

## Implications and Contradictions in the Middle School's Organizational Processes in Reform Law N. 13.415/2017

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**Abstract:** This work aims to identify the implications and contradictions of the reform (Law N. 13.415/2017) about management of organizational processes of secondary education, clashes between the ontological dimension and the market view of the formation of the social human, through the qualitative approach, bibliographic studies, documental analysis and content analysis. It is concluded that the reform advocates the implementation of a social regulation structure that aggravates social inequalities through duality, differentiation and flexibilization of secondary education, centered on the objective of correcting teaching processes and not human training.

**Key words:** reform (Law N. 13.415/2017), implications, contradictions, high school organizational processes

### 1. Introduction of the Problem

The Brazilian's reform of the high school (Law No. 13.415/2017) integrates and comes of the national scenario political economic global whose commercial and competitive emphasis is acting on the education, limiting and restricted public social rights and streng the ning the opening to privates educational services in Managerial Market.

While a problem strictly linked to the perception about the introduction of a legal order via Provisional Measure n.746/2016 presented post-political-media coup, which led to the impediment of former Ex-President Dilma Rousseff and soon was converted into a public reformist policy, identified by the MEC (Culture and Education Ministry of the Brazil) as a solution to a "New" High School in Brazil, with a change on the organization of the teaching stage from Law N. 13.415/2017, to questioned from the contradicts public's law, making it compoud by normative acts. It arises as a guiding question: What implications and contradictions affect the organizational processes of the secondary education from the Law N. 13.415/2017?

Using the contributions of sociological analysis, we aim to identify the implications and contradictions about the management of organizational processes of secondary education and the clashes between the ontological dimension and the Market's view of the formation of the social being. For that, we anchor ourselves in the qualitative approach, with bibliographical studies, documentary analysis and content analysis, as methodological path.

In this argument, we start with two fundamental concepts: the concept of implications, as a set of perceptions derived from sociological analyzes and critical view about educational management studies and organizational

processes of secondary education in Brazil (1996–2016); and the concept of contradictions as a set of perceptions about when a law is in the form of a normative order (Law N.13.415/2017), contrary ideas and what opposes what was said or proposed, be it between the real and the propositive, either by their inconsistencies, incongruities, contradictions, discrepancies, which present themselves as antithesis, opposition, disagreements, and therefore, provoke dissatisfaction, denial, opposition, social contestations and evidence the class struggle.

The theories of Assis and Lima (2018), Barroso (2005), Lima (1997, 2003), Libâneo (2016), Frigotto (2014), Araújo (2018) and Law n.13.415/2017 were used for the intended understanding and made it possible to conclude that the reform advocates the implementation of a structure of social regulation that aggravates social inequalities through duality, differentiation and flexibilization of secondary education, centered on the objective of correcting teaching processes and not on the provision of human training.

## **2. Implications and Contradictions about the Organizational Processes of Secondary Education in Brazil**

The various structural, functional and managerial implications<sup>1</sup> of the management and organizational processes of secondary education in Brazil are converted by the expansion and diffusion of the managerial management model in public management from the Taylorist-Fordist perspective; the interference of international organizations in the management, formulation, implementation of educational politics and in the establishment of new regulatory frameworks in Brazilian education through bureaucracy, managerialism and technical effectiveness from projects and programs coordinated by the federal government and implemented by educational systems, guided by capitalist principles; and the acute tension between legal and traditional logics of power, privileged terrain of rationalization measures and the effects on normative production in the legal order, as pressure to respond to demands and demands closely linked to educational politics of decentralization and management autonomy of management, as a means of promoting the efficiency of teaching quality, as well as the widening of social inequalities; valuation in corrections actions and indexes of the Basic Education Development Index (IDEB, in Brazilian portuguese); precariousness of the public service, outsourcing, privatizations; the more technical education for children of the hard-working poor to the detriment of the elitism and to the most disadvantaged social class instrumental and trainer training, having as repercussion the denial of the access and permanence in high school.

For Libâneo (2016), the progressive implementation of projects and programs by the federal government strengthens processes of regulation of education through the organizational processes of the educational system, especially secondary education, based on capitalist principles of the training of the skilled worker, resulting from modernization of the neo-Taylorist capitalist logic that penetrates basic education. Baptista and Abrantes (2015) explains, in the present times, there are tensions between the perspectives of democracy, related to the greater participation of the subjects in the decision process.

Lima (2003, p. 127) affirms, in order to sustain the country, among other implications, “o setor da educação é atualmente uma área privilegiada para medidas de racionalização”, a context in which economic rationality has been the basis of managerialist strategies, (2005, p. 732), asserts that the new regulatory role of the State demarcates the proposals to replace the public administration of traditional practices of bureaucratic control with

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<sup>1</sup> The implications that we deal with in this text refer to a set of perceptions from the sociological analyzes and the critical view on the studies of educational management and organizational processes of secondary education in Brazil (1996–2016).

the rules and regulations of the Union state intervention, reinforcing what Assis and Lima (2018) point to as a scenario of uncertainties and challenges regarding the maintenance of social and educational achievements.

Contradictions appear before the aims of education; of the market value (Exchange value) above the dimension of the ontological formation of the social being (value useful); cuts in public spending - education funding; the return to conservatism, individualism, competitions; a local (national) order reflecting a global (international) business and market; relation's projected economic on the education as a strategy of the forms of production of light and disqualified work aiming at the overexploitation of the market, made possible by the strengthening of privatization.

Because the reform (Law N. 13.415/2017) aggravates the social inequalities — by the educational scopetends to:

- a) To reduce the workload of general education, away from the integrated education of vocational education by separating, in a specific area, technical vocational training in addition to establishing the emergence of training courses;
- b) To delineate that 60% of the hourly load must be filled by BNCC common contents, while the remaining 40% will be flexible;
- c) To flexibilize the access to general education and to dilute as an optional content;
- d) To leave, on an optional basis, the offer of two languages determining the English language as the predominant foreign language;
- e) To amend the Law 11,494 of June 20, 2007, which regulates the Fund for Maintenance and Development of Basic Education and Appreciation of Education Professionals - FUNDEB (in Brazilian portuguese) in a process of precariousness of the teaching profession and public service, in detriment of greater openness to the private market.
- f) To link the National Curricular Common Base (BNCC: in Brazilian portuguese) as mandatory and to guide the curricula of secondary schools limiting the autonomy and function of the school and the education;
- g) To favor the worsening of dual education for the riches (which will be the responsibility of propaedeutic education) and the poors (who will be responsible for training for work and cheap labor).
- h) To provide for a policy of full-time school development, which should occur gradually, favoring and establishing better conditions for private institutions, to the detriment of the great precariousness of many public schools brazilians.
- i) To provide distance education 30% regular and 80% EJA.

Still on the Reform linked to BNCC, we have several positions, evidenced from the lived world of educators that are manifested by:

O formato pedagógico do “novo” Ensino Médio – sobretudo sua orientação para a formação técnica de baixa qualidade caminha na direção de um verdadeiro apartheid educacional, pois claro está que se pretende estabelecer diferentes tipos de escolas para diferentes públicos, com perspectivas distintas de futuro (leia-se: oportunidades desiguais para as classes sociais) (CNTE, 2018, p.22).

The pedagogical format of the “new” High School — especially its orientation towards low-quality technical education is moving toward a true educational apartheid, since it is clear that different types of schools are planned for different audiences, with different perspectives for the future (read: unequal opportunities for

social classes) (CNTE, 2018, p. 22).

A interpretação da LDB é adequada a todo o ordenamento jurídico brasileiro e à vigência das diretrizes curriculares, portanto não faz sentido que uma BNCC eleja apenas português e matemática como disciplinas obrigatórias, uma vez que a LDB indica um conjunto muito mais amplo de conteúdos essenciais para o pleno desenvolvimento humano. Se a BNCC se propõe a ser “um documento de caráter normativo que define o conjunto orgânico e progressivo de aprendizagens essenciais que todos os alunos devem desenvolver” (BNCC, p. 7), essa redução a português e matemática representa um esvaziamento do currículo do Ensino Médio, que atingirá especialmente a população mais pobre desse país atendida pelas escolas públicas, que convivem majoritariamente com o descaso governamental, com a falta de professores e condições efetivas para a oferta do ensino. Reconhecer apenas a matemática e a língua portuguesa como disciplinas curriculares e transformar as demais disciplinas do atual currículo em componentes e temas transversais, traz certamente um enorme prejuízo do ponto de vista da formação humana e técnico-científica para os estudantes (ANPED, 2018, p. 2).

The interpretation of the LDB is adequate to the entire Brazilian legal system and to the validity of the curricular guidelines, so it does not make sense that a BNCC chooses only Portuguese and mathematics as compulsory subjects, since the LDB indicates a much broader set of contents essential for the full human development. If BNCC proposes to be “a normative document that defines the organic and progressive set of essential learning that all students must develop” (BNCC, p. 7), this reduction in Portuguese and mathematics represents a drain on the curriculum of the Secondary Education, which will especially affect the poorest population of this country served by public schools, which coexist mainly with government neglect, lack of teachers and effective conditions for the provision of education. Recognizing only mathematics and the Portuguese language as curricular subjects and transforming the other disciplines of the current curriculum into transversal components and themes, it certainly brings a great loss from the point of view of human and technical-scientific formation for students (ANPED, 2018, p. 2).

Estamos convictos que a BNCC, aprovada em sua quarta versão, de forma acelerada, pelo CNE em dezembro de 2017, vai impactar negativamente a formação de professores ao impor uma lógica centralizadora nos processos educativos e a vinculação intrínseca a avaliações de larga escala de instituições, professores e estudantes, para a geração de índices de desempenho que em nada asseguram a melhoria do ensino ou a qualidade dos processos formativos.

A BNCC representa a prevalência de uma concepção esvaziada e reduzida de currículo, e ao privilegiar as posições defendidas por setores do empresariado interessados na padronização do ensino, desvela-se o real interesse de atender fins mercadológicos, como a venda de material didático e a oferta de serviços de consultoria para a implementação da BNCC, além da venda de pacotes de formação continuada, em um processo que desvia recursos públicos para empresas e fundações privadas, agora elevados, com o aval do MEC, a parceiros preferencias das redes de ensino, em detrimento das Universidades públicas (ANFOPE, 2018, p. 2).

We are convinced that the BNCC, approved in its fourth version by the CNE in an accelerated manner in December 2017, will negatively impact teacher training by imposing a centralizing logic on educational processes and the intrinsic linkage to large-scale assessments of institutions, teachers and students to generate performance indices that do not guarantee improvement in teaching or the quality of training processes.

The BNCC represents the prevalence of a reduced and empty conception of curriculum, and by privileging the positions defended by sectors of the entrepreneurs interested in the standardization of education, the real interest to meet marketing purposes, such as the sale of didactic material and the offer and the sale of continuing training packages, in a process that diverts public resources to companies and private foundations, now elevated, with the support of MEC, to detriment of public universities (ANFOPE, 2018, p. 2).

[...] nos preocupa a imposição de uma articulação obrigatória entre a BNCC, a política de formação de professores, as políticas de material didático e as políticas curriculares, com impactos negativos a médio e longo prazo tanto para o Ensino Médio quanto para o ensino superior. Também é preocupante que tais

políticas estejam sendo formuladas a partir de interesses e de perspectivas alheios à comunidade dos especialistas acadêmicos e de profissionais da educação, bem como da realidade concreta do mundo da escola e dos sistemas públicos de ensino (Fórum de Cursos de Formação de Professores das Universidades Públicas Paulistas, 2018, p. 7).

[...] we are concerned about the imposition of a compulsory articulation between the BNCC, the teacher training policy, the teaching materials policies and the curricular policies, with negative impacts in the medium and long term for both High School and High School. higher education. It is also worrying that such policies are being formulated from interests and perspectives alien to the community of academic experts and education professionals, (as well as from the concrete reality of the world of school and public education systems. Professors of the Paulista Public Universities, 2018, p. 7).

It can be seen from the above manifestations that this reform is programmed to punish hard the working class, existing in the real world of the public school, by means of the retreat of rights, of the conquest obtained from historical clashes against the hegemonic class, whose demolition of democracy, built after the refunctionalization of the Brazilian State, resumes the reformist foundations inaugurated by Bresser Pereira, suffocated by the period of opositive government, is backed by the “system world” based on the model of imperialist capital obstinate to dismantle the “lived world” of the professionals of the education and the project of education based on the perspective of the total formation of the human.

[...] o mundo do sistema define um projeto de sociedade, de educação e um conceito de formação de professores congruentes com a agenda dos organismos internacionais. Esse projeto submete o mundo oficial do país a um modelo de formação de profissionais da educação que: a) reproduz as reformas curriculares implantadas em outros países; institucionaliza preferencialmente a formação de professores fora da Universidade; c) aparta a licenciatura do bacharelado; d) privilegia as dimensões técnicas do trabalho docente; e) fundamenta-se no modelo curricular clássico, fracionado e em etapas, para o qual o rendimento do estudante medido por testes standartizados tem primazia sobre o conhecimento e a cultura; f) favorece uma formação aligeirada de profissionais do magistério, os quais têm compromisso exclusivo com o mercado de trabalho; g) é orientado pela pedagogia das competências, que induz um perfil profissional uniforme e homogeneizado; h) opta por conceder certificação que sobrepõe a uma consistente qualificação inicial e continuada dos docentes.

Por seu turno, o mundo vivido dos profissionais e estudiosos da educação edificou um projeto que se fundamenta na formação omnilateral<sup>2</sup> das crianças, jovens e adultos que constrói o homem omnilateral, o homem total. Alicerçado em um projeto dialético, esse projeto tem como paradigma educacional as relações entre cultura, sociedade e educação. Tal paradigma leva em conta as transformações sociais, das forças produtivas e do mundo do trabalho, e consequentemente mudanças no papel social do professor (Brzezinski, 2018, pp. 104–105).

[...] the world of the system defines a project of society, of education and a concept of teacher training congruent with the agenda of international organizations. This project submits the official world of the country to a model of training of education professionals that: a) reproduces the curricular reforms implemented in other countries; preferentially institutionalized the training of teachers outside the University; c) leaves the baccalaureate degree; d) privileges the technical dimensions of teaching work; e) is based on the classic curricular model, fractional and in stages, for which the student's performance measured by standardized tests takes precedence over knowledge and culture; f) favors a light training of professionals of the teaching profession, who have an exclusive commitment to the labor market; g) is guided by the pedagogy

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<sup>2</sup> “A omnilateralidade é a chegada histórica do homem à totalidade de capacidades produtivas e, ao mesmo tempo, a uma totalidade de capacidades de consumo e prazeres, em que se deve considerar sobretudo o gozo daqueles bens espirituais, além dos materiais, e dos quais o trabalhador tem estado excluído em consequência da divisão do trabalho (Manacorda, 2007, p. 89; Brzezinski, 2018, p. 105).

of competences, which induces a uniform and homogenized professional profile; h) it chooses to grant certification that overrides a consistent initial and continuous qualification of teachers. In turn, the lived world of professionals and scholars of education has built a project that is based on the omnilateral<sup>3</sup> formation of children, youth and adults that builds the omnilateral man, the total man. Based on a dialectical project, this project has as an educational paradigm the relations between culture, society and education. Such a paradigm takes into account the social transformations, the productive forces and the world of work, and consequently changes in the social role of the teacher (Brzezinski, 2018, p. 104).

In this panorama, the implications of modernity on the organizational processes of secondary education demonstrated contradictions about the aims of the education in dispute between the dimension of the ontological formation of the social being (value useful) and the values of market (Exchange value), that coexist in the present clash of class social relations.

Thus, the current reform (Law 13,415/2017), which becomes the Brazilian “Novo Ensino Superior”, expresses a political organization that is sustained by legal structures contrary to social interests to serve the national and international economic base, which is continually settled by ideologies against the democratic order, which puts at risk, not only structural knowledge, through the limitation and regulation imposed by the neoliberal project, but also, as Frigotto (2014) affirms, regressing the middle education to the pragmatic and technicist perspective of the pedagogy of the However, nowadays, with the differential oriented towards the perspective of flexibilization, with contradictions that are present in the requirement of the Law 13.415/2017 in relation to the ends of education, conditioned to ideological and political spheres, with preeminence of one social class over the other.

The implications of such reform emphasized here are strategies for the provision of a precarious average education that becomes what Freitas calls the postponed elimination<sup>4</sup>, deeply related to the BNCC, whose hegemonic political outline portrays the reductionistic view of curricula, utilitarian and market, closely linked to short-term political strategies, articulated with social economic reforms such as the establishment of a “new” tax regime — the ceiling for public spending (Constitutional Amendment 95, dated 12/15/2016), the Labor Reform — amending the Consolidation of Labor Laws (CLT: in Brazilian Portuguese), approved by Decree-Law 5,452, dated May 1, 1943, and Laws: 6,019, dated January 3, 1974; 8,036, dated May 11, 1990, and 8,212, dated July 24, 1991, in order to bring the legislation into line with the new labor relations (Law 13,467 of July 13) and the fateful Social Security Reform (PEC<sup>5</sup> N. 287/2016), whose package is “direcionado explicitamente para adequar a condução da vida nacional às determinações da agenda neoliberal que se hegemoniza mundo afora... (Severino, 2018, p. 56). [“explicitly directed to adjust the conduct of national life to the determinations of the neoliberal agenda that hegemony around the world ...” (Severino, 2018, p. 56)], which, flooded in with the ideological force that gives rise to it, “reproduz e conserva as relações consolidadas na sociedade histórica, perdendo sua força de transformação (Idem, p. 58) [“reproduces and preserves consolidated relations in historical society, losing its power of transformation (To, 58)” ] demanding of us (from the focus of society) by the defense of agendas of educational policies that transform social reality.

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<sup>3</sup> Omnilaterality is the historical arrival of man to the totality of productive capacities and, at the same time, to a totality of capacities of consumption and pleasures, where the enjoyment of those spiritual goods, besides materials, and of which the worker has been excluded as a result of the division of labor (Manacorda, 2007, p. 89; Brzezinski, 2018, p. 105).

<sup>4</sup> Concept proposed by Freitas (2005) to explain the new forms of exclusion that reformulations maybe generating. By this, what would be occurring is the creation or extension of trails destined to the popular classes within the system, keeping them provisionally in their interior, but without real. Y With this, they would be updating the historical functions of the school, which has to fulfill them in a now more demanding environment: politically, technologically and socially.

<sup>5</sup> The Brazilian government forwarded to the National Congress the Proposal for Amendment to the Constitution (PEC) 287/2016, which deals with the reform of Social Security in Brazil.

### 3. Conclusion

The study leads us to conclude that there is a strong process of dismantling Brazilian education in which the analysis of education has been replaced by technical rationality and legal power, regarding the acceptance of norms and legal systems.

We realized that measures of reformist educational policy, as is the case of Law 13.415/2017, orchestrated by a structure of social regulation for the valorization of single-person models, aggravate social inequalities through duality, differentiation and flexibilization of secondary education, centered on the objective of correcting teaching processes and not on the provision of human training, with decentralization and adequate and sufficient resources.

We also see that the propositions of the respective reform are accompanied by restricted actions and adequate and enough funding, in addition to being conceived on the basis of conservative ideologies and that the perspective of flexibilization, anchored in the formative itineraries and in distance education, the contradiction between what is established by the principles and purpose of education with the limitation and quality of the offer that the Law ensures.

### Refereces

- Assis L. M. de and Lima D. da C. B. P. (2018). "O campo das políticas educacionais brasileiras na espera: o que vai acontecer? ", *RBPAE*, Vol. 34, No. 3, pp. 683–686.
- Barroso J. (2005). "A administração educacional e a abordagem sociológica das organizações educacionais", in: Barroso João, *Políticas Educacionais e Organização Escolar* (3rd ed.), Lisboa: Universidade Aberta, University Themes,
- Baptista eu. and Abrantes P. (2015). "Poder e liderança nas escolas: Um estudo sociológico em contextos desfavorecidos", *Revista Lusófona de Educação*, Vol. 30, No. 30.
- BRASIL (2017). Lei n. 13.415/2017. Institui a reforma das novas mudanças do ensino médio Lei n. 9.394/96 e FUNDEB, Brasília.
- BRASIL (2018). ANPED, Declaração do Fórum dos Cursos de Formação de Professores das Universidades Públicas Estaduais Paulistas, acesso em: março/2019, available online at: <http://www.anped.org.br/news/declaracao-do-forum-dos-cursos-de-formacao-de-professores-das-estaduais-paulistas-sobre-bncc>.
- BRASIL (março/2019). ANPED. "Nota ANPED, A proposta de BNCC do ensino médio: alguns pontos para o debate", 2018, available online at: <http://www.anped.org.br/news/nota-anped-proposta-de-bncc-do-ensino-medio-alguns-pontos-para-o-debate>.
- BRASIL (2018). "Reforma do ensino médio e BNCC", in: *Caderno de Educação* - Ano XXII, No. 30 - jan./jun. CNTE.
- Brzezinski Iria. (2018). "Formação de Profissionais do Magistério na LDB/1996: A disputa entre projetos educacionais antagônicos", in: Brzezinski Iria (Org.), *LDB 1996 Vinte Anos Depois: Projetos Educacionais em Disputa*, São Paulo: Cortez.
- Freitas Luiz Carlos de (2005). "Eliminação Adiada: Novas formas de exclusão introduzidas pelas reformas", in: *Pro-Positions*, Vol. 16, No. 3, available online at: <https://avaliacaoeducacional.com/publicacoes>.
- Frigotto G. (2014). "Educação básica no Brasil: Entre direito social e subjetivo e negócios", *Coleção Conjuntura 2014: Desafios Para Uma Cidadania Ativa* IBASE 2014, available online at: <http://cederj.edu.br/revista/articles/37724>.
- Libâneo J. C. (2016). "Políticas educacionais no Brasil: Desfiguração do conhecimento escolar e escolar", *Cadernos de Pesquisa*.
- Lima L. (2003). *A Escola Como Uma Organização Educacional*, São Paulo: Cortez.
- Severino Antônio Joaquim (2018). "Por uma aproximação filosófica da LDB/1996: A difícil construção da cidadania", in: Brzezinski Iria (Org.), *LDB 1996 Vinte Anos Depois: Projetos Educacionais Em Disputa*, São Paulo: Cortez.