

**EDUCATION OF PEOPLE WITH THE AUTISTIC SPECTRUM DISORDER:
ADVANCES AND CHALLENGES**

***A EDUCAÇÃO DAS PESSOAS COM O TRANSTORNO DO ESPECTRO AUTISTA:
AVANÇOS E DESAFIOS***

***EDUCACIÓN POPULAR CON EL TRASTORNO DEL ESPECTRO AUTISTICO:
AVANCES Y DESAFÍOS***

André Luiz Alvarenga de SOUZA¹
Alexandra Ayach ANACHE²

ABSTRACT: This paper addresses the advances that have emerged from the legal documents that ensure the rights of people with Autistic Spectrum Disorder (ASD). To that end, the aim of this paper is to analyze the changes that have occurred in the last ten years, which culminated in the approval of Law 12.764/12 (Berenice Piana Law). The methodology is of a qualitative nature, of documentary type, as it is a systematic review of the literature in the field of Education and Human Rights. The central aspects of this study focused on guaranteeing the rights of people with ASD in the field of education and health. During the performance of this study, it was observed in the literature that there are different approaches used to help the inclusion of individuals with ASD, however with the approval of Law 12,764/12, these individuals achieved a great victory, but there is still much to be done.

KEYWORDS: Inclusion. Autistic spectrum disorder. Human rights. Inclusion. Education.

RESUMO: *Este trabalho aborda os avanços que depreenderam dos diplomas legais que asseguram os direitos das pessoas com Transtorno do Espectro Autista (TEA). Para esse fim, o objetivo deste trabalho é analisar as mudanças ocorridas nos últimos dez anos, que culminou com a aprovação da Lei 12.764/12 (Lei Berenice Piana). A metodologia é de natureza qualitativa, do tipo documental, pois se trata de uma revisão sistemática da literatura do campo da Educação e dos Direitos Humanos. Os aspectos centrais deste estudo voltaram-se para as garantias dos direitos das pessoas com TEA no âmbito da educação e saúde. Durante a realização desse estudo foi observado na literatura, que há abordagens distintas usadas para ajudar na inclusão dos indivíduos com (TEA), todavia com sansão da Lei 12.764/12, esses indivíduos obtiveram uma grande vitória, porém ainda há muito que se fazer.*

PALAVRAS-CHAVE: *Inclusão. Transtorno do espectro autista. Direitos humanos. Inclusão. Educação.*

¹ Federal University of Mato Grosso do Sul (UFMS), Campo Grande – MS – Brazil. PhD student in the Postgraduate Program in Education. ORCID: <https://orcid.org/0000-0002-2685-6611>. E-mail: andrealvarengams@gmail.com

² Federal University of Mato Grosso do Sul (UFMS), Campo Grande – MS – Brazil. Professor in the Postgraduate Program in Education. Post-Doctorate in Education (UNB). ORCID: <https://orcid.org/0000-0002-7937-4448>. E-mail: alexandra.anache@gmail.com

RESUMEN: Este documento aborda los avances que han surgido de los diplomas legales que garantizan los derechos de las personas con trastorno del espectro autista (TEA). Con ese fin, el objetivo de este trabajo es analizar los cambios que han ocurrido en los últimos diez años, que culminaron con la aprobación de la Ley 12.764 / 12 (Lei Berenice Piana). La metodología es de naturaleza cualitativa, de tipo documental, ya que es una revisión sistemática de la literatura en el campo de la Educación y los Derechos Humanos. Los aspectos centrales de este estudio se centraron en garantizar los derechos de las personas con TEA en el campo de la educación y la salud. Durante la realización de este estudio, se observó en la literatura que existen diferentes enfoques utilizados para ayudar a la inclusión de personas con TEA, sin embargo, con la sanción de la Ley 12.764 / 12, estas personas obtuvieron una gran victoria, pero aún queda mucho por hacer.

PALABRAS CLAVE: Inclusión. Trastorno del espectro autista. Derechos humanos. Inclusión. Educación.

Introduction

This work addresses the advances and challenges that emerged from the legal diplomas that ensured the rights of people with Autistic Spectrum Disorder (ASD). To this end, the objective of this work was to analyze the changes that occurred in the last ten years, which culminated in the approval of Law 12,764/2012 (Berenice Piana Law) (BRASIL, 2012).

Autistic Spectrum Disorder (ASD) impacts the communication, social interaction, imagination and behavior of the individual, which can cause losses in the social and intellectual development of these people. This disorder can vary in mild, moderate and severe degree, which requires thorough assessments to identify your learning needs and possibilities.

Considering the conceptual changes on the understanding of the characteristics of individuals with ASD, which demonstrated that there is a range of specific behaviors and needs, we question whether the legal diplomas produced at the national level ensure the rights to goods and services made available to society for this public. In view of this assumption, the problem of this study focused on the following question: What are the main changes in legislation regarding the rights of people with ASD? In order to answer this question, the general objective of this study is to know the changes in the legislation regarding the rights of people with disabilities and with (TEA).

The methodology used in this study was of a qualitative nature, of exploratory documentary nature and of bibliographic revision, on the Education of people with Autistic Spectrum Disorder (ASD) and on Human Rights. According to Minayo (2010) this type of research seeks to “unveil” social processes that are still little known and that belong to particular

groups, providing the construction or review of new approaches, concepts and categories related to the studied phenomenon.

Documentary research, as an investigation method, seeks social reality that does not bring a single philosophical conception of research, can be used both in approaches of a positivist nature as well as those of a comprehensive character, with a more critical focus (SILVA et al., 2009). According to Bravo (1991), all the achievements produced by man are documents that show themselves as evidence of his action and that can reveal his ideas, opinions and ways of acting and living. In this conception it is possible to point out several types of documents: the writings; numerical or statistical; those of sound and image reproduction; and the object documents, among others, which is the case of this research that looked at the laws and decrees in force in the country for the construction of the study.

Exploratory research contributes to systematize the set of productions, supporting explanations on the subject studied (SEVERINO, 2007, p. 13). According to Denzin and Lincoln (2006) the researcher is dedicated to the study of situations in the past, which can be associated with present situations, in relation to one or some of the social units: individual (s), group (s), institution (s), community (s) for the conduct of a research or study.

We centered our research on published and open access scientific articles, available in the database of the Coordination for the Improvement of Higher Education Personnel - CAPES, produced in the period 2010-2020. This period was marked by the promulgation of a set of legal diplomas of international and national scope, among which are the Federative Constitution of Brazil of 1988, Brazilian Law 7,853/89 that deals with the People with Disability, Accessibility Law, No. 10,098/2000, Salamanca Declaration (1994), 2006 Convention on the Rights of Persons with Disabilities (UN), ratified in Brazil in 2008, Decree 6.949 of 25 August 2009, Promulgates the International Convention on the Rights of Persons with Disabilities and its Optional Protocol, signed in New York, on 30 March 2007. Law No. 13,146, of Instituting the Brazilian Law for Inclusion of Persons with Disabilities (Statute for Persons with Disabilities) 6 July 2015 and Law 12,764/12 (Berenice Piana Law) (BRASIL, 1988; 1989; 2000; 2009; 2015; 2012).

We selected the scientific articles retrieved with the descriptors, namely: rights of people with Autistic Spectrum Disorder and Education of People with Autistic Spectrum Disorder, available in the database from January to June 2020.

The research of academic productions was carried out in line with what the integrative literature review seeks, which aims to systematize the scientific knowledge produced on the

subject on screen. About this, Botelho, Cunha and Macedo (2011, p. 133) teaches us that this method can be

[...] incorporated into research carried out in other areas of knowledge, in addition to the areas of health and education, due to the fact that it enables the ability to systematize scientific knowledge and in such a way that the researcher approaches the problem he wishes to appreciate, outlining an overview of his scientific production to learn about the evolution of the theme over time and, with that, to visualize possible research opportunities (our translation).

It is intended, within the limits of this space, to present the set of academic productions that have studied the rights to education of people with Autistic Spectrum Disorder (ASD), considering the legal provisions ensured in current legislation.

Conceptual aspects of Autism Spectrum Disorder

The predominant discourse of inclusion and equality in the globalized world stood out for the recognition among the subjects and for the respect for differences. This means stating that their cultural values need to be recognized in their specificities, as they are determining factors in the constitution of social relationships, so it is necessary to understand that the concept of people with disabilities is built according to these values. Autistic Spectrum Disorder is also classified as a disability in 2012 and ratified in 2015 with the Statute of the Person Disability. It should be noted that it is a concept that has been modified over time, considering the scientific advances on the specificities that make up this spectrum. According to Schimidt (2012),

The concept of autism as we know it today arises mainly from Kanner's initial publications (1943), followed by Kolvin (1971) and Rutter (1972), which differentiated it from childhood psychoses, being definitively consolidated as a developmental disorder through international manuals of classification DSM-III (APA, 1986) and ICD-10 (WHO, 1992). Even today, the concept remains in continuous review, with new and important changes being proposed for its characterization in the DSM-V (our translation).

In the Diagnostic and Statistical Manual (DSMV), which was created by the American Psychiatric Association dedicated to the diagnosis of mental disorders, launched on 22 May 2013, the ASD encompasses the variations of this disorder, which in previous editions were called: early childhood autism, infantile autism, Kanner's autism, high functioning autism, atypical autism, unspecified global developmental disorder, childhood disintegrative disorder and Asperger's Disorder. The diagnoses consider the severity level in relation to the interaction and communication. They are classified according to the level of severity, namely: 1. requiring

support; 2. requiring substantial support and 3: requiring very substantial support (DSMV, 2013). Thus, the person diagnosed with these characteristics needs educational and health investments so that he can achieve success in his academic, work and other activities in daily life. This right is guaranteed in art. 3, item IV, article 205 and article 206, item I of the 1988 Federal Constitution.

Despite the conceptual changes on ASD, which express a greater understanding of its characteristics, each family has its belief in this disorder, which can generate feelings, attitudes, impacting the acceptance and overcoming of the adversities imposed by the condition of the affected person. For example, some family members understand that autism is synonymous with social isolation, and, therefore, avoid maintaining relationships with them - a situation that may become even worse, deepening their difficulties in social interaction. In this regard, it is important to highlight that it is crucial that the person with (ASD) be able to develop social skills, which can help him to have a more appropriate interaction with the social environment. Silva, Araújo and Almeida, (2016) argue that sometimes simple and very small changes can make a big difference in the behavioral change of individuals with ASD.

Andrade (2017) states that there are several forms of manifestation of autism, which may vary in degree, thereby justifying the use of the word spectrum. In addition, each person with similar characteristics of ASD has different attributes, which are expressed in their behavior. This conclusion was endorsed in our experiences in evaluations of univitelino twins. Therefore, it becomes challenging for professionals to build work proposals that promote the education of these individuals, considering their specificities (SANTOS; VIEIRA, 2017). Therefore, it is essential to recognize that students with ASD have limits and possibilities, which must be considered and explored, respectively (STRIEDER; ZIMMERMANN, 2010). The Inclusive Education principle argues that it is necessary to build conditions so that everyone can indistinctly enjoy society's goods and services, without any type of discrimination, as ensured by the Brazilian Constitution of 1988, aiming to overcome the concept of disability based on capacitism, that is, is a term used among people with disabilities, when their ability to perform certain activities is questioned.

According to Telles, (2010) it appears that the public policy scenario related to the person with disabilities changes entirely from the framework of the United Nations (UN) Convention on the Rights of Persons with Disabilities, 2006, ratified by Brazil in 2008, moving from the integration model to the inclusive society, which the political movement of people with disabilities, worked hard to reach a new level of human dignity, despite the fact that it still lives with remnants of segregation. In the studies by (DIGIROLAMO, 2010, p. 42), the UN

Convention on the Rights of Persons with Disabilities stands out, ratified by the Brazilian government in 2008, which reiterates the need for States to take measures to ensure access people with disabilities to health and education services, this event represents an important advance, from its elaboration to its completion, and people with disabilities were protagonists in the construction of this public policy so that they were recognized in their autonomy, the right to do their own choice, independent life and non-discrimination through the motto “Nothing above us nor without us” (JUNIOR, 2010).

Legal aspects of people with ASD

Since the 1988 Constitution, Brazil has developed a set of legal instruments to ensure that the rights of people with disabilities are guaranteed. Thus, we elected as milestones of achievements in this regard. We list the main laws that address the subject in reference.

We first bring Federal Law No. 12,764/2012, of 27 December 2012, which institutes the National Policy for the Protection of the Rights of People with Autism Spectrum Disorder; and amends § 3 of art. 98 of Law 8,112, of 11 December 1990. The said Law resulted from a project (PLS 168/2011) authored by the Commission on Human Rights and Participatory Legislation (CDH), chaired by Senator Paulo Paim (PT-RS). The Supplementary Law Project (PLS), which establishes the fundamental rights of the autistic person and equates them with the other person with disability for all legal purposes, creates a unique register with the purpose of producing national statistics on the subject. Although the Law establishes the creation of a unique registry for people with ASD in 2012, only 8 years later in 2020, that because of the social movements of fathers and mothers of autistic people and adult autists themselves that the Presidency of the Republic of Brazil,

approves Bill 2,573/2019, which created the Identification Card for People with Autism Spectrum Disorder, which was approved by the National Congress on 11 December 2019. The proposal was presented by federal deputy Rejane Dias (PT -PI) and amended provisions of Law 12,764, of 2012, which instituted the National Policy for the Protection of the Rights of People with Autism Spectrum Disorder, which guarantees priority in the areas of health, education and social assistance (AGÊNCIA BRASIL, 2020, our translation).

The advances were significant from the social point of view and, given the progress made, some frameworks are still need as highlighted by Agência Brasil,

The card will be issued by the bodies responsible for implementing the policy for the protection of the rights of people with autism spectrum disorder in the

states, the Federal District and the municipalities, upon request, accompanied by a medical report, indicating the code of the International Statistical Classification of Diseases and Health-Related Problems (CID) (AGÊNCIA BRASIL, 2020, our translation).

In 2019, the Presidency of the Republic of Brazil publishes Law No. 13,861/2019, sanctioned that deals with the inclusion of specific information about people with autism, in the demographic censuses carried out from 2019 onwards by the Brazilian Institute of Geography and Statistics (IBGE) (AGÊNCIA BRASIL, 2020).

Being thus a preponderant factor for the monitoring and mapping in Brazil of people with Autism Spectrum Disorder, as Municipalities, States and the Union do not have official records on the quantification of people with this disorder, and from this census, it will be possible quantify and propose more effective public policies for this portion of the population.

Federal Decree No. 8,368/2014, of 2 December 2014, which regulated Law No. 12,764, is a Constitutional Amendment that ensures the rights and obligations provided for in the International Convention on the Rights of Persons with Disabilities and its Optional Protocol, promulgated by Decree No. 6,949, of 25 August 2009, including individuals diagnosed with ASD (CAMARA DOS DEPUTADOS, 2014). Thus, this group could have the same rights to education and other goods and services in society ensured by the aforementioned Law. In time, Silva (2017, p. 24), affirms that the conquest of rights was supported by Berenice Piana, mother of one autistic boy, who decided to denounce the situation of Brazilian autistic people and to start the fight for the elaboration of laws and public policies that included individuals with ASD, who were always relegated to their own fortunes.

Berenice Piana represents the collective of people who experienced the difficulties of diagnosis to obtain specialized care and adequate school education. Cavaco (*apud* SILVA; ARAÚJO; ALMEIDA, 2016) comments that many parents complain that they do not have time to read or understand theories about ASD, and therefore the importance of Law 12,764/12 (Law Berenice Piana-LBP), which, through accessible language, makes explicit the laws relevant to individuals with (ASD). From the promulgation of the LBP, individuals with (ASD) began to enjoy the same rights as other people with disabilities, which in this tuning we bring up Law No. 13,146, of 6 July 2015, which provides for the Brazilian Law Inclusion of Persons with Disabilities, better known as the Statute of Person with Disability, to provide the necessary support and legal support, which legitimize Federal Law No. 12,764/2012. Gabrilly (2015) points out that in line with this scenario, the Statute of the Person with Disabilities (EPCD), brought news to the Brazilian legislative order, having expressed in the text of the LBI, *in verbis*:

Art. 1 The Brazilian Law for the Inclusion of Person with Disability (Statute of Person with Disability) is established, aimed at ensuring and promoting, on equal terms, the exercise of fundamental rights and freedoms by persons with disabilities, aiming at their social inclusion and citizenship. Single paragraph. This Law is based on the Convention on the Rights of Persons with Disabilities and its Optional Protocol, ratified by the National Congress through Legislative Decree No. 186, of 9 July 2008, in accordance with the procedure provided for in § 3 of art. 5th of the Constitution of the Federative Republic of Brazil, in force for Brazil, on the external legal level, since 31 August 2008, and promulgated by Decree No. 6,949, of 25 August 2009, the effective date of the internal plan (our translation).

Although Brazil has ratified the most important international human rights treaties and advances in the elaboration and promulgation of Brazilian legal diplomas, the reality is one of inequality and exclusion (SILVA, 2017, p. 43). In this perspective Tibyriça (2015), comments that it is the role of the State to develop the necessary mechanisms to ensure social harmony and the same conditions of existence for all members of society. And, also, it is its function to correct eventual deviations when the fundamental rights are not respected. Thus, this set of duties of the State includes the defense of fundamental rights. With regard to people with disabilities, it is the duty of the Brazilian State to protect them from inequality so that everyone has the right to a dignified life.

People with disabilities remained out of the social context for many years, as they were considered unable to adapt to this context, and throughout history they needed to fight for their interests by drawing attention to their limitations with this was possible to begin a major change in the process of social inclusion.

According to the last Brazilian census of 2010, it is considered that there are around 25 million Brazilians with some type of disability, that is, approximately 15% of the population. As for the appropriate terminology, terms such as exceptional, disabled, disabled person or person with special needs are no longer used, for this reason, this study explains that the appropriate terminology is a person with disability (COEPEDE, 2011).

In this line of reasoning, reflecting on the issue of the rights of people with disabilities, especially of the individual with ASD, today means discussing citizenship and democracy, social equality and respect for differences.

Thinking about the same issue in the Brazilian context requires us to carry out a series of analyzes that involve social justice and human rights and lead us to consider the countless economic and social impositions that make this part of the population a radical example of social exclusion in our country (IBDD, 2008). In the year 2000, Law No. 10,098/2000 (Accessibility Law) was created, which gives the understanding that accessibility is the

possibility and condition of reach for the use, with safety and autonomy, of spaces, furniture and urban equipment, of buildings, transport and systems and means of communication, for people with disabilities or with reduced mobility, being an advance for all people with disabilities (BRASIL, 2000).

In view of the above, it appears that one of the missions of the Democratic Rule of Law is to protect and safeguard the rights considered fundamental by Brazilians. Thus, the main task of the State is to ensure and provide the means and elements to ensure the skills, aspirations and desires of individuals.

And the foundations of the Democratic State under Brazilian Law are based on sovereignty, citizenship, human dignity, freedoms, equality, social values of work, free enterprise and pluralism (GONÇALVES, 2015). Within this context, it is pointed out that addressing the inclusion laws and all their legal provisions in Brazil for the individual with (ASD) and for any other citizen with a disability, is talking about democracy and human rights.

Advances and challenges in the education of people with ASD based on legal diplomas

The advances established in Brazilian society until now in the field of education, human rights and the person with disabilities and the person with (ASD), were many, but having these advances and not seeing them practiced is an unreasonable mismatch. In view of the above, 14 articles were found in the CAPES database, with the aforementioned descriptors, 12 of which addressed topics related to the Education of People with ASD and 2 papers were captured with the descriptor Right to Education for people with ASD. They were analyzed and characterized, considering the theoretical methodological framework and respective contributions regarding the inclusion of the person with ASD through the provisions of the Legal Diplomas presented in this study.

The sources of the scientific journals that composed this study are of national and international origin, one of which fits the A2 concept and the others received the concepts B1, B2, B3 and B4. We found 1 article published in 2012 and 2 in 2013, 2 in 2015, 1 in 2017, 1 in 2018 and 3 in 2019. There is a slight increase in academic production in the last 5 years.

The methodology used in the works were: exploratory studies of the literature, and the other works used case studies, focus groups, interviews, construction of scales, document analysis and social network analysis. This is a methodological trend used in the field of Special Education. Study participants were children, adolescents, family members and teachers. There was a lack of research on adults with autism.

The theoretical references used for the analysis of the results were: 3 in the cultural history (2), psychoanalysis (2), behavior analysis (1), socioecological (1), cognitive (1), psychometry (1), analysis of social networks (1). Most of this information was not available in the abstracts, as required by the technical standards for the presentation of scientific articles.

The subjects of the articles were the results of research aimed at analyzing: the educational conditions of students with autism (MORI, 2016), the social competence of children in an educational context (CAMARGO; BOSA, 2012), the perception of children in regular education (CANEDA; CHAVES, 2015), the challenges of teaching practice in accompanying a child with autism (LUZ; GOMES; LIRA, 2017), the trends in academic production of people with ASD in the field of Psychology and Education (GUEDES; TADA, 2015), public opinion on autism (ORTEGA et al., 2013), analysis of the content of social networks (ROSSI, et al., 2018), proposed scale to assess quality of life of individuals with autism (CUESTA GÓMEZ; GRAU; FERNÁNDEZ, 2013), proposed evaluation protocol for children with autism (MARQUES; BOSA, 2015), analysis of the relationships between scientific research on autism and society, focusing on Expertise and Experience (RIOS, 2019), research on psychotherapy and its relationship between children and their parents (RAMIRES et al., 2019), and a documentary study of the registration of criteria for indicating specialized care for individuals with autism (ARAÚJO; VERAS; VARELLA, 2019). In view of the above, we identified the predominance of studies limited to case studies in educational settings, service networks, diagnostics and health care. The concept of autism referenced in ten texts is close to the concept mentioned in article 1, paragraph 1, law no. 12,764, of 27 December 2012, which are considered to be people with autism spectrum disorder who present with clinical syndrome characterized as follows:

I - persistent and clinically significant deficiency in communication and social interaction, manifested by marked deficiency in verbal and non-verbal communication used for social interaction; absence of social reciprocity; failure to develop and maintain relationships appropriate to their level of development;

II - restrictive and repetitive patterns of behaviors, interests and activities, manifested by stereotyped motor or verbal behaviors or by unusual sensory behaviors; excessive adherence to ritualized behavior patterns and routines; restricted and fixed interests.

Note that there are efforts by the authors to consider individuals with ASD as people with disabilities, requiring the rights to obtain adequate care in the health and education service networks. Nevertheless, a study was identified that studied public opinion on autism and found an association between this atypical development condition and disease (SILVA DA LUZ;

GOMES; LIRA, 2017). Pessotti (1984) reported that Esquirol made the distinction between “madness and idiocy” (terms used at the time).

Simões (2019) teaches that;

until then, these were seen as different situations of the same state. Esquirol is the main incentive for the consolidation of a negation of idiocy. For the author, idiocy is not a disease, but a state notably characterized by absences and deficiencies in the manifestations of intellectual faculties and their development. For him, such shortcomings and absences end up making educational processes impossible. Many other important intellectuals followed, reformulated and refined Esquirol's fatalistic theoretical indications (our translation).

Considering the complexity of the two concepts, we risk to affirm that the disease is an alteration that can be a physical and mental order that compromises the balance of the individual, and depending on its extension it can cause limitations for the people affected. It can be chronic, controllable and transient. Disability implies understanding the social condition in which it is inserted, as taught by Diniz (2003, p. 1, our translation):

Disability should be understood as a broad and relational concept. Disability is any form of disadvantage resulting from the relationship between the body and injuries and society. Injury, in turn, encompasses chronic diseases, deviations or traumas that, in relation to the environment, imply restrictions of skills considered common to people of the same age and sex in each society. I remember that disability is a concept applied to situations of health and illness and, to some extent, it is related to societies where disabled people live.

With regard to health, the studies demonstrated efforts to assist individuals with ASD, building protocols and scales. However, the work of Araújo, Veras and Varella (2019) demonstrates the need for caution for the adoption of criteria for the indication of therapeutic approaches for these people. Nevertheless, they managed to identify that there are advances in Brazilian politics to meet the specific needs of this audience, as these authors assert:

The progress of Brazilian health policy is a concrete fact, which is consolidated by measures gradually implemented to provide well-being and comprehensive and humanized assistance to people with ASD. This fact becomes more important when the concern for policies that meet the demands of people with ASD is observed, in a specific way. The efforts of the Ministry of Health to organize a care network and offer specialized rehabilitation services are of great relevance and are consistent with SUS principles. Thus, it is important to highlight and recognize these advances and efforts; but also, to recognize the need to better define the roles of the institutions involved in specialized care and the rehabilitation services (based on evidence) that will be offered by professionals qualified for their practice (ARAÚJO; VERAS; VARELLA, 2019, p. 96, our translation).

The articles that made reference to the education of children with autism, and, defended the need to expand studies on the learning processes, with an emphasis on building appropriate methodological strategies for the schooling process to take effect. They alluded about the precarious conditions of the Brazilian educational system for this right to be effective.

Mori (2016), taking advantage of the difficulties reported by the school community about the type of inclusion that students with ASD experience in Brazilian schools, presents the debate on the feasibility of including all children with this characteristic. She argued in favor of total inclusion and defends the need to transform the school into a space for the encounter between differences. With an emphasis on the transforming power of school-based learning, the author states that it is necessary to invest in research on the specifics of this condition, according to his statement:

We still know little about how to deal with students with disorders at school. Under the prism of development through teaching, we can move beyond education as a right and establish more transformative bases for studies and pedagogical practices with these students (MORI, 2016, p. 58, our translation).

Guedes and Tada (2015), corroborate the need for greater investments in all areas and indicate that there have been advances in understanding the characteristics of ASD, however, through some theoretical divergences, they emphasize the need for studies on the etiological factors, which reflect on the different ways of serving and educating these people. And for that, investments must be directed towards the production of knowledge about the limits and possibilities of these people so that social inclusion occurs in order to guarantee a better quality of life for them. The authors warn that the divergence of ideas about this disorder is not a limiting factor, but, contradictorily, it may represent a propitious field for building solutions for the care and monitoring of this group of people.

Given the above, the set of available literature on the subject in question is still scarce, requiring research on the impact of advances in public policies that make goods and services feasible for people with autism, but, for this, it is essential that other studies on educational characteristics and processes gain centrality.

Final considerations

The approval of Law 12,764/12, called Berenice Piana, expressed the effort of family members and people who have autistic characteristics to have the same rights to special goods and services ensured in the Brazilian Inclusion Law (2015) (BRASIL, 2012). In addition to this,

the conceptual changes on the characteristics of this group that have been moving at the international and national levels, which recognized the heterogeneity of autistic behaviors (spectrum), and, therefore, the identification methods in the health field must be improved, as well as in the school context, educational plans should meet the specific needs of each student, guiding the evaluation processes.

In spite of what is provided for in the legislation in force, which ensured the right to education for all, the medical report is still a condition for the student to have special accompaniments. Added to this, the importance that school members give to knowledge about disability and its characteristics, when to teach anyone, you need to know their learning processes, their motivations, their relationships with knowledge and with school life.

The principle of inclusive education is built daily through pedagogical actions and relationships, requiring substantial changes in the organization and management of didactic work. In this sense, the set of academic productions identified in this study, signaled the need for investments in research that is dedicated to the field of education of these people, since human beings are constituted and transformed in the movement that their living conditions.

The importance of the achievements declared in each article and the current legal diplomas is emphasized, however, we need to move forward so that respect for differences is the pillar of social relations.

REFERENCES

AGÊNCIA BRASIL. **Bolsonaro sanciona lei que institui carteira nacional do autista.** Available: <https://agenciabrasil.ebc.com.br/politica/noticia/2020-01/bolsonaro-sanciona-lei-que-institui-carteira-nacional-do-autista>. Access: 10 June 2020.

ANDRADE, J. M. **Teoria e prática da educação especial.** Manaus; UEA Edições, 2017.

ARAÚJO, J. A. M. R.; VERAS, A. B.; VARELLA, A. A. B. Breves considerações sobre a atenção à pessoa com transtorno do espectro autista na rede pública de saúde. **Rev. Psicol. Saúde**, Campo Grande, v. 11, n. 1, jan./abr. 2019.

ARAÚJO, L. A.; COSTA FILHO, W. M. O estatuto da pessoa com deficiência – EPCD (Lei 13.146, de 06.07.2015): algumas novidades. **Revista dos Tribunais**, v. 962, p. 65-80, 2015.

BASIL. **Lei n. 12.764, de 27 de dezembro de 2012.** Institui a Política Nacional de Proteção dos Direitos da Pessoa com Transtorno do Espectro Autista; e altera o § 3o do art. 98 da Lei no 8.112, de 11 de dezembro de 1990. Brasília, DF, 28 dez. 2012. Available: <https://www2.camara.leg.br/legin/fed/lei/2012/lei-12764-27-dezembro-2012-774838-publicacaooriginal-138466-pl.html>. Access: 12 June 2020.

BOTELHO, L. L. R.; CUNHA, C. C. A.; MACEDO, M. O método da revisão integrativa nos estudos organizacionais. **Gestão e Sociedade**, Belo Horizonte, v. 5, n. 11, p. 121-136, maio/ago. 2011.

BRASIL. **Constituição da República Federativa do Brasil**. Brasília: Senado Federal, 1988.

BRASIL. **Decreto n. 8.368, de 02 de dezembro de 2014**. Regulamenta a Lei nº 12.764, de 27 de dezembro de 2012, que institui a Política Nacional de Proteção dos Direitos da Pessoa com Transtorno do Espectro Autista. Brasília, DF, 3 dez. 2014. Available: <https://www2.camara.leg.br/legin/fed/decret/2014/decreto-8368-2-dezembro-2014-779648-publicacaooriginal-145511-pe.html>. Access: 12 Dec. 2020.

BRASIL. **Decreto n. 8.368, de 2 de dezembro de 2014**. Regulamenta a Lei nº 12.764, de 27 de dezembro de 2012, que institui a Política Nacional de Proteção dos Direitos da Pessoa com Transtorno do Espectro Autista. Brasília, 3 dez. 2014. Available: <https://www2.camara.leg.br/legin/fed/decret/2014/decreto-8368-2-dezembro-2014-779648-publicacaooriginal-145511-pe.html>. Access: 08 June 2020.

BRASIL. **Lei n. 10.098, de 19 de dezembro de 2000**. Estabelece normas gerais e critérios básicos para a promoção da acessibilidade das pessoas portadoras de deficiência ou com mobilidade reduzida, e dá outras providências. Brasília, 20 dez. 2000. Available: <https://www2.camara.leg.br/legin/fed/lei/2000/lei-10098-19-dezembro-2000-377651-publicacaooriginal-1-pl.html>. Access: 12 June 2020.

BRASIL. **Lei n. 13.146, de 6 de julho de 2015**. Dispõe sobre a Lei Brasileira de Inclusão da Pessoa com Deficiência. Brasília, DF, 7 jul. 2015. Available: http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2015/lei/113146.htm. Access: 25 May 2020.

BRASIL. **Lei n. 13.861, de 18 de julho de 2019**. Os censos demográficos realizados a partir de 2019 incluirão as especificidades inerentes ao transtorno do espectro autista, em consonância com o § 2º do art. 1º da Lei nº 12.764, de 27 de dezembro de 2012. Brasília, DF, 19 jul. 2019. Available: http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/lei/L13861.htm. Access: 8 June 2020.

BRASIL. **Lei n. 13.977, de 8 de janeiro de 2020**, Lei, denominada “Lei Romeo Mion”, altera a Lei nº 12.764, de 27 de dezembro de 2012 (Lei Berenice Piana), e a Lei nº 9.265, de 12 de fevereiro de 1996 (Lei da Gratuidade dos Atos de Cidadania), para criar a Carteira de Identificação da Pessoa com Transtorno do Espectro Autista (Ciptea), de expedição gratuita. Brasília, DF, 9 jan. 2020. Available: http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2020/lei/L13977.htm. Access: 8 June 2020.

BRASIL. **Lei n. 7.853, de 24 de outubro de 1989**. Dispõe sobre o apoio às pessoas portadoras de deficiência, sua integração social, sobre a Coordenadoria Nacional para Integração da Pessoa Portadora de Deficiência - Corde, institui a tutela jurisdicional de interesses coletivos ou difusos dessas pessoas, disciplina a atuação do Ministério Público, define crimes, e dá outras providências. Brasília, DF, 25 out. 1989. Available: http://www.planalto.gov.br/ccivil_03/leis/17853.htm. Access: 15 June 2020.

BRAVO, R. S. Técnicas de investigação social: **Teoria e ejercicios**. 7. ed. Madrid: Paraninfo, 1991.

CAMARGO, S. P. H.; BOSA, C. A. Competência social, inclusão escolar e autismo: um estudo de caso comparativo. **Psicologia: Teoria e Pesquisa**, Brasília, v. 28, n. 3, p. 315-324, jul./set. 2012. Available: <https://periodicos.unb.br/index.php/revistaptp/article/view/18165>. Access: 30 May 2020.

CANEDA, C. R. G.; CHAVES, T. M. L. A percepção do professor e do tutor frente à inclusão da criança com autismo no ensino regular. **Aletheia**, Canoas, n. 46, p. 142-158, abr. 2015. Available: http://pepsic.bvsalud.org/scielo.php?script=sci_arttext&pid=S1413-03942015000100012&lng=pt&nrm=iso. Access: 30 June 2020.

COEPEDE. Conselho Estadual dos Direitos da Pessoa com Deficiência. **Folheto sobre Direitos Humanos, Direitos da Pessoa com Deficiência, Incidência da Deficiência, Terminologia**. 2011.

CUESTA GOMES, J. L.; GRAU RUBIO, C.; FERNÁNDEZ HAWRYLAK, M. Calidad de vida: evaluación y trastornos del espectro del autismo. **Revista Iberoamericana de educación**, n. 63, p. 161-179, 2013. Available: <https://rieoei.org/historico/documentos/rie63a11.pdf>. Access: 30 June 2020.

DECLARAÇÃO DE SALAMANCA. 1994. Available: <http://portal.mec.gov.br/seesp/arquivos/pdf/salamanca.pdf>. Access: 10 June 2020.

DENZIN, N. K.; LINCOLN, Y. (orgs). **Planejamento da pesquisa qualitativa: teorias e abordagens**. 2. ed. Porto Alegre: ARTMED, 2006.

DENZIN, N. K.; LINCOLN, Y. **A disciplina e a prática da pesquisa qualitativa**. 1. ed. Porto Alegre: ARTMED, 2006.

DIGIROLAMO, F. P. Sexualidade da pessoa com deficiência pós ratificação da Convenção da ONU. *In*: SEMINÁRIO NACIONAL DE SAÚDE: DIREITOS SEXUAIS E REPRODUTIVOS E PESSOAS COM DEFICIÊNCIA, 1., 2010, Brasília. **Anais [...]**. Brasília: Ministério da Saúde, 2010.

DINIZ, D. **Modelo social da deficiência: a crítica feminista**. Brasília: Letras Livres, 2003.

GIL, A. C. **Como elaborar projetos de pesquisa**. 5. ed. São Paulo: Atlas, 2010.

GUEDES, N. P. S.; TADA, I. N. C. A Produção Científica Brasileira sobre Autismo em Psicologia e Educação. **Psicologia: Teoria e Pesquisa**, Brasília, v. 31, n. 3, p. 303-309, set. 2015. Available http://www.scielo.br/scielo.php?script=sci_arttext&pid=S0102-37722015000300303&lng=en&nrm=iso. Access: 30 June 2020. DOI: <https://doi.org/10.1590/0102-37722015032188303309>

IBDD. Instituto Brasileiro dos Direitos da Pessoa com Deficiência. **Inclusão social da pessoa com deficiência: medidas que fazem a diferença**. Rio de Janeiro: IBDD, 2008.

JEANE A. M. R. A.; VARELLA A. B. Breves Considerações Sobre a Atenção à Pessoa com Transtorno do Espectro Autista na Rede Pública de Saúde. **Revista Psicologia e Saúde**, v. 11, n. 1, p. 89-98, jan. 2019. Available: <http://www.psicc.unb.br/images/livros/psicologia-clinica-e-cultura-contemporanea.pdf>. Access: 30 June 2020.

JUNIOR, M. C. M. L. **História do Movimento Político das Pessoas com Deficiência no Brasil**. Brasil: Secretária de Direitos Humanos, 2010.

MARQUES, D. F.; BOSA, C. A. Protocolo de Avaliação de Crianças com Autismo: Evidências de Validade de Critério. **Psic.: Teor. e Pesq.**, Brasília, v. 31, n. 1, p. 43-51, Mar. 2015. Available: http://www.scielo.br/scielo.php?script=sci_arttext&pid=S0102-37722015000100043&lng=en&nrm=iso. Access: 30 June 2020. DOI: <http://dx.doi.org/10.1590/0102-37722015011085043051>

MINAYO, M.C. S. **O desafio do conhecimento: pesquisa qualitativa em saúde**. 12. ed. São Paulo: Hucitec-Abrasco, 2010.

MORI, N. N. R. Psicologia e educação inclusiva: ensino, aprendizagem e desenvolvimento de alunos com transtornos. **Acta Scientiarum Education**, Maringá, v. 38, n. 1, p. 51-59, jan./mar. 2016.

ORTEGA, F. *et al.* A construção do diagnóstico do autismo em uma rede social virtual brasileira. **Interface**, Botucatu, v. 17, n. 44, p. 119-132, mar. 2013. Available: http://www.scielo.br/scielo.php?script=sci_arttext&pid=S1414-32832013000100010&lng=en&nrm=iso. Access: 30 June 2020. DOI: <http://dx.doi.org/10.1590/S1414-32832013000100010>

PESSOTTI, I. **Deficiência mental: da superstição à ciência**. São paulo: EDUSP, 1984.

RAMIRES, V. R. R. *et al.* Mudanças na psicoterapia psicodinâmica de crianças na visão de pais e mães. **Avances en Psicología Latinoamericana**, Universidad del Rosario, v. 37, n. 1, p. 29-46. 2019. Available: <https://revistas.urosario.edu.co/xml/799/79957990004/index.html>. Access: 30 June 2020.

RIOS, C.; CAMARGO JUNIOR, K. R. Especialismo, especificidade e identidade - como controvérsias no torno do autismo no SUS. **Ciênc. saúde coletiva**, Rio de Janeiro, v. 24, n. 3, p. 1111-1120, março de 2019. Available: http://www.scielo.br/scielo.php?script=sci_arttext&pid=S1413-81232019000301111&lng=en&nrm=iso. Access: 30 June 2020. <https://doi.org/10.1590/1413-81232018243.07862017>

ROSSI, L. P. *et al.* Caminhos Virtuais e Autismo: acesso aos serviços de saúde na perspectiva da Análise de Redes Sociais. **Ciênc. saúde coletiva**, Rio de Janeiro, v. 23, n. 10, p. 3319-3326, out. 2018. Available: http://www.scielo.br/scielo.php?script=sci_arttext&pid=S1413-81232018001003319&lng=pt&nrm=iso. Access: 30 June 2020. DOI: <http://dx.doi.org/10.1590/1413-812320182310.13982018>

SANTOS, R. K.; VIEIRA, A. M. E. C. S. Transtorno do Espectro do Autismo (TEA): do reconhecimento à inclusão no âmbito educacional. **Revista Includere**, Mossoró, v. 3, n. 1, p.

219-232, 2017. Available:

<https://periodicos.ufersa.edu.br/index.php/includere/article/view/7413>. Access: 25 Jan. 2020.

SCHMIDT, C. Temple Grandin e o autismo: uma análise do filme. **Rev. bras. educ. espec.**, Marília, v. 18, n. 2, abr./jun. 2012. Available:

[http://www.scielo.br/scielo.php?script=sci_arttext&pid=S1413-](http://www.scielo.br/scielo.php?script=sci_arttext&pid=S1413-65382012000200002&lng=en&nrm=iso)

[65382012000200002&lng=en&nrm=iso](http://www.scielo.br/scielo.php?script=sci_arttext&pid=S1413-65382012000200002&lng=en&nrm=iso). Access: 16 June 2020

SCHNEIDER, J. A.; LIMBERGER, J.; ANDRETTA, I. Habilidades sociais e drogas: revisão sistemática da produção científica nacional e internacional. **Avances en Psicología Latinoamericana**, v. 34, n. 2, p. 339-350, 2016. Available:

<https://revistas.urosario.edu.co/xml/799/79945606009/index.html>. Access: 30 June 2020.

<https://revistas.urosario.edu.co/xml/799/79945606009/index.html>. Access: 30 June 2020.

SEVERINO, A. J. **Metodologia do trabalho científico**. 23. ed. rev. e atual. São Paulo: Cortez, 2007.

SILVA DA LUZ, M. H.; GOMES, C. A.; LIRA, A. Narrativas sobre a inclusão de uma criança autista: desafios à prática docente. **Educación**, Lima, v. 26, n. 50, p. 123-142, mar. 2017. Available: [http://www.scielo.org.pe/scielo.php?script=sci_arttext&pid=S1019-](http://www.scielo.org.pe/scielo.php?script=sci_arttext&pid=S1019-94032017000100007&lng=es&nrm=iso)

[94032017000100007&lng=es&nrm=iso](http://www.scielo.org.pe/scielo.php?script=sci_arttext&pid=S1019-94032017000100007&lng=es&nrm=iso). Access: 30 June 2020. DOI:

<http://dx.doi.org/http://doi.org/1018800/educacion.201701.007>

<http://dx.doi.org/http://doi.org/1018800/educacion.201701.007>

SILVA, A. J. da. **Autismo, direito e cidadania**. Assembleia Legislativa do Estado do Rio Grande do Sul. Comissão de Cidadania e Direitos Humanos; Rede Gaúcha Pró- Autismo. Alexandre José da Silva. Porto Alegre: Assembleia Legislativa do Rio Grande do Sul, 2017.

SILVA, C. M.; NASCIMENTO, H. T. B. Perturbações do Espectro do Autismo: uma revisão bibliográfica acerca dos benefícios da prática de Educação Física junto aos alunos que têm Necessidades Educativas Especiais. *In*: ANDRADE, J. M. **Teoria e prática da Educação Especial**. Manaus: UEA Edições, 2017.

SILVA, L. R. C.; DAMACENO, A. D.; MARTINS, M. C. R.; SOBRAL, K. M.; FARIAS, I. M. S. Pesquisa Documental: Alternativa Investivativa na Formação Docente. *In*: IX CONGRESSO NACIONAL DE EDUCAÇÃO – EDUCERE, 4.; III Encontro Sul Brasileiro de Psicopedagogia, 3., 2009, Curitiba. **Anais** [...]. Curitiba: PUC-PR, 2009. Available: https://educere.bruc.com.br/arquivo/pdf2009/3124_1712.pdf. Access: 29 June 2020.

SIMÕES, J. Sobre deslizamentos semânticos e as contribuições das teorias de gênero para uma nova abordagem do conceito de deficiência intelectual. **Saúde e Sociedade**, São Paulo, v. 28, n. 3, out. 2019. Available: <https://www.scielo.org/article/sausoc/2019.v28n3/185-197/#>. Access: 29 June 2020.

TELLES, J. L. Direitos Sexuais e Direitos Reprodutivos na Agenda da saúde das Pessoas com Deficiência. *In*: SEMINÁRIO NACIONAL DE SAÚDE: DIREITOS SEXUAIS E REPRODUTIVOS E PESSOAS COM DEFICIÊNCIA, 1., 2010, Brasília. **Anais** [...]. Brasília: Ministério da Saúde, 2010.

TIBYRIÇA, R. F. **Os direitos das pessoas com (TEA) após a Lei 12.769/12 (Lei Berenice Piana): o que mudou?** São Paulo: Defensoria Pública do Estado de São Paulo, 2015.

VIEIRA, C. S. Educação Física para portadores de necessidades especiais (PNEE). *In*: ENCONTRO DE ENSINO, 3., 2009, Recife. **Anais** [...]. Recife, PE: SENAC, 2009.

How to reference this article

SOUZA, A. L. A.; ANACHE, A. A. Education of people with the autistic spectrum disorder: advances and challenges. **Revista on line de Política e Gestão Educacional**, Araraquara, v. 24, n. esp. 2, p. 1035-1053, Sep. 2020. e-ISSN: 1519-9029. DOI: <https://doi.org/10.22633/rpge.v24iesp2.14330>

Submitted: 30/04/2020

Required revisions: 26/06/2020

Approved: 30/07/2020

Published: 30/09/2020

