



## HIGH SCHOOL EDUCATION REFORM: REGULATORY DEVICES AND INDUCTION POLICIES<sup>1</sup>

*Reforma do ensino médio: dispositivos de regulamentação e políticas de indução*

*Reforma de la educación secundaria: dispositivos regulatorios y políticas de inducción*

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### ABSTRACT

The text analyzes the High School reform initiated in 2016 in Brazil. Its objective is to analyze the regulations resulting from the approval of the Law and government actions for its implementation, considered, in the article, as policies that induce. This is documentary research. It discusses normative devices and induction programs based on a specialized bibliography and problematizes, especially, the implications resulting from the centrality acquired by the privatization of public education.

**Keywords:** High School Reform; Implementation of policies; Privatization of education.

### RESUMO

O texto trata da reforma do Ensino Médio iniciada no ano de 2016 no Brasil. Tem por objetivo analisar a regulamentação decorrente da aprovação da Lei, bem como as ações governamentais com vistas à sua implementação consideradas, no artigo, como políticas indutoras. Trata-se de pesquisa documental. Discute os dispositivos normativos e os programas de indução com base na bibliografia especializada e problematiza, especialmente, as implicações decorrentes da centralidade que adquire o empresariamento da educação pública.

**Palavras-chave:** Reforma do Ensino Médio; Implementação de políticas; Empresariamento da educação.

<sup>1</sup> Article published in Portuguese at **Educere et Educare**, [S. l.], v. 18, n. 47, p. 113–129, 2023. DOI: 10.48075/educare.v18i47.30708. Available at: <https://e-revista.unioeste.br/index.php/educereeteducare/article/view/30708>.

## RESUMEN

El texto trata de la reforma de la Enseñanza Media iniciada en 2016 en Brasil. Su objetivo es analizar las normas derivadas de la aprobación de la Ley, así como las acciones gubernamentales con miras a su implementación consideradas, en el artículo, como políticas inductoras. Esta es una investigación documental. Discute los dispositivos normativos y los programas de inducción a partir de la bibliografía especializada y problematiza, en especial, las implicaciones derivadas de la centralidad adquirida por la privatización en la educación pública.

**Palavras clave:** Reforma de la Enseñanza Media; Implementación de políticas; Privatización en la educación.

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## Introduction

With the process of re-democratization in Brazil, the idea of universalizing and providing free secondary education emerges for the first time in the 1988 Federal Constitution. Only with the enactment of Law No. 9,394/96 does it become recognized as a stage of basic education. Although not mandatory, the fact that it is part of this level of education, which should ideally be coordinated and offered to all, has led the constitutional provision to constrain and pressure the government to ensure it.

From this context, significant progress in the provision of Secondary Education is triggered. The data from the School Census in 1991 showed a total of 3,772,698 enrollments, of which 1,626,570 were young people aged 15 to 17. A substantial leap occurred in 2004 when a total of 9,169,357 enrollments were observed, with 4,660,419 of these being composed of young people aged 15 to 17. (Brasil, Censo Escolar, 1991; 2004).

After this significant increase in Secondary Education enrollments, they begin to decline from the year 2004. In 2005, out of 10,399,385 Brazilian youth aged 15 to 17, only 43.7% were attending this stage. A total of 1,716,630 young people of compulsory school age remained out of school, corresponding to 16.5% of the total. In 2021, the country had a population of 9.5 million young people in this age group, of which just over 400,000 had no educational affiliation. 75.4% (6.4 million) were enrolled in Secondary Education, and 18.9% (1.5 million) were

in elementary education. Enrollment is primarily at the state level (6.1 million students) (INEP, Censo Escolar, 2021).

In this expansion scenario, since the approval of the 1996 LDB (Brazilian Education Guidelines and Bases Law), several initiatives have been undertaken to reformulate this stage, with three main moments standing out: the first, concerning the development period of the National Curricular Guidelines for High School Education in 1998 (DCNEM) by the National Council of Education (CNE); the second, during which new DCNEM were produced between 2011 and 2012, replacing the previous ones; and finally, the current moment in which Law 13.415/17 is sanctioned, leading to the production of new DCNEM in 2018 as a consequence.

In this text, we focus on the current reform, which begins with Provisional Measure No. 746/16 and is converted into Law 13.415/17. Following the incorporation of this law into the 1996 LDB, we witness a process of regulation and the creation of programs to induce its implementation, among which the following deserve attention: the 2018 DCNEM (National Curricular Guidelines for High School Education) and MEC Ordinance No. 649/18, which establishes the New High School Support Program; MEC Ordinance No. 1,024/2018, which deals with the Direct School Funds Program (PDDE) in the so-called New High School, and the Guidelines for the Development of Formative Itineraries contained in MEC Ordinance No. 1,432 of December 2018, documents that constitute the object of study of the research addressed in this article. To analyze this documentary basis, we first provide a brief overview of the approval context and the propositions of the reform.

### **Context and propositions of the reform: from Provisional Measure 746/2016 to Law 13.415/2017**

On September 22, 2016, Provisional Measure (PM) No. 746 was introduced by President Michel Temer, shortly after the impeachment process of Dilma Rousseff began on April 17, 2016, in the Chamber of Deputies and concluded on August 31, 2016, in the Federal Senate. This PM deals with the curricular organization of High School, the progressive expansion of school

hours, and the development of the Program for Fostering the Implementation of Full-Time High Schools.

While heavily promoted by the federal government as an efficient solution to the problems of Brazilian High School education, Law 13.415/17 is also strongly criticized, particularly by researchers in public educational policies aimed at youth development.

Motta and Frigotto (2017), in analyzing the creation of PM 746/16 in this post-impeachment context, understand it as carrying a societal project that is "anti-people and anti-public education" (Motta; Frigotto, 2017, p. 369), aimed at directing the vast majority of Brazilian youth towards menial labor, denying them the opportunity to expand their understanding of the world critically and to act towards its transformation.

Ramos and Frigotto (2016) support this perspective by highlighting that PM 746/16 constitutes an assault on the achievements made in High School education in the previous period, based on a conception of the holistic formation of Brazilian youth. According to these authors,

This is, therefore, a movement that has its objectivity in the executive's pen but represents the will of conservatives in Brazilian society. The counter-reform is an expression of conservative thinking, using a significant economic and pragmatic logic of our dependent capitalism, in a time of neoliberal hegemony and postmodern culture, the culture of fragmentation, immediacy, utility, and leanness. It is a policy that freeze-dries basic education, removing from it the content of scientific and ethical-political formation that would be expected in a society that has people, not the market, as the rationale for public policy (Ramos; Frigotto, 2016, p. 37).

The justifications used by the federal government and supporters of the reform, particularly third-sector entities linked to business foundations, can be summarized as follows:

The low performance of students in Portuguese Language and Mathematics disciplines as measured by the Basic Education Development Index (IDEB); the fact that students have a workload of 13 subjects, which is considered excessive and causes both low performance and fatigue among students, without providing them the opportunity of a single trajectory curriculum for all students; the necessity of diversification and

*flexibility* of the curriculum, using as a model countries with better performance in the Programme for International Student Assessment (PISA); the fact that less than 17% of students who complete high school access higher education, and that about 10% of enrollments are in vocational education, justifying the introduction of the "technical and vocational training" itinerary. (Ferretti; Silva, 2017, p. 394, emphasis added).

Krawczyk and Ferretti (2017) point out that the term *flexibilization*, widely used in official documents of the reform, essentially serves to counteract the implementation of social security and labor guarantees by the State. Thus, while this rallying cry may seem appealing as it is understood in the collective imagination as a possibility of having freedom of choice, also evoking the potential for innovation and creativity, it may also carry a significantly adverse connotation, namely, the increased potential for "deregulation, precariousness, and instability in the concentration of material wealth and knowledge, allowing for the exacerbation of processes of exclusion and social inequality" (Krawczyk; Ferretti, 2017, p. 36). In this context, Law No. 13.415/17 "flexibilizes the organizational and curricular content, school time, the provision of educational services through public-private partnerships, the teaching profession, and the responsibility of the Union and the States" (Krawczyk; Ferretti, 2017, p. 37).

Regarding the reorganization of the High School curriculum, the Law establishes a reduction in the number of mandatory subjects and the inclusion of components formed from formative options, thus flexibilizing students' itineraries. Consequently, the curriculum is organized into two parts, one common to all students (with up to 1,800 hours of class time) and the other diversified. As a result, Article 36 of Law 9394/96 now reads as follows:

Article 36. The high school curriculum shall consist of the National Common Curricular Base and formative itineraries, which shall be organized through the provision of different *curricular arrangements*, according to their relevance to the local context and the possibility of the education systems, namely:

- I - Languages and their technologies;
- II - Mathematics and their technologies;
- III - Natural sciences and their technologies;
- IV - Human and social applied sciences;
- V - Technical and vocational training.

§ 1. The diversified part of the curriculum referred to in Article 36, defined in each education system, shall be

harmonized with the National Common Curricular Base and shall be articulated based on the historical, economic, social, environmental, and cultural context (Brazil, 2017, p.3-4, emphasis added).

Decreasing the workload related to the common formation of all students from 2,400 hours to up to 1,800 hours, as stipulated in Article 35-A, § 5, Law 13,415/17 ultimately diminishes the general, cultural, and scientific education of students. Furthermore, the fact that only the subjects of Portuguese Language and Mathematics attain the legal status of compulsory subjects throughout the three years of High School highlights the absence of a guarantee of access to essential knowledge for a comprehensive, scientific, ethical, and aesthetic education of young individuals.

Regarding *school hours*, these should be progressively expanded from four to five hours per day, as stated in Law 13.415/17. The initial proposal in the provisional measure was to extend the school day to seven hours, which would have required a significant increase in public investment. In view of this, the approved law establishes a "full-time" of five hours per day. Thus, the minimum workload for this stage becomes three thousand hours.

In addition to the reduction of general basic knowledge common to all students in the High School curriculum, by defining in its Article 40, § 6, the possibility of *public-private partnerships*<sup>2</sup> for the provision, primarily, of technical and vocational training, Law 13.415/17 encompasses the privatization of part of the provision, and may also be offered in distance learning mode, equally under the responsibility of private institutions

Silva and Scheibe (2017) draw attention to this aspect of the Law, clarifying that it represents a process of commodification of basic education because, in addition to defining the purposes and guiding concepts of student formation, it also defines public funding in which public resources can be used to subsidize partnerships with business entities, mainly for the provision of technical and vocational training pathways (Silva; Scheibe, 2017, p. 27).

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<sup>2</sup> Law 13.415/17, Article 40, § 6: "At the discretion of the education systems, the provision of technical and vocational training shall consider: I - the inclusion of practical work experiences in the productive sector or simulated environments, establishing partnerships and making use, when applicable, of instruments established by legislation on professional apprenticeship." (Brasil, 2017, p. 4).

Following Law 13.415/17, a set of normative documents has been created to support the actions of both the federal government and state education networks, as well as school institutions, in the process of implementing the reform. We will proceed to analyze these documents, starting with Resolution CNE/CEB No. 03/2018, which updates the National Curricular Guidelines for High School (DCNEM).

## **The regulation of the reform: the National Curricular Guidelines for High School**

In March 2018, a draft was processed at the National Council of Education (CNE) with the aim of instituting new National Curricular Guidelines for High School Education (DCNEM), thereby revoking the standard established in 2012 (Opinion CNE/CEB No. 05/2011 and Resolution CNE/CEB No. 02/2012) and aligning the DCNEM with the provisions of Law 13.415/17. Approved by the CNE on November 21, 2018, Resolution CNE/CEB No. 03/18 brings forth, among its propositions, the following:

*Activities conducted at a distance may account for up to 20% (twenty percent) of the total workload, affecting both the basic general education and, preferably, the formative itineraries of the curriculum, provided there is appropriate technological – digital or otherwise – and pedagogical support, necessarily involving the supervision/coordination of a teacher from the school unit where the student is enrolled. At the discretion of the education systems, this may be expanded to up to 30% in evening high school. In this shift, the course duration may be extended to more than 3 (three) years with reduced daily and annual workload, ensuring a total minimum of 2,400 hours by 2021 and 3,000 hours by 2022. In the modality of youth and adult education, up to 80% of its workload may be offered remotely, both in general basic education and in formative itineraries. (Brazil, 2018a, p. 10-11, emphasis added).*

Reiterating that Law 13.415/17 allows distance education to be offered through partnerships established between educational systems and private institutions, the reform "caters to the private sphere at the expense of the public, promotes the commercialization of basic education, encourages the private provision of part of the public high school, and perpetuates the (fallacious)

discourse of the need for alignment with the demands of the business sector". (Silva, 2019, p. 109).

In addition to these propositions, the new DCNEM (National Curricular Guidelines for High School Education) reinforces and regulates other provisions of Law 13.415/17, such as the basic general education of students being composed of competencies and skills outlined in the document establishing the National Common Curricular Base (BNCC) and the educational pathways, as well as the recognition that activities undertaken by students, including participation in volunteer work - whether in person or remotely - may count towards a portion of the overall workload of high school. (Brasil, 2018a, p. 11).

Echoing the conception of pragmatic, utilitarian education intertwined with the labor market, this resolution underscores the significance of providing technical and vocational training to young individuals, ensuring they are adequately equipped "both for life and career development, and to adapt to new occupational conditions and the demands of the contemporary world of work and its ongoing transformations, under conditions of competitiveness, productivity, and innovation." (Brasil, 2018a, p. 7).

Resolution No. 03/18 further mandates that, when developing their Curricular Flexibilization Proposals, schools should take into account the student's life project and career as a pedagogical procedure "aimed at promoting the self-awareness of the student and their citizenship dimension, in order to guide the planning of the desired professional career, based on their interests, talents, desires, and potentialities." (Brasil, 2018a, p. 15).

Regarding this flexibility in curricular pathways aimed at meeting students' life projects, Kuenzer (2017) emphasizes that by assigning to state networks the responsibility for providing educational pathways depending on their actual structural conditions, the reform overlooks the fact that in many municipalities there are few or only one or two high schools and that these operate mostly under very restricted conditions.

Consequently, the discourse that schools should consider students' interests, talents, desires, and potentialities in order to guide them in their life projects and in planning their desired professional careers becomes somewhat controversial, considering that the majority of students will not even have the possibility of choice.



Still concerning curriculum organization, the new DCNEM defines in Article 12, paragraph 2, that, aiming to ensure the appropriation of cognitive procedures and the use of methodological procedures that foster student protagonism, the educational pathways must be organized based on "one or more of the following structuring axes: scientific investigation, creative processes, socio-cultural mediation and intervention, and entrepreneurship." (Brasil, 2018a, p.7).

The third paragraph of this same article defines that the educational pathways can be integrated, thus, they can be offered through what are called "curricular arrangements," reconciling more than one area of knowledge and technical and professional training. In addition to this issue, each educational network will be obliged to offer more than one educational pathway (in different areas of knowledge) in each municipality, and, at its discretion, offer so-called "elective competencies" as a way of expanding the workload of the educational pathway undertaken by the student, always considering their structural and resource possibilities. (Brasil, 2018a, p. 7-8).

In alignment with the entire process of articulation among the formulators of basic education policies, Resolution No. 03/18 also establishes in its Article 34 that the development of curriculum proposals, teacher training, and investments in educational materials, as well as national systems for assessing basic education, will be guided by it, such that even the National Textbook Program (PNLD) and all other national programs aimed at distributing books, educational materials, physical or digital resources will also be organized in accordance with the new DCNEM. Additionally, the proposed changes also result in significant impacts on teaching work. In this regard, Peroni, Caetano, and Lima (2018) express their views:

We consider that there is a strong movement towards constraining teaching practices and controlling pedagogical processes in educational institutions, either through the sale of didactic-pedagogical materials that standardize teachers' practices and thinking or through legislation that removes from the educational debate discussions on issues inherent to democratic society, such as plurality and diversity. In this context, we understand that democracy is incompatible with privatization and censorship, as it presupposes participation, collective decision-making, and the debate of projects with society. The proponents of reforms and educational projects presented in the post-coup period have been the mercantile private sector and the

most reactionary sectors whose aim is to direct education. These are contested projects, and the contest for societal projects is part of a democratic society. However, the projects discussed in this article seek to prevent debate and disagreement of ideas and concepts, denying those that are ideologically opposed to theirs. Therefore, they present means to censor teachers, students, researchers, and entities that have historically fought for public education and the right to education (Peroni; Caetano; Lima, 2018, p. 430).

### **Induction programs for implementation: MEC Ordinances No. 649 and 1,024/2018**

The Ordinance No. 649, endorsed by the Ministry of Education on July 10, 2018, establishes the High School New Support Program, aiming primarily to provide the necessary support for state educational networks to develop and implement their respective Implementation Plans<sup>3</sup>. This plan should encompass the BNCC, the various educational pathways, as well as the expansion of school hours to a minimum of 1,000 hours per year. (Brasil, 2018b). Based on this objective, the program in question will cater to state education networks that adhere to it, materializing through the following actions outlined in Article 2 of its first chapter:

*I - technical support for the elaboration and execution of the New High School Implementation Plan [...]; II - technical support for the implementation of pilot schools for the New High School [...]; III - financial support, subject to budget availability to be previously attested by the National Fund for the Development of Education, within one of the programs that are aligned with the New High School; and IV - continuous training of the members of the curriculum and management technical team of each state and the Federal District, through the Program to Support the Implementation of the National Common Curricular Base - ProBNCC, established by MEC Ordinance No. 331, of April 5, 2018.*

Regarding technical support for the formulation and execution of the High School New Implementation Plan (PLI), Ordinance No. 649/18 stipulates that

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<sup>3</sup> As evidenced previously in this section, renowned researchers in public policy, particularly those studying Secondary Education, have shown in their studies that the Secondary Education Reform, based on Law 13.415/17, despite being promoted by the federal government as something new and indispensable for improving the quality of this final stage of basic schooling, is nothing more than a regression to curriculum policies such as the DCNEM of 1998 and even the period of military dictatorship in the country.

education departments will receive technical assistance to develop, monitor, and evaluate their respective plans, encompassing the BNCC, the different educational pathways, and the expansion of school hours; they will also receive materials with technical, pedagogical, and management guidelines, as well as digital tools necessary for this process. (Brasil, 2018b, p. 1).

The mentioned Ordinance further establishes, in Article 7 of its Chapter III, that the PLIs developed by state networks be submitted to the Ministry of Education's Basic Education Secretariat, encompassing, at minimum, the following aspects:

I - Diagnosis of the network, including data and information about teachers (training, availability, and scheduling), school infrastructure, school transportation, among others, and diagnosis of *potential partnerships, labor market perspectives, and student expectations*;

II - Annual objectives and goals for increasing class hours and offering *flexible curricula with formative itineraries* in all high schools [...];

III - *(re)elaboration of state and district curricula*, which must include: a) the main actions and schedule for the (re)elaboration of the curriculum; b) the role of the State Council of Education - CEE and any partners involved; and c) the articulation with the implementation of the BNCC for the final years of the elementary school stage;

IV - *continuing education* focused on the construction of formative itineraries for different areas of knowledge, including the schedule and goals for the number of professionals to be trained by 2023 and the general scope of training for directors, pedagogical coordinators, teachers, and other members of the technical staff of regional education departments and state education secretariats and the Federal District;

V - *Administrative and pedagogical structure, transportation logistics, and physical and technological infrastructure*;

VI - *Articulation with local partners*, focusing on offering different formative itineraries, especially technical and professional training.

VII - communication to *inform* the school community about the New High School;

VIII - *mobilization of the school community for involvement in the implementation* of the New High School;

IX - *Legal frameworks* - revision and adequacy of state regulations, such as enrollment systems, certification of the stage, and personnel management, among others;

[...]. (Brasil, 2018b, p. 1-2, emphasis added).

Considering that Law 13,415/17 allows for the possibility of public-private partnerships, especially for technical and professional education, which may

entail serious consequences for public education, it is worth noting the previously outlined Sections I and VI, which emphasize the need for departments to define in their Implementation Plans the diagnosis of potential partners and a possible articulation with them. From this perspective, this document reaffirms the constant presence of the business market in various instances of Brazilian public education, which, intertwined with the political sectors of the national, state, and municipal executive powers, implicitly and explicitly establish new mechanisms of educational management.

Regarding the transfer of centrality from the public sector to a process of outsourcing, contracting, and monitoring of actions, Ball (2018) highlights the duality emerging in the role of the State. While it becomes more diffuse, it also becomes smaller in some aspects and paradoxically larger, intrusive, vigilant, and centralized. Consequently, the sphere of economic policy expands, and "the State is increasingly proactive in promoting competitiveness, entrepreneurship, and entrepreneurship - both collective and individual - in education and elsewhere." (Ball, 2018, p. 4).

In this direction, the business sector and its representatives undertake the task of diminishing the centrality of the State in the production of educational policies and in ensuring this fundamental right to the entire population, transforming education into a commodity, converting the public into private goods, through their worldviews laden with new values and practices. Simultaneously, the structure and roles of the State itself undergo modification, whereby it becomes a monitor, contractor, and goal-setter, rather than being responsible for service provision. Consequently, "the State becomes a regulator and market creator in a complex network of relationships with a diversified set of actors and organizations." (Ball, 2018, p. 12).

According to Faria and Silva (2019), this new model of educational management, in which private entities team up with the public sector to form a political *governance* community, has been under tension since the 1990s and has intensified in the last decade. It is based on the principles of New Public Management, which advocates for the state's failure in public activities, justifying a management approach guided by effectiveness and efficiency principles. This approach rationalizes public spending to provide essential public rights, such as health and education.

In the current landscape of educational policy, the actors and agents driving this process are united not only nationally but also internationally, such that social, political, and economic issues are at the forefront of discussions within these *governance networks*, which constitute what Ball (2018) characterizes as an "epistemic political community." This framework acknowledges that these actors not only disseminate such policies but also benefit from them. Given this new form of educational policy formulation, involving new spaces and actors, many of whom are affiliated with the private sector, education is increasingly viewed as a significant opportunity for profitability. As a result, educational policy and services become commodified.

Regarding the so-called specialized consulting services, Faria and Silva (2019) clarify that the collective entities providing these services are part of the network Movement for the National Common Curricular Base (MPBNC), coordinated and financed by the Lemann Foundation, among other institutions connected to the business sector. Since 2013, they have been involved in shaping Brazilian public policies, further strengthening their influence after the 2016 political upheaval. Together with the networks of the Education for All Movement and the Atlas Network, the MPBNC network forms part of the current *governance* policy and has been highly active in shaping the curricular reform of basic education and the BNCC<sup>4</sup>. (Faria; Silva, 2019).

With the aim of defining "the guidelines for financial support through the Direct Money to Schools Program (PDDE)<sup>5</sup> to school units belonging to

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<sup>4</sup> Currently, the MPBNC network comprises agents from Banco Itaú BBA, Fundação Itaú Social, Instituto Unibanco, Instituto Inspirare, Instituto Ayrton Senna, Fundação Lemann, Instituto Natura, Fundação Maria Cecília Souto Vidigal, Instituto Rodrigo Mendes, Serviço Social do Comércio (SESC), Ministry of Education (MEC), National Confederation of Municipalities (CNM), National Institute for Educational Studies and Research Anísio Teixeira (INEP), National Council of State Secretaries of Education (CONSED), National Union of Municipal Education Directors (UNDIME), World Bank, Educational Community of Fundação SM (CEDAC), Center of Excellence and Innovation in Educational Policies (CEIPE/FGV), Instituto Singularidades, Academia Paulista de Educação, Center for Studies and Research in Education, Culture, and Community Action (CENPEC), Todos pela Educação Movement, Cesgranrio Foundation, Abrelivros, Education Laboratory (Labeledu), Cidade Escola Aprendiz (NGO), INSPER Institute, Roberto Marinho Foundation, and Brazilian Association of Educational Evaluation (ABAVE) (Faria; Silva, 2019, p. 10-11).

<sup>5</sup> "Established in 1995, the School Direct Money Program (PDDE) aims to provide financial assistance to schools, on a supplementary basis, to contribute to the maintenance and improvement of physical and pedagogical infrastructure, leading to an increase in academic performance. It also aims to strengthen social participation and school self-management. According to Resolution No. 6, of February 27, 2018, the disbursement of funds will occur in two annual installments, with the payment of the first installment to be made by **April 30** and the

participating Secretariats of the High School New Support Program, and to school units participating in the impact assessment of the EMTI” (that are not participants of the 1st or 2nd Ordinance of the EMTI (Brasil, 2018e), the Ministry of Education (MEC) published Ordinance No. 1,024 on October 4, 2018 (Brasil, 2018c, p.1). It is important to draw attention to Article 7, which conditions this financial support on the budgetary availability of the FNDE, covering only a portion of the schools.

To receive these funds, the school must either be a pilot of the High School New Support Program or participate in the National Center for Education Media<sup>6</sup>. (Brasil, 2018c, p. 1). As a criterion for selecting schools eligible for the respective resource, the Ordinance establishes in Article 4 that education secretariats should consider, at minimum, one school from each of the following groups: "indigenous, quilombola, or rural school education; regular high schools with evening classes; those with low or very low Socio-Economic Level Indicator (INSE), or another criterion of social vulnerability; the sole provider of high school education in their municipality; with up to 130 students enrolled in high school." (Brasil, 2018c, p. 2).

Education secretariats whose schools receive this resource through the High School New Support Program must develop a Plan for Monitoring Curricular Flexibilization Proposals (PAPFC) and submit it to the Ministry of Education. Based on the guidelines of the PAPFC, each school receiving resources from the High School New Support Program must develop its Curricular Flexibilization

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second installment by **September 30** of each fiscal year to the EEx, UEx, and EM that meet the requirements for updating registration by the payment date.” Source: <https://educacao.sme.prefeitura.sp.gov.br/coplan/programa-dinheiro-direto-na-escola-pdde/#:~:text=Criado%20em%201995%20pelo%20governo,social%20e%20a%20autoqest%C3%A3o%20escolar>. Access on May 20th, 2022.

<sup>6</sup> “The National Center for Education Media (CNME) is a proposal for face-to-face teaching mediated by technology, launched by the then Minister of Education, Rossieli Soares, on November 13, 2018, at the Lúcia Martins Coelho State School in Campo Grande (MS). In conjunction with the National Council of State Secretaries of Education (Consed) and with the support of TV Escola and the Roberto Marinho Foundation, CNME encompasses face-to-face teaching mediated by technology, allowing teachers and students to participate in real-time classes taught by a teacher from a studio. The initiative already includes 150 public high schools in 18 Brazilian states: Amazonas, Amapá, Bahia, Espírito Santo, Goiás, Maranhão, Mato Grosso do Sul, Rio de Janeiro, São Paulo, Minas Gerais, Pará, Paraná, Piauí, Rio Grande do Sul, Santa Catarina, Sergipe, Tocantins, and the Federal District. The first phase of CNME implementation, which began in August 2018 and will be completed in December, is serving approximately ten thousand students”. Source: <http://portal.mec.gov.br/ultimas-noticias/211-218175739/71011-mec-lanca-centro-nacional-de-midias-da-educacao-para-ensino-presencial-mediado-por-tecnologia>. Access on: Aug. 15th, 2020.

Plan (PFC), detailing actions that will contribute to improving student learning outcomes and reducing dropout rates. This plan must be consistent with the school's Pedagogical Political Project and the National Curricular Guidelines for High School Education (DCNEM) and must comply with the requirements established in Article 6 of the Ordinance, including:

- I - Ongoing training for teachers;
- II - Proposal of curricular activities supporting the development of students' life projects;
- III - Proposal of curricular activity(ies) focusing on the development of socio-emotional competencies from the perspective of youth protagonism;
- IV - Identification of students' interests for the provision of pathways. (Brasil, 2018c, p. 2)

In return for this financial support, the High School New Support Program requires state education secretariats to develop their Implementation Plans for the New High School Education, and their curriculum proposals must be duly approved by the State Education Councils.

The analysis of the content of these Ordinances, the resulting *modus operandi*, and the implications they enunciate concerning youth education, school management, teacher training, and work, demonstrate the intentionality to impart a strong inducing character to the implementation of the high school reform and BNCC and justify further expanding the participation of business foundations in this process.

### **The guidelines for the development of educational pathways: Ordinance No. 1,432 of December 2018**

With the aim of regulating what is established in Law 13,415/17, the Ministry of Education established the Guidelines for the Development of Educational Pathways through Ordinance No. 1,432, dated December 28, 2018. Considering the regulations outlined in the new National Curricular Guidelines for High School Education (DCNEM), which stipulate that the provision of these pathways should be organized around four structural axes (scientific investigation, creative processes, socio-cultural mediation and intervention, and

entrepreneurship) and that these are complementary, Ordinance No. 1,432/18 emphasizes the importance of curriculum proposals developed by education networks and school institutions incorporating and integrating all of them. This ensures that students can experience diverse learning situations (Brasil, 2018d).

Despite the importance attributed in this Ordinance to the incorporation of all structural axes in the provision of educational pathways aiming to ensure the development of "a diversified set of skills relevant to the comprehensive education of students" (Brasil, 2018d, p. 2), it determines that students should complete only one educational pathway, which necessarily revolves around just one structural axis. With that said, once again, the policy of inducing the implementation of high school reform explicitly reveals its contradictions, its pragmatic, utilitarian, and reductionist essence, by leaving the guarantee of the integration of all structural axes in educational pathways entirely to the responsibility of the education systems, without providing them with the necessary structural conditions to do so.

Another controversy of the so-called New High School is corroborated by the fact that students will only be able to pursue other educational pathways after completing the total high school workload and if the education network provides available slots for it, which also reinforces the understanding that young people's choice of pathways constitutes a fallacious discourse.

The analyzed Ordinance also provides an explanation regarding the justification, objectives, and methodological procedures that can be adopted in each of the four structural axes of educational pathways. Specifically, regarding the Entrepreneurship axis, this normative document justifies its importance, in light of the following argument:

To engage in a society increasingly marked by *uncertainty, volatility, and permanent change*, students need to increasingly appropriate knowledge and skills that enable them to *adapt* to different contexts and create opportunities for themselves and others. As a result, there is a need to deepen knowledge related to the context, the *world of work*, and the *management of entrepreneurial initiatives*; to enhance skills related to self-awareness, entrepreneurship, and life projects; and to utilize this knowledge and skills to structure entrepreneurial initiatives with various purposes, aimed at enabling personal or *productive* projects (Brasil, 2018d, p. 4, emphasis added).



This structural axis explicitly articulates the understanding that students should be able to become entrepreneurs and "protagonists" of their trajectories, which further highlights the educational conception underlying this reform. To further emphasize this conception, we highlight in the above quotation the expressions "*uncertainty, volatility, permanent change, adapt, the world of work, entrepreneurial initiatives, and productivity,*" considering that these have been permeating not only the normative documents of high school reform but also the discourse of the government and its advocates as a whole.

Regarding the organization of the structural axes of educational pathways, Ordinance 1,432/18 specifies that it is the responsibility of education networks and schools to define the sequence in which these structural axes will be traversed and the forms of connection between them. In this sense, the curriculum proposal can be organized by subjects, workshops, units, thematic units/fields, and projects, as well as other possibilities for curriculum flexibility; and whether the educational pathways will focus on one or more knowledge areas, the combination of one of these areas with technical and professional training, or only the latter (Brasil, 2018d).

This conception is tied to neoliberal educational policies, which entail a combination of three central categories: accountability, meritocracy, and privatization (Freitas, 2012). Such educational policies that absolve the State of responsibility for public education have been increasingly prevalent in Brazil, particularly in state and municipal education departments. Regarding this disengagement of the State, Freitas (2012) further elucidates that it only occurs when it becomes convenient for the so-called "business reformers," that is, "when, on the one hand, the revenue of educational corporations is at stake, and on the other hand, the ideological control of the educational system by corporate interests to serve market interests, narrowing educational purposes." (Freitas, 2012, p. 386).

## **Final Considerations**

From the analysis of Law 13,415/17, the National Curriculum Guidelines for High School issued by the National Council of Education in 2018 for its regulation, as well as the Programs created by the Ministry of Education aimed

at its implementation in state networks, a fundamental characteristic marked by contradiction is inferred: while an aspired flexibility is propagated, mechanisms of induction and control are established. Such a perspective is further evidenced by the high level of curriculum standardization contained in the BNCC and its strong prescriptive nature, which also contradicts the discourse on the need for flexibility.

By conditioning school funding on national assessment results, as well as linking teacher training and work to the proposals of the reform and the BNCC, the regulations and programs analyzed compel educational institutions to adhere compulsorily.

In all the analyzed provisions, there is also a strong presence of the privatization of public education through the management and execution of programs. In this context, political rationality is established along the lines of neoliberal governance, through which education professionals and students themselves see their decision-making power and choices weakened, thus revealing yet another contradictory aspect of the reform.

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Submissão: 30 mar. 2024

Aceite em: 30 abr. 2024

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