

COVID 19 AND EDUCATION IN TEACHING SYSTEMS: Normative mapping and ensuring equity in times of pandemic

COVID-19 E A EDUCAÇÃO NOS SISTEMAS DE ENSINO: Mapeamento normativo e a garantia da equidade em tempos de pandemia

COVID-19 Y EDUCACIÓN EM SISTEMAS DE ENSEÑANZA: mapeo normativo y garantía de equidad en tiempos de pandemia

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Received: 03.15.2020. Accepted: 04.03.2020. Published: 05.01.2020.

ABSTRACT:

This study refers to a systematic analysis, from an integrative review of the normative acts and grades, granted by the federal, state and district systems about equity and educational principles, contained in the regulation on the provision of nonclassroom educational activities for basic education at a time when the country is faced with the need to reinvent educational processes and revisit its rules to the detriment of the current circumstance arising from the New Coronavirus Pandemic - COVID 19. Equity, as well as educational principles, are essential elements to reduce inequality and to guarantee the subjective right to quality education, it was proposed to know these approaches; and the results obtained revealed that the theme in question is contemplated in an incipient way.

KEYWORDS: equity; normative acts; nonclassroom teaching activities; educational principles.

Introduction

Equity is a necessary condition for every human being to ensure their dignity. In the field of educational regulation, the Federal Constitution (CF), in Art 205 and the Law of Guidelines and Bases of National Education (LDB) n° 9.394/1996, in Art 3 clearly summarize the concept of equity in the set of educational principles. In this understanding, it is opportune to emphasize the main provisions that are in line with equity, in the context of equal conditions: freedom to learn, respect for diversity of ideas, conceptions, freedom, tolerance, ethnic racial diversity and the guarantee of the right to education and learning, in the perspective of the guarantee of quality standards. (BRAZIL, 1996).

In this sense, the best definition found in this study for the term equity from an educational perspective is that expressed in the Manual to Ensure Inclusion and Equity in Education, prepared in 2019 by UNESCO, which states: "Equity is ensuring that there is a concern for justice/fair processes, so that the education of all students is considered equally important" (UNESCO, 2019, p.13). Through this elucidation it can be affirmed that equity is a natural justice, a willingness to impartially recognize the right of each student. In addition, it denotes recognition that everyone has the right to education, but not necessarily with the same care.

To pursue this bold goal, it is necessary to guarantee equity not only in the normative acts of education systems, but in the daily practice of the classroom and in the teaching and learning processes, regardless of the format in which they are offered. This action requires an urgent capacity to develop and implement preventive policies to avoid all forms of inequality, not only in access to education, but also in conditions of participation, learning and successful completion. It also requires the understanding that diversity must be understood as ways to improve and make meaningful learning accessible to all (UNESCO, 2019).

The provision of basic education from the perspective of equity requires a commitment to students capable of reverting to a situation of inequality of equal rights, regardless of social, economic and cultural class, gender or religion. This includes everyone, including those who were not able to study at their own age, even if it is necessary to adapt aggregate pedagogical methodologies and practices to the planning that are sufficient to advance in overcoming differences (BNCC, 2018).

Therefore, through the current scenario, resulting from the OVID-19 Pandemic, officially, from the institution of Law No. 13,979, of February 6, 2020, published in the Federal Official Gazette (DOU) on: 02/07/2020 | Edition: 27 | Section: 1 | Page: 1, measures were established to address the public health emergency of international importance. In this way, education is able to completely rearrange its way of teaching, planning and pursuing results, seeking strategies that suit the new interactions.

In this context, the social isolation, obligatory and necessary for the maintenance of life in overcoming COVID 19 placed the country at a unanimous educational level in the understanding that teaching is not transferring knowledge and content, but creating the possibilities for its production or construction. Therefore, the federal entities, united in a joint effort, decreed the suspension of the classes in the schools, being in charge of each teaching system to reorganize the offer of pedagogical activities not in person in an equitable manner in order to ensure the continuity of the learning teaching process and not cause even greater damage to students.

This study aimed to understand the approaches to equity in the normative acts and notes on the provision of non-presential educational activities in basic education, granted by the federal, state and district education systems, in the face of the adversity generated by COVID-19.

Methodology

This research is a bibliography review considered an integrative literature review, in which the results on equity contemplated in the normative acts of the federal, state and district education systems were gathered and systematized in an orderly manner for the provision of non-presential educational activities as a result of the COVID Pandemic - 19, contributing to the deepening of universal educational care (MENEZES KDS, SILVEIRA RCCP, GALVÃO CM, 2008).

For a better understanding of the integrative revision, the research problem was defined: equity and educational principles were contemplated in the normative acts and grades granted by the federal, state and district education systems when normatizing the supply of non-presential educational activities, on an exceptional basis, while the measures to confront the New Coronavirus Pandemic persist...

Then, a bibliographic survey was conducted, from the virtual channels (State Education Councils websites, WhatsApp groups, phone calls and contacts with the executive secretaries of the State and District Education Councils, through e-mail/email addresses, in the search of the normative acts related to non-presential educational activities offers. For the analysis of these documents, the following descriptors were listed: universal attendance; access to all; participation of all students; equity; meeting all needs; avoiding educational inequality; guaranteeing the right to education; compulsory basic education as a subjective public right.

In this phase, inclusion criteria were also defined for the selection of the normative acts of each education system: dealing with basic education in relation to the normatization of the supply of non-presential educational activities, in the context of the Pandemic - COVID 19, for the 2020 school year. The first analysis was carried out, through the access to the complete normative act. The normative acts that did not meet the objective of the research were excluded, such as the executive's normative acts, as well as the federal, state and district systems' normative acts that did not contemplate the constitutional principles of education and equity.

In the search for the normative acts, according to the established criteria, a total of 40 (forty) normative acts and notes were identified for analysis. Of these 17 (seventeen) were discarded and 23 (twenty-three) contemplated in this research, being: 01 (one) ordinance, 12 (twelve) resolutions, 04 (four) technical notes, 01 (one) deliberation, 01 (one) indication, 01 (one) recommendation and 03 (three) opinions.

Soon after, the normative acts and notes were evaluated as to the clarity of the data and their relationship with the questioning of the research and in the end it was possible to obtain a total of 23 (twenty-three) evaluated normative documents. After that, the data and information were analyzed and interpreted, with an intense reading, through a discursive textual analysis in order to answer the questioning of the research and the objective proposed in this study (MORAES R, GALIAZZI MC, 2011).

The data were approximated, according to the identification of their similarities and differences, building two thematic categories: principles of basic education and equity. The 23 (twenty-three) normative acts, notes and indication and recommendation, selected for analysis, are presented in the Table 1.



União/Estado	Data	Тіро	Descrições e Análises das Normativas dos Sistemas de Ensino Brasileiro
CNE	28/04/2020	CNE/CP Opinion No	Eminent principles in the Opinion are:
		5/2020	• ensure basic quality standards to prevent the growth of educational inequality in Brazil;
			 to ensure that the skills and learning objectives set out in the Common National Curriculum Base (BNCC) and in the school curricula are met throughout this school year;
			 to allow all learners access to the various technologies available, in order to ensure inclusion and equal educational
			opportunities;
			• to ensure the quality of learning for all students, subject to special teaching regimes, from non-presential activities mediated
			or not by digital information and communication technologies;
			 to respect the specificities of early childhood education and primary schooling in learning and development processes; ensure Special Education, Field Education, Quilombola and Indigenous Education, in a transversal way, at all levels, stages and
			modalities of education and teaching.
			- adopt necessary and sufficient measures to ensure compliance with the LDB's provisions, in terms of organizational parameters of
			school activities and execution of its curricula and programs.
CNE	18/03/2020	Clarification Note	
Acre	28/04/2020	EEC/AC Opinion No	() ensuring basic quality standards of learning for all students;
Acre		05/2020	() making essential means and resources available to all students.
	31/03/2020	Resolution nº 27/2020 - CEE/AL	Art. 2 - in school calendars, it must be ensured: Measures to mitigate the losses of students (), in order to ensure the expected
Alagoas			learning.
	03/04/2020	Resolution No 033/2020 EEC/Amapá	Art. 4, item II - to ensure that the educational objectives of teaching and learning foreseen () are achieved by the end of the
			school year, including ensuring adapted activities for inclusion students;
Amapá			V- respect the specificities, possibilities and needs of babies and toddlers in their development and learning processes
			Art. 5-() guarantee the right to quality education, protection, life and health of students, teachers, employees and the school
			community()
	25/03/2020	EEC Resolution No 27/2020	Article 281 - The application of curricular activities in students' homes is characterized by the following:
Bahia			I - () ensuring the learning objectives set for the school year.
			III-Form of inclusion of multiple possibilities of teaching tools () At \mathbf{T} II) ()
			 Art. 7, II) - () expand the capacity of use of information and communication technologies in the context of Identity Territories. Art. 3 V In early childhood education () the specificities, possibilities and needs of children in their development processes should
	27/03/2020	EEC Resolution 481 of	be respected ();
			() to emphasize and develop the experiences and experiences that ensure the rights of learning and development contained in
. (the curriculum contained in the Pedagogical Project of the educational institution ();
Ceará			VII - ensure the recording of student attendance by means of reports and monitoring of learning progress through the
			implementation of the proposed activities ()
			§ () preserve the quality standard provided for in Subsection IX of Article 3 of the LDB and Subsection VII of Article 206 of the
			Federal Constitution;



			Art. 1II-zelar for the learning of the students;
Federal District	21/05/2020		III- to ensure the planned skills and learning objectives;
		EEC/DF Recommendation	\mathbf{N} - ensure quality standards, essential to all learners;
		No 1/2020	VII - provide training for teachers to act remotely;
			XVII - ensure Special Education, Field, Quilombola and Indigenous Education, in a transversal manner, at all levels, stages and
			modalities of education and teaching.
	08/05/2020		Public Note to Parents and Guardians:
		Explanatory Note 3/2020	7. () that students have access to the best quality of education () that they are well trained for the world of work and achieve full
		COCP -CEE - 18461	citizenship.
Goiás	18/05/2020		Ensure the constitutional principles (), aiming at the full development of the person, his preparation for the exercise of citizenship
		Explanatory Note 4/2020 COCP -CEE - 18461	and his qualification for work.
			() to achieve cognitive development and the promotion of knowledge to children in Early Childhood Education.
			() to watch over the emotional, social, individual and intellectual development of children
	26/03/2020		Art. 2 As a guarantee of equity and quality of education:
		EEC/MA Resolution	I - take steps to minimize the impact on student learning;
Maranhão		94/2020	IV - ensuring the educational objectives of teaching and learning foreseen in the teaching plans.
		Normative Resolution no.	Art. 3 I - to ensure measures that mitigate the losses of students, () in order to ensure learning;
Mato Grosso	23/03/2020	002/2020-CEE/MT	II - ensuring that teaching is appropriate to local peculiarities, including climate, economic and health.
	14/04/2020		- To respect the specificities of early childhood education and primary school years, in learning and development processes, as well
Mato Grosso do		Guidance Opinion: CP/CEE/MS No 017/2020	as in pedagogical practices in their different social contexts.
Sul			- To make available different methodological procedures, resources and evaluation, considering the individual conditions,
			regarding the cognitive, affective, social and cultural aspects of the students.
	26/03/2020		Art. 2II - to ensure the educational objectives of teaching and learning foreseen in the plans of each school;
Minas Gerais		Note for clarification and	III - ensure that the school calendar is appropriate to local peculiarities, including climate, economic and
		guidelines01/02020	health, as provided in § 2 of art. 23 of LDB;
			VI - ensuring experiences that guarantee the learning and development rights foreseen in the curriculum.
	07/04/2020	Resolution No 120/2020	Art. 1 § 2() consider the following criteria:
Paraíba		EEC/Paraíba	I- the socio-economic realities of municipalities, regions and territories
			II- the socio-economic situation of the students' families;
			III- the effective possibility of universal access for students to the Internet network and equipment;
			IV - specific demands of Field Education, Indigenous Education, Special Education, Youth and Adult Education, as well as
			educational institutions located in quilombola and Roma territories.
	04/05/2020	Resolution 140/2020 Amends Resolution	Art. 11 Sole paragraph, item II - To ensure that the educational objectives set forth in the Pedagogical Projects of each educational
	04/05/2020	Amends Resolution 120/2020	institution are achieved by the end of the school year;



			IV Respect the specificities, possibilities and needs of babies and children in Early Childhood Education, in their development and
			learning processes;
Piauí	26/03/2020	EEC/IPO Resolution No	Article 4 - To ensure the right to education with quality ();
		061/2020	Art. 5- ()ensure that there is no damage, with the replacement of the contents / classes when returning to school.
Rio Grande do	04/05/2020	Portaria -SEI nº 184	7 - ensure equity and quality of learning among students.
Norte			() provide food to vulnerable students, especially those who have the reference meal at school.
Rondônia	13/04/2020	Resolution 1253/ 2020	Art. 9 () ensure that the replacement of classes () so that the standard of quality is preserved.
	18/03/2020	Decision EEC/SP 177/2020	Art. 2II - to ensure that the educational objectives of teaching and learning () are achieved by the end of the school year;
	10,00,2020		VI - respect the specificities, possibilities and needs of babies and children in Early Childhood Education, the first stage of Basic
			Education, in their development and learning processes.
São Paulo			Article 4 § 4() preserve the standard of quality provided for in the LDB and the Federal Constitution.
		EEC indication 193/2020	1.2.3 UNDIME/SP, SEDUC/SP and SME/SP ORIENTS
	15/04/2020	EEC/SP	- guarantee the right to live together and to participate actively in proposals that broaden one's knowledge of oneself and the world
Sergipe	03/04/2020	Resolução Normativa nº 4/2020 do CEE	Art. 6º - () garantir o direito à educação com qualidade ()
	08/04/2020	Resolução do CEE-TO 105/2020	Art. 7º II - Assegurar os objetivos educacionais de ensino e aprendizagem previstos nos Projetos institucionais;
Tocantins			III - Garantir que o calendário escolar seja adequado às peculiaridades locais, inclusive climáticas, econômicas e de saúde, conforme previsto no §2º, do art. 23, da LDB;
			VI - Respeitar as especificidades, possibilidades e necessidades dos bebês e das crianças da Educação Infantil, 1ª Etapa da Educação Básica, em seus processos de desenvolvimento e aprendizagem.
			Art. 8º VI - garantir que a reorganização dos calendários escolares em todos os níveis, etapas e modalidades de ensino, seja realizada de forma a preservar o padrão de qualidade previsto no inciso IX do artigo 3º da LDB e Inciso VII do artigo 206 da Constituição Federal.



Results and Discussion

The results obtained in this study showed a framework for regulating the supply of non-presential educational activities, on an exceptional basis, because of the very similar VOCID-19 between the education systems, with characteristics that will be detailed in each item below.

Commitment of normative acts and notes to equity in education

The analysis carried out in the normative documents and notes of the federal, state and district education systems revealed a shortage of equity in substantive terms. There is a preponderant concern with pedagogical resources, technological or not, with methodology and planning, including in the latter, the pedagogical project of educational institutions, pointing to an urgent and necessary restructuring for the supply of nonpresential educational activities, in an exceptional manner in the context of the pandemic.

In this scenario, an exacerbated concern with the process of non-presential educational activities is highlighted, in contrast to terms that ensure and present equity as fundamental in order not to further amplify educational inequality in Brazil, in Pandemic times. Education as a right must be guaranteed equally for all. Access cannot be allowed to be affected, as well as learning outcomes by circumstances that are independent of the citizen's will, such as gender, place of birth, ethnicity, religion, language, income, wealth or disability, as well as in the current circumstance of social isolation, resulting from COVID 19 (UNITED NATIONS, 2017).

The offer of non-presential pedagogical activities, on an exceptional basis, regulated by the above-mentioned educational systems opens new ways and forms for the provision of education. However, it is observed that reinventing pedagogical practices and attending with referenced quality all students, regardless of their condition, requires much more than regulating through normative acts. It is therefore appropriate to state that it is of utmost importance to know the reality expressed in a quantified manner for a detailed analysis of the most excluded segments of the student class in schools and educational networks in order to regulate the supply of education in non-conventional formats only then. If the data are not known, many marginalized groups will remain invisible and will not be contemplated with concrete strategies and actions, but will remain on the margins of remote education as a result of their reality (UNESCO, 2019).

Considering that regulation also directs public policies and strategies of the executive and educational institutions, there is an urgent need for reflection on the part of regulatory agencies in order to promote studies of the gaps between the norm, the reality and the conditions for the implementation of the normative act, in the context of equity.

And finally, a final consideration, now related to educational institutions that, without a specific normative guideline on the practice of equity, take time to act on the range of apprehension, focused on segregation patterns clearly related to the rules, attention to internal hierarchies with their rules of access, class organization, selection and shifts. It is precisely in the place where the greatest concern with equity should be grasped, since this is also a place where education is done (COSTA ; BARTHOLO, 2014).

Educational principles in normative acts and notes

The constitutional principles contained in the normative acts and notes granted by the federal, state and district education systems described in table 1 present the data with preponderance to the principle of "quality standard assurance" expressed in Art. 206, Subparagraph VII of the Federal Constitution of 1988.

The federative pact established in the Magna Carta with distributions of tasks and duties, including to the family and the collaboration of society, with regard to quality education is represented in this legal provision, with a coordinated and decentralized coexistence of education systems, strengthened by the system of collaboration, with corresponsibility imposed or built (FERREIRA, 2008).

However, it is worth mentioning that Brazilian educational legislation does not clearly describe what quality education is. The Education Guidelines and Bases Law, in its article 4, mentions the minimum standards of quality of education, placed in the Federal Constitution and goes beyond determining, among other issues, the indispensable inputs for the development of the teaching-learning process. In this sense, the Brazilian educational legislation does not allow clarity in this aspect, but only refers to vague and inconsistent quotations to place, in the scope of the law, the discussion regarding the quality of education (CURY, 2002).

From the point of view of the quality of education, it is important to resume education as a right corroborated by basic education established in the past decade, but still latent today, expressed in the 1990 World Declaration on Education for All, from Jomtien, Thailand, which stated Article 3 - UNIVERZALIZING ACCESS TO EDUCATION AND PROMOTING EQUITY:

 Basic education shall be provided for all children, young people and adults. To this end, it must be universalized and its quality improved, as well as effective measures taken to reduce inequalities.
 For basic education to become equitable, all children, young people and adults must be given the opportunity to achieve and maintain a minimum standard of learning quality (JOMTIEN, 1990, S/P).

From this perspective, the regulation of education provision through non-presential educational activities in times of pandemic of OVID-19, presented by the normative bodies of the federal, state and district systems, brings the constitutional principles in a shallow way, without consistency to determine the quality referenced as subjective right. Table 1 presents the most commonly used terms, referring to the principles, such as: ensuring educational and learning objectives; respecting the specificities of a certain stage of teaching or modality; ensuring that teaching is adequate to local peculiarities, among others that can be viewed with similar meanings in terms of quality.

The analysis revealed that of the 40 (forty) normative acts and notes issued by the federal, state and district systems selected in this survey 17 (seventeen) did not contemplate constitutional principles or equity for this type of non-presential educational offer. On the other hand, it was observed that the opinions and indications were the normative documents most systematically based in the Brazilian educational legislation, contemplating with emphasis the educational principles. In this segment, the CNE/CP Opinion No. 5, approved on April 28, 2020 by the National Education Council, stands out:

(...) it is important to consider the structural weaknesses and inequalities of Brazilian society that aggravate the scenario arising from the pandemic in our country, particularly in education, if we observe the differences in proficiency, literacy and net enrollment rate related to socio-economic and ethnic-racial factors. Also, as part of this structural inequality, it is important to record the differences in the conditions of access to the digital world by students and their families. Furthermore, it is relevant to observe the socioeconomic consequences that will result from the impacts of COVID-19 on the economy, such as, for example, an increase in the unemployment rate and a reduction in family income. All these aspects demand a careful look at the proposals for guaranteeing rights and learning objectives at this time in order to minimize the impacts of the pandemic on education (OPINION CNE/CP No. 5, 2020, p.3). Revista Observatório, Palmas, v. 6, n. 3 (Special Issue 1), p. 1-16, May 2020

From this understanding, the CNE materialized the concern with the growth of educational inequality and pointed out questions on how to avoid it and at the same time how to guarantee the quality standards, skills and effective learning objectives foreseen in the curricula for all, including "students submitted to special teaching regimes that include non-presential activities mediated or not by digital information and communication technologies". Remaining in the field of enquiries and conjectures. (OPINION CNE/CP No. 5, 2020, p. 04).

Thus, it becomes evident in this study that the norms, guidelines, clarifications and indications granted by the federal, state and district systems for the regulation of the supply of non-presential educational activities, in exceptional character, presented preponderance to the practical and operational questions, without adhering in depth to educational principles and equity.

Final Considerations

This study resulting from the analysis of the normative acts and technical notes published by the federal, state and district systems in the context of social isolation, coming from COVID-19, for the regulation of the supply of non-presential educational activities, in exceptional character, brought important contributions to the educational and academic society. Thus, the knowledge of the regulatory scenario was obtained, stimulating the search for the improvement of norms with respect to equity and educational principles, in order to contribute, satisfactorily, to the improvement of educational legislation, which can cooperate so much with the reduction of educational inequality in Brazil.

In view of the results found, it can be affirmed that the scenario of regulating the supply of non-presential educational activities presents a reality in which the perception of the regulatory bodies of the education systems about the knowledge of the purpose of equity and of the educational principles arranged in the legal diplomas is not harmonized in the same proportion as the pedagogical practices, the teaching strategies and the resources to be used in the teaching and learning process.

In this sense, the results showed that equity and constitutional principles were mentioned in an incipient way to serve all students in the adversity caused by the social isolation caused by COVID-19. It is necessary that normative acts are capable of regulating supply by characterizing the distributions of learning, the inputs and the resources that determine learning itself, without necessarily failing to contemplate in the same depth the positive or negative consequences for education, and what types of supply can be characterized as unfair (UNESCO 2019).

Changing this reality requires joint efforts of the Brazilian education systems, through the strengthening of the collaborative regime, because only the identification of gaps in the presented reality will not be enough to plan, execute and publish regulations that aim to meet equity as well as educational principles. In this case, investment in studies and debates are indispensable requirements to ensure solid changes in the normatization of education, without leaving out the monitoring of the applicability of normative devices, the planning and the necessary inputs to ensure the implementation of a quality education referenced. Such appropriate interventions may have positive effects on both equality and quality of education (PFEFFER, 2015).

On this occasion, a permanent agenda is suggested between the federative entities and their regulatory bodies of the education systems to hold debates in order to facilitate the construction of an understanding capable of promoting concrete changes. This should be done in such a way as to include in normative regulations, the clarity of equity and educational principles, in a concreteness capable of contributing to minimize the chaotic picture in which education is elucidated by educational inequality, which must be reinvented in order to be able to improve educational processes and revisit their planning. Thus, the urgent demand of education for new teaching formats resulting from the adversity caused by the New Coronavirus Pandemic can be clearly guided from the perspective of equity.

Similarly, the investigation of other contexts related to educational principles and the achievement of equity, especially international experiences in this field, will certainly bring advances in the deepening of knowledge on the subject under investigation.

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RESUMO:

Este estudo refere-se a uma análise sistemática, a partir de uma revisão integrativa dos atos normativos e notas, deferidos pelos sistemas federal, estaduais e distrital acerca da equidade e dos princípios educacionais, contidos na regulamentação sobre a oferta de atividades educacionais não presenciais para a educação básica no momento em que o País se depara com a necessidade de reinventar os processos educativos e de revisitar suas normas em detrimento circunstância, da atual da Pandemia decorrente do Novo Coronavírus - COVID 19. Como a equidade, assim como os princípios educacionais elementos essenciais para a redução da desigualdade e para a garantia do direito subjetivo à educação de qualidade, propôsse conhecer estas abordagens; e os resultados obtidos revelaram que os temas em questão são contemplados de forma insipientes.

PALAVRAS-CHAVE: equidade; atos normativos; atividades pedagógicas não presenciais; princípios educacionais.

RESUMEN:

Este estudio se refiere a un análisis sistemático, a partir de una revisión integradora de los actos y calificaciones normativas, otorgada por los sistemas federales, estatales y de distrito con respecto a los principios de equidad y educación, contenidos en la regulación sobre la provisión de actividades educativas clases a distancia para educación básica en un momento en que el país se enfrenta a la necesidad de reinventar los procesos educativos y revisar sus reglasen detrimento de las circunstancias actuales derivadas de la nueva pandemia de coronavirus - COVID 19. La equidad, así como los principios educativos, elementos esenciales para reducir la desigualdad y garantizar el derecho subjetivo a una educación de calidad, se propuso conocer estos enfogues; y los resultados obtenidos revelaron que el tema en cuestión se contempla de manera insipiente.

PALABRAS-CLAVES: equidad; actos normativos; actividades de enseñanza fueradel aula; principios educativos.