



# PUBLIC-PRIVATE PARTNERSHIPS IN BRAZILIAN EDUCATION: RESPONDING TO THE PRIVATIZATION OF PUBLIC SCHOOLS

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Public-Private Partnerships (PPPs) arose in the context of the neoliberal reforms of the Brazilian state undertaken in the 1990s when various laws were gradually approved, establishing a regulatory basis for their implementation.<sup>1</sup>

In education, PPPs have as their objective the reshaping of school financing, management and systems of teaching, creating competition for public resources based particularly on students' results on national tests. Furthermore, methods of business management are introduced into the schools through these tests with the goal of standardizing student learning by means of curricular competencies.

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<sup>1</sup> One of the principal legal bases regarding the issue refers to Federal Law no. 8.987 of 1995, which provides the system of permission for the loan of public services as provided for in Article 175 of the Federal Constitution. To this regulation is added Law no. 9.074/05 which establishes norms to grant and extend concessions and permissions of public services; Law no. 9.637/98, which within other purposes provides for the assessment of entities such as Social Organizations (OS); Law no. 9.790/00, which deals with assessment of privately owned non-profit entities, such as Civil Society Organizations of Public Interest (OSCIP); and law No. 11.070/04, which instituted general norms for the bidding and hiring of public-private partnerships in the sphere of public administration.

With this model, we see a displacement of state responsibility onto private enterprise. Public education comes to be understood as a non-exclusive service of the state, a “natural” process of transformation of public goods into commodities. And the result is that social rights are subjected to the logic of the market, and democracy is no longer a community of citizens and bearers of rights, but a society of consumers.

The “democratic” order of neoliberalism really seeks to legitimize the ideology of the market, superimposing the economic power of corporations over the innumerable activities of the state—even education—by means of the supposed superiority of business management in the face of “conservative,” “bureaucratic,” “corrupt” and “inefficient” public administrations. Such myths, nevertheless, hide the failings of private management that are responsible for the global economic crisis of the twentieth and twenty-first centuries, as well as systematic social breakdown, given that the objectives of “business management” are not to form citizens with rights and opportunities, but only workers committed to productivity and the preservation of their jobs.

The experiences of PPPs in Brazilian education show that their objectives are, on the part of companies, to create a new and lucrative niche of global business and, on the part of governments, to use external evaluations to promote and give incentives to educational policies of a managerial, meritocratic and punitive character. Evaluations demand aptitudes and skills focused on productive restructuring, so that the state moves from an executive role to one that is exclusively evaluative and controlling of policies and public services.

Thus, the responsibility of the state to guarantee quality public education is transferred to private entities, without any discussion of harm to educational policy. “Affiliate companies” end up managing education and defining the pedagogical line, the training of teachers and even evaluating results from a business point of



view, dissociated from opinions of the educational community - parents, students, education workers and society in general. Thus the constitutional right to Democratic Management (Article 206, VI of the Constitution) is also weakened or lost.

Among the various forms of PPPs, there are two that are especially widespread in Brazil: meritocratic management of teaching and schools by hiring the services of private enterprise within the public sector, for example management programs, texts (notes) and training courses for teachers), and direct transfer of school responsibilities and public resources to the non-state sector (private, community, religious and philanthropic). This last is especially common in early childhood education (daycares and preschools) and in special education (APAE/Pestalozzi), in technical-professional teaching (Pronatec) and in higher education (Prouni).

In terms of the management of systems and schools, that type of PPP is not constitutionally restricted, as a result of which they have become common in many public education networks, especially since the passa-



ge of laws 9.394/96 (Law of Guidelines and Bases of National Education) and 9.394/96, which cover most of the neoliberal reforms to Brazilian basic education.

A number of studies carried out since 1997<sup>2</sup> reveal many implications of PPPs for democratic school management, above all in relation to the lack of teaching autonomy. The research shows that teachers began to work with classes prepared and planned by teams from institutes such as Ayrton Aenna and Alfa e Beto, where the teachers are in charge only of transferring, or passing, students—suppressing the Pedagogic Political Project and social participation in the school, guarantees of Article 14 of the LBD.

Furthermore, according to the same research, education professionals said they had to submit to authoritarian inspections under the supervision of the Secretariats of Education which made them feel coerced. They also

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2 “Analysis of the consequences of agreements to provide education between Brazilian municipalities and the Ayrton Senna Foundation” coordinated by Professors Vera Peroni and Theresa Andriao—State Report of Rio Grande del Sur (PERONI, 2010), National Report (ADRIAO, PERONI, 2010).

said they had received awards in accordance with the performance of their students. For these professionals, “education came to be understood as a product and verified only by the result, without considering the pedagogic process of teaching-learning.”

They also reported that “everything new in the school came through the private institutions, even funds received in the process of financial autonomy.” And out of fear of losing those school funds, no teacher went against the process imposed, often in spite of their complete disagreement with it. To sum up, schools were run through fear and repression, rapidly eliminating the autonomy of teachers, of school councils or boards and of parent-teacher associations, who received “orientations” by management Institutes about what should be acquired with funds received by the schools.

Public-Private Partnerships in education seriously interfere in the process of democratic management of schools, since they promote conflict among stakeholders, underestimate and undervalue educational realities, impose authoritarian measures and standardize material that should be worked on with students. These serious concerns reinforce the position of the National Confederation of Education Workers in Brazil (CNTE) that the state must assume responsibility for the funding and management of public schools, not transfer their social commitments to private enterprise, whether through non-governmental organizations (NGOs), social organizations, the military police (through the phenomenon of militarization of schools) or by any other form of public-private partnership.

### **Privatization of education in the context of the institutional coup in Brazil.**

The political/juridical/media coup in Brazil in 2016 was aimed at reordering the country according to

neoliberal policies (small government) in support of the national elite's goal of handing over the riches of the nation to international capital and appropriating public resources for itself, supporting the country's historic patrimonialism which today comes in the form of intense privatization of public services.

Education, like health, public security and other social areas, has suffered systematic privatization over the decades, which has worsened with the measures implemented by the putschist government (of Temer) and others working with entrepreneurs and national and international financiers (the true owners of the corrupt political system in our country).

Those who will suffer most with the changes that are being implemented during this exceptional period in our democracy will undoubtedly be the people, especially the least favoured sectors of our society who need public policies in order to survive and to have any opportunities in a system that only deepens social inequality.

The principal method used by the illegitimate government, which deepens social and educational inequalities and exclusion, is related to the passing of Constitutional Amendment (EC) No. 95 which freezes primary and social expenditures in the country for twenty years and suspends for an equal period the constitutional guarantee of taxes for education and health. That is enough time to literally annihilate the current and next ten-year plan for education.

In the field of education, EC 95 has already caused considerable damage. The funding cuts to universities and Federal Institutes of Education, Science and Technology already threaten over 30% of the budget of those institutions. Besides holding back expansion of new spaces for students, the federal system of higher education will have to cut enrolment, established in the last decade, derailing the National Education Plan

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(PNE) goal of reaching 33% of secondary graduates aged 18 to 24 years.

EC 95 and other measures already passed by the coup, for example the reform of high school teaching, in the Law of Outsourcing and of Reform of Work, if not revoked in the short term (and the limit must be the elections of 2018) will throw a wrench into all the goals of the National Plan of Education. On the other hand, those goals that presumed the universalizing of enrollment in preschool, primary and secondary education are already endangered, because they are supposed to have been carried out in 2016. Because of this, even today, we have more than 2.5 million children and adolescents between 4 and 17 years who are out of school.

Increasing public enrolment in basic and higher education and improving the quality of higher education both depend on more funds to construct, reform and equip schools, to form and assess teachers and admi-

nistrators and even to finance policies that guarantee access, permanence and learning for students. And ED 95, along with the record cuts to the Ministry of Education (MEC) budget in 2017 (more than 10% of the total) and other cuts to public funds, drastically reduce the ambitious potential of the PNE approved in 2014 by the government of Dilma Rousseff.

The principal goal of the PNE is an increase in the Brazilian education budget at the baseline of 10% of the GDP until 2024. And EC 95 prevents this from occurring, given that the federal budget for education (health, security, administration etc.) will not be able to grow above inflation. This is the cruel reality behind the lying propaganda of the coup-backed government regarding the restriction of public expenditures. What is being done in Brazil is to take rights away from current and future generations to benefit shareholders of the public debt and the businesspersons who outsource public services.

The reform of high schools, contrary to what is being propagated by the government, will reduce the content offered to students and will not guarantee access to all specialized areas. Nothing is said regarding the more than 3000 municipalities that barely have a functioning high school and who will not be able to offer all the fields of specific knowledge announced by the counterreform. As a result, either the student accepts taking the only field offered by the public school in the city, or tries to move to another city that has the field of their preference, or will have to accept courses provided by private enterprise.

The objective of this reform of high schools is to impoverish the curriculum of the public school, focusing on the formation of students strictly for the interests of the market, privileging private schools and privatizing parts of the of the public school curriculum.

The path to indiscriminate privatization of education is



now open through the measures brought in through the coup. First, the Federal Supreme Tribunal authorized that public schools be managed by social organizations, removing the exclusivity of public power in administering them. Second, the Law of Outsourcing and other measures of the Workers Reform—such as that of Intermittent Work—authorize social organizations to contract professionals without public competition. That is, in addition to being outsourced to business, the “public school” will be a nest of nepotism and of political hirings that the Federal Constitution of 1988 had managed to stop. A backward move without parallel! And, in the third place, the “reform” tends to create market reserves for education businesses specialized in technical-professional education, given that more than half of the curriculum of secondary schools must be destined for fields of specific training, with a greater focus on technical education for students of the popular/working classes.

The focus on technical-professional education in secondary schools reveals another crime of this go-

vernment, which is to remove—by providing training that doesn't qualify them to pass entrance exams on graduation—the possibility of those less well off (students in public schools) being able to access universities, especially public ones.

In relation to education professionals - an essential part of a quality teaching-learning process -in addition to contracting out, this illegitimate government seeks to reduce the right to social security (as it has proposed with rural workers), devalue teaching work and salaries and flexibilize the work of educators. The secondary-level reform authorizes the hiring of any professional with “expertise” to give classes in technical-professional education, as well as permitting the hiring of anyone with a high-school diploma who takes a minimal training upgrade to perform at any stage and form of basic education with equal qualification to teachers with degrees.

In sum, the coup has reversed policies that extended the right to education as well as popular participation in decision-making regarding policies in the field. Between 2003 and 2015, 18 new universities were constructed, 115 new university campuses, and 422 Federal Institutes of Education, Science and Technology. In this same period, the MEC invested 350 billion *reais*<sup>3</sup> --more than the minimum required (Article 212, CF, now suspended by EC 95). Now there is talk of closing universities, as in the case of the Universidad de Triple Frontera (UNILA).

Since 2008, the country has been involved in an innovative process to encourage social participation in the debate on education, which led to the passing of important proposals for the PNE. Nevertheless, recently the MEC dismissed a significant part of the National Education Forum and cancelled the CONAE 2018, forcing progressive educational groups to orga-

nize within the Popular National Education Forum, which has as its primary task to promote the Popular National Education Conference (CONAPE, 2018), carrying out municipal, regional, state and district activities before the national conference.

Popular resistance is the only path to reverse the coup in our country, and the union of various social players—unions, rural organizations, women, *quilombos*<sup>4</sup>, blacks, among others—must intensify to denounce the barbarities committed by those who took power by assault and who practice innumerable crimes of treason against the Brazilian people, in addition to crimes of corruption which our corrupt media print daily, and which urgently need to be regulated for the good of our democracy.

3 The Brazilian unit of currency (translator).

4 Quilombos in Brazil are settlements of Brazilians of African origin, founded historically by escaped slaves before slavery was abolished in Brazil in 1888. The 1988 Constitution of Brazil granted the remaining quilombos the collective ownership of the lands they have occupied.