

The Right to Education Index 2018

Brazil's Country Brief

Introduction

The Right to Education Index (RTEI) is a global accountability initiative that aims to ensure that all people, no matter where they live, enjoy their right to a quality education. RTEI is a global index built out of the international right to education framework to monitor national progress towards its fulfillment. It reveals key areas in need of improvement, offers country-to-country comparisons, and tracks progress over time. Ultimately, RTEI seeks to:

- Strengthen the expertise and capacity of civil society and education advocates.
- Increase public and political support for realizing the right to education.
- Hold governments and institutions accountable for their commitments to the right to education.
- And finally, uphold the right to education for every child and adult everywhere.

RTEI partners with civil society organizations, research institutions, and governments to collect data on a wide range of indicators explicitly derived from the international right to education framework. The data is used to form the Right to Education Index, which can be used by the public, civil society, researchers, and governments to identify areas in need of improvement, explore issues more deeply, and place efforts where they are most needed.

As with any index, RTEI has limitations in its interpretation and application. For complete information on RTEI limitations, see **RTEI Background and Methodology**: <https://www.rtei.org/en/blog/rtei-2018-methods-consultations-results/>

RTEI is...

- A general measure of the right to education in a country.
- Based on an important, but non-exhaustive, list of indicators explicitly derived from the international right to education framework.
- A first step toward further analysis and advocacy by interested parties who are able to contextualize results using questions present in the RTEI Questionnaire and other relevant information.

RTEI is not...

- The comprehensive, definitive measure of the right to education in a country.
- An exhaustive index that covers the full complexity of the right to education.
- A legal document that can be used for adjudication purposes.

Summary of results

Brazil received the score of 75 in the RTEI, reaching levels close to those of considered developed countries, such as Australia (78) and the United States (79), and lower than countries like Honduras (81) and Chile (85). This value can be attributed to poor performance in availability (insufficient data) and acceptability (58). In relation to availability: sanitation

(insufficient data) and textbooks (insufficient data) and teachers (insufficient data) did not reach punctuation; classrooms (43) also scored below 50, justifying the rate. Acceptability had reasonable rates in aims of education (67) and learning environment (75) but had a low score of learning outcomes (32).

Regarding availability and acceptability, two areas related to quality in education in structural and pedagogical terms, we still have much to progress. There are still many schools with low infrastructure and materials available, democratic management processes lacking, and pedagogical guidelines need to be more dedicated to the fullness of what is meant by the right to education, rather than concerned with standardized, content-focused assessments.

On the other hand, there were successful areas: governance (95), accessibility (69) and adaptability (76). The governance area has measured the existence of normative frameworks in the fields of international treaties and commitments, national laws, action plans, monitoring mechanisms and reports. The mean in accessibility is justified by free education (100) and participation (74), although discrimination has reached a low score (31). Out-of-school children (95) were the category that best scored for adaptability, followed by out-of-school education (78), minorities (67) and children with disabilities (67).

As for the dimensions of adaptability and availability, which dialogue with a universal and inclusive education, the diagnosis is that we still have to move forward in terms of combating discrimination - especially ethnic and racial, and related to gender and sexual orientation - and in guaranteeing the structures necessary for the inclusion of people with disabilities, nomadic people and residents in the most desperate areas.

Availability of Education

Brazil received the score of 0 (zero) in sanitation and textbooks, two sub-areas of availability. It should be noted that countries considered "developed", such as South Korea, England and the United States, received the same score, zero, in the sanitation subarea. In the case of Brazil, what justifies the score is the absence of a minimum standard of number of students per toilet for primary and secondary education. In addition, there are no analyzes that show a ratio between the number of students and toilets available. Still, in relation to "potable" water, we cannot measure precisely because the indicator available for the country is "filtered" water, which is considered relatively different from the first one.

In relation to textbooks (which also reached the zero score), there is also no minimum standard in the country that determines the number of students per available textbook and, consequently, there is no reason among students for textbooks. However, it should be noted that Brazil provides textbooks through the National Textbook Program, which is funded by the federal government. In this program, the books are chosen by the schools and made available according to the number of students enrolled in each requesting institution.

In relation to classrooms (43), there is no standard number of students per classroom. Currently, only the Report 8/2010 of the National Education Council¹, which concerns the Cost of Initial Quality Education per Student (CAQi)², defines this relationship, but does not have the force of law. Nevertheless, the educational indicators provided by INEP show the average number of pupils per class for primary and secondary education.

¹ <https://goo.gl/9CzBsB>

² <http://custoalunoqualidade.org.br/>

With regard to teachers, it is possible to obtain the percentage of appropriately trained teachers, but it is not possible to verify whether teachers in specialized subjects are trained in these subjects. As in the previous subareas, there is also no fixed standard for the number of pupils per teacher for primary and secondary education.

Acceptability of Education

In this area, Brazil did not obtain a maximum score when:

1. the mechanisms established to ensure that textbooks used in public and private schools are aligned with the curriculum guidelines of the Ministry of Education;
2. the inclusion of students in the decision-making process of the school curriculum, school policies and codes of behavior;
3. the monitoring, through reports and studies, of violence and abuses committed against students in schools;
4. to the occurrence of corporal punishment practices in schools, mainly due to the lack of data and, therefore, of research on them;
5. to national evaluation and examinations, which do not have issues related to individual (mental and physical) development, individual freedoms, and respect for human well-being, human rights and the arts.

Regarding assessments, national examinations are often focused on language and mathematics. Decentralized examinations usually follow the objectives of the national assessments; therefore, they also do not evaluate the areas described in the questionnaire. The National Examination of Secondary Education (ENEM), an examination that reasonably considers questions about welfare, human rights and the arts, is not mandatory.

Accessibility of Education

Although it has reached a maximum score in free education (100), resembling only the Philippines; the participation rate was 75; and the country had a low rate of discrimination (31). This is because national laws do not prohibit discrimination in relation to language, religion, political opinion, property, birth, sexual orientation and gender identity, disability, nationality, marital or family status, health status, place of residence, and economic and social situation.

The country also did not address the issue of “expulsion of girls from schools because of pregnancy or because having a baby is explicitly prohibited in national laws”, since there is no specific law in this regard, although the right of pregnant girls to remain in school is ensured by the interpretation of other laws, such as the Federal Constitution of 1988 and the Child and Adolescent Statute of 1990.

Adaptability of Education

Although Brazil measures the adapted structure of schools for children and adolescents with disabilities and they exist in the country, they are rare or uncommon. Yet, according to data collected for schools for nomadic children or residents of hard-to-reach or distant cities, it is also possible to identify such schools, but they are likewise rare or unusual, since policies for these populations, although assured by law, are still expanding. In other words, there is still much to be done for the full inclusion of subjects of law in education.

Availability of data

The Brazilian government encourages the production of data on education since the 1990s. For this reason, many data were available on sites of the National Institute of Studies and Educational Research Anísio Teixeira (INEP), a federal agency linked to the Ministry of Education. INEP is responsible for the School Census, the Basic Education Development Index (IDEB) and other national assessments, such as the National Examination of Secondary Education (ENEM). INEP also provides educational indicators and information on educational funding.

The country also has research institutions responsible for producing information about the population, including information on education, such as the Brazilian Institute of Geography and Statistics (IBGE). It is responsible for conducting periodic surveys such as the Demographic Census and the National Household Sample Survey (PNAD).

In addition to state institutions, non-governmental organizations such as Ação Educativa and CEDES have produced complementary research, such as related to the question of analphabetism, for example. Other international organizations have also provided information on education in the country, such as the OECD's Education for a Glance report, and on issues affecting children and impact on the right to education, as World Bank data on child labor. The search for these sources occurred after the data were not found in state official sources.

Sometimes when the data are not available, it is possible to reach values through the microdata, which are available, but are not used in this index. In other issues, such as sanitation (eg. students per toilet), and potable water, the data were not found because they are not actually collected by the School Census and other national surveys.

Recommendations

1. The high governance score shows that the legal framework and monitoring mechanisms are both existent and somewhat accurate, but the implementation data demonstrate the need for such legislation to be met and that the diagnoses must serve as basis to the formulation, implementation and monitoring of state and long-term policies.
2. The second recommendation, more directly related to the accessibility and acceptability spheres, is for the government to implement the National Education Plan (Law 13,005/2014), highlighting especially the goals and strategies that relate to the mechanism of Cost of Quality Education per Student (CAQi/CAQ) in order to ensure good schools infrastructure and well-trained teachers, as well as those related to democratic management and processes. For regional and educational inequalities to be settled, it is also necessary that the National Congress approves, and the Federal Executive puts into operation the National Education System.
3. The third recommendation, related to the dimensions of availability and adaptability, is that governments must implement Federal Laws 10,639/2003 and 11,645/2008, which oblige the teaching of History of Africa, Afro-Brazilian and Indigenous Culture in educational establishments; and that anti-discrimination laws and policies promoting diversity in education, including the full inclusion of pregnant girls in schools, should be pursued.

4. And, finally, the data availability landscape demonstrates that there is a lot of reliable data available, but it would be important to refine some official surveys with sensitive modifications as well as conduct other surveys that answer the need for some accurate data for deeper diagnoses. Still, there are data that are not collected due to the absence of predetermined quality parameters in national regulations. This is the case of the Cost of Quality Education per Student (CAQi/CAQ), which provides parameters that could help in the monitoring, formulation and implementation of quality policies, equity, financing and federative justice for education, which is suggested by the National Council of Education, but not yet regulated by the Ministry of Education.