

**HIGH SCHOOL IN BRAZIL AND FRANCE: CONSIDERATIONS ABOUT THE  
LAW 13.415/2017 THROUGH A COMPARATIVE ANALYSIS**

***O ENSINO MÉDIO NO BRASIL E NA FRANÇA: CONSIDERAÇÕES SOBRE A LEI  
13.415/2017 A PARTIR DE UMA ANÁLISE COMPARATIVA***

***BACHILLERATO EN BRASIL Y FRANCIA: CONSIDERACIONES SOBRE LA LEY  
13.415/2017 A PARTIR DE UN ANÁLISIS COMPARATIVO***

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**ABSTRACT:** This article aims to analyze the propaganda of Law 13.415/2017 on the curriculum reform of Brazilian high school based on models of developed countries. A comparative analysis was carried out between the Brazilian and French educational systems, focusing on the most controversial of the reform: the offer of technical education, conflicting with the formative curriculum for access to higher education. It was also realized that in the model proposed by law 13.415/2017 with regard to entry to technical education as a way of immediate insertion into the labor market and the French model that is closest to the Brazilian's, the Baccalauréat Professionnel, certification offered in the French High School (Lycée) for admission to vocational higher education in professional qualification fields.

**KEYWORDS:** Law 13.415/2017. Brazilian high school. French high school.

**RESUMO:** Este artigo visa analisar a propaganda da lei 13.415/2017 de reforma curricular do ensino médio brasileiro, baseada em modelos de países centrais. Foi realizada uma análise comparativa entre o sistema de ensino Brasileiro e o Francês, focando o ponto mais polêmico da reforma: a oferta do ensino técnico, conflitante com o currículo formativo para o acesso ao ensino superior. Percebemos também algumas distorções no modelo proposto pela lei 13.415/2017 no que se refere ao ingresso ao ensino técnico como via de inserção imediata ao mercado de trabalho e o modelo francês que mais se aproxima deste modelo, o Baccalauréat Professionnel, certificação adquirida no Ensino Médio francês (Lycée) para ingresso ao ensino superior em áreas de formação profissional.

**PALAVRAS-CHAVE:** Lei 13.415/2017. Ensino Médio brasileiro. Ensino Médio francês.

**RESUMEN:** Este artículo objetiva analizar la propaganda de la ley 13.415/2017 para la reforma curricular en la educación secundaria brasileña, con base en modelos de países desarrollados. Realizamos un análisis comparativo entre el sistema educativo brasileño y francés, centrándonos en el punto más controvertido de la reforma: la oferta de educación

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*técnica, en conflicto con el currículo formativo para el acceso a la educación superior. También notamos algunas distorsiones en el modelo propuesto por la ley 13.415/2017 con respecto al ingreso a la educación técnica como medio de inserción inmediata en el mercado laboral y el modelo francés que más se acerca a este modelo, el Baccalauréat Professionnel, certificación adquirida en el secundario francés (Lycée) para la admisión a la educación superior en áreas de formación profesional.*

**PALABRAS-CLAVE:** Ley 13.415/2017. Secundario brasileño. Secundario francés.

## Introduction

The year 2016 was intensely marked by unrest in Brazilian public education. Among the biggest highlights is the impeachment of then-president Dilma Rousseff, who in August had to hand over power to her vice president, Michel Temer, until the fulfillment of the presidential term (2015-2018). With a turbulent passage through the government, Temer promoted several reforms, mainly economic and educational. In February 2017, Temer sanctioned Law 13,415/2017, responsible for changes in the Guidelines and Bases of National Education, with substantial reforms in Secondary Education through a new curricular organization (PIOLLI; SALA, 2021).

Among the main justifications, the Ministry of Education added the need to modernize secondary education, aiming at a curricular model whose molds were influenced by those of developed nations, such as Finland, South Korea, Australia, England, Portugal and France (FERRETI; SILVA, 2017). The organization of subjects and timetables in the school curriculum began to be widely discussed, as well as the offer of technical and vocational education in addition to subjects of the common national base. Hernandez (2019) formulates his criticism of this model based on the veiled intention of meeting the interests of a structural system of domination, in order to expand inequalities by preparing the wealthier social strata for scientific knowledge and other less privileged groups for the labor market. The author emphasizes that

Education systems should compose and organize part of the curriculum according to the relevance they attribute to the curriculum arrangements and their possibilities for offering. Thus, it is impossible to establish a National Education System (SNE), approved by the National Education Plan for the decade 2014 to 2024, for High School, except for Portuguese and Mathematics, in the three years, and English in at least one year, the curriculum will be organized and composed by the education systems as they see fit. This measure favors inequality in schools, as four curricular arrangements are identical to those of the BNCC: languages and its technologies, mathematics and its technologies, natural sciences and its

technologies, human and applied social sciences. However, the fifth option, technical and professional formation, has nothing to do with school content. Schools with greater purchasing power, notably private ones, will be able to offer the four curricular arrangements similar to the BNCC, that is, the school contents, which even constitute the basis for the selection processes for access to higher education, as well as basic contents for the permanence of the students in this type of teaching (HERNANDES, 2019, p. 6-7, our translation).

One of the fundamental points of the argument, which is partially criticized, is the conjectural question when proposing a modernization of the Brazilian educational model starting from already modernized systems, whose nations offer greater social support to expand secondary education course options. Given the condition of development, which distances Brazil from the mentioned nations, it is necessary to clarify that this analysis does not neglect tools available to comparative education studies, such as Franco (1992 *apud* BRANDÃO, 2019) on the individualities and historical processes of the countries taken as objects of study. However, it is valid that this same analysis criterion does not stand out from the criticisms that surround the material conditions that distance such objects, which allows, in addition, an assessment of the subjects of interest in the so-called New Brazilian High School.

For the purpose of comparative analysis, Brazilian secondary education systems were selected, considering their new models from the implementation of Law 13,415/2017 and the French model, which also shows similarities and differences in attractive observations. Alongside the technical issues of the two systems analyzed, it is also sought to investigate aspects of human development in the two nations, in order to clarify criticisms of the agents of interest in the New High School. This second investigation presents as its foundation the need for an assessment of the material conditions that may, eventually, distance Brazil from the successes obtained in French secondary education or in the other countries mentioned.

As will be shown throughout this text, Brazil and France have similarities and specificities. Among the similarities, outside the educational aspect, the populations of each country stand out, in their respective geographic contexts, with Brazil being the second most populous country in the Americas, reaching 213,168,118 inhabitants (IBGE, 2021) and France the most populous in the Western Europe, with 67,422,241 inhabitants (POPULATION DATA, 2021). The same agencies mentioned also point out that the two nations proposed here for analysis occupy a privileged position in the economic ranking of countries with the highest Gross Domestic Product in their respective geographic regions, Brazil being the second largest in the Americas, only behind the United States of America.

France is the third largest in Europe and is only behind the United Kingdom (second place) and Germany (first place). As for the educational level, we propose an analysis of secondary education, considering conjunctural issues in this context.

### **High School in Brazil**

Brazilian education is governed by the Law of Guidelines and Bases for National Education, the LDB (BRASIL, 1996). In this law, the Brazilian educational system is classified into two main levels: basic and higher. Basic Education has three modalities, being pre-school education (4-6 years, non-compulsory), elementary education (minimum nine years duration, mandatory) and secondary education (minimum 3-year duration, mandatory). The higher level is optional and includes undergraduate and postgraduate degrees (divided into *Lato Sensu*, for specialization, improvement and professional training courses; and *Stricto Sensu*, for master's and doctoral programs).

The LDB establishes in its original text that admission to higher education is conditional upon completion of secondary education, subsequent to approval in the selection process. These selection processes basically include tests of general and specific knowledge, and their elaboration may vary according to each institution. This context becomes clearer to be observed in private institutions, due to the adaptation to receive freshmen who often did not have a good preparation in high school, aiming at entering public higher education. In this way, private higher education institutions also have more entrants (MOREIRA; MOREIRA; SOARES, 2018).

However, the responsibility of secondary education in Brazil is not merely limited to “[...] ethical formation and the development of intellectual autonomy and critical thinking”, as set out in Section IV – On Secondary Education of the LDB (1996), considering that approval in the selection process may not be directly linked to these formation criteria. This disconnection between education and preparation in public secondary education for access to public higher education allows Moreira, Moreira and Soares (2018, p. 148, our translation) to conclude that there is a need for “[...] adjustments regarding the organization, management and financing of this teaching modality, which converges to the democratization of access to higher education”.

This concern makes the interest in improving secondary education and access to higher education increasingly evident. In more technical terms, the LDB divides secondary education into three years, in which it seeks to maintain its entire proposal in the formation of

the individual, as well as training for entering to the selection processes of higher education institutions. Concomitantly to this educational model, it is observed that more traditional institutions offer technical and vocational education, whose focus is on preparing the individual for the labor market (CORRÊA; GARCIA, 2018). The modality of technical and professional education is essentially taught in State Technical Schools, the ETECs, having gained greater prominence from the proposed reforms to High School.

It is important to highlight that traditionally, secondary education has as one of its functions the preparation of selection processes for admission to higher education institutions, especially public institutions, regardless of the criteria used to prepare these processes. Data from the Higher Education Census (2019) show that in 2019 alone, enrollments in undergraduate courses correspond to 75.8% (6,523,678 students) in private institutions and 24.2% (2,080,146 students) in public institutions. By considering the students who join higher education institutions from high school formation. Peduzzi (2020) points out that the rate of students entering private higher education institutions in the previous year is 68.5% of students coming from public secondary education and 31.5% from private ones, while public higher education has the admission of 60.1% of public high school students and 39.9% of the private ones. In addition, in undergraduate courses at federal institutions, "[...] at least 50% (fifty percent) of their vacancies are for students who have completed high school in public schools", according to Law 12,711/12 (BRASIL, 2012, our translation).

Law 12,711/12 is a public quota policy whose main objective is to reduce material and racial inequalities inherent to the exclusionary school system, which tends to favor the white population and greater material conditions for access to public higher education, group this one whose preparation takes place in private institutions of secondary and pre-university education (MELERO *et al.*, 2018).

The deficit of entering public secondary education to higher education was taken as a justification for carrying out public-private partnerships, with the purpose of guaranteeing access to private institutions through student financing programs, such as FIES, covering tuition fees of certain courses whose universities are linked to the program, and the student can remedy them after their completion (ROSAR, 2011).

One of the discussions proposed here about New High School is how it can influence the mediation between public and private high school and access to public and private higher education from a class perspective, the same used to understand how such dynamics occur in the French system.

## High School in France

The main structural reforms that underpinned the administration of education as it is known today in France permeates the French Revolution (1789-1799) and the end of absolutism, also gaining influence from Enlightenment thought, ascending in European territory. These events, followed by various social struggles, resulted in the enactment of the law of 28 June 1833, establishing, among other things, the mandatory and free access to school. It is the state's duty to provide at least one primary school for each French commune, with more schools depending on the number of inhabitants (CONCEIÇÃO, 2020).

As the advances and administrative reforms in the French education system took place, many measures were taken not only focusing on qualitative results, but also factors such as student permanence, since, even if free and compulsory, school evasion was perpetuated at worrying levels until the last years of the following century (PROST, 2004).

In structural terms, the French educational system is divided into *École Maternelle* (for children aged 2-5); *École Primaire* (similar to primary education, or fundamental I in Brazil in its last configuration – first to fifth year); *Collège* (similar to fundamental II in Brazil in its last configuration – sixth to ninth grade); the *Lycée* (secondary education, divided into three levels: *Seconde*, *Première* and *Terminale* and groups the population from 15 to 18 years old) and the *Université*, higher education (FRANCE, 2012).

Students in the last year of the *Lycée (terminale)* level take the so-called *Baccalauréat*, developed in 1808 by Napoléon Bonaparte, very similar to the National Secondary Education Examination, the ENEM. It is an oral and written exam and is divided into three different formats, one being chosen according to the interest of each student: the *Baccalauréat Général*, whose achievement attests solid ability to enter higher education called by the French de *La licence* (similar to the baccalaureate and the teaching degree in the Brazilian model); the *Baccalauréat Technologique*, which corresponds to courses in the technological area; and the *Baccalauréat Professionnel*, which focuses on preparing students for the labor market. The choice of each *Baccalauréat* determines what will be attended by each student in the last year of the *Lycée*, in order to guarantee their preparation for taking the exam and, consequently, their admission to higher education (FRANCE, 2012).

It is also of fundamental importance to clarify that the final year is preparatory to these three exams, not necessarily constituting, according to the French Ministry of Education, direct preparation for the labor market, even in the preparatory modality for obtaining the certification *Baccalaureat Professionnel*. “The creation of this diploma aimed to offer

students who failed general education a path that would allow them to continue their schooling, maintain the rate of early dropouts from the system and allow access to the bachelor's degree” (GENDRON, 2008, p. 8, our translation).

Data from the Ministry of Higher Education, Research and Innovation (2019) of France indicate that access to higher education through the *Baccalauréat* certificate in 2019 corresponded to 62.8% of the total of 1,675,100 incoming students in this period, of which 87% were concentrated in the public *lycée* and 13% in the private one. It is worth clarifying that the difference in the relationship between the public and private *lycée*, as well as in the Brazilian scenario, also reflects in greater access to vacancies in quantitative and qualitative terms in France, that is, by trend access to private education in the *lycée terminale* accompanies greater and better opportunities for admission to higher education.

[...] the question of the “efficiency” of the private in relation to the public in the trajectories of students arises regarding social inequalities of success and not just social inequalities of access. If gross performance gaps seem advantageous to the private sector (70% get a *Baccalauréat Général* or *Baccalauréat Technologique* compared to 59% of public students) the differences narrow and are limited to primary when we reason about students made comparable by individual control (PELLET, 2012, p. 187-188, authors’ highlights, our translation).

However, France also has public policies on access to higher education, such policies being very similar to those in Brazil. Coulon (2017) recalls that since 2008 the French federal universities have adopted a program of administrative restructuring of higher education, the *Programme de Restructuration et d'Expansion des Universités Fédérales* (REUNI), whose purposes include the adoption of racial and social ethnic quotas for students from the *lycée publique*; the *Examen National de l'Enseignement Moyen* (ENEM) as an alternative to the search for *Baccalauréat* in its traditional model, benefiting public high school students; the expansion of the number of places and universities to the interior cities, far from the French metropolises.

### **The applicability of law 13,415/2017**

Many questions need to be posed before saying to what extent the Federal Government's propaganda is valid when referring to the educational models of the aforementioned developed nations.

First, it is necessary to return to the technical model in French high school education (*lycée*). This is not a professionalizing model, preparatory to direct entry into the job market,

but to higher education with proposals for courses aimed at professional education and, in general, administrative sectors. In the case of Law 13,415/2017, the first item of the 6th paragraph of Article 36 says that "the inclusion of practical work experiences in the productive sector or in simulation environments, establishing partnerships and making use, when applicable, of instruments established by the legislation on professional apprenticeship", the materialization of this possibility would be materialized, according to the second item, through "[...] granting of intermediate certificates of qualification for work, when the formation is structured and organized in stages with terminality" (our translation). In short, secondary education by itself would be the intermediary between the student and the labor market, not higher education courses that present this proposal. Evidently, this analysis is limited to the French model, however, the lack of this addendum in media advertising is highlighted.

It would not be incorrect to say that this debate occupies a prominent place in the French system. Vocational education in a school environment occurs subtly, not through the *Baccalauréat Professionnel*, as Gendron (2008) reminds us. However, much has been discussed about this title as an intermediary to the labor market. Thirteen years after the publication of his article, this reform was not approved, based on criticisms that gain strength with school dropout rates in professional higher education due to adhesion to a professional career after the conclusion of high school.

As the *Baccalauréat Professionnel* is one of the qualifications required for access to higher education, this possibility must be adapted in order to guarantee the same rights for everyone and to create a real effectiveness of the possibilities of access and success. The latter is particularly important from a lifelong learning perspective. However, for the *Baccalauréat Professionnel* to continue to be a diploma with a vocation for integration, the pursuit of studies immediately after graduation must remain the property of a minority, without, therefore, closing the door to future studies (GENDRON, 2008, p. 17, authors' highlights, our translation)

It is in this aspect that the discussion on the expansion of technical secondary education offers should also guide the impacts on higher education courses that present correlations with those offered by technical education. Although, on the one hand, the expansion of the offer of technical education may reduce interest in courses with wide adherence, such as Administration, Accounting and Business (BARROS, 2015) in low-quality higher education institutions, it is not possible to expect a behavioral change referring to the interest in new possibilities of higher education, since technical secondary education would



already be offering greater access to formation with lower degrees, however, more accessible, something similar to the French experience.

It is important to reaffirm the adversity of dropping out of higher education, often justified by the need for immediate insertion in the labor market, experienced both in France (GENDRON, 2008) and in Brazil (BARROS, 2015). Such insertion in both cases is justified by the unfavorable financial conditions regarding the payment of tuition fees, when it comes to private institutions in Brazil or public and private institutions in France for low-income students who do not obtain exemptions from tuition fees and benefits from student incentive programs. In this way, both in Brazil and in France, a secondary education model that comes to mediate the student's entry directly into the labor market assumes, above all, an assistance function.

Another important point to be discussed refers to interest groups in the public sphere that cherish the implementation of Law 13,415/2017. No justification was found in the review that refer to the support given to the *Baccalauréat Professionnel* in France and, furthermore, there is no model of technical secondary education with a curricular scope that can be compared with the Brazilian model. If the *Baccalauréat Professionnel* is taken as an example, which aims to provide secondary education for admission to higher vocational courses, the justification already presented by Gendron (2008) has been gaining strength in statistical data, which, in addition to having a very low preference, it has greater interest from working-class and underprivileged students (METTETAL, 2020). The Brazilian experience is similar to the French one regarding the target audience of professional areas in higher education. However, the suppression of fields of interest that are in greater demand in Brazil occurs in a different way, through lower degrees (technical education) or short-term professional training.

Along with the technical factors of this analysis, it is also necessary to observe interests that can be classified as ideological, very noticeable through the loosening of the curriculum for teaching performance in this new model, since new demands would arise, and with them, the need to meet several areas for which there is not a satisfactory number of teachers with specific formation, that is, there is a logistical setback whose solution presented by the Temer Government is to relocate education professionals instead of investing in formation, which directly leads to precarious work and in the quality of teaching (FERRETTI, 2018).

The curricular restructuring proposed by Law 13,415/2017, still on a comparative analysis of the French model, is open to criticism when it aims to conduct the educational process considering the “[...] conducting of the 'vocations' and 'choices' of students”

(FURTADO; SILVA, 2020, p. 173, our translation), since the skills acquired in high school would not necessarily be used in an admission exam to higher education, as with the *Baccalauréat* certificate, apart from the fact that, as already mentioned, the technical-vocational education is also not intended to mediate student entry into higher education and, if that were the case, unless the rates of underprivileged students entering the most disputed subjects in professional courses would increase to satisfactory levels, this alternative, maybe, would increase the demand for courses that already have strong adhesion by less privileged students in low-quality higher education institutions, inflating several enterprises benefiting from public-private partnerships of student financing.

### **Final considerations**

In the educational context presented above, Law 13,415/2017 fulfills its objective of implementing yet another reform/rearrangement for Brazilian education in order to meet the demands of the labor market. This legitimizes the progression of the fragmentation and precariousness of Brazilian education, in order to respond to the impositions of capital. The model implemented in France derives from a context of possibilities of choice for students who can attend high school, with their social class being less influential than in the Brazilian context as a determining variable of choice. In addition, unlike the Brazilian proposal, the French opted for a technical education model that does not take on a professionalizing character regarding preparation for direct entry into the labor market, but higher education courses whose proposals are aimed at professional formation in general, with emphasis on administrative areas.

This is because peripheral countries, such as Brazil, tend to insert the working class into production processes from an early age. The consequences of these processes can be seen in the different fronts of services that should attend to social rights. The teaching model aimed at the working class has also been used by pro-Federal media vehicles as a solution to structural unemployment. However, the technical model implemented in French secondary education (*Lycée*) encompasses another type of social structure.

The French-Brazilian contrast is also evident in the processes that the working class goes through during their educational formation. The education that the working class manages to achieve does not give them an option or opportunity to choose: they enter a technical/professional course or a higher education course that perpetuates the permanence of

this individual in the social class to which they already belong, maintaining the status quo and reaffirming the questions of merit.

When thinking about the restructuring of an educational system that presents problems of different aspects, as observed in the Brazilian educational system, it is essential to think about a transition strategically, as well as having a clear capacity to manage the new system once it is established. The Federal Government's contempt for Brazilian education is evident, and it is also possible to observe that, in general, education is being used to internalize the capitalist ideology.

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