ACCESS TO INFORMATION ACT IN PUBLIC EDUCATION: A CASE STUDY AT IF SUDESTE MG

LEI DE ACESSO À INFORMAÇÃO NA EDUCAÇÃO PÚBLICA: UM ESTUDO DE CASO NO IF SUDESTE MG[1]

LEY DE ACCESO A LA INFORMACIÓN EN EDUCACIÓN PÚBLICA: UN ESTUDIO DE CASO EN IF SUDESTE MG

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ABSTRACT: This research aimed to analyze the evolution of transparency as a result of implementation of the Law on Access to Information (LAI) in the IF Sudeste MG, through the correlation between the improvement of active transparency and the effects on requests made in passive transparency. Data collection and analysis followed two stages: (i) analysis and textual observation of the active transparency of the IF Sudeste MG website, in contrast to the provisions contained in the GTA, STA, and indicators of the LAI Panel; (ii) analysis of the evolution of passive transparency, through solicitations of access to the information requested. The study allowed us to identify that active and passive transparency in the IF Sudeste MG presents results above the Federal Government average, with initiatives that go beyond the provision of mandatory information. It also identifies points for necessary improvement in active transparency so that the guidelines and provisions of the LAI are complied with.

KEYWORDS: Access to information act. Educational management. Public policy. Public transparency.

RESUMO: *Esta pesquisa teve como objetivo analisar a evolução da transparência pela implementação da Lei Acesso à Informação (LAI) no IF Sudeste MG, por meio da correlação entre a melhoria da transparência ativa e os reflexos nos pedidos formulados em transparência passiva. A coleta e a análise de dados seguiram duas etapas: (i) análise e observação textual da transparência ativa do sítio eletrônico do IF Sudeste MG, em contraposição às disposições*

Gabriel MYNORO ANIBOLETE; André FERREIRA and Raphael Jonathas da COSTA LIMA

constantes no GTA, STA e indicadores do Painel da LAI; (ii) análise da evolução da transparência passiva, por meio dos pedidos de acesso à informação solicitados. O estudo permitiu identificar que a transparência ativa e passiva no IF Sudeste MG apresenta resultados acima da média do Governo Federal, com a presença de iniciativas que vão além da disponibilização de informações obrigatórias, sendo também identificados pontos de melhoria necessários na transparência ativa, a fim de que sejam cumpridas as orientações e disposições da LAI.

PALAVRAS-CHAVE: *Lei de acesso à informação. Gestão educacional. Políticas públicas. Transparência pública.*

RESUMEN: *Esta investigación tuvo como objetivo analizar la evolución de la transparencia a través de la implementación de la Ley de Acceso a la Información (LAI) en el IF Sudeste MG, a través de la correlación entre la mejora de la transparencia activa y los efectos en las solicitudes realizadas en transparencia pasiva. La recolección y análisis de datos siguió dos etapas: (i) análisis y observación textual de la transparencia activa del sitio web de IF Sudeste MG, en contraste con las disposiciones contenidas en el GTA, STA e indicadores del Panel LAI; (ii) análisis de la evolución de la transparencia pasiva, a través de solicitudes de acceso a la información solicitada. El estudio permitió identificar que la transparencia activa y pasiva en el IF Sudeste MG presenta resultados por encima del promedio del Gobierno Federal, con presencia de iniciativas que van más allá de la provisión de información obligatoria, así como identificar puntos de mejora necesaria en la transparencia activa, con el fin de que se cumplan las directrices y disposiciones de la LAI.*

PALABRAS CLAVE: *Ley de acceso a la información. Gestión educativa. Políticas públicas. Transparencia pública.*

Introduction

The democratic system is recognized for its opposition to other forms of government in which power is held by a single person (monarchy) or a small group (oligarchy). In this sense, as one of its intrinsic manifestations of supremacy over these forms of government, the transparency of power is a divisive mark in the face of absolutist states. For this reason, the requirement of publicity of the acts practiced in a democracy does not occur only with the intention of allowing the governed to control who holds power. Rather, transparency and publicity are in themselves expedients of control, whose scope defines what is or is not lawful, limiting the empire of state power (BOBBIO, 2009).

From the point of view of transparency, therefore, all information held by the state should be publicly accessible, as a rule, secrecy being the exception (BENTO, 2020). Thus, it could be said that the issue would not encounter resistance from public policy actors in modern and consolidated democracies; either to the opposition, for providing themselves and society

with the information to question the government; or to those who govern, for demonstrating their democratic commitment, strengthening their image before public opinion, in addition to ensuring that they will not be excluded from access to information in the future in case of loss of office (BERLINER, 2014; RODRIGUES, 2020a).

Even with the constitutional provision in Article 5, XXXII, of the Federal Constitution of 1988 (FC/88), the right of access to government information in Brazil has remained unfulfilled because there is no broad infra-constitutional regulation. Thus, state bureaucrats were balanced between the protection and duty of secrecy of certain government acts and the right of access to information, since they did not have clear guidelines to guide access requests (PAES, 2011). Only with the enactment of Law No. 12,527/2011, known as the Access to Information Law (LAI), was the right of access, as a corollary of the principle of transparency and publicity, regulated.

Despite the FC/88 recognizing access to information as a fundamental right and the strengthening of the democratic regime with the advent of the LAI, there is still ingrained in the daily practices of the Brazilian State a secrecy-oriented behavior. This is a culture of secrecy manifested officially and unofficially in agencies, departments and sectors, which permeate the actions of state bureaucrats (KROETZ, 2016). Thus, the realization of the right of access to information occurs within the normative framework, but not necessarily in social reality.

Indeed, since the enactment of the LAI, studies have indicated the need to expand the compliance and implementation of the precepts of access to information, pointing out a long gap to be filled so that this right is effectively guaranteed (BATISTA; ROCHA; SANTOS, 2020; LOPES *et al*., 2021; MICHENER; CONTRERAS; NISKIER, 2018; ROCHA; ZUCCOLOTTO; TEIXEIRA, 2020). In the scope of federal public universities in Brazil, the same finding of those studies was also verified, since the findings pointed out the dissonance between the transparency that is formally supported by the ordinance, through laws, decrees and manuals, and that effectively experienced by users (DE LIMA; ABDALLA; LIMA OLIVEIRA, 2020).

Considering, therefore, the previous findings and the importance of the study of access to information as a public policy implementation, the objective of this research is to evaluate the evolution of transparency by the implementation of the Access to Information Law (LAI) in a federal educational institution, more specifically, the Federal Institute of Southeastern Minas Gerais (IF Sudeste MG). As a public agency, the entity is subject to the internal and external control of the Office of the Comptroller General (CGU) in relation to compliance with the provisions of the LAI, whose noncompliance can lead to the sanctioning of its managers. It

is also an organization with regional coverage in the mesoregions of Zona da Mata and Campo das Vertentes in the state of Minas Gerais, with a population of over 2 million inhabitants.

Thus, the findings and analyses contribute to highlighting positive or negative situations, as well as to pointing out possible gaps for improvement that will represent concrete possibilities for the organization, going beyond the strictly theoretical field. In fact, the increase in transparency has proven effective to enhance social participation, improve the execution of resources and reduce the incidence of corruption cases (CUCCINIELLO; PORUMBESCU; GRIMMELIKHUIJSEN, 2017). In this sense, the research may verify the existence of good administrative practices that serve as a parameter for other educational institutions and that are not in the scope of requirements of the control bodies. Similarly, it will be possible to verify the topics and themes in transparency that are not correctly fulfilled, and, therefore, require greater institutional effort for implementation.

Theoretical background

The analysis of the public policy of transparency and access to information allows framing it typologically as regulatory public policies (LOWI, 1972), being more visible to the public, because they involve bureaucracy, politicians and interest groups (SOUZA, 2006).

However, to explain the time lag between the constitutional provision of access to information and its ultimate infra-constitutional regulation by LAI (PAES, 2011), it is possible to resort to the model of advocacy coalitions (ACF). This model is structured on three basic premises, from which it is established that: (i) changes in public policies demand an extensive time perspective; (ii) changes are sponsored by the interaction dynamics of advocacy of different actors from various public and private organizations; and (iii) public policies can be organized as sets of value priorities and assumptions about how to achieve them, just like belief systems (JENKINS-SMITH; SABATIER, 1994).

In the process of formulating this public policy, two advocacy coalitions interacted in shaping the agenda, pitting progressive interests in greater transparency against conservative interests in maintaining secrecy over documents likely to affect the national interest. The coalitions were composed on one side by the the Ministry of Justice, public archives, media and civil society organizations, and on the other, by Itamaraty, the Armed Forces and the Senate Committee on Foreign Relations and National Defense (CRE) (PAES, 2011; RODRIGUES, 2020a).

As Souza (2006) rightly points out, the ACF disagrees with the view of public policy brought by the policy cycle and the garbage can - model proposed by Cohen, March and Olsen (*apud* SOUZA, 2006) - because they focus their analysis on the order of the stages of the process, without dwelling on the causes that originate or shape changes in public policies. However, although the ACF helps to understand the dynamics of the actors' interactions for the formulation and change of the public policy of transparency in Brazil, it is important to resort to the public policy cycle model, because it is of interest the last phase of the cycle: the policy evaluation.

At this stage, although there is no consensus in the literature as to a single definition (BELLEN; TREVISAN, 2008), the broadest meaning of the word evaluate can be expressed as the activity of determining a value or the importance of something. In public policy, when talking about evaluating, a narrower concept associated with the evaluation of a program, or the scientific activity of measuring and communicating information regarding programs and actions, involving all the steps necessary to do so, is attributed (LIPSEY; ROSSI; FREEMAN, 2019).

Lipsey, Rossi, and Freeman (2019) further describe the importance of evaluation in public policy because of its practical objectives: (i) to assist decisions about program continuation, improvement, expansion, or reduction; (ii) to determine the utility of new programs and initiatives; (iii) to increase the effectiveness of program management and administration; and (iv) to satisfy the accountability requirements of those responsible for the program. Other authors go in the same direction regarding the purposes and possibilities of evaluation (BELLEN; TREVISAN, 2008; DE FARIA, 2005).

Thus, when addressing the LAI, it is necessary to understand that its enactment is only the first step in the process of implementing the public policy of transparency and access to information. Along this path, the obstacles placed by bureaucrats may restrict the scope of its effectiveness (PAES, 2011).

In a survey conducted five years after the enactment of LAI, covering the three spheres of the Executive Branch, the overall results showed that only 62% of requests were answered, and, of these, about 50% were classified as satisfactory. Moreover, more than half of the requests exceeded the legal deadline for response (MICHENER; CONTRERAS; NISKIER, 2018). More recent research, in this opportunity focused on federal public universities, pointed out similar numbers regarding active transparency (57% scored above average) and more promising numbers regarding passive transparency (71% scored above average) (DE LIMA; ABDALLA; LIMA OLIVEIRA, 2020).

It is also noteworthy that, in the model of directions of transparency identified by Hood and Heald (2006), the direction of transparency inwards, which analyzes when people outside the organization can observe what occurs within it, is closely related for the purposes of this study to the dimensions of nominal versus effective transparency and conditional transparency. This is because in the direction of transparency inward and in the dimension of conditional transparency it deals exactly with the access to information provided in the LAI, which occurs in part through requests on information access portals (passive transparency) (RODRIGUES, 2020b). In this sense, the rough observation may reveal a mismatch between nominal transparency and effective transparency. This distance is described as "illusion of transparency", since the predisposition to believe in the formal mechanisms leads to not realizing that the increase verified by indicators does not correspond to reality (HOOD; HEALD, 2006). This phenomenon is being identified in federal public universities (DE LIMA; ABDALLA; LIMA OLIVEIRA, 2020), indicating that online transparency goes beyond simply making information available online, being necessary to verify how and where it is presented (ARMSTRONG, 2011).

Method

This research consists of a case study about a well-defined entity, aiming to know it in depth (CRESWELL, 2018; GERHARDT; SILVEIRA, 2009; GIL, 2017). Indeed, the case study is focused on the evaluation of transparency and implementation of LAI in IF Sudeste MG.

For the collection and analysis of data, observations and analysis of textual and graphic information available on the IF Sudeste MG website page were carried out, as well as numerical information present in the LAI Dashboard.

In this sense, the research is synthesized as applied, because in applied social science research problems arise from issues, difficulties and current practices - practical reason (CRESWELL, 2018); descriptive and exploratory, since it aims to provide greater familiarity with the problem, with a view to making it more explicit or building hypotheses, and intends to describe the facts and phenomena of a given reality (GERHARDT; SILVEIRA, 2009; GIL, 2017); and qualitative technique, given that the claims are based on a claim/participatory perspective (CRESWELL, 2018).

Data collection and analysis followed two stages: (i) analysis and observation of textual and graphic information available on active transparency on the IF Sudeste MG website, against

(a) the provisions contained in the Active Transparency Guide (GTA) for the organs and entities of the Federal Executive Power published by CGU, (b) the Active Transparency System (STA), which is a form available on Fala. BR on compliance with the obligations of active transparency, and (c) the indicators of compliance in the LAI Dashboard; (ii) analysis of the evolution of passive transparency of IF Sudeste MG, through the consolidation of numerical information regarding requests for access to information made to the body since the advent of LAI, and representing data on the number of requests per year, response time and user satisfaction rating.

Regarding the collection procedures employed, the observation of the institutional website of IF Sudeste MG by the researchers occurred between September 13 and 17, 2021, with the reading and critical analysis of the main page, the quick access menu entitled "Access to Information" and its subsequent pages accessible by link. This information was contrasted with the GTA, in order to verify if it corresponded to the guidelines established by the control agency. In continuation, the data present in the LAI Dashboard were collected in duplicate in the period between September 18 and 19, 2021, when the collection did not present variations, and were transposed to the tables and charts presented in the results session. The collection periods were established considering that on working days (13 to 17) there would be greater access to the website by users, while on non-working days (18 and 19) there would be low demand for information on passive transparency, allowing the mitigation of dynamic variations in the data.

The choice of the Access to Information Panel as a data source is due to the fact that it was developed by the Office of the Comptroller General (CGU) and presents an overview of the implementation of the rule in the Federal Executive Branch, with information on numbers of requests and appeals, compliance with deadlines, profile of requesters, active transparency, among other aspects. In addition, the data are extracted from the Integrated Ombudsman and Information Access Platform (Fala.BR), which gives the data authenticity and reliability. In the panel it is possible to compare data from the body with the average of the Federal Government and the category of entity surveyed.

In the same way, the choice of the GTA and STA is due to the fact that both are guides for the implementation of LAI in federal agencies and entities, so that they are the effective instruments that guide the concrete implementation and the corresponding surveillance on this implementation.

Results, Analysis and Discussion

Active Transparency

At this first point, it is of interest to analyze the active transparency of IF Sudeste MG available in the LAI panel. Table 1 depicts the position of the organization in the ranking of the 306 entities of the Federal Executive Branch evaluated by the CGU, by item of mandatory active transparency and in comparison with the average of the Federal Government. Thus, the "Nomenclature" column corresponds to the name assigned to the transparency item, while the "Complies" and "Does Not Comply" columns indicate the number of sub-items complied and not complied with in each topic. Next, the "Ranking" column indicates the position occupied by IF Sudeste MG in relation to other agencies of the Federal Government and is followed by the columns that indicate the percentage of compliance in the agency and in the other entities.

Table 1 – Active Transparency Ranking

Nomenclature	Fulfilled	Not fulfilled	Ranking	% Fulfilled by Agency	% Fulfilled by Fed Gov.
Institutional	3	5	196º/294	37,5	57,45
Actions and Programs	3	5	173º/296	37,5	57,97
Social Participation	1	0	1º/286	100	65,73
Audits	4	0	1º/288	100	65,18
Covenants and Transfers	1	0	1º/283	100	50,88
Revenues and Expenditures	3	1	117º/280	75	49,82
Bidding and Contracts	2	0	1º/283	100	52,60
Servers	2	1	96º/289	66,67	54,31
Classified Information	9	0	1º/293	100	71,67
Citizen Information Service - SIC	4	0	1º/292	100	69,45
Frequently Asked Questions	1	0	1º/284	100	69,72
Open Data	2	0	1º/291	100	52,04
Tools and Technological Aspects of the Agencies' Websites	1	0	1º/293	100	91,81
Others	1	0	1º/292	100	82,88
Total	**37**	**12**	**124º/306**	**75,51**	**62,11**

Source: adapted by the author from the LAI Panel (BRAZIL, CGU, 2021)

As set forth in the AWG, there are 12 mandatory items, consisting of 47 sub-items, which should appear on the websites of organizations for active transparency. However, the dashboard also includes two extra global assessment items, namely: (i) "Other", designed to assess whether, in addition to the mandatory information, the body or entity provides other information on active transparency; and (ii) "Tools and technological aspects of the body's website", designed to assess whether the electronic site of the body or entity provides a content search tool that allows access to information in an objective, transparent and clear manner.

Thus, it is possible to verify that IF Sudeste MG complies with 37 of the 49 possible items of active transparency, which corresponds to 75.51% compliance. This percentage is 13.4% higher than the average percentage of the Federal Government (62.11%) and places the body in 124th place, placing it in the second quartile of the ranking, with a similar result to that verified for federal public universities (DE LIMA; ABDALLA; LIMA OLIVEIRA, 2020).

It is also noteworthy that it was only in the items with unfulfilled sub-items that the agency failed to reach the first position in parallel to other agencies. The specificity of there being tied entities causes the numerical change in the last position of the ranking when the item is considered separately.

Chart 1 presents the verification of the "Access to Information" menu on the body's website, in order to verify if it follows the standard proposed by the GTA for nomenclature and position. It should be noted that the position refers to the order in which the item should appear in the menu, and, for this, the table includes the columns "Verified position" and "Correct position", indicating the real and ideal positions of the item in the menu, and the columns "Forecast" and "Existence", which indicate whether the item is mandatory or optional and whether it is present in the website.

Chart 1 – First level menu item, called "Access to Information".

Nomenclature	Verified position	Correct position	Prediction	Existence
Institutional	1	1	Mandatory	Yes
Actions and Programs	2	2	Mandatory	Yes
Social Participation	3	3	Mandatory	Yes
Audits	4	4	Mandatory	Yes
Covenants and Transfers	5	5	Mandatory	Yes
Revenues and Expenditures	6	6	Mandatory	Yes
Bidding and Contracts	7	7	Mandatory	Yes
Servers	8	8	Mandatory	Yes
Outsourced	9	> 12	Optional	Yes
Classified Information	10	9	Mandatory	Yes
Citizen Information Service - SIC	11	10	Mandatory	Yes
Frequently Asked Questions	12	11	Mandatory	Yes
Open Data	13	12	Mandatory	Yes

Authorities Agenda	14	> 12	Optional	Yes
Integrated Protocol	15	> 12	Optional	Yes
Quadro de Referência TAE	16	> 12	Optional	Yes
Equivalent Teacher Bank	17	> 12	Optional	Yes
Occupied/Unoccupied Positions	18	> 12	Optional	Yes
PID and RID	19	> 12	Optional	Yes
Accounting	20	> 12	Optional	Yes
Service Charter	21	> 12	Optional	Yes
Graduate Degrees	22	> 12	Optional	Yes
Master's Degrees	23	> 12	Optional	Yes
Management Reports	24	> 12	Optional	Yes
Public Integrity	25	> 12	Optional	Yes
Information Security and Personal Data Protection at IF Sudeste MG	26	> 12	Optional	Yes
Transparency and Accountability	27	> 12	Optional	Yes
Total	**27**	**22/27**	**24/24**	**24/24**

Source: Prepared by the authors

The observation of the website allowed us to verify two specific situations for IF Sudeste MG. The first of them, of a positive nature, is the institutional effort to make available, in the same menu, items of other subjects that are highly demanded by society or that are considered of public interest (BRASIL, CGU, 2019). In all, 15 items were made available more than the mandatory ones, although some of them, such as "Outsourced" and "Service Charter", are sub-items of other items.

The second observation, refers to the non-observance of the strictness indicated by the GTA for the position of the items in the menu. As it was possible to verify, the item "Outsourced" is in the 9th position, when it should compose the sub-item of the field "Servants", and, if it was the perception of the body to facilitate the search of citizens, it would be positioned from the 13th item (BRAZIL. CGU, 2019).

Chart 2 contains the qualitative evaluation of the sub-items of the "Institutional" field, from the verification of the text, images and information on the IF Sudeste MG website. Like the subsequent tables, the column "Subitem" indicates whether the field contemplates the

specific subitem required by the GTA and the columns "Contains Information" and "Updated Information" consolidate the verification of the existence and update of the information.

In the analysis of this item, CGU considered 3 out of 8 sub-items fulfilled. This analysis is in line with the observation made in this research when considering not only the item's indication, but especially its clarity, spatial arrangement on the website, and the existence of updated information. The agency adopted the description suggested by CGU for the initial presentation of the page, but did not comply with the other requests, either because the information is not available on its website or because it is incomplete and outdated, as is the case of the authorities' agenda. This is the first of the active transparency items, and the very choice of its topography in the Access to Information menu reveals its importance. Non-compliance with this item brings difficulties for the very accountability of other actions and programs arising from public policies in the agency.

Chart 2 – Qualitative evaluation of the "Institutional" item

Information	Subitem	Contains Information	Updated information
Organizational Structure	Yes	No	No
Competencies	Yes	No	No
Legal Basis of the Organizational Structure and Competencies	Yes	No	No
Main Positions and Respective Occupants (Who is Who)	Yes	Yes	Yes
Telephone Numbers, Addresses and E-mails of the Occupants of the Main Positions	Yes	Yes	Yes
Authorities Agenda	Yes	Yes	No
Office Hours	Yes	Yes	Yes
Resume of the Main Positions	No	No	No
Total	**7/8**	**4/8**	**3/8**

Source:Prepared by the authors

Chart 3 contains the qualitative evaluation of the sub-items in the "Actions and Programs" field. In this item, the agency adopted the description suggested by CGU for the initial page presentation. However, as in the "Institutional" item, although the indispensable sub-items are indicated, the information is either non-existent or outdated. There is a link to the transparency portal page, but no step-by-step instructions to help the user find the desired information, as indicated in the GTA.

Chart 3 – Qualitative evaluation of the "Actions and Programs" item

Information	Subitem	Contains information	Updated information
Programs and Actions	Yes	Yes	No
Responsible Unit	Yess	No	No
Main Goals	Yes	No	No
Result and Impact Indicators	Yes	No	No
Main Results	Yes	No	No
Service Charter	Yes	Yes	No
Revenue Waiver	Yes	Yes	Yes
FAT Funded Programs	Yes	Yes	Yes
Total	**8/8**	**4/8**	**2/8**

Source: Prepared by the author

Chart 4 contains the qualitative assessment of the sub-items of the "Social Participation" field. As in previous items, the agency accepted the suggestion of description on the home page, however, this field has an assessment made in the LAI Dashboard that diverges from what was indicated in the GTA. In the panel, as a consequence of the STA, a single generic item is evaluated, characterized by the perception as to whether the agency discloses information on the instances and mechanisms for social participation that it makes available. On the other hand, when we analyze the GTA, it is possible to verify that the evaluation made on the panel corresponds to the generic description for the item, but it is composed of other dimensions that are indicated in Chart 4.

Observation of the website revealed that the agency does not effectively fulfill this aspect of active transparency, despite what the CGU itself indicates. The information about the Ombudsman is correctly present and updated. However, there is no up-to-date and accurate information on the Councils and Collegiate Bodies, on public hearings and consultations, or on conferences that have been held. As an example, the organization's Higher Council is cited, which is the highest deliberative body in IF Sudeste MG, with social participation and representation by segment, but whose information does not appear in the active transparency of information access menu.

Chart 4 – Qualitative evaluation of the "Social Participation" item

Information	Subitem	Contains infromation	Updated information
Ombudsman	Yes	Yes	Yes
Public Hearings and Consultations	Yes	No	No
Councils and Collegiate Bodies	Yes	Yes	No
Conferences	Yes	No	No
Other Actions	No	No	No
Total	**4/5**	**2/5**	**1/5**

Source: Prepared by the authors

Chart 5 contains the qualitative evaluation of the sub-items of the "Covenants and Transfers" field. The agency followed the suggestion of description on the homepage and provided a link to the agreements section of the transparency portal. However, it did not elaborate a step-by-step guide to help the user find the desired information, as indicated in the GTA, and did not provide information on terms of decentralized execution eventually formulated by the agency.

Chart 5 – Qualitative evaluation of the item "Covenants and Transfers

Information	Subitem	Contains information	Updated information
Transfers of Union Resources made through agreements, transference contracts and cooperation terms or instruments....	Yes	Yes	Yes
Total	**1/1**	**1/1**	**0/1**

Source: Prepared by the authors

Chart 6 contains the qualitative evaluation of the sub-items of the "Income and Expenditure" field. In this item, CGU's evaluation considered the breakdown of budgeted expenses, financial expenses, and per diems and allowances to have been complied with. However, a look at the agency's webpage showed that there is a link to the execution of the expenditure per agency, but this is not the appropriate indication formulated in the GTA. In fact, it should have been indicated the links for consultation of the Public Revenue Breakdown, the Public Revenue Budget and the Public Revenue Breakdown. These links are what will inform the citizen the revenues received by IF Sudeste MG, as well as the detailing of the budget and its effective financial execution.

With regard to per diems and tickets, the body has complied with the dictates of active transparency, although again it has not provided the step by step to help the user find the desired information, besides adopting the description suggested in the GTA.

However, it is noteworthy that the agency included in this item an innovative system of communication with citizens, as it made available an interactive panel with information related to the budget and its execution, using business intelligence software. The consultation to this panel revealed that there are still topics under construction, but it showed the intention to bring more information to citizens accompanied by different ways of making it available.

Quadro 6 – Avaliação qualitativa do item "Receitas e Despesas"

Information	Subitem	Contains information	Updated information
Revenue	Yes	Yes	No
Expenditures (detailed)	No	Noo	No
Expenses (execution)	Yes	Yes	No
Per Diems and Passages	Yes	Yes	Yes
Total	**3/4**	**3/4**	**1/4**

Source: Prepared by the authors

Chart 7 contains the qualitative evaluation of the sub-items of the "Bids and Contracts" field. The observation of this item in the body page revealed that not only the necessary information is fulfilled, but also other detailed information about the biddings and contracts formulated within IF Sudeste MG was included. The negative point was only the absence of a description of the page and the availability of the step-by-step to help the user find the desired information suggested in the GTA.

Chart 7 – Qualitative evaluation of the item "Bids and Contracts

Information	Subitem	Contains information	Updated information
Biddings	Yes	Yes	Yes
Contracts	Yes	Yes	Yes
Total	**2/2**	**2/2**	**2/2**

Source:Prepared by the authors

Chart 8 contains the qualitative evaluation of the sub-items of the "Servers" field. The consultation to this item showed that the information is being provided. However, they are scattered on other pages of the institutional site. This is the case, for example, with the information on outsourced employees, which has its own item on the access to information menu. A similar situation occurs with the notices of competitions, because the link takes the citizen to an outdated page, but in another page it is possible to access the correct information, both for competitions for permanent employees and for temporary hirings.

There are also, in items in the access to information menu, pages that address issues such as vacancy codes, vacant and occupied positions, teacher-equivalent bank, and reference chart of technical-administrative employees. The information is made available in interactive panels by means of business intelligence software incorporated in the website itself. However, as with other sites, there is no step-by-step guide to help the user find the desired information on the links to the public transparency portal. This item shows that there is an institutional effort

to make information available to citizens, but it lacks adaptations to standardize and facilitate access.

Chart 8 – Qualitative evaluation of the item "Servers

Information	Subitem	Contains information	Updated information
Announcements of Bidding	Yes	Yes	No
List of Servers	Yes	Yes	Yes
List of Outsourced Employees	No	No	No
Total	**2/3**	**2/3**	**1/3**

Source: Prepared by the authors

Chart 9 contains the qualitative evaluation of the sub-items in the "Frequently Asked Questions" field. This item was considered to have been met by CGU, although the suggested description of the GTA was not adopted and the information is outdated. For example, the page mentions the existence of six campuses, but disregards the advanced campuses. Besides, it presents very summarized information, without direct redirection links, as well as without several topics that are available in the access to information menu, and that reveal to be issues routinely sought by citizens.

Chart 9 – Qualitative evaluation of the "Frequently Asked Questions" item

Information	Subitem	Contains information	Updated information
Frequently Asked Questions	Yes	Yes	No
Total	**1/1**	**1/1**	**0/1**

Source: Prepared by the authors

Finally, the items "Open Data", "Classified Information", "Citizen Information Service (SIC)" and "Audits" are in perfect alignment with the guidelines of the OWG. The information is presented clearly, with links and topics that address the information of public interest. Only the description suggested by the OWG is not included, but there are other equally satisfactory descriptions.

Passive transparency

In this second step, the findings are directed to the analysis of the passive transparency of IF Sudeste MG available in the LAI dashboard. Table 2 depicts the evolution of the number of requests and the average response time of the organization since the beginning of the LAI. The data illustrates that IF Sudeste MG gradually became more activated between the first years of the LAI until 2017, this being the year with the highest number of requests made.

Paradoxically, this was the year in which the agency was better ranked in relation to average response time, reaching 31st position among the fastest agencies. In general, the agency is always in the second quartile among the most requested agencies, but since 2017 it has received fewer requests and managed to position itself in the first quartile of response times from 2017 to 2019. The decrease in requests in the years 2020 and 2021, as well as the increase in response time, may be related to the covid-19 pandemic, which has put several sectors on remote work. This argument may be reinforced by the sharp drop in the number of requests across the Federal Government in the year 2021.

However, without further investigation, it is not possible to establish this correlation. In any case, the trend of falling requests seems likely to be maintained until the end of 2021.

Table 2 – Evolution of requests and average response time

Year	Incoming Orders	Orders Ranking	Average Response Time	Time Ranking	Incoming Orders – Fed. Gov.
2012	14	214º	14,64	132º	55.018
2013	38	192º	43,79	211º	86.367
2014	43	181º	21,14	188º	89.784
2015	52	189º	18,79	174º	102.135
2016	123	145º	8,46	39º	110.726
2017	187	127º	8,03	31º	120.549
2018	177	132º	9,46	50º	127.313
2019	156	148º	9,70	75º	128.889
2020	129	178º	11,60	116º	153.606
2021	105	139º	13,59	186º	93.988
Total	**1024**	**162º**	**12,10**	**98º**	**1.068.457**

Source: Adapted from the LAI Panel (BRAZIL. CGU, 2021)

Table 3 depicts the evolution of the percentage of responses granted within the legal timeframe by the organization since the LAI went into effect. The data illustrates how the organization has made efforts to respond to citizens within the established legal timeframe. As of 2016, in the second half of the LAI, IF Sudeste MG had a higher percentage of responses within the legal timeframe than the average of the Federal Government, even though it sometimes used the resource of extending the response timeframe in more opportunities than the average of other agencies. In the years 2020 and 2021, the extension mechanism was used more vigorously, which may be related to possible difficulties caused by remote work. If the agency does not have the information in electronic files, there may be a need to travel for scans or consultations. Another associated factor may be related to management changes at the Rectory and the Campi. But, again, without further investigation, it is not possible to establish this correlation.

Table 3 – Responses within the legal timeframe in %.

Year	Within timeframe	Out of timeframe	Extended	Within timeframe – Fed. Gov..	Out of time frame – Fed. Gov..	Extended – Fed. Gov.
2012	92,86	07,14	07,14	94,52	**05,48**	**08,96**
2013	55,26	44,74	02,63	94,04	**05,96**	**10,17**
2014	53,49	46,51	00,00	94,46	**05,54**	**08,72**
2015	90,38	09,62	03,85	93,28	**06,72**	**09,74**
2016	99,19	00,81	08,94	91,28	**08,72**	**09,67**
2017	99,47	00,53	06,95	92,23	**07,77**	**10,12**
2018	96,61	03,39	10,73	94,01	**05,99**	**11,10**
2019	98,72	01,28	10,90	95,67	**04,33**	**11,55**
2020	94,57	05,43	14,73	96,73	**03,27**	**12,33**
2021	96,19	00,00	19,05	92,40	**02,44**	**10,86**
Total	**93,75**	**05,86**	**10,06**	**93,97**	**5,57**	**10,54**

Source: Adapted from the LAI Panel (BRAZIL. CGU, 2021) by the author

Table 4 shows the evolution of the average satisfaction of users with the responses granted in requests for access to information by the organization since the beginning of the LAI. The consolidated data show that the organization is in the first quartile of the satisfaction ranking when considering the entire period of the LAI. However, it is important to read the data annually, because it is possible to verify that in the last two years (2020 and 2021) there was a significant improvement in the quality of information, a fact expressed by the increase in user satisfaction and the ease of understanding in the agency's communication. The limitations of this research do not allow us to deepen the analysis of the answers given, but it is enough to point out the fulfillment of LAI's objectives.

Table 4 – Average user satisfaction

Year	Service Satisfaction from 0 to 5	Satisfaction Ranking	Comprehension Level from 0 to 5	Number of appeals
2012	--	--	--	1
2013	--	--	--	15
2014	3,67	76º	3,67	2
2015	4,17	55º	4,17	5
2016	4,40	55º	4,70	6
2017	4,69	28º	4,81	10
2018	4,07	116º	4,39	10
2019	3,95	159º	4,22	26
2020	4,57	54º	4,63	13
2021	4,87	24º	4,80	18
Total	**4,35**	**50º**	**4,53**	**106**

Source: Adapted from the LAI Panel (BRAZIL. CGU, 2021) by the author

Table 5 presents the thematic and numerical correlation of requests for access to information in passive transparency with active transparency. In this table, the goal was to group the topics classified under passive transparency according to their approximate correspondence with the items of active transparency that are mandatory for agencies to observe. In fact, this is a classification by approximation, given that some topics have adopted a generic description whose merit cannot be identified without further investigation. For example, this is the case of the topic "Access to Information", which may encompass several types of subjects.

The matching aims to identify the recurrence of certain topics in passive transparency, in order to establish items of interest to citizens, to be prioritized in active transparency. This prioritization can generate direct impacts in reducing the number of pieces of information that require the agency's intermediation, in addition to the corresponding increase in public transparency.

The data in Table 5 demonstrate that topics that are more precisely treated in active transparency tend to be less active in passive transparency. For example, the topics related to the items "Audits", "Social Participation", "Citizen Information Service (SIC)", "Servers", "Revenues and Expenses" and "Bidding and Contracts" were considerably less triggered when compared to the items "Actions and Programs" and "Institutional". Only the item "Social Participation" showed low adherence to what the OWG proposes, as analyzed in the first part of this research, and even then it had low demand in passive transparency. However, the data were consistent with the analysis of active transparency with respect to the items "Actions and Programs" and "Institutional", because both items presented missing, incomplete or outdated information.

Table 5 – Thematic and numerical correlation of passive transparency with active transparency

Item - Active Transparency	Topic - Passive Transparency	Requests
Actions and Programs	Scholarships; Quotas; Technical courses; Human Rights; Vocational education; Enem; Sport; Professional; Fies; Enrollment; Others in Education; Others in Research and Development; Others in Social Protection; Selective process; Public Services; Others in Education; Others in Research and Development	793
Servers	Civil Servants; Public Agent; Retirement; Competition; Employability; Employment; Employee Frequency; Other in Social Security; Other in Health; Worker Protection and Benefits; Human Resources; Labor Relations	65
Incomes and Expenses Bidding and Contracts	Government Procurement; Tenders; Budget; Others in Administration; Others in Economics and Finance; Air Transport	34

Audits - Social Participation - Citizen Information Service (SIC)	Audit; Social Control; Correction; State Audit; Ombudsman; Transparency	10
Other Information - Frequently Asked Questions	Access to Information; Biodiversity; Legislation; Others in Public Order and Safety; Attendance; Basic Attendance	92
Institutional	Others in Environment; Others in Urban Planning; Planning and Management; Services and Systems; Site of the Body; Telecommunications; Universities and Institutes	30
Total		**102 4**

Source: Prepared by the author

Final considerations

The purpose of this case study was to analyze the evolution of the public policy of transparency in IF Sudeste MG, through compliance with the provisions of the Access to Information Act. The study also sought to establish the correlation between the improvement of active transparency and its reflections on the increase or decrease in requests made in passive transparency, so that the number of steps between the citizen and the information is as few as possible. Thus, the findings showed that thematically there is a correlation between the expansion of active transparency and decreased access to the body in passive transparency. This finding was consistent with what was pointed out in the literature review, since the elimination of obstacles to accessing information expands transparency in the body (PAES, 2011).

In assessing active transparency, it was possible to see that the agency has followed most of the guidelines of the Guide on Active Transparency (GTA) for agencies and entities of the Federal Executive Branch. However, in some items, it presented inconsistencies that may denote a carelessness with the effectiveness of transparency, generating the effect described as "illusion of transparency" by Hood and Heald (2006). Thus, in some cases, there may have been concern with the nominal aspect of transparency, without the real intention that citizens understand and have effective access to information. This phenomenon observed in IF Sudeste MG is consistent with other observations made with federal public universities (DE LIMA; ABDALLA; LIMA OLIVEIRA, 2020).

Still on active transparency, it was observed that the body has carried out several initiatives in order to bring other information to the citizen, in addition to those mandatorily provided for in the LAI and the GTA. Unique tools were detected in business intelligence software with interactive panels on the items "Revenues and Expenses" and "Servers", besides the addition of other items in the "Access to Information" menu in order to contemplate other items of interest.

However, if we consider that IF Sudeste MG is an institution of teaching, research and extension, there is an imbalance in the provision of information in active transparency in the "Access to Information" menu. Items relating to issues under the responsibility of sectors such as Audit, Personnel Management, Administration, Ombudsman and SIC received better treatment and attention than items relating to the sectors of Teaching, Research and Extension, notably through the item "Actions and Programs". Similarly, at least at the time of the survey, the situation is repeated with the item "Institutional", which is one of the dimensions for verifying accountability.

In passive transparency, the findings revealed that the agency has been improving the provision of information year by year, either by reducing response time or by improving the quality of the information provided. Taken together, these factors demonstrate there is direction or understanding by the body about the importance of transparency mechanisms, which partly contradicts the theoretical reference that pointed out the low response rate of governments and excessive deadlines (MICHENER; CONTRERAS; NISKIER, 2018).

In addition, this study showed that there is indeed a path to be taken for IF Sudeste MG to realize the public policy of transparency, but this path is relatively well sedimented in the body, unlike the verifications and findings of other studies that focused on the totality of public agencies or governments (BATISTA; ROCHA; SANTOS, 2020; LOPES *et al*., 2021; MICHENER; CONTRERAS; NISKIER, 2018; ROCHA; ZUCCOLOTTO; TEIXEIRA, 2020).

The evaluation of public policy at IF Sudeste MG also showed that, even with the existence of the Office of the Comptroller General as an external body for verification of compliance with the LAI, inconsistencies still persist and are only detected by the scrutiny and detention of the observer. Only by the case study that assessed item by item in a qualitative way it was possible to detect noncompliances and points for improvement in active transparency. These findings in IF Sudeste MG may indicate that the situation repeats itself if other agencies are evaluated, since the form of collection and analysis of information by the STA indicated inconsistencies, which added to the volume of agencies in the Federal Government monitored by CGU, may represent a not exact match between the active transparency data indicated in the LAI Dashboard and reality.

For future research, it is essential to conduct in-depth interviews with those responsible for the Citizen Information Service in order to understand in greater depth certain aspects of the evolution of the implementation of the LAI in the agency. This point was one of the limiting aspects of the research due to the lack of complete data for the year 2021. In addition, it is important to further investigate the possible resistance and openness of the sectors with regard

to requests for passive transparency and to act transparently; the existence of extensive training on the subject in the agency; any difficulties encountered during the period of alternating administrations; and the direct causes in the variations in the number of requests.

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