparam sua idealização, cujo objetivo foi compreender interfaces dessa reformulação na política educacional com outras alterações políticas, ligadas ao mercado e à regulação do Estado. Como resultado, a crítica ao modelo adotado, que mais parece uma readaptação do modelo tecnista da década de 70, enfraquecendo na atual conjuntura não apenas o direito das camadas populares à Educação Básica, como também à continuidade de estudos posteriores, além de abrir precedentes para a precarização do trabalho docente.

PALAVRAS-CHAVE: Reforma. Ensino médio. Estado regulador.

RESUMEN: Este artículo es parte de las discusiones que marcan los primeros tres años de implementación del nuevo plan de estudios de secundaria en Brasil. Siguiendo el paradigma cualitativo, realizamos una investigación documental sobre los instrumentos legales que apoyan su idealización, cuyo objetivo era comprender las interfaces de esta reformulación en la política educativa con otros cambios políticos, vinculados al mercado y la regulación del Estado. Como resultado, la crítica del modelo adoptado, que parece más una readaptación del modelo técnico de los años 70, debilita en la coyuntura actual no solo el derecho de los estratos

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populares a la Educación Básica, sino también la continuidad de estudios adicionales, además de abrir precedentes para la precariedad del trabajo docente.

PALABRAS CLAVE: Reforma. Escuela secundaria. Estado regulador.

ABSTRACT: This article is part of the discussions regarding the first three years of implementation of the new high school curriculum in Brazil. Following the qualitative paradigm, we conducted a documentary research about the legal instruments that support its idealization, whose objective was to understand the interfaces of this reformulation in educational policy with other political changes, linked to the market and the regulation of the State. As a result, the criticism of the adopted model, which seems more like a re-adaptation of the technician model of the 70s, weakening in the current conjuncture not only the right of the popular strata to Basic Education, but also the continuity of further studies, besides opening precedents for the precariousness of teaching work.

KEYWORDS: Reform. Secondary school. Regulatory State.

Introduction

In 2017, the last stage of Basic Education, High school, was highlighted in the political and educational sphere. The proposal to amend the Law of Guidelines and Bases for National Education - LDBEN no. 9394/96, by the then government of Michel Temer, was justified by the need to improve the indices, considered unsatisfactory, both in terms of completion and quality, earned in large scale assessments, such as the National High School Exam - ENEM and the Programme for International Student Assessment - PISA. This scenario provoked and still provokes discussions between educators, politicians and the third sector, having as main trigger, the paths traced for education in the country.

The questions encompass not only the content of the aforementioned proposal, but also encompass its systematization process, carried out according to educators, without due debate with society and with those who make up the school (AGUIAR, 2018). The very introduction of the proposal in the educational environment, within the scope of Provisional Measure no. 746/2016, would be one of the aggravating factors, giving it a more imposing outline, than properly reflected, considered and exhausted.

In this process, a much larger discussion was also involved, regarding the real objective at this stage, suggesting the abandonment of its propaedeutic base, and replacement by another one, considered by its defenders as more "aligned" to the desires of modern-industrial and digital society. Three years after the enactment of Federal Law no. 13,415/2017 that reformed high school, few real changes could be felt, causing some misunderstandings about the effects of these changes. Considering the need to make the debate more transparent, above all, in order to clarify possible mistakes in understanding its effects, this chapter brings a discussion about the main elements introduced by the referred Law, paying attention to the devices for guaranteeing the Right to this stage Basic Education.

With this, we propose to discuss the most representative elements of the proposal that involved the alteration of the Official Curriculum, the introduction of formative itineraries, the expansion of the workload, the question of notorious knowledge, and the implications for teacher formation.

We believe that behind the discourse involving the urgency of immediate changes and the creation of curricular mechanisms of attractiveness among young people, there is a much more political and social nuance, inserted in a much more complex context of division of labor and the denial of access to introductory education to the people. And, this makes us ponder about old issues involving the very history of structuring and consolidating the educational system in the country, especially with regard to the access of the lower classes to Basic Education.

In this sense, it is not the first time that impasses involving the objective of the last three years of Basic Education have taken the spotlight in Brazilian society. In the case under analysis, the emphasis of a lagged curriculum guided the governmental discourse and maintained the urgent nature for the approval not only of the High School Reform, but also headed directions inside and outside the pedagogical field. The measure is added to a series of other political actions, such as the change in labor laws, the Social Security reform proposal, *Escola sem Partido*, Homeschooling, which together reveal a new stance in relation to social rights and guarantees, of which education appears as one of the most affected historically.

The historical assumptions of the new High School

As a field of disputes, the curriculum converges in its own directions from its time and those who legally have the power to confer it. In this sense, we understand that its formulation does not occur in a vacuum or with impartiality, since it interacts within a social and economic nucleus, determined by forces, sometimes conditioning and palpable, that reinterpret reality (PARO, 2011).

Therefore, the understanding of the structure launched through Provisional Measure no. 746/2016 and, later, materialized in Federal Law no. 13,415/2017, crosses a series of other understandings, which cannot be dissociated in the analysis process of the "new" High school. They do not start in 2017, but have their origins much more distant, having a direct relation with the place occupied by high school within the Educational Policies, as well as their funding, the social representation of the stage in the Brazilian educational context, and the field disputes of the agents involved.

According to Azevedo (1997), the reformist assumptions are at the genesis of the educational process in the country and accompany the movement of functioning of the project of society to be formed. For Saviani (2001), within the context of colonization and the curbing of incentives for intellectual emancipation, we can say that educational actions have always been more focused on the process of individual and elitist construction, than collective, being an efficient divider among the rich and the poorest.

The pioneering initiatives of the Jesuits and Pombalians reveal a situation of total indifference with the continuity of studies, beyond the primary years. According to Vieira (2007), this picture can be clearly observed within the scope of the laws that anchored an education aligned to the political and economic process in the country, which, even after the overcoming of the condition of colony, in the Constituent of 1824, already left in secondly, this stage of teaching, by declaring the obligation of primary education only.

Such an example was maintained after the proclamation of the Republic, in the Constitution of 1891, and in the attempts of innumerable Educational Reforms, which did not outline the essence and the objective of the years between the primary and the Superior, making this period gain numerous interpretations and identities, sometimes aiming at the preparation for the Superior, sometimes aiming at qualification to enter the job market.

The clearest example was present in the 1930s. The effervescence of social movements, with emphasis on the Manifest of Pioneers of Educação Nova, provided other perspectives. Giving education the status of right shared by all, the 1934 Constitution extended the guarantee only to the first four years of Primary Education. In addition, the existence of tests of admission to the high school hindered any prospect of access and, consequently, compromised the continuity of studies at higher levels..

The thinking that took place in the years following the industrial outbreak proclaimed a dual teaching and direction that, it seems, came back to light with Law no. 13,415/2017. To the popular strata, pre-vocational education, namely technical, seemed to be more appropriate. Thus, in the 1940s, the "S" System (SESI, SESC, SENAI, SENAC) took shape, focusing on a

specific part of society, reinforcing the exclusionary understanding and natural inclinations of the classes.

Therefore, the main analogy brought by Moll (2017), Frigotto and Motta (2017), in relation to the current reform, has its origins in the reform movement of the 1970s, and in the restructuring of the levels of education with the Reform of the 1st and the 2nd degrees, in the government of the military. The end of the admission tests to the high school did not necessarily mean the democratization of admission or greater investments. This context, supported by the cooperation agreements between the Ministry of Education and Culture and USAID⁵, cast any and all possibility of change in the stage, marked by Technicism.

The compulsory nature of vocational education in schools came up, above all, in the lack of financial elements that would cost it, generating instabilities and blurring in the country's educational scenario. The instability of the scenario led to another reform movement, known as the "counter-reform" of 1982, which, by means of Federal Law no. 7044/1982, and headed by representatives of private educational institutions, changed the provisions regarding the mandatory nature of vocational education, making it optional.

In the 1980s, the apparent rupture with duality, dealt with in Article 208 of the 1988 Federal Constitution, which placed the 2nd degree as the final stage of Basic Education, allowed a new interpretation: that the last three years conferred a closing of the necessary basis for further studies. Thus, with an apparent appreciation, high school appeared as an option, in its nuances of propaedeutic or technique, leaving the student with the democratic task of his choices.

The process of political openness and re-democratization that started put High School at the center of the debate once again, especially with regard to its purposes, which were explained in art. 35, of LDBEN no. 9394/1996. The aforementioned Law, by revoking the structure of 1st and 2nd degrees, reorganized and expanded the definition of the right to education. It established as its purpose the deepening and consolidation of the knowledge acquired in Elementary Education, the preparation for work and citizenship, the ethical and integral formation of the student and the understanding of the scientific and technological foundations of the educational process (BRASIL, 1996).

Such purposes constitute the path to be taken to guarantee the right to education and full formation. As Cury (2008) points out, Basic Education in the new legislation acquired an expanded character, since it started to be understood from three essential dimensions:

⁵ Abbreviation for United States Agency for International Development, American agency that influenced the organization and conduct of Educational Public Policies, especially in the military dictatorship.

innovative **concept**, above all, due to the historical denial (selective and elitist) of the right to education; **right** that encompasses a universalist framework for the recognition of the right to knowledge through the systematic action of the school organization; and as an **organization**, as it reaches the federative pact and constitutes itself as a pillar of citizenship by bringing together the three stages - Early Childhood Education, Elementary School and High School and its modalities.

However, it remains for us to highlight the fragility still referring to high school. Only elementary education was mandatory and a subjective right, including the subsequent creation of a specific fund of an accounting nature, sub-linking educational resources, through the Fund for Maintenance and Development of Elementary Education and the Enhancement of Teaching - FUNDEF.

Despite the advances, the law alone did not guarantee its full effectiveness to high school. Although legally present, as a stage of education considered as basic to the citizen, specific policies were not directed to make its structuring feasible. This was a reality also seen in Public Educational Policies in the 1990s, as in the case of the Ten Year Education Plan, in which the focus remained on encouraging the increase in literacy rates, incorporated in elementary education.

Educational reforms need to be understood in terms of the state's administrative reform process, which, from the 1990s onwards, started to assume a managerial character and which had direct implications for Social Policies and, consequently, Educational Policies. As Peroni, Caetano and Lima (2017, p. 418) point out, "education, as part of a nation project, is disputed by antagonistic visions, both in terms of its direction and its execution"⁶.

The end of FUNDEF in 2007 signaled possible changes in the field of financing. The Constitutional Amendment - EC 53/2006, and its subsequent regulation by Law 11,494/2007, created FUNDEB - Fund for Maintenance and Development of Basic Education. This device finally guaranteed the expansion of investments and the allocation of resources to Secondary Education in an effective way, guaranteeing financial resources for the access and permanence of students, including those who did not have access at their own age, through a series of measures.

For Oliveira (2014), this moment represented a social milestone, in which Educational Policies were aligned with Social Policies, allowing an expressive contingent of the population

⁶ "a educação, como parte de um projeto de nação, é disputada por visões antagônicas, tanto no sentido da sua direção, quanto da sua execução"

to have the possibility, not only to complete Basic Education, but also to continue their studies, driven by higher education stimulus and funding programs.⁷

Educational reports from Anísio Teixeira Institute-INEP reveal the jump in enrollment rates and reduction in age-year distortion. However, in 2015, after the coup that removed President Dilma Rousseff, new interpretations began to be defined. In them, the expiry of the process involving both the curriculum and the objectives of high school was advocated. These ideas culminated in the current Reformation, taking us in a similar way to Ferreti (2018), Aguiar (2018), Aguiar and Dourado (2018), to question us to what interests it was connected, and what the impacts of it deriving with respect to process of law and guarantee to High School and to society as a whole.

A criticism of the model

In just over two decades, the 1996 LDB has gone through several processes of change. Chronologically, only in the period between the years 2000 and 2002 no changes were identified. Such changes suggest that the reformulations of the legal text occur little by little, and generally follow a contemporary logic of readjusting to demands, in which education has started to reorganize itself under global and market justifications.

The changes involved, in general, issues related to the curriculum, financing, planning, organization of Basic Education, formation and valorization of education workers. In Brazil, they were closely linked to the political, social and economic context in which they were implemented, sometimes presenting themselves as advances or setbacks.

With regard to secondary education, specifically, the need to rethink it had already been undertaken, through various reform proposals that were underway within the scope of the legislative branch. The most expressive, and which was well advanced in the broad process of debates with the various instances of society, was Bill no. 6840/2013, authored by Federal Deputy Reginaldo Lopes.

However, the proposal was untimely barred, after the 2016 coup. Under the justification that the reform demanded an urgent character, a context of radicalization was created, which placed high school, once again, in a scenario of project disputes. distinct, whose emphasis fell on the directions and contents of Brazilian education (AGUIAR, 2018).

⁷ Examples: Federal Government Program to Support Restructuring Plans - PROUNI, Expansion of Brazilian Federal Universities - REUNI, Unified Selection System - SISU.

It is noteworthy that the educational reforms in the last four years in Brazil have followed the movement of continuity of State Reform, ratifying the managerial character, based on the principles of effectiveness and efficiency. And, although the MEC has promoted public debates and provided an online platform for suggestions to support the construction of the BNCC, Aguiar (2018) reveals that such initiatives have not exhausted all their complexity, nor have they provided the necessary analysis on the impacts of this change. only for Education, but also for Brazilian society as a whole.

In this scenario, Fagnani (2017) reports that groups of educators, party politicians from the Reformation and representatives of private organizations were opposed, representing educational entrepreneurs, forming a field of disputes and antagonistic interests. In short, for the proponents of the proposal, the urgency in reformulating the stage was based on two main justifications: the low quality of high school and high dropout and failure rates in the stage.

Such justifications reinforced the contradictory character by which the Reform was put into discussion, to the point of being implemented through Provisional Measure no. 746/2016, and materialized, later, with the promulgation of Federal Law no. 13,415/2017, in the government of Michel Temer. The *sui generis* nature of its implementation, therefore, emptied the content of the debate, mainly due to the autocratic and unjustified measure, which ignored discussions already started in other projects.

One of the outstanding elements of the High School Reform was the policy to promote the implementation of full-time high schools. The Minister of Education Mendonça Filho indicated a gradual increase in the workload from 800 hours/year to 1000 hours/year, in the first 5 years, until reaching a total of 1400 hours/year. However, the document did not establish a deadline for total expansion, which certainly weakens its effectiveness within a country that has different educational scenarios.

We understand that the criticism of the current curriculum was the biggest motto for configuring the BNCC so that, for its effectiveness, the approval of the High School reform document was an indispensable condition. As a result, a new flexible curricular approach has been formulated, inspired by the American credit system, allowing students to "choose" more in line with their individual skills. The concept of building skills, criticized by many educators, returned as an end element of education in the stage, in which each year, students would be linked to a series of contents that must be learned.

Thus, the curriculum was designed with a common base, which should fill 60% of the total high school load, and a flexible base corresponding to the other 40% to be complemented by the so-called Formative Itineraries, in the specific areas of knowledge of Languages,

Mathematics, Natural Sciences and Human and Social Sciences or, the option for Professional Technical formation, having the following structure.

Such innovations altered article 36 of LDB/96. We must note that the action left the State Education Systems in charge of the option of offering one or more itineraries, according to their capabilities. We understand that placing it in the scope of choice and not mandatory deviation from the initial configuring purpose of the proposal, which translated into a student's identification with the stage, resulting in a lower dropout rate. Therefore, the materialization of personal choice vanishes, creating a vacuum between the proposal and the political mechanisms to guarantee the right to flexible education.

Therefore, we envision a future expansion of educational inequalities in terms of access, treatment and knowledge, as pointed out by Sampaio and Oliveira (2015). It will occur in view of the offer and access to these itineraries, causing palpable divisions between the level of education between states, between systems and, above all, between schools in the same education network, in view of the offers and speed of implementation of Integral Education. And in that, we observe a clear return to the dualism that this stage has already passed with the 1971 Reform, previously commented, and which we believed to have been overcome.

Still with regard to curricular changes, we emphasize the mandatory nature of the subjects of Portuguese Language and Mathematics in the three years, which indicates at the end of Basic Education, a specific and non-generalist formation. In addition, the teaching of the English language has become mandatory, putting an end to the previous flexibility of compulsory education, which may be from another Modern Language.

As pointed out by Freitas (2014), there was a tendency for curricular narrowing, with an emphasis on teaching according to the subjects evaluated in external evaluations, which highlights the prioritization of a specific formation, to the detriment of the integral formation of the student, the recommended purpose in the Federal Constitution of 1988 and reaffirmed in the current Law of Guidelines and Bases.

We also understand that the offer of Professional Education as it is presented, indicates a clear return to the Theory of Human Capital, whose main focus is the formation of the masses to enter the labor market, suggesting a type of early specialization, if we consider that the stage comprises from fifteen to seventeen years.

With that, we see a "new" division between propaedeutic and technical education that, according to Gariglio, Almeida Júnior and Oliveira (2017), represents a tendency to return to the "pride" of professionalization in high school. As already occurred in the 70s, this condition affects the children of the working classes, especially if we consider that the reform has

repercussions for access to Higher Education, since the National High School Examination - ENEM, must also be adapted to the new configuration.

In addition to that, still on this item, we have the controversy that involves professors with notorious knowledge, who will be able to act in High School in the formative itinerary of the Technical Formation. In the understanding of Aguiar (2018), this mention can set precedents so that, in the absence of licensed teachers, they can also occupy vacancies in other itineraries, without the proper formation to work in the teaching of the Basic School. This means breaking with a policy of strengthening and fighting for the recognition of degrees as a requirement for action in the scope of Basic Education in the country.

This change may imply a flexibilization not only of initial formation, but also jeopardizes public policies and important achievements regarding the recognition of professionalism, career and teacher appreciation. Likewise, it affects the construction of knowledge involved in the teaching-learning process, which enables the organization of knowledge in all its configurations and nuances. The pedagogical praxis is something much more complex, lacking procedural reflections and knowledge directed to the collective work of education of the subject.

In view of what has been presented, we criticize the model for understanding that in practice, the proposal to extend the day does not in fact constitute the favoring of a full-time school. In addition to that, we question the real structural conditions of high schools in the country, as well as the volume of financial resources for the implementation of full-time operations, especially among the states of the federation that still depend on the Union's budget complementation to fulfill its obligations under the constitutional pact. This concern also involves the increase in the Student Quality Cost - CAQ, which should be changed, due to the expansion of the inputs so that this student stays longer at school.

We also highlight the impact for those students who make up popular communities. In the Brazilian reality, these for various reasons, are inserted early in the informal labor market, and, certainly, cannot adapt to the new context of study. Thus, we believe that this expansion, as opposed to integrating, can further segregate the school-age population, giving rise to a new contingent of young people between 15 and 17 years of age out of school.

Challenges and perspectives: some reflections

After considering the model implemented, we raised four concerns involving challenges and perspectives that can guarantee not only access, but also the permanence of these young people in school. The **first**, without a doubt, falls on the financing of the stage. Since there was an increase in the number of hours and the option for full education, certainly, the impact on the funds policy will be a point to be considered, given the term of Fundeb.

Until then, we have not seen any movement in the current government regarding its renewal, or the implementation of a new fund to cover future expenses with the stage. This becomes problematic, since the absence of a legal provision will certainly make it impossible for the education systems to offer more than one formative itinerary, causing the main motto of the Reformation campaign to be jettisoned.

Another aspect in relation to financing, concerns the performance of international organizations and the injection of private capital for the implementation of the reform. We must not forget that the limiting measure of public spending, which also affected education, made it impossible to meet PNE Goal 20 (2014-2024), which deals with the financing of education.

The **second** consists in putting into operation the purposes of Secondary Education, established by the current LDB and in the National Education Plan (2014-2024), in line with the new legal order of the Reform. According to Saviani (2008, p. 226), "when, however, one thinks of a specific law for education, it is because it is aimed at its systematization and not just its institutionalization"⁸. The trajectory of formulating educational laws has revealed that legislation alone does not guarantee its full effectiveness, since when it is introduced into the materiality of the school, it becomes re-signified by the agents.

Furthermore, the legal text does not seem to take into account the peculiarities of schools and education systems in the country, as well as the portion of the population that demands attendance in the evening course, either for being a working student, or even for not having an interest in full time education. To these subjects, the right to education needs to be equally guaranteed, respecting their differences, under the penalty of creating a new contingent of individuals, who will have their educational rights supplanted by the inadequacy of the educational reality to the social one.

Third, the discontinuity marks of educational policies present in the history of education that are linked to the political scenario. A reform of this magnitude could not be thought to be dissociated from the field of planning of other policies, social and educational programs that could contribute to a balanced offer at such a stage, as well as guarantee the successful stay.

And finally, the fourth concern is about the tradition of adopting reform models prescribed by international organizations, or implemented in other countries, with a tradition

⁸ "quando, no entanto, se pensa numa lei específica para a educação, é porque se está visando à sua sistematização e não apenas à sua institucionalização"

and educational history that is completely different from Brazil, without taking into account the context and peculiarities of national education. It is necessary to go much deeper into the social issues that permeate Brazilian education. Factors such as teenage pregnancy, involvement with drugs and the early search for work encompass aspects, in addition to school, but which have a decisive impact on the results generated by this sphere (VOLPI, 2014).

Importing elements of educational systems from first world countries, whose young people distance themselves from the reality in which the majority of public school students are inserted, in the numerous Brazilian contexts, is to make past and homogenizing mistakes that have already shown themselves to be bankrupt in their results.

In addition, the approval of the Common National Curricular Base for Early Childhood Education, Elementary Education and High School in a fragmented way, says a lot about the possibility of rupture that the reform may imply about the concept of Basic Education. This indicates a static and non-fluid way of understanding and thinking about the educational process in its stages, on a continuous basis.

Such a concept, which it took us over 30 years to consolidate through social struggles, for the right to free public education for all, may be under a strong threat of dismantling and emptying of content, given the lack of commitment that the current government insists on making clear. There is no doubt about the importance of a law that proposes an improvement in the quality of education. However, the way in which these changes are put into practice must be considered.

In this sense, we come close to the thinking of Gadotti (2009), that the concept of Integral Education is not only about expanding the workload. Before, it mainly refers to the education of expanded responsibility, in addition to the school's performance focused on instruction, configuring itself as a possibility for the integral formation of students, and the full development of the various dimensions that make up being.

Final considerations

When establishing the New High School as a background to analyze the issue of the right to education, we brought to the center of the debate the cyclical aspects that permeated the passage of the Provisional Measure and its conversion into Federal Law no. 13,415/2017. Debate that is established not without resistance from civil society, but that is in a wide field of dispute of hegemonic forces to meet the dictates of the market.

Although education appears as a public good and service, with an optional offer to the private initiative, we cannot fail to emphasize that this, in addition to guaranteed subjective right, also presents itself as a duty of the State, and this should act in the sense of offering it, in in order to reduce the historical inequalities that mark education in the country. The formulation and implementation of public policies that enhance access and success in the schooling process, especially in high school, should be the path to be followed for the effectiveness of the law.

However, in a context of instabilities and uncertainties in relation to the social field as a whole, in which there is a clear tendency for the State to retreat, it is necessary that the academic debate be strengthened, and overcome the barrier of research centers, in a way to make the discussion more transparent, about the effects that such reforms have on its core.

The emergence of a new rationality in which the State gains new contours, moves away from the figure of provider of social rights, and assumes the character of a regulatory agent. Such distance has implications for guaranteeing social rights such as health, safety and education, whereas the logic of individualism and the self-responsibility of individuals is installed within an apparent normality for society.

In this context, education presents challenges that have been present since the most remote times, covering the maintenance of basic stages, the effectiveness of educational legislation, the discontinuity of educational policies and the tendency to "transplant" pedagogical and curricular ideas, without reflecting on the materiality of the Brazilian basic school (SAVIANI, 2008). These challenges are amplified when compared to the High School stage and added to its universalization. The proposition of a "new" Secondary Education, in fact, is nothing more than a return to the old practices and strategies to contain access of popular strata to the highest levels of education.

REFERENCES

AGUIAR, Márcia Ângela. A. S. Vinte Anos da LDB: da Base Nacional Comum à Base Nacional Comum Curricular. *In*: BRZEZINSKI, Iria. (Org.). **LDB vinte anos depois**: projetos educacionais em disputa. 1ed. Cortez Editora, v. 1, p. 71-94, 2018.

AGUIAR, Márcia Ângela. A. S.; DOURADO, Luiz F. (Orgs.) A BNCC na contramão do PNE 2014-2024: avaliação e perspectivas. [Livro Eletrônico]. Recife: ANPAE, 2018.

AZEVEDO, Janete Lins de. A educação como política pública. Campinas: Autores Associados, 1997.

BRASIL. Emenda constitucional n. 53, de 19 de dezembro de 2006. Dá nova redação aos art. 7º, 23, 30, 206, 208, 211 e 212 da Constituição Federal e ao art. 60 do Ato das Disposições

Constitucionais Transitórias. **Diário Oficial da União**, Brasília, DF, 20 dez. 2006. Available at: http://www.planalto.gov.br/ccivil_03/constituicao/Emendas/Emc/emc53.htm. Access: 05 Jan. 2019.

BRASIL. Emenda Constitucional nº 59, de 11 de novembro de 2009. Acrescenta § 3º ao art. 76 do Ato das Disposições Constitucionais Transitórias para reduzir, anualmente, a partir do exercício de 2009, o percentual da Desvinculação das Receitas da União incidente sobre os recursos destinados à manutenção e desenvolvimento do ensino de que trata o art. 212 da Constituição Federal, dá nova redação aos incisos I e VII do art. 208, de forma a prever a obrigatoriedade do ensino de quatro a dezessete anos e ampliar a abrangência dos programas suplementares para todas as etapas da educação básica, e dá nova redação ao § 4º do art. 211 e ao § 3º do art. 212 e ao caput do art. 214, com a inserção neste dispositivo de inciso VI. **Diário Oficial da União**, Brasília, DF, 12 nov. 2009. Available at: http://www.planalto.gov.br/ccivil_03/constituicao/emendas/emc/emc59.htm. Access: 05 Jan. 2019.

BRASIL. Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira. **Relatório** do 2º Ciclo de Monitoramento das Metas do Plano Nacional de Educação. Brasília, DF: Inep, 2018.

BRASIL. Lei n. 4.024, de 20 de dezembro de 1961. Fixa as Diretrizes e Bases da Educação Nacional. **Diário Oficial da União**, Brasília, DF, 27 dez. 1961. Available at: http://www.planalto.gov.br/ccivil_03/leis/L4024.htm#:~:text=LEI%20N%C2%BA%204.024 %2C%20DE%2020%20DE%20DEZEMBRO%20DE%201961.&text=Fixa%20as%20Diretri zes%20e%20Bases%20da%20Educa%C3%A7%C3%A30%20Nacional.&text=a)%20a%20c ompreens%C3%A30%20dos%20direitos,grupos%20que%20comp%C3%B5em%20a%20co munidade%3B&text=%C3%80%20fam%C3%ADlia%20cabe%20escolher%20o,deve%20dar %20a%20seus%20filhos. Access: 05 Jan. 2019.

BRASIL. Lei n. 5.692, de 11 de agosto de 1971. Fixa Diretrizes e Bases para o ensino de 1° e 2° graus, e dá outras providências. **Diário Oficial da União**, Brasília, DF, 12 ago. 1971. Available at:

 $\label{eq:http://www.planalto.gov.br/ccivil_03/leis/15692.htm#:~:text=LEI%20No%205.692%2C%20DE%2011%20DE%20AGOSTO%20DE%201971.&text=Fixa%20Diretrizes%20e%20Bases%20para,graus%2C%20e%20d%C3%A1%20outras%20provid%C3%AAncias.&text=Art.&text=1%C2%BA%20Para%20efeito%20do%20que,m%C3%A9dio%2C%20o%20de%20segundo%20grau. Access: 05 Jan. 2019.$

BRASIL. Lei Federal n. 11.494, de 20 de junho de 2007 - Regulamenta o Fundo de Manutenção e Desenvolvimento da Educação Básica e de Valorização dos Profissionais da Educação – Fundeb. **Diário Oficial da União**, Brasília, DF, 21 jun. 2007. Available at: http://www.planalto.gov.br/ccivil_03/_ato2007-

2010/2007/lei/l11494.htm#:~:text=LEI%20N%C2%BA%2011.494%2C%20DE%2020%20D E%20JUNHO%20DE%202007.&text=Regulamenta%200%20Fundo%20de%20Manuten%C 3%A7%C3%A30,de%20que%20trata%200%20art. Access: 23 Oct. 2019.

BRASIL. Lei n. 7.044, de 18 de outubro de 1982. Altera dispositivos da Lei nº 5.692, de 11 de agosto de 1971, referentes a profissionalização do ensino de 2º grau. **Diário Oficial da União**, Brasília, DF, 19 out. 1982. Available at:

https://www2.camara.leg.br/legin/fed/lei/1980-1987/lei-7044-18-outubro-1982-357120-norma-pl.html. Access: 23 Oct. 2019.

CURY, Carlos Roberto Jamil. A educação básica como direito. **Cadernos de Pesquisa**, v. 38, n. 134, p. 293-303, maio/ago. 2008. Available at: http://www.scielo.br/pdf/cp/v38n134/a0238134.pdf. Access: 10 Mar. 2019.

FAGNANI. Eduardo. **O fim do breve ciclo da cidadania social no Brasil (1988-2015)**. Texto para Discussão. Unicamp. IE, Campinas, n. 308, jun. 2017.

FERRETTI, João Celso. A reforma do Ensino Médio e sua questionável concepção de qualidade da educação. **Estudos Avançados**, [s. l.], v. 32, n. 93, p. 25-42, 2018.

FREITAS, Luiz Carlos de. Os reformadores empresariais da educação e a disputa pelo controle do processo pedagógico da escola. **Educação & Sociedade,** Campinas, v. 35, n. 129, p. 1085-1114, out./dez. 2014.

FRIGOTTO, Gaudêncio; MOTTA, Vania Cardoso da. Por que a urgência da Reforma do Ensino Médio? Medida Provisória Nº 746/2016 (Lei Nº 13.415/2017). **Educação & Sociedade** (Impresso), v. 38, p. 355-372, 2017.

GADOTTI, Moacir. **Educação Integral no Brasil**: inovações em processo. São Paulo. Editora e Livraria Instituto Paulo Freire, 2009.

GARIGLIO, José Ângelo; ALMEIDA JÚNIOR, Ademir Soares; OLIVEIRA, Claudio Marcio. O "Novo" Ensino Médio: implicações ao processo de legitimação da Educação Física. **Revista Motrivivência**, Florianópolis, v. 29, n. 52, p. 53-70, set. 2017. Available at: https://periodicos.ufsc.br/index.php/motrivivencia/article/viewFile/2175-8042.2017v29n52p53/35032. Access: 26 de abr. 2019. Access: 19 June 2019.

GHIRALDELLI JUNIOR, Paulo. História da educação brasileira. São Paulo: Cortez, 2006.

MOLL, Jaqueline. Reformar para retardar: a lógica da mudança no EM. **Revista Retratos da Escola**, Brasília, v. 11, n. 20, p. 61-74, jan./jun. 2017. Available at: http://retratosdaescola.emnuvens.com.br/rde/article/view/771. Access: 16 Apr. 2019.

OLIVEIRA, Dalila Andrade. A política educacional brasileira: entre a eficiência e a inclusão democrática. **Educação e Filosofia**, Uberlândia, v. 28, n. especial, p. 225-243, 2014.

PARO, Vitor Henrique. O currículo do ensino fundamental como tema de política pública: a cultura como conteúdo central. **Ensaio: Avaliação e Políticas Públicas em Educação**, Rio de Janeiro, v. 19, n. 72, p. 485-508, jul./set. 2011.

PERONI, Vera et al. Reformas educacionais de hoje: implicações para a democracia. **Revista Retratos da Escola**, Brasília, v. 11, n. 21, p. 415-432, jul./dez. 2017. Available at: http://retratosdaescola.emnuvens.com.br/rde/article/view/793/pdf. Access: 29 Apr. 2019.

PINTO, José Marcelino Rozendo. O financiamento da educação na Constituição de 1988: 30 anos de mobilização social. **Revista Educação e Sociedade**, Campinas, v. 39, n. 145, p. 846-

869, out./dez. 2018. Available at: http://www.scielo.br/pdf/es/v39n145/1678-4626-es-es0101-73302018203235.pdf. Access: 26 Apr. 2019.

ROMANELLI, Otaíza Oliveira. **História da educação no Brasil**. 10. ed. Petrópolis/RJ: Vozes, 1978.

SAMPAIO, Gabriela Thomazinho Clementino; OLIVEIRA, Romualdo Portela de. Dimensões da desigualdade educacional no Brasil. **Revista brasileira de Estudos Pedagógicos**, v. 31, n. 3, p. 511-530, set./dez. 2015. Available at: http://seer.ufrgs.br/index.php/rbpae/article/view/60121. Access: 03 Aug. 2019.

SAVIANI, Dermeval. Desafios da construção de um sistema nacional articulado de educação. **Revista Trabalho, Educação e Saúde**, v. 6, n. 2, p. 213-231, jul./out. 2008. Available at: http://www.scielo.br/pdf/tes/v6n2/02.pdf. Access: 03 aAug. 2018.

VIEIRA, Sofia L. A educação nas constituições brasileiras: texto e contexto. **Revista** brasileira de Estudos Pedagógicos, Brasília, v. 88, n. 219, p. 291-309, maio/ago. 2007.

VOLPI, M. **10 desafios do ensino médio no Brasil**: para garantir o direito de aprender de adolescentes de 15 a 17 anos. Brasília: Unicef, 2014.

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