


## COVID-19 INTERFACES IN EDUCATION: INITIAL ELEMENTS AND NOTES IN TOCANTINS

INTERFACES COVID-19 EN EDUCACIÓN: ELEMENTOS INICIALES Y NOTAS EN TOCANTINS  
INTERFACES DA COVID-19 NA EDUCAÇÃO: ELEMENTOS E APONTAMENTOS INICIAIS NO TOCANTINS

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### ABSTRACT:

The text interfaces COVID-19 in education: elements and initial notes in Tocantins, has the intention of identifying the paths taken by education in the national and state spheres, in the educational context in a period of pandemic, seeking to explicit reflections on educational policies and compliance with educational law. The work is based on bibliographic and document review, considering the laws, decrees, provisional measures, and guides, among others, available on websites and electronic portals. The partial results of the study show that the school teams' doubts are numerous due to the lack of guidelines from the National and State Education agencies regarding the provision of non-presential education, whether in the form of distance education or any other form of remote education aimed at basic education.

**KEYWORDS:** COVID-19. Educational law. Public policies. Non-presential classes. Education legislation.

## 1 Introduction

Despite knowing that this situation is general, it is important to emphasize that we are experiencing worldwide a moment of negativity in the health scenario, economic impacts and distance in social and educational public policies.

For obvious reason, the World Health Organization (WHO) declared on January 30, 2020 that the outbreak of the disease caused by the new Coronavirus (COVID-19), officially called SARS -CoV2, constitutes a Public Health Emergency

of International Importance, the highest level of alert of the Organization, as provided in the International Health Regulations. On March 11, 2020, COVID-19 was characterized by WHO as a pandemic.

According to the Ministry of Health, the number of cases of the new Coronavirus in Brazil reached 347,398, with 16,508 new records as of May 23, accounting for another 965 deaths in 24 hours caused by the pandemic, bringing the total number of deaths to 22,013. Thus, Brazil overtook Russia and became the second country in the world with the most confirmed cases of COVID-19, second only to the United States. On that date, the number of cases in the USA reached 1,595,885, with 96,002 deaths.

To contribute to this moment of health and emotional crisis, the educational actions of the federated entities and their respective heads of power cannot be limited to the skills required by the labor market. Thus, it is clear that "reducing and cynically confining education to a property that only enhances access to work is resigning ourselves to suffer a new form of violence in our undemocratic societies" (GENTILI, 1995, p. 249).

The Federal Constitution of 1988 defines education as a social right of all and delegates to the State, together with the family, the obligation to guarantee it. In addition to pointing out that society should promote and encourage this right, with the objective of ensuring the full development of people, in its different aspects.

Because of the Coronavirus pandemic and consequent social isolation, classes were suspended and the teaching schedule paralyzed in several teaching systems, the right attitude of mayors and governors, who acted taking into consideration the recommendations of the World Health Organization and its protocols in the face of the situation.

Considering the set of elements mentioned, this study aims to identify the paths taken by education in the national and state spheres, in the state of Tocantins, in the educational context during a period of pandemic, seeking to make explicit reflections on educational policies and compliance with educational law.

The following guiding questions were outlined to achieve the objective: what are the impacts of OVID-19 on the health and educational context of the population of Tocantins? What measures have been adopted and/or edited in terms of educational legislation, by the federal and state governments to ensure compliance with students' educational law? Given the current scenario, what actors were involved in the discussions and decision-making in the educational context? What educational planning has the state of Tocantins guaranteed to students?

In this discussion, we opted for a literature review study, with theoretical basis in authors who discuss the subject in question. For Lakatos and Marconi (2010), the bibliographic review is indispensable to delimit the problem in a research project and to obtain a precise idea about the current state of knowledge on a theme, its gaps and the contribution of research to the development of knowledge. Thus, for Lima and Kyoto (2007) they argue that the bibliographic review research promotes an ordered set of procedures, which seek solutions before the object of study, and therefore, cannot be random.

Anchored too, in the documentary research, which according to Gil (1999), is very similar to the bibliographical review research. The essential difference between both is in the nature of the sources, since while the bibliographical review basically uses the contributions of several authors, the documentary one uses materials that have not yet received an analytical treatment and can be reworked according to the objects of the research.

The text will be organized as follows: introduction, titles and subtitles described and interpretative, and finally some final considerations. In this sense, paraphrasing Freire all that we can do in order to summon those who live around education to participate, it is still little, considering the immense work that is placed before us that is to take over this country democratically.

## 2 CONTEXTUALIZATION AND IMPACTS OF COVID-19 ON TOCANTINS

Tocantins is a Brazilian state in the North Region of the country, as shown on the map below.

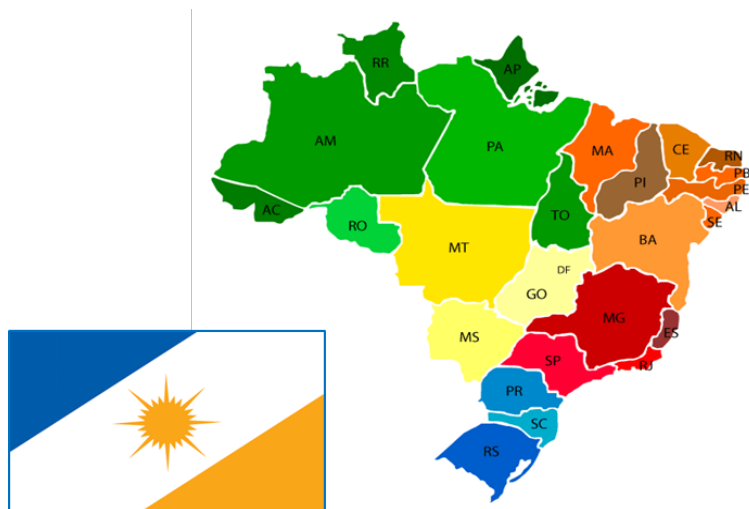


Figure 1: Map of Brazil: states, capitals and regions and Flag of the State of Tocantins (2020).  
Source: <https://www.google.com/search?q=mapa+dos+estados>.

Created in accordance with Art. 13 of the Act of the Transitional Constitutional Provisions of the Constitution on October 5, 1988 (BRAZIL, 1988). Initially, the city of Miracema do Tocantins was chosen as the provisional capital until the capital, Palmas, was built.

In this context, add that in 1989 the construction of the new capital began, and in 1990 the seat of government was transferred to Palmas, from then on the capital of the state of Tocantins. Currently Tocantins has 1,572,866 inhabitants<sup>1</sup>, distributed in 139 municipalities. The state of Tocantins was divided geographically by the Brazilian Institute of Geography and Statistics (IBGE) into two mesoregions<sup>2</sup>, which in turn comprise eight microregions.

According to Santos (2019), the State of Tocantins was created in the context of the redefinition of the Brazilian State, at the height of neoliberal policies and the proposal of the third way and that educational policies were influenced by the ideas of capital, aiming at meeting the interests of the market.

The World Health Organization (WHO) declared a public health emergency on March 11, due to human infection with the Coronavirus (COVID-19), and because of this, through Legislative Decree No. 6 of March 20, 2020,

<sup>1</sup> July 2019 estimate, IBGE.

<sup>2</sup> Western Tocantins, composed of 93 municipalities, divided into 5 microregions: Araguaína, Bico do Papagaio, Gurupi, Miracema do Tocantins and Rio Formoso. Oriental Tocantins has 46 municipalities, divided into 3 microregions, being: Porto Nacional, Jalapão and Dianópolis.

Brazil recognized the state of public calamity and public health emergency of international importance. Through the Ministry of Health Ordinance No. 356, recommended measures of social isolation and quarantine, impacting the temporary suspension of the school term in the Federation units, aimed at the urgent use of measures to prevent, control and contain risks, damage and harm to public health, in order to prevent the spread of the disease.

### 2.1A COVID-19 and the health crisis in Tocantins

The State Health Secretariat of the State of Tocantins, through the Health Surveillance Strategic Information Center (CIEVS/TO), publishes on its website the COVID-19 bulletin. To expose the reality in the State, chart 1 presents the indexes of COVID-19 by municipalities, in a time cut from April 18 to May 22 of this year. The same was based on information published by the State Health Secretariat that confirmed the first case of coronavirus infection in Tocantins, on April 18.

**Table 1:** COVID-19 figures in Tocantins state by municipalities (2020)

Municipality	Confirmed cases	Deaths
Abreuland	02	00
Aguarnópolis	10	01
Tocantins Alliance	02	00
Dawn	06	00
Pineapple	02	00
Angico	01	00
Aragominas	03	00
Araguaçu	01	00
Araguaína	964	12
Araguatins	37	08
Augustinópolis	22	02
Aurora of Tocantins	02	00
Tocantins Axis	26	02
Babashawk	01	00
Tocantins Bandeirantes	05	00
Barroland	06	01
Buriti of Tocantins	05	00
Cachoeirinha	05	00
Beautiful Fields	01	00
Cariri of Tocantins	49	01
Caseara	01	00

Tocantins Hills	45	01
Hive	01	00
Couto Magalhães	12	00
Crixás do Tocantins	01	00
Darcinópolis	52	00
Dianópolis	01	00
Duaré	05	00
Esperantina	05	00
Fatima	05	00
Figueirópolis	04	01
Philadelphia	01	00
Formoso do Araguaia	11	00
Tobacco	12	00
Goiatins	18	01
Guaraí	27	01
Gurupi	67	01
Ipueiras	02	01
Itaguatins	22	00
Lajeado	01	00
Lizarda	01	01
Marianopolis of Tocantins	03	00
Mauriland Tocantins	12	00
Miracema of Tocantins	03	00
Miranorte	12	01
Nazareth	01	00
New Olinda	65	00
New Rosaland	01	00
New Agreement	01	00
Oliveira de Fátima	05	00
Palms	372	04
Tocantins Palm Trees	06	00
Palmeirópolis	01	00
Tocantins Paradise	68	03
Pedro Afonso	02	00
Fish	01	00
Smaller	01	00
Tocantins High Bridge	04	00
National Port	12	01
North Beach	12	00
President Kennedy	03	00
Pugmil	05	00
Riachinho	03	00

Sampaio	07	00
Santa Fé do Araguaia	01	00
Saint Benedict of Tocantins	07	00
Saint Michael of Tocantins	37	03
Saint Sebastian of Tocantins	03	00
Silvanópolis	01	00
New Site of Tocantins	45	01
Tocantinia	01	00
Tocantinópolis	19	02
Wanderland	13	00
Xambioá	31	01
<b>Total 75 municipalities</b>	<b>2. 205</b>	<b>49</b>

Source: Centro de Informações Estratégicas em Vigilância em Saúde (CIEVS/TO).

Table 1 highlights that, out of 139 municipalities, 75 have confirmed cases and yet, the epicenter of COVID-19 in the state of Tocantins is the city of Araguaína, located in the Northern Region of the State. The population of this municipality is 180,470 inhabitants<sup>3</sup>, a number estimated by the Brazilian Institute of Geography and Statistics (IBGE). This is the second largest urban population of the state, behind only the capital, Palmas.

On March 23, 2020, according to (CIEVS/TO), there were 964 cases, with 12 deaths, with an incidence per 100,000 inhabitants of 534.2; with a lethality of 1.2% and a mortality rate of 6.6 per 100,000 inhabitants. In second place is the capital city of Palmas, which has an estimated population of 299,127 inhabitants, which on the same date had 372 cases; 4 deaths; incidence of 124.4 per 100,000 inhabitants; with 1.1% in the lethality rate and mortality rate of 1.3 cases per 100,000 inhabitants.

In view of this, it is noted that of the 75 municipalities with proven cases, 15 have so far presented only 1 case, without registered death. However, the municipality of Lizarda has 01 registered case with death.

<sup>3</sup> Source (<<https://cidades.ibge.gov.br/brasil/to/araguaina/panorama>> access at 23/05/2020)

Figure 02 presents the condensation of the data of cases of VOCID-19 in the state of Tocantins, exposes the confirmed cases; the recovered ones; the home or hospital isolation and the existing deaths.

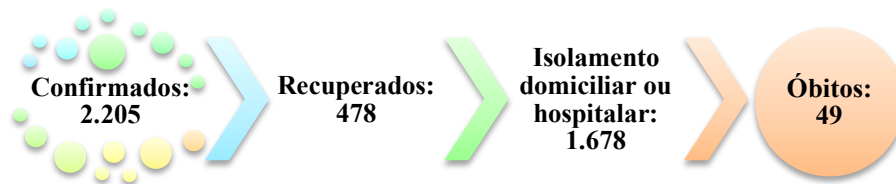


Figure 2: Situation of VOCID-19 cases in the State of Tocantins, 2020.  
Source: CIEVS/TO - Health Surveillance Strategy Information Center.

### 2.3 Impacts of COVID-19 on Tocantinese education

According to an analysis carried out in the document Proposal for an Opinion on the reorganization of school calendars and the performance of non-presential educational activities during the period of the OVID-19 Brazil pandemic, (2020), it was demonstrated that a pneumonia of unknown causes detected in Wuhan, China, was reported for the first time by the World Health Organization (WHO) office on December 31, 2019.

The outbreak was declared a Public Health Emergency of International Importance on January 30, 2020. Further, the WHO declared on March 11, 2020 that the community spread of OVID-19 across all Continents characterizes it as a pandemic. To contain it, the WHO recommends three basic actions: isolation and treatment of identified cases; massive testing; and social distancing.

In Brazil, with the determination to close educational institutions throughout the country through the acts of the executive power of states, municipalities and the Union, the solution, in most cases, was to think about distance education during the period of confinement. The classes are suspended and students need to be served with educational activities, whether using technology or physical material.



The world Coronavirus pandemic (COVID-19) has brought an unprecedented situation to education. According to data released by the United Nations Educational, Scientific and Cultural Organization (UNESCO), over 91% of the world's student population is suffering some kind of impact, with suspended or reconfigured classes.

Also in Brazil, the delay of the MEC in issuing guidelines and/or opinions was notorious, leaving the education systems waiting on how to proceed in relation to the workload, doubts as to the (legal) interpretation of what was or was not valid as workload and also, the fact that it left it up to the municipal and state systems to define the practices allowed or not.

In the State of Tocantins, it has not been different from the rest of the country, table 2 shows the total number of Basic Education Schools (state, municipal, private and partner schools).

**Table 2:** Total basic education schools (state, municipal, private and partner)

<b>Total Schools</b>	<b>1,649 schools</b>
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Source: School Census/INEP 2018.

**Table 3:** basic education enrolments in early childhood education, elementary school I and II, and high school

Nursery school enrolment	23,616 students
Pre-school enrollment	41,570 students
Initial enrollment years	135,966 students
Final year registrations	110,217 students
High school enrollment	63,384 students
EJA registrations	17,943 students
Special Education Enrollment	14,374 students
<b>Total</b>	<b>392.696</b>

Source: School Census/INEP 2018.

The data in charts 2 and 3 explain the existence of 1649 schools in Tocantins, with a total of 392,696 students enrolled in state, municipal, private and affiliated schools, of Early Childhood Education, Elementary I and II and

Secondary School, facing the scenario of COVID-19, only a few private schools are partially attending, in the remote teaching system.

In the State of Tocantins, Resolution CEE/TO<sup>4</sup> No. 105, of April 8, 2020, establishes forms of reorganization of the School Calendar/2020 and defines the special regime of non-attendance school activities in the State Education System of Tocantins, for the purpose of fulfilling the 2020 school year, as a measure to prevent and combat the contagion of the new Coronavirus (COVID-19).

In Article 1, it aims to: establish, exceptionally, forms of reorganization of the School Calendar/2020, within the Tocantins State Education System, as a result of specific legislation on the pandemic caused by the new Coronavirus (COVID-19) (TOCANTINS-CEE, 2020). Article 7, on the other hand, highlights that in order to meet the demands for reorganization of the School Calendar/2020, the institutions must be:

Article 7, Subsection VII - Using Information and Communication Technology resources, for students of Elementary School and High School and Technical Professional Education, considering as semi-presential modality any didactic activities, modules or teaching units focused on self-learning and with the mediation of didactic resources, organized in different information supports that use information technologies and remote communication (TOCANTINS-CEE, 2020) (Grifos nosso).

Article 8 of the same paragraph states that network managers or educational institutions are still responsible:

To structure and organize didactic material and specific methodologies for each year/series, stages and modalities of teaching, with accessible language and appropriate usability, such as: Textbook, video classes, content organized in virtual platforms for teaching and learning, social networks, free or own tools, electronic mail and other digital means or not that make possible the realization of the activities by the students, including indication of sites and links for research (TOCANTINS, 2020).

In view of what was established by the above resolution, and despite the technological advance that society has gone through and continues to go through very quickly, it is known that, historically and methodologically speaking,

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<sup>4</sup> State Council of Education (EEC).

education, still with the modality of distance education, is configured as an area of knowledge that demands daily contact, in person.

Oliveira and Souza (2020), also add that, regardless of all existing traditionalism, the pandemic of the new coronavirus (COVID-19) has placed the educational system in a kind of "billiards of beak", because it has to comply with what is expressed in the legal diplomas, such as what is provided for in item I of Article 24 of Law No. 9.394, of December 20, 1996, regarding the obligation to comply with the two hundred school days: "the minimum annual workload shall be eight hundred hours for primary and secondary education, distributed over a minimum of two hundred days of effective school work, excluding the time reserved for the final exams, when there is one" (BRAZIL, 1996).

These facts especially collaborate to leave the systems facing a scenario never seen before, because to reduce the contagion by the virus and thus avoid the collapse of the health system, the social distancing has become the main recommendation of the official bodies, in Brazil and in the world, thus avoiding any kind of agglomeration.

On the other hand, Avelino and Mendes (2020), discuss that Digital Culture or Cyberculture is a great challenge for the Ministry of Education, states and municipalities, because they know that the proposal is about quality education.

The authors also add that it is notorious that public or private schools without the promotion of this culture of pedagogical use of information and communication technologies (ICTs) will reach a small number of learners and their families, since there is a gap between personal use as entertainment (social networks or games) and the use of them in the process of teaching and learning.

In fact, pedagogical mediation, for Avelino and Mendes (2020), as far as these technologies are concerned, makes a big difference, because more than knowing how to use these resources, it is knowing how to use them in a dialectic way and for the benefit of education. It is noticeable, that in the face of the current situation on COVID-19, the managers of systems and institutions seek to maintain the classes at all costs.

We are also invited to think in the broad and local context, regarding the preparation of both students and teachers on their preparation to deal with digital educational platforms, as well as the quality of access and its existence. As we reflect on these issues, we note that many of these attempts will remain frustrated, goals will not be fully achieved and the learning of skills needed for the next school year will be hampered.

Reflecting on what Avelino and Mendes (2020), explain of the current scenario in which we find ourselves, we ask: how to ensure that the reorganization of school calendars at all levels, stages and modalities of education, in order to 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, as determined by Resolution CEE/TO No. 105 of April 8, 2020?

It will then be up to the teacher to become aware, to prepare himself and to face these barriers, and also to realize that all these challenges posed are not simple tasks and should not be performed alone. It is necessary to reverse the learning problems, moving from a teaching focused on memorization and repetition of exercises, to a methodology with more meaning for the student, focused on the student's daily life, and above all, applied using technology as an instrument.

### **3 IMPACTS OF COVID-19 ON EDUCATION: UNITING INTERPRETATIONS ON THE GUIDELINES**

The analysis of educational policies requires an understanding of the current milestones in the productive restructuring of capital, against a backdrop of broader social relations. In this scenario, the challenges are expressed in the processes of globalization, in the technical-scientific revolution and in the ongoing neoliberal project at the world level, which call into question the role of the National State, fundamentally in relation to social policies synthesized from the defense of the theses of a minimum state, from the absence of specific legal diplomas for this moment, in addition to the relativization of norms, especially labor norms, which were the most targeted in this sense, and the privatization of public sector bodies, sensitive to the educational sector.

In this way, educational policies are expressions of the clashes that have taken place in the reordering of social relations and, consequently, of the State and the developments that it has assumed under the ideological aegis of globalization, which rearticulates the social role of education and school, to a growing process of privatization.

This time, to better understand the analysis of educational policies, we present the table with official documents, of national and state level regarding the period of the pandemic.

**Table 4:** Official documents, national and state level for the pandemic period

<p><b>National</b></p> <p><b>PORTARY No. 188/GM/MS, FEBRUARY 4, 2020:</b> declares Public Health Emergency of National Importance (ESPIN) due to Human Infection by the New Coronavirus (COVID-19).</p> <p><b>-CNE SCHOOLING NOTICE, FROM 03/20/20:</b> reinforces the need to comply with current legislation, stimulates EaD teaching for higher education and brings the possibility of being attended at home only to students of the group and risk in all modalities.</p> <p><b>-Public notice of the UNDIME OF THE 30/03/20:</b> recommends, based on LDB, that EaD teaching should not be adopted in early childhood education, that distance education should be used only as a complementary activity and not as a substitute for school days in elementary school, except in final years, however, only after considering all the conditions for this. It also recommends flexibility in the development of a replacement school calendar that should focus all efforts to meet the 200 days and 800 hours in person, considering the possibilities of: (extending the daily day, activities in the contract, classes on Saturdays, use of the period of recesses and holidays), EaD only from the final years of elementary school, upon verification of adequate structure and conditions for this, within the maximum limit of 25% of school days, reiterates that early childhood education can not be distance.</p> <p><b>-FEDERAL INTERIM DEPARTMENT No. 934 OF DAY 1/04/2020:</b> withdraws the obligation to comply with the 200 school days, but maintains the obligation to comply at 800 hours.</p> <p><b>State (Tocantins)</b></p> <p><b>- DECREE No. 6.065, OF 13 MARCH 2020:</b> Determines preventive action to confront the new Coronavirus (COVID-19). Suspends for the period from March 16 to 20, 2020, all educational activities in the school units of the State Public School Network and in the State University of Tocantins - Unitins.</p> <p><b>-OF No. 079 OF 03/14/20, DO CEE-TO:</b> recommends municipalities to stop classes.</p> <p><b>-DECREE No. 6071 OF 03/18/2020:</b> Determines preventive action to confront the Coronavirus pandemic (COVID-19) suspends, for an indefinite period of time, educational activities in educational establishments with headquarters in the State of Tocantins, public or private, such as schools and universities. It also determines, to the heads of each Municipal Executive Branch, to the presidents of regulatory bodies of the Education Systems and to those responsible for maintaining private institutions, the adoption of complementary measures necessary to comply with this decree is recommended.</p> <p><b>-RESOLUTION OF THE EEC-TO Nº 105 OF 08/04/20:</b> proposes the implantation of a special regime of non-presential educational activities, which may be used for an indefinite time. It fixes the need to fulfill the course/discipline workload. Stimulated the teaching EaD using another name, but, does not detail how this should happen. Stresses the need to preserve</p>
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and ensure the quality of teaching. Distance learning activities can be evaluated in the report card. It also points out how to compute time and days.

Source: Prepared by the authors (2020).

The table places the reader in the chronological order of official documents at the national and state levels, from the moment a public health emergency of national importance was declared by the COVID-19 pandemic, going through the guidelines of the Ministry of Education (MEC), the National Union of Municipal Education Directors (UNDIME), the Secretariat of Education, Youth and Sports (SEDUC/TO) and the State Education Council (CEE/TO). In addition to the national and state documents, documents were also prepared by the National Campaign for the Right to Education, which will be described in the subsequent sub-item.

### **3.1 National Campaign for the Right to Education: of the Public Policies adopted in the confrontation of COVID-19 the action of the researchers**

The 1990s were characterised by fundamental changes in the patterns of state intervention, resulting from the unfolding of capitalist social relations substantiated by neoliberalism. The emergence of new mechanisms and forms of management in redirecting public policies enables new elements to be found in the analysis of the relationship between the state and educational policies, revealing priorities and commitments in the scope of the materiality of such policies.

The reflection and evaluation of educational policies, proposed by entities, in the various levels and modalities in which they are proposed and materialize has been the focus of the study of a group of researchers in recent decades. Thus, this article presents a significant set of documents prepared and published<sup>5</sup> by the National Campaign for the Right to Education (Campaign,

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<sup>5</sup> <https://campanha.org.br>

<sup>[2]</sup> Access: <https://www.campaignforeducation.org/pt-pt/>; <https://redclade.org/pt-br/>; <https://campanha.org.br/relus/>.

2020), with the purpose of contributing and providing guidance on the pandemic caused by COVID-19.

### 3.2 Historical trajectory of the National Campaign for the Right to Education

The National Campaign for the Right to Education (Campaign) emerged in 1999, driven by a group of civil society organizations that would participate in the World Education Summit in Dakar (Senegal) in 2000. The main objective was to "join different political forces, prioritizing actions of mobilization, political pressure and social communication in favor of the defense and promotion of educational rights" (CAMPAIGN, 2020).

Currently, it is considered the broadest and most plural articulation in the field of education in Brazil, constituting a network that articulates hundreds of groups and entities distributed throughout the country. This includes school communities; social movements; trade unions; national and international non-governmental organizations; university, student, youth and community groups; and thousands of citizens who believe in building a fair, democratic and sustainable country through the provision of quality public education.

A concept also supported by Saviani (1999, p.66), "the dominated does not free itself if it does not come to dominate that which the dominant dominates. So, to dominate that which the dominant dominates is a condition of liberation". Thus, we infer that the marginalized by the elite who capture power through their representatives, are the dominated groups or classes.

The mission of the Campaign is "to act for the effectiveness and expansion of educational policies so that all people have guaranteed their right to a public, free, inclusive, secular, and quality education in Brazil" (CAMPAIGN, 2020).

According to the 1988 Constitution, citizens are given the right to a full and quality education and participation in the process, as well as the ability to access conditions of economic, political and social equality. This right appears as follows:



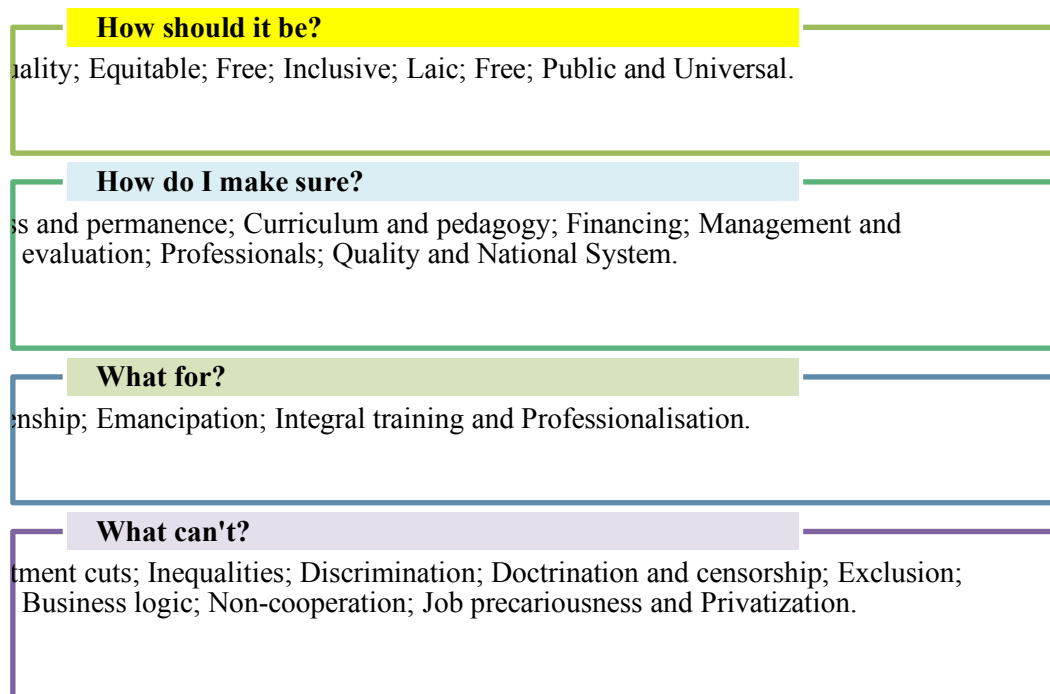


Figure 3- Economic, political and social equality conditions for education, 2020.  
 Source: <https://campanha.org.br/>.

The Campaign is managed by a coordination team and guided by a national steering committee, the Campaign also has regional committees<sup>6</sup>. The network is the founder of the Global Campaign for Education (CGE), the Latin American Campaign for the Right to Education (Clade) and idealizer and founder of the Lusophone Network for the Right to Education (ReLus).

The choice to present this material from the National Campaign for the Right to Education is justified by the performance of its collegiate and work groups and also by the contributions of Prof. Dr. Catarina de Almeida Santos, from the University of Brasilia (UnB), who has been proactive, positioning herself and producing guidance material (printed, digital and even lives) in this sense, in

<sup>6</sup>Access: <https://www.campaignforeducation.org/pt-pt/>; <https://redclade.org/pt-br/>; <https://campanha.org.br/relus/>.



favor of the fulfillment of educational law. This intentionality can be proved through the representative picture of the productions made so far, emphasizing COVID-19.

**Table 5:** National Campaign for the Right to Education documents (2020).

Documents	Theme/subject
COVID-19 Guide Volume 1, 39 p.	Guide Education and Protection of Children and Adolescents: for the school community, families and professionals of child and adolescent protection.
COVID-19 Guide Volume 2, 37 p.	Education and Protection of Children and Adolescents: for decision makers in all federal spheres.
COVID-19 Guide Volume 3, 56 p.	A Guide to Distance Education: Get informed and learn how to act, charge, and work for everyone's education in a collaborative way.
COVID-19 Guide Volume 4, 32 p.	Guide of Good Practices in Protection.
VOCID-19 Volume 5, 42 p.	Guide on School Feeding.

Source: Prepared by the authors.

In view of the above, it can be seen that all COVID-19 guides (from volume 1 to 5) were prepared with an intentionality perceived as follows:

Guide 1: Compiles a series of useful information, data and links available from reliable sources on child and adolescent education and protection at this time of facing the Coronavirus pandemic (VOCID-19) and social isolation at home. In addition, it draws up recommendations for guaranteeing the right of children and adolescents to education and absolute protection in these conditions; it guides school communities, families and professionals in the areas of protection on how to act beyond individual action.

In Guide 2: It guides public authority decision-makers in all federal spheres; it presents the possibilities related to financing, guaranteeing rights, suspending classes and distance learning.

Thus, Guide 3: Compiles a series of useful information, data and links available from reliable sources on Distance Education at this time of facing the Coronavirus pandemic (COVID-19). In addition, it mentions social distance at home; makes recommendations for ensuring the right to education under these conditions; and guides school communities, families and education professionals on how to act beyond individual action.

Regarding Guide 4: it presents examples of good practices in education and protection that have been developed throughout the country during the crisis caused by the COVID-19 pandemic; it socializes how states and municipalities have created solutions to guarantee the rights of children and adolescents, as well as vulnerable populations; it socializes practical examples of apparently small actions, but which can mean greater security in the lives of many people, and it is aimed at a) School community: teachers, principals and education professionals; b) Family: mothers, fathers, caregivers, aunts, uncles, cousins, grandparents, sisters and older brothers and sisters; c) Decision makers in the Public Power, especially in the education departments and councils of the country.

Guide 5: Compile a series of useful information, data and links available from reliable sources; develop recommendations; provide guidance on how to act beyond individual action.

It is important to point out that all these documents were prepared collectively and based on the greater mission that is "we cannot fail to remember and demand the guarantee of the principle of absolute priority for children and adolescents" (CAMPAIGN, 2020). Article 227 of the Federal Constitution highlights that childhood and adolescence must come first [...] in other words absolute priority means that our children and adolescents must come first in our actions and in those of our rulers and politicians, that is, they must be the first concern.

After the suspension of classes and several questions from states and municipalities on March 18, 2020, the National Education Council (CNE) came to the public to clarify issues related to the reorganization of the school calendar, compliance with the workload and responsibilities of educational managers, for systems and networks of education of all levels, stages and modalities, considering the preventive actions to the propagation of COVID-19. Thus, the following documents were launched:

**Table 6:** National documents and contribution to proposal for reorganisation of school timetables (2020).

<b>Inputs for public consultation - participation of states, municipalities and interested entities.</b>	
Draft Opinion of the CNE 14 p.	Proposal for an Opinion on the Reorganization of School Calendars and the carrying out of non-presential pedagogical activities during the OVID-19 pandemic period. Institution: National Council of Education/MEC.
Call Notice 1 p.	Opens the Public Consultation on the Opinion that deals with the Reorganization of School Calendars and the realization of non-presential pedagogical activities during the Pandemic period of OVID-19. Institution: National Council of Education/MEC.
<b>Contributions and results of participation in the consultation process</b>	
Compiled Document of Contributions. 118 p.	Compilation of contributions to the Proposal for an Opinion that deals with the Reorganization of School Calendars and the realization of non-presential pedagogical activities during the Pandemic period of OVID-19. Institution: National Campaign for the Right to Education.
Positioning Note. 5 p.	About the CNE's Opinion that deals with the Reorganization of School Calendars and the realization of non-presential pedagogical activities during the Pandemic period of COVID-19. Prepared and signed by 12 representative institutions. Institutions: ANPEd, ANPAE, ANFOPE, CEDES, ABdC, FINEDUCA, ABRAPEC, SBEnQ, SBEnBio, FORUMDIR, FORPIBID-RP, FORPARFOR, National Movement in Defense of High School.
Document of the National Undime. 4 p.	Considerations to the proposed National Education Council (CNE) Opinion on reorganization of school calendars and pedagogical activities during the OVID-19 Pandemic period. Institution: Undime Nacional.
<b>Action by the MEC, after the Public Consultation</b>	
CNE/CP OPINION draft No: 5/2020 24 p.	Reorganization of the School Calendar and the possibility of calculating non-attendance activities in order to comply with the minimum annual workload, due to the Pandemic of COVID-19. Institution: National Council of Education/MEC.
Summary of CNE/CP Opinion No 5/2020. Ordinary meeting of 27, 28, 29 and 30 April/2020.	Reorganization of the School Calendar and the possibility of calculating non-attendance activities in order to comply with the minimum annual workload, due to the Pandemic of COVID-19. Vote of the Commission: APPROVED unanimously. Institution: National Council of Education/MEC.
<b>Reaction of the institutions following the partial adoption of Opinion No 005/2020.</b>	
Letter of the Campaign to the Brazilian Society about the CNE's Opinion that gives guidelines for the 2020 school calendar. 3 p.	Letter on the scenario of measures taken in the country, especially the hasty and exclusionary policies of Distance Education (EaD) and on the opinion of the CNE on the subject. Education in times of pandemic: measures must be equitable and sensitive to the moment of emergency and social vulnerability of families and education professionals. Institution: National Campaign for the Right to Education.

Source: Prepared by the authors (2020).

From the table you can see that the MEC launched a Draft Proposal Opinion and then opened a public call for states, municipalities, associations and other institutions to forward suggestions for improvements of the Opinion before approval.

As shown in the table also, some institutions offered suggestions such as: ANPEd, ANPAE, ANFOPE, CEDES, ABdC, FINEDUCA, ABRAPEC, SBEnQ, SBEnBio, FORUMDIR, FORPIBID-RP, FORPARFOR, Movimento Nacional em Defesa do Ensino Médio; Undime Nacional and Campanha Nacional pelo Direito à Educação (National Campaign for the Right to Education).

It is noted that the contributions of these entities were not considered and the Opinion was edited for approval having as a controversial point the possibility of calculating non-presential activities for the purpose of meeting the minimum annual workload, raising the debate on the use of technology for school activities to be carried out remotely. In addition to the complex pedagogical, infrastructure, and socioeconomic issues, the serious problem of security and privacy for teachers and students when accessing the Internet and using digital technologies and online services must be considered.

In response to the CNE/MEC, the National Campaign for the Right to Education, published a Letter to the Brazilian Society, entitled "education in times of pandemic: measures must be equitable and sensitive to the moment of emergency and social vulnerability of families and education professionals", of April 30, 2020. In the introduction to the Charter, it points out that

The network of the National Campaign for the Right to Education defends a public, free, equitable, inclusive, democratic and social quality education for all people residing in national territory, as provided by the 1988 Federal Constitution and other national rules that regulate the right to education. Even and especially at a time of emergency, as we are living in the confrontation with COVID-19, we advocate that educational policies be guided by these principles to develop actions to combat the pandemic (CAMPANHA, 2020, p. 1).

Subsequently, he showed dissatisfaction by stating that the CNE, through the Opinion, ignored the voices of schools, school communities and experts throughout the country. It thus demonstrated that it did not respect the principles

of democratic management of education and much less transparency and accountability of public management - according to Complementary Law No. 131/2009 and Law No. 12,527/2011, since it did not publish on its website "all contributions and documents submitted to the Public Consultation, despite having been charged by the National Campaign for the Right to Education" (CAMPANHA, 2020, p. 2).

As soon as Lima (2008) states that there is no education that is not political, changes in education are not made with "legislative coups. According to Colemarx (2020), in a pandemic of such lethality, the fundamental objective of all public policies cannot be other than to guarantee life and collective health (physical and mental), especially the working class, which suffers the most from the consequences of the pandemic.

#### 4 CNE/CP OPINION NO 5/2020: REORGANISATION OF THE SCHOOL TIMETABLE

Surprisingly, the Opinion CNE/CP nº 5/2020, which deals with the reorganization of the School Calendar and the possibility of calculating non-attendance activities for the purpose of complying with the minimum annual workload, due to the Pandemic of COVID-19, does not mention the goals and strategies of the National Education Plan, nor even the democratic management, its spaces and mechanisms and the evaluation, because

It is suggested that national and state assessments and examinations consider the actions of reorganization of the calendars of each education system to establish their schedules. It is important to ensure a balanced assessment of students according to the different situations that will be faced in each education system, ensuring the same opportunities for all who participate in assessments at municipal, state and national levels [...] (BRAZIL, 2020).

Through the affirmation of the MEC, there is an intention to maintain the schedules of exams and evaluations that integrate the National Policy for the Evaluation of Basic Education, being: System of Evaluation of Basic Education - Saeb; National Exam for Certification of Youth and Adult Competencies - Encceja; and National Exam of High School - Enem.

Subsequently, the MEC published Ordinance No. 458 of May 5, 2020 (BRAZIL, 2020), which establishes complementary norms necessary to comply with the National Policy for the Evaluation of Basic Education, determining in article 3 that the exams and evaluations will be conducted annually by the National Institute of Educational Studies and Research Anísio Teixeira - Inep.

In article 8 of the same Ordinance, (BRAZIL, 2020), it is ratified that Saeb will be held annually, on a census basis, with the objective of assessing the mastery of skills and abilities expected throughout basic education, in accordance with the Common National Curriculum Base (BNCC) and the corresponding national curriculum guidelines, and how this emerges some questions such as: how to assess skills and content that were not taught and/or taught? Given the context of the pandemic, would this change in the application of assessments be necessary, especially Saeb that the next edition/projection is scheduled for 2021?

Contradictorily, Article 7 points out that Saeb has the following dimensions of quality for the evaluation of basic education: I - school attendance; II - teaching and learning; III - investment; IV - education professionals; V - management; VI - equity; and VII - citizenship, human rights and values. Through this article, will the MEC be in fact fulfilling the dimensions of quality, proceeding with the application of the evaluation?

Regarding educational planning, the Opinion only mentioned the "planning of non-presential pedagogical activities, at school level", and once again, what will the macro planning of the systems look like? Will schools with microplanning be able to take on all the demands, responsibilities and specificities caused by the pandemic?

Highlighting that the Provisional Federal Measure No. 934 of April 1, 2020 removes the obligation to comply with the 200 school days, but maintains the obligation to comply at 800 hours / classes and the Opinion CNE / CP No. 5/2020, which deals with the Reorganization of the School Calendar and the possibility of calculating activities not in person for the purposes of compliance with the minimum annual workload, due to the Pandemic of COVID-19 (BRAZIL, 2020), points several ways, but in the Final Considerations, p. 23 24, states that:

The guidelines for non-presential pedagogical activities, for the reorganization of school calendars, at this time, should be considered as suggestions.

At this time, the innovation and creativity of networks, schools, teachers and students can provide more appropriate solutions.

Consideration should be given to meeting learning objectives and developing the skills and abilities to be achieved by students in exceptional circumstances caused by the pandemic.

[...] At the same time, it is necessary to reiterate the provisions of the LDB, and of various norms of the CNE, regarding the need for the solutions to be found by education systems and networks to be carried out in a collaborative regime, since many of these solutions will involve joint actions of all actors of the local and national education system.

[...] It should be reiterated that this opinion should be broken down into specific rules to be edited by the normative bodies of each education system within the framework of their autonomy.

Finally, it should be remembered that this opinion may be complemented by other specific opinions of the CNE for each level, stage and modality of education.

II - VOTE OF THE COMMISSION: According to this opinion, the Commission submits to the Full Council the guidelines for the Reorganization of the School Calendar and the possibility of calculating non-attendance activities in order to comply with the minimum annual workload, due to the Pandemic of COVID-19 (BRAZIL, 2020).

<sup>7</sup>From the legal point of view, in the present case, the National Education Council manifested itself by means of an Opinion, therefore, it did not establish norms to be obligatorily followed by the education systems, but only guidelines, that is, it presented strategies that can serve as parameters for the Education Systems.

Given the context, the main question to be answered is how to ensure that students have access to the learning objectives, competencies and skills set out in the curriculum, considering less classroom time available for this?

## 5 FINAL CONSIDERATIONS

Answering the guiding question about which measures were adopted and/or edited in terms of educational legislation, by the federal and state governments to ensure compliance with students' educational law, we learned from Provisional Measure 934/2020, which thus waives compliance with the rule

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<sup>7</sup> Legal analysis of CNE/CP Opinion No. 5/2020, by José Silvio Graboski de Oliveira. Lawyer, specialist in Educational Law and Sarita da Mata Dias Peres. Lawyer, specialist in Educational Law. Public Partner - Educational Management, both from Graboski Advogados Associados.



set forth in the LDB of a minimum of 200 school days per year. It should be noted that, in Early Childhood Education and Elementary School, the measure is valid as long as the minimum workload of 800 hours per year is guaranteed.

This flexibility allows the counting of teaching hours to be done with the recovery/replacement of classes in full shift, after the crisis, or to consider the time of non-attendance activities during the closing of schools. Subsequently, the Opinion/CNE nº 005/2020, published by the CNE pointed out many alternatives, however, none concrete, which causes the impression of not taking responsibility, always using the term "suggestion", leaving it to the states and municipalities to bear the normatization. It is important to understand that these suggestions, even if, in the pedagogical field, they need a legal framework to truly be successful in terms of compliance with the workload already guaranteed in law, which in itself remains impaired.

The State of Tocantins, via the EEC, published Resolution 105/2020, identical to the Opinion/CNE 105/2020, which also pointed out alternatives, but did not express a concrete decision, on the contrary, many uncertainties, especially in relation to classes not in person/or remotely.

With regard to the actors involved in the discussions and decision-making in the educational context, it is evident that institutions such as the National Campaign for the Right to Education and UNDIME have offered contributions to the opinion of the MEC. The members of the Campaign network submitted twenty-three contributions to the text supporting specialties in certain areas, modalities and stages of education. These documents also contain information that the CNE did not accept the contributions offered and that a collective debate is not permissible.

In the state of Tocantins, classes are suspended until May 29. School vacations were anticipated for the period from March 25 to April 23, in accordance with Decrees No. 6087 of April 27, 2020 and No. 6065 of March 13, 2020. Regarding the return of classes in person and/or remotely, there is no information published yet.

It ends by stating that education professionals have faced a great challenge to create means and strategies to maintain a minimum of school



activities for students during the suspension of classes, a challenge that is also understood as remote teaching and that there seems to be a distinction in this model of education, therefore, the regulation of the process to be adopted by the education system is indispensable.

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**RESUMO:**

O texto interfaces da COVID-19 na educação: elementos e apontamentos iniciais no Tocantins, tem a intencionalidade de identificar os caminhos trilhados pela educação nas esferas nacional e estadual, no contexto educacional em período de pandemia, procurando explicitar reflexões acerca das políticas educacionais e do cumprimento do direito educacional. O trabalho é pautado em revisão bibliográfica e documental, considerando as leis, os decretos, as medidas provisórias, e guias dentre outros, disponíveis em sites e portais eletrônicos. Os resultados parciais do estudo denotam que inúmeras são as dúvidas das equipes escolares diante da falta de diretrizes dos órgãos de Educação Nacional e Estadual no tocante à oferta de educação não presencial, seja na modalidade de educação a distância ou qualquer outra forma de ensino remoto voltado à educação básica.

**PALAVRAS-CHAVE:** COVID-19. Direito educacional. Políticas públicas. Aulas não presenciais. Legislação da educação

**RESUMEN:**

Las interfaces textuales de COVID-19 en educación: elementos y notas iniciales en Tocantins, tiene la intención de identificar los caminos tomados por la educación en el ámbito nacional y estatal, en el contexto educativo en un período pandémico, buscando explicar reflexiones sobre las políticas educativas y la cumplimiento de la ley educativa. El trabajo se basa en la revisión bibliográfica y documental, considerando las leyes, decretos, medidas provisionales, guías, entre otros, disponibles en sitios web y portales electrónicos. Los resultados parciales del estudio muestran que existen innumerables dudas por parte de los equipos escolares sobre la falta de lineamientos por parte de los órganos de Educación Nacional y Estatal en cuanto a la oferta de educación no presencial, ya sea en educación a distancia o en cualquier otra modalidad de educación a distancia dirigida a educación básica.

**PALABRAS CLAVE:** COVID-19. Derecho educativo. Políticas públicas. Clases no presenciales. Legislación educativa..