

Educational systems and autonomy of municipal education in/of the Tocantins Amazon¹

Sistemas educacionais e autonomia da educação municipal na/da Amazônia Tocantinense

Sistemas educativos y autonomía de la educación municipal en/de la Amazonia de Tocantins

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Abstract: The theme of this article is “Educational systems and autonomy of municipal education”, with the purpose of revealing the reality of the movement for the effective institutionalization of Educational Systems (SME) in the 139 municipalities that make up the Tocantins Amazon region. It is grounded on the historical-dialectical theory, based on the investigation of theoretical and practical assumptions through literature review, documentary research, survey and data processing. Theoretical and documentary research indicate that there are still problems that hinder the improvement of municipal education, for example, among others, the federative pact that needs to be revised, the existence of infrastructure bottlenecks, the lack of financial resources to adequately meet the demands in the school context and also the existence of practices related to coronelism, clientelism and personalism, which have perpetuated as patrimonial artifices for many years in Brazilian history. The data indicates that the autonomy of municipal education and the institutionalization of its teaching systems is contradictory, because although it has a legal guarantee, in practice, the municipalities of Tocantins still face great challenges to be considered autonomous, as well as to institutionalize in an effective manner its SME, since many constitutive elements of an SME are still non-existent, or exist in a timid and disjointed way.

Keywords: Educational systems; Autonomy; Municipalities; Tocantins SME.

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Resumo: Este artigo tem como temática os “Sistemas educacionais e autonomia da educação municipal”, com o objetivo de desvelar a realidade do movimento de institucionalização efetiva dos Sistemas de Ensino (SME) nos 139 municípios que compõem a Amazônia Tocantinense. Assenta-se na teoria histórico-dialética, fundamentada na investigação dos pressupostos teóricos e práticos por meio de revisão de literatura, pesquisa documental, levantamento e tratamento de dados. A pesquisa teórica e documental aponta que ainda permanecem problemas que dificultam a melhoria da educação municipal, por exemplo, dentre outros, o pacto federativo que precisa ser revisado, a existência de gargalos de infraestrutura, a insuficiência de recursos financeiros para atendimento adequado às demandas sociais no âmbito escolar e ainda a existência de práticas coronelistas, clientelistas e personalistas, que perpetuaram como artifícios patrimonialistas por muitos anos na história do país. Os dados indicam que a autonomia da educação municipal e a institucionalização dos seus sistemas de ensino-educação é contraditória, pois embora tenha garantia legal, na prática, os municípios tocantinenses ainda encontram grandes desafios para de fato serem considerados autônomos, bem como para institucionalizarem de forma efetiva seus SMEs, uma vez que muitos elementos constitutivos de um SME ainda são inexistentes, ou existem de forma tímida e desarticuladas entre si.

Palavras-chave: Sistemas educacionais; Autonomia; Municípios; SME no Tocantins.

Resumen: El tema de este artículo es “Sistemas educativos y autonomía de la educación municipal, con el objetivo de revelar la realidad del movimiento de la institucionalización efectiva de los Sistemas Educativos (SME) en los 139 sitios que componen la Amazonia de Tocantins. Se fundamenta en la teoría histórico-dialéctica, fundamentada en la investigación de supuestos teóricos y prácticos a través de la revisión de la literatura, investigación documental, recolección y procesamiento de datos. La investigación teórica y documental señala que aún persisten problemas que obstaculizan la mejora de la educación municipal, por ejemplo, entre otros, el pacto federativo que necesita ser revisado, la existencia de los problemas en infraestructura, la insuficiencia de recursos financieros para atender adecuadamente las demandas sociales en el contexto escolar y también la existencia de prácticas, Coronealistas, Clientelistas y Personalistas, que se perdurarán como artifícios patrimoniales durante muchos años en la historia del país. Los datos indican que la autonomía de la educación municipal y la institucionalización de SMES, sistemas de enseñanza-educación es contradictoria, porque aunque tiene garantía legal, en la práctica de los sitios de Tocantins aún enfrentan grandes desafíos para que sean realmente considerados autónomos, así como para institucionalizarse en formar efectivamente SMES, ya que muchos elementos constitutivos de una SME aún no existen, o existen de manera tímida y están inconexos entre si.

Palabras claves: Sistemas educativos; Autonomía; Sitios; SME en lo Tocantins.

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1. Introduction

According to articles 18 and 19 of the 1988 Federal Constitution (FC), the municipality is part of the country's political-administrative organization and is the smallest autonomous

Brazilian territorial unit, created by state law through prior consultation with the population and analyzes regarding the technical feasibility of creation or political emancipation. The municipality is governed by municipal law observing the principles established in the FC and the respective State Constitution, observing the competencies regulated by article 30 of the FC.

In the educational field, paragraph 2 of article 211 of the aforementioned Federal Constitution states and item V of article 11 of the Education Guidelines and Bases Law (LDB/1996) ratifies that it is the responsibility of the municipality to “[...] offer the early childhood education and, with priority, elementary education”. In this area, art. 211 of the CF allows each entity of the federation (Union, States and Municipalities) to organize its education system.

This article has as its subject of study educational systems and the autonomy of municipal education with a focus on the municipalities of the Tocantins Amazon area and with the objective of unveiling the dynamics of the effective institutionalization of Teaching/Education Systems (SME) in the 139 municipalities that make up the territory of Tocantins state, seeking to answer the following question: How is the institutionalization of Teaching/Education Systems (SME) carried out in the municipalities of Tocantins?

This is research based on historical-dialectic theory, based on the investigation of theoretical and practical assumptions through literature review, documentary research and data collection. The data presented was made available by the Union of Municipal Education Officials in Tocantins (UNDIME/TO), as well as by the Program for Institutionalization and Management of Municipal Teaching/Education Systems: training, follow-up, monitoring and evaluation (PRISME).

In order to contextualize PRISME, it is important to highlight that this is a program linked to the Federal University of Tocantins (UFT) in which three authors of this article act as trainers and one as an advisor. It is consolidated in training, follow-up, monitoring and evaluation actions in the light of critical-dialectic theory, with the following objectives, among them:

[...] continuous follow up and monitoring of the constituent elements of the Municipal Teaching/Education System (SME) [...], supporting the effective process of institutionalization and management of the SME, with the intention that Municipalities establish autonomy and comply its educational responsibilities, integrating itself with the policies and plans of the Union and the State, having as its axes the Municipal Education Plan (PME) and the Articulated Action Plan (PAR) as articulators of the system. (PRISME, 2022).

It is noteworthy that in the period of one year, between August 2022 and June 2023, PRISME had the participation of 117 (one hundred and seventeen) municipalities in Tocantins, which allowed the apprehension of the first approximations of the diagnosis of the institutionalization movement of SME.

Having made some considerations about PRISME, we return to the course of our research, which, through theoretical and documentary diagnostic investigation, presents contradictory elements in the movement towards autonomy in municipal education and the effective institutionalization of SME.

The results of the documentary investigation and theoretical assumptions indicate that problems still remain that hinder the improvement of municipal education, for example, among others, the federative pact that needs to be revised, the existence of infrastructure bottlenecks, the insufficiency of financial resources for service adequate to social demands in the school environment and, objectively, the historical existence of Coronelism (Coronelism was the Brazilian political machine during the Old Republic(1889–1930), also known as the "rule of the colonels", responsible for the centralization of the political power in the hands of a locally dominant oligarch, known as a coronel, who would dispense favors in return for loyalty.), clientelist and personalist practices, which have been perpetuated as patrimonial artifices for many years in the country.

Likewise, the main results of practical research indicate that municipalities in Tocantins still face major challenges to actually be considered autonomous, as well as to effectively institutionalize their SME, since many constituent elements of an SME are non-existent or, even, exist in a timid and disjointed way among themselves.

2. Municipalist trajectory and the Brazilian federative system: Colony, Empire and Republic.

Pena's studies (apud LOPES et al., 2021, p. 313) point out that the municipality can be characterized as a political territorial zone that is part of a federative unit. Therefore, aiming to understand the way in which municipalities came to be constituted in Brazil, it is important to analyze three different periods that are directly related and that mutually reinforce each other throughout the process of creation and characterization of municipalities within the Brazilian federative system, going through the period of colonial, imperial and republican Brazil.

It is observed that Brazil under Portuguese colonization suffered a profound influence on the process of configuring the municipal government. Mello's studies (apud LOPES; MELO, 2020, p. 142) point out that during the colonial period, the political-administrative emptying of the municipal sphere was observed, therefore, municipalities became unimportant as effective units for regional and central region governments, which are responsible for regulating and managing finances and political activity, significantly reducing the participation of municipalities in the development of the colonized region.

In 1824, the first Brazilian Constitution was granted, called the Imperial Constitution (BRASIL, 1824), in force throughout the empire. The Constitution determined, among several elements, the following basic outline: a constitutional monarchy with strong centralization of power in the hands of the Emperor; the creation of the Senate and the Chamber of Deputies for parliamentary representation; the division of Political Power into Four Powers, namely, the Executive, the Legislative, the Judiciary and the Moderator represented by the Emperor himself and was above the other powers.

Analyzing the process of conception and organizational configuration of the municipality, it is possible to point out changes that occurred during the colonial period, such as the political-administrative subordination of provincial presidents, who were appointed and also dismissed according to the Emperor's interests, which could justify his position only taking into account what he understood as the State's interest (MEIRELLES, apud LOPES et al., 2021, p. 308).

Thus, it is also highlighted that local powers during the Brazilian colonial period had a higher level of authority and autonomy when compared to the imperial period. It is worth mentioning, Marco (apud LOPES et al., 2021, p. 308) ratifies that: “when its legal prerogatives were more in line with its institutional purposes, (...) thus being able to better meet the needs of the community”

From 1891 onwards we have the Constitution of the Republic of the United States of Brazil, decreed and promulgated by the National Constituent Congress. The first constitution promulgated (1891) in the country provided for a constitutional guarantee of municipal autonomy, based on republican and federalist principles.

Different elements observed as a fact that prevented adequate autonomy and democracy at the municipal level, it is possible to mention Coronelism, as well as Clientelism and Personalism, as elements that resulted in the perpetuation of patrimonial practices throughout Brazilian history.

In 1934, also promulgated by the National Constituent Assembly, the Constitution (1934) provided in its preamble that the Magna Carta had as its principle the organization of the democratic regime, ensuring freedom, justice, unity, economic and social well-being to the country. (BRAZIL, 1934).

During the government of President Getúlio Vargas, on November 10, 1937, the fourth Brazilian Constitution was granted, which presented as its main characteristic the enormous concentration of powers in the hands of the head of the Executive Branch. The new constitution with intense centralization of power reserved the appointment of state authorities

- the interveners - to the President of the Republic and, in a policy of strengthening local political alliances, they were granted the power to appoint municipal authorities.

The political movements of the time marked the transition to the period known as “Estado Novo” (New Government). Brazil, with a centralized model, in which mayors could be appointed by governors and not chosen through municipal elections (NUNES, 2017, p. 13), designed a new configuration of power relations in the country.

Also receiving the name “Polish”, the Constitution was inspired by many aspects of the Polish model, as it presented a high degree of authoritarianism, meaning that the president had significant powers and autonomy to carry out practically anything he desired. The Constitution, in question, maintained the system of distribution of taxes and duties and the existence of a service organization within the municipalities (BRASIL, 1937). At that time, one fact stood out, namely, municipalities had more financial resources because part of their taxes came from the states.

In the studies by Meirelles (apud LOPES et al., 2021, p. 310), analyzing municipalism, it was observed that the Constitution (BRASIL, 1937) ended up significantly harming municipal activity and autonomy as a federated entity, according to historical records, the electivity of the executive was revoked and it was granted only to the legislature (Arts. 26 and 27). With regard to the reconfiguration of the Brazilian political-administrative scenario, such as the exclusion of municipal autonomy in this period, the aforementioned author also makes a comparison of municipalist action with the configuration that existed during the Empire period.

In 1946, another Constitution was promulgated which resulted from the articulation of political forces willing to implement a new national scenario under a democratic horizon and the needs to create a new political and administrative order in a new international scenario. The aforementioned Constitution was responsible for important advances for Brazil, which, according to Meirelles' conception (apud LOPES et al., 2021, p. 311), contributed to balancing “autonomy” in all spheres of power, thus emerging an innovative political municipal system, resulting in the integration of the municipality into the Brazilian electoral system, also counting on the bodies of executive and legislative powers, giving greater importance to the municipalities.

With the Constitution in question, it is then observed that the municipality now has forty more citations in its text, this being the Magna Carta that most mentioned the condition of the municipality. However, in 1964, the Civil and Military Coup promoted a political rupture that established a brutal Military Dictatorship that made the expansion of important projects and social achievements unfeasible, therefore, public policies anchored in democratic principles and values were not possible.

In 1988, with the Military Dictatorship defeated, the seventh Brazilian Constitution (CF/1988) was promulgated and provided significant transformations in the social, political and administrative spheres, like several others of the same nature (RIBEIRO, 2004, p. 33). Therefore, the Federal Constitution of 1988, which is also known as the Citizen Constitution, determines the competencies of federated entities, and through its article 30, item I, determines that Municipalities are responsible for legislating on matters of local interest.

Emphasizing that the 1988 Federal Constitution historically granted greater political autonomy to Brazilian municipalities, granting them the status of federated entity, while ensuring the receipt of taxes and duties. The Constitution recognizes the right of municipalities to self-organize, reaffirming the existence of local power, constituted by popular vote.

It is also worth mentioning that it was not only this nucleus of the Brazilian political-administrative hierarchy that achieved greater benefits with this Constitution, but the States of Brazil also had privileges, highlighting among them the power to legislate on matters relating to district emancipations, something possible only after the Magna Carta in question (TOMIO, 2002).

In this way, it is observed that the rules that Municipalities could emancipate themselves find a legal basis in Federal Constitutional Amendment nº 15/1996, responsible for changing the text of § 4 of Article 18 of the 1988 Constitution, stating that:

Art. 8. § 4. The creation, incorporation, merge and spin off of Municipalities will be carried out by state law, within the period determined by federal complementary law, and will depend on prior consultation, through a plebiscite, with the populations of the Municipalities involved, after the publication of Municipal Feasibility Studies presented and published in accordance with the law (BRASIL, 1996).

According to Tomio's (2002) conception, the emancipation process of a municipality takes into account different political, economic and social conditions, directly associated with the actions of various actors. It is possible that actors are characterized as agents who adequately understand their interests and the strength they have within the political scenario with the ability to select options and choose strategies to interact with other actors, thus aiming to obtain individual and collective gains. Among the actors, local leaders and municipal leaders emerge (whether they are in favor of this emancipation or not). However, the process is not limited to leaders alone, it is essential that there are entities and political institutions that are in favor of emancipation, promoting this process, taking into account that their regulatory function directly affects decision-making processes and also the transformation of interest of the actors.

Research carried out by Cigolini and Cachatori (2012) pointed out the following as reasons that influence emancipatory processes:

I – Local issues of the territory, as well as its dimensions, the nature of economic activities, urbanization and production organization;

II – Political strategies of groups with the aim of acquiring or expanding the political influence exercised with a view to achieving economic and electoral advantages;

III – Significant chance of maximizing regional development;

IV – The lack or non-existence of public services;

V – Possibility of expanding population and circulation;

VI – Economic changes made by public authorities or by private organizations.

Furthermore, according to studies by Cigolini and Cachatori (2012), there are different consequences of this emancipation process, such as:

I – Expansion of the strength of decentralizing policies;

II – Promotion of democracy and citizenship;

III – Increase in local income;

IV – Increase in public spending resulting from the creation of positions.

In the next sections, we will discuss the legal attributions of Brazilian municipalities in relation to educational provision, the effective process of institutionalization of municipal education and, for so, the normative and conceptual bases regarding municipal autonomy, repercussions and developments in organization and management of SMEs will be highlighted.

3. The autonomy of municipalities to establish their teaching/education systems

It is worth remembering that CF/88, in its 1st article, asserts that the Municipalities form the indissoluble union of the Federative Republic of Brazil and, therefore, each municipality is a member of the Federation. In this way, even though there are questions of a doctrinal nature in relation to the fact that the Constitution has granted autonomy to the Municipalities (SILVA, 2007), under the understanding that the Municipalities are simple political divisions of the States, here, we start from the assumption that the Municipalities have autonomy based on the reflections of Cunha Júnior (2009, p. 876).

Articles 10 and 18 of the Constitution state that in the Brazilian political-administrative organization all federated entities are autonomous.

The current National Education Guidelines and Bases Law - LDB (1996) complemented the Magna Carta, defined the Union, State and Municipalities, educational competencies and attributions. In this sense, the LDB clearly defined the municipality's

autonomy to organize its own education system, including, according to article 11, item IV, municipalities “may also choose to integrate with the state education system or create a single basic education system with it”.

It is noteworthy that no Brazilian municipality has formed a single system with the State. In the other two options, we find municipalities that have integrated into the state system and those that, exercising their autonomy, have set up their own systems.

The use of the term system within the scope of educational policies has undoubtedly provoked intense contention since the second half of the 20th century (AZEVEDO, 1963; MELLO, 1988; SAVIANI 1997, 1999) and, today, the debate unfolds based on the understanding that the institutionalization of the SME is necessarily linked to the controversial federative pact in Brazil and, therefore, in the context of the municipalization policy, prominent in the 1990s, under neoliberal inspiration.

Therefore, the autonomy of municipalities in relation to the institution of education systems faces historical issues associated with the centralization and decentralization of decision-making and management processes within the scope of public administration. The LDB, among the elements already exposed, when confirming the existence of municipal education systems, highlights the provisions of its article 18, items I, II and III, such as “[...] institutions of elementary, secondary and of early childhood education, maintained by the municipal public authorities; early childhood education institutions, created and maintained by the private sector and municipal education bodies” (BRASIL, 1996).

Even though we are clear about the importance of the intense debates on the municipalization of Brazilian education after the approval of the LDB (1996), we highlight the role of the National Education Council (CNE), in clarifying educational competencies, as well as the scope of the determinations provided for in the educational legislation regarding the possibilities in relation to the process of functioning and organization of municipal teaching-education systems. The CNE also offered a consistent response that finished with the environment legal uncertainty environment, through opinions approved in the years 2000 and 2001, with respective numbers 30 and 4, confirming that municipalities, in accordance with CF/88, are education systems.

However, we know that the debate has not finished, as the advance of neoliberalism, the State's lack of responsibility for social areas and exclusionary globalization, over time, has had a profound impact on public educational policies. In this context, the aforementioned legal frameworks that guarantee municipal autonomy for the creation and organization of their respective teaching-education systems, granted a challenging historical condition in Brazilian society to guarantee the provision of early childhood and elementary education.

Municipal education leaders, in general, positively evaluate the legislation that allowed for better structuring of the municipal school network, including the valorization of local culture and enhancement of the economic, political and social characteristics of the region. Therefore, there is a concrete need to create an education system that dialogues with the community in which it operates.

4. Educational systems and the autonomy of municipal education in municipalities in Tocantins

As stated in the approaches in the previous sections, it is known that the legally federated municipality is imbued with autonomy to organize its own teaching/education system. This autonomy is reinforced in articles 8 and 11 of the LDB/1996, which determine that municipalities act in collaboration and organize their education systems.

According to data made available by the Tocantins representation of the National Union of Municipal Education Directors - UNDIME, collected in October 2021, until that date, of the 139 municipalities that make up Tocantins, 99 (ninety-nine) reported that they had established their own SME, as can be seen in the following table:

Table 1- Survey on the institution of SMEs in the state of Tocantins

Nº	Municipality	Information regarding the teaching system	System law
1	Abreulândia	The municipality has the system and CME law established.	157/2017
2	Aliança do TO	The municipality has the system and CME law established.	4.642.010
3	Almas	The municipality has the system and CME law established.	312/2021
4	Aparecida do Rio Negro	The municipality has the system and CME law established.	294/2018
5	Aragominas	The municipality has the system and CME in place, but has not yet actually implemented it, it continues to depend on the state system.	Decree number 383 of 15/05/2018
6	Araguacema	The municipality has the system and CME law established.	311/2020
7	Araguaçu	The municipality has the system and CME law established.	Law 424/2008
8	Araguaína	The municipality has the system and CME law established.	2578/2008
9	Araguanã	The municipality has the system and CME law established.	196/2010
10	Araguatins	The municipality has the system and CME law established.	Law 910/ 2006
11	Arapoema	The municipality has the system and CME law established.	883/2020
12	Arraias	The municipality has the system and CME law established.	Law 697/ 2005; Law 1045/2021
13	Augustinópolis	The municipality has the system and CME law established.	Law 468 /2011
14	Aurora do TO	The municipality has the system and CME law established.	007/ 2010
15	Babaçulândia	The municipality has the system and CME in place, but has not yet actually implemented it, it continues to depend on the state system.	028/2002
16	Bandeirantes	The municipality has the system and CME law established.	Law 460/2018
17	Barrolândia	The municipality has the system and CME law established.	Law 13/2006
18	Bernardo Sayão	The municipality has the system and CME law established.	501/2021
19	Bom Jesus	The municipality has the system and CME law established.	Law 181 / 2006

20	Brasilândia	The municipality has the system and CME law established.	Law 301/2009
21	Campos Lindos	The municipality has the system and CME in place, but has not yet actually implemented it, it continues to depend on the state system.	002/2006
22	Cariri do TO	The municipality has the system and CME law established.	Law 514/ 2020.
23	Carrasco Bonito	The municipality has the system and CME law established.	286/2016
24	Caseara	The municipality has the system and CME law established.	Law 19/2017
25	Centenário	The municipality has the system and CME law established	Law 451 /2021
26	Colinas do TO	The municipality has the system and CME law established.	1788/2021
27	Colmeia	The municipality has the system and CME law established.	Law 638/2013
28	Combinado	The municipality has the system and CME law established.	Law 450 /2017
29	Conceição	The municipality has the system and CME law established.	Law 512 /2020
30	Couto Magalhães	The municipality has the system and CME law established.	17/2005
31	Cristalândia	The municipality has the system and CME law established.	Law 584/2021
32	Crixás do TO	The municipality has the system and CME in place, but has not yet actually implemented it, it continues to depend on the state system.	376/2018
33	Dianópolis	The municipality has the system and CME law established.	868/2002
34	Divinópolis	The municipality has the system and CME law established.	Law 374/2008
35	Dois Irmãos	The municipality has the system and CME in place, but has not yet actually implemented it, it continues to depend on the state system.	Law nº 597/21, 29 /06 de 2021
36	Fátima	The municipality has the system and CME law established.	320/2007
37	Figueirópolis	The municipality has the system and CME law established.	PL. 191/2017
38	Filadélfia	The municipality has the system and CME law established.	1.079 / 2020
39	Fortaleza do Taboão	The municipality has the system and CME law established.	Law nº 027/2005
40	Goianorte	The municipality has the system and CME law established.	111/2020
41	Goiatins	The municipality has the system and CME law established.	Law 790/2020
42	Guaraí	The municipality has the system and CME law established.	442/2013
43	Gurupi	The municipality has the system and CME law established.	1.565 /2003
44	Ipueiras	The municipality has the system and CME law established.	032/de12/2019
45	Itaguatins	The municipality has the system and CME law established.	Law 265 /2021
46	Itapiratins	The municipality has the system and CME law established.	Law 467/2021
47	Lagoa da Confusão	The municipality has the system and CME law established.	Law 770/2017
48	Lagoa do TO	The municipality has the system and CME law established.	Law 375/2021
49	Lajeado	The municipality has the system and CME law established.	359/2011
50	Lavandeira	The municipality has the system and CME law established.	224 /2021
51	Marianópolis	The municipality has the system and CME law established.	Law 461/2021
52	Maurilândia	The municipality has the system and CME law established.	342/2018
53	Miracema	The municipality has the system and CME law established.	Law 111-A/2004
54	Miranorte	The municipality has the system and CME law established.	Law 246/2009,
55	Monte do Carmo	The municipality has the system and CME law established.	Law 654 / 2018
56	Muricilândia	The municipality has the system and CME law established.	473/2013
57	Nova Olinda	The municipality has the system and CME law established.	146/2005
58	Nova Rosalândia	The municipality has the system and CME law established.	Law 256 / 2008

59	Novo Acordo	The municipality has the system and CME in place, but has not yet actually implemented it, it continues to depend on the state system.	Law 021/2007 of 31/ 08/2007
60	Novo Alegre	The municipality has the system and CME law established.	139/06
61	Novo Jardim	The municipality has the system and CME law established.	Law 115/2009
62	Palmas	The municipality has the system and CME law established.	Law 1.350/2004
63	Palmeirantes	The municipality has the system and CME law established.	051, de 2003
64	Palmeirópolis	The municipality has the system and CME law established.	95/2006
65	Paraíso do TO	The municipality has the system and CME law established.	1851/2016
66	Paraná	The municipality has the system and CME in place, but has not yet actually implemented it, it continues to depend on the state system.	Law 1.152/2020
67	Pau D'arco	The municipality has the system and CME law established.	Law 0281/2009.
68	Pedro Afonso	The municipality has the system and CME law established.	024/2005
69	Pequizeiro	The municipality has the system and CME in place, but has not yet actually implemented it, it continues to depend on the state system.	Does not have it
70	Pindorama	The municipality has the system and CME law established.	Number 245/2019
71	Piraquê	The municipality has the system and CME law established.	143/2007
72	Ponte Alta do Bom Jesus	The municipality has the system and CME law established.	Law 006/2017
73	Ponte Alta do Tocantins	The municipality has the system and CME law established.	Law 81/2008
74	Porto Nacional	The municipality has the system and CME law established.	Law 1917/ 2007
75	Praia Norte	The municipality has the system and CME law established.	082/2017
75	Praia Norte	The municipality has the system and CME law established.	082/2017
76	Presidente Kennedy	The municipality has the system and CME law established.	Law 832 / 2019
77	Pugmil	The municipality has the system and CME in place, but has not yet actually implemented it, it continues to depend on the state system.	Law 309/2021
78	Recursolândia	The municipality has the system and CME law established.	Law 257/2021
79	Riachinho	The municipality has the system and CME law established.	008/2017
80	Rio Sono	The municipality has the system and CME law established.	Law 316/ 2021
81	Sampaio	The municipality has the system and CME law established.	041/2018
82	Sandolândia	The municipality has the system and CME law established.	159/2010
83	Santa Maria	The municipality has the system and CME law established.	34/2010
84	Santa Rita	The municipality has the system and CME law established.	348/2017
85	Santa Rosa	The municipality has the system and CME in place, but has not yet actually implemented it, it continues to depend on the state system.	Number 231/2007, de 23/04/ 2007
86	Santa Tereza	The municipality has the system and CME law established.	315/2018
87	Santa Terezinha	The municipality has the system and CME law established.	Law 323/2020
88	São Felix	The municipality has the system and CME law established.	286/2021
89	São Miguel	The municipality has the system and CME law established.	048/2009
90	São Sebastião	The municipality has the system and CME law established.	Law 023/2006
91	Silvanópolis	The municipality has the system and CME law established.	409 / 2020
92	Sítio Novo	The municipality has the system and CME law established.	492/2018
93	Taguatinga	The municipality has the system and CME law established.	312/2006
94	Taipas do TO	The municipality has the system and CME law established.	Law 112/2009

95	Talismã	The municipality has the system and CME in place, but has not yet actually implemented it, it continues to depend on the state system.	No system.
96	Tocantínia	The municipality has the system and CME law established.	552/2019
97	Tupirama	The municipality has the system and CME law established.	208/2017
98	Wanderlândia	The municipality has the system and CME law established.	Law 333/2002
99	Xambioá	The municipality has the system and CME law established.	Law 629/2019

Source: UNDIME/2021

As shown in Table 1, it can be seen that of the 99 municipalities that reported having their own systems, 10 (ten) were established in 2020, and 16 (sixteen) in 2021; that is, 26.26%, were established during the Covid-19 pandemic period caused by the SARS-CoV-2 coronavirus; This was a period in which municipalities without their own systems needed, as a matter of urgency, guidance and authorizations from the State Education System, in relation to the emergency measures to be taken and in their educational processes.

Data analysis reveals that 1 (one) municipality indicated that the legal body for establishing its SME was decree; 1 (one) responded that they only had a bill and 2 (two) said that there was no specific law for the system. A contradictory factor that draws attention is the fact that 11% of municipalities reported that “they have a system and CME in place, but have not yet actually implemented it, they continue to depend on the state system”.

It is worth mentioning that Cury, Lagares and Gonçalves (2021, p.13) call for the absence of municipalities that are part of the Tocantins State Education System (SEE), according to Article 2 of State Law Number 2.139/2009, which provides for SEE/TO (Tocantins, 2009). For the authors, municipalities that do not have an SME “are not integrated into the state system as presupposed by article 11, sole paragraph of the LDB (BRASIL, 1996)”, thus being “without autonomy and without support from the state sphere”.

Lagares (2008, p.201) states that the challenges facing municipalities in Tocantins are conceptual and cultural, political-administrative-pedagogical, and related to the implementation of the collaboration regime between federated entities. Regarding this first order, the author points out the “insufficiency and/or inconsistency of knowledge and information in relation to education systems, more specifically regarding their elements and, also, the conception, nature and role of the CME and the SME itself (Municipal Education System)” (LAGARES, 2008, p.201).

Lagares (2008) and Saviani (2010) argue that a municipal education system is a set of organic, coherent and intentional elements, which must be implemented in an articulated and intertwined manner. From this perspective, this research also used the PRISME Program database, coordinated by Lagares.

Supported by current educational legislation, especially Federal Law Number. 13,005/2014, which approves the National Education Plan (PNE 2014/2024), especially goal 19, PRISME, argues that for a Teaching/Education System to be in fact institutionalized, it is necessary to establish, organically and intentionally, some minimum elements relating to the management of municipal education and school management, such as: Municipal Education Council (CME); Municipal Education Forum (FME); Municipal Education Plan (PME); Positions, Career and Remuneration Plan (PCCR) for Education Professionals; Student Cost Quality Compliance with the PNE/PME Financing Target: 7% and 10%; sufficient financial resources; management of financial resources for municipal education; Municipal Education Conference; Democratic management; internal and social evaluation and control; evaluation of basic education; technical qualification and political capacity in the exercise of management, with inclusion in continuing training processes; Political-Pedagogical Project (PPP); School Development Plan (PDE); school regulations; headmaster elections; Student Unions (GE); adequate spaces and operating conditions in schools; association of parents/guardians; pedagogical, administrative and financial management autonomy in educational establishments; training policy for school headmasters and managers and, finally, the articulation and integration of other councils: FUNDEB Municipal Monitoring and Social Control Council, Municipal School Food Council (CAE), etc.

The following table presents PNE target 19 and the main indicators of its eight strategies:

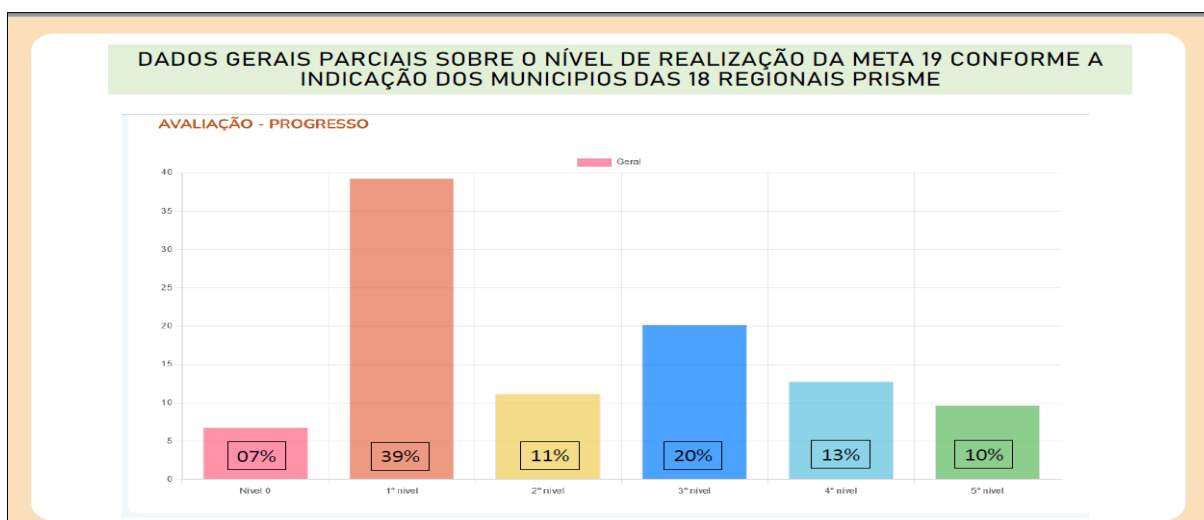
Table 2- PNE Goal 19 (2014/2024) and main indicators of its strategies.

Goal	Description
Meta 19	Ensure conditions, within two years, for the implementation of democratic management of education, associated with technical criteria of merit and performance and public consultation with the school community, within the scope of public schools, providing resources and technical support from the Federal Government for this purpose.
Strategies	Indicadors
19.1	Transfer of resources through specific Democratic Management Legislation, and selection of school headmasters with the participation of the school community.
19.2	Establishment and strengthening of school councils and municipal education councils with training of counselors and working conditions.
19.3	Establishment and strengthening of the Permanent Education Forums (FME).
19.4	Establishment, strengthening of working conditions for student unions and parents' associations.
19.5	Establishment and strengthening of school councils and municipal education councils, offering training and working conditions.
19.6	Participatory formulation of political-pedagogical projects, school curricula, school management plans and school regulations, as well as parental participation in the evaluation of teachers and school managers.
19.7	Pedagogical, administrative and financial management autonomy.
19.8	Training of school headmasters and managers.

Source: Prepared by the authors/2023

It is noteworthy that PRISME adopted as an object of analysis and investigation the materialization of the fulfillment of target 19 (nineteen) of the PNE and the respective corresponding targets in SMEs, which in its 8 (eight) strategies presents indicators inherent to the main constituent elements of an SME. Therefore, aiming to understand the realities in relation to the institutionalization of their SME, PRISME data was used, which deals with a diagnosis presented by the municipalities, in which they indicated the levels at which they are in relation to compliance with the goal 19 of the PNE.

Figure 1: General data on the level of achievement of target 19 of the PNE/PME⁶.



Source: Avnei/Prisme/2023

The levels presented were categorized using the following parameters: level zero - the strategy is not included in the PME; 1st level - does not develop; level 2 - is under development (however there is no evidence); 3rd level - is under development (and there is evidence); 4th level - develops (and there is evidence, not being monitored or evaluated); level 5 - develops and there is evidence (being monitored and evaluated).

It is observed that the majority of municipalities surveyed (39%) reported that they are still at the 1st level, which means that they have not developed the goal yet, even if some elements are developed. Another important consideration regarding the movement of institutionalization of SME is that 20% of the municipalities reported that

⁶. Figure 1: General data on the level of achievement of target 19 of the PNE/PME
 - PARTIAL GENERAL DATA ON THE LEVEL OF ACHIEVEMENT OF TARGET 19 AS INDICATED BY THE MUNICIPALITIES OF THE 18 PRIME REGIONS.

- EVALUATION- PROGRESS

- 0 LEVEL 1ST LEVEL 2ND LEVEL 3RD LEVEL 4TH LEVEL 5TH LEVEL

they are at the 3rd level, being in development of the target and 10% are at the 5th level, considering that they are developing the target and that they monitor and evaluate this development, presenting the evidence.

Based on the reality learned, it is observed that the institutionalization of SMEs in an organic, effective and operational way is still a challenge in the municipalities of Tocantins, as it cannot be restricted solely to the fact that the municipalities have their own systems established by law. Thereby, we agree with Lagares (2008) when stating that:

Effective institutionalization is not restricted to its legal organization. It begins with the legal aspect, but it goes beyond that, implying other actions necessary for its development, such as the organization of a set of constituent elements, also including its management, in addition to the permanent relationship between its constituent elements. The process takes place with the effective functioning of this system, that is, with the guarantee of access, permanence and meaningful learning within schools. (LAGARES, 2008, p. 22).

We argue that, for the autonomy of municipal education to truly be constituted, it is necessary for municipalities to strive for the institutionalization of their SME effectively, with the minimum elements relating to the management of municipal education and school management carried out in an intentional and organic manner between them.

5. Conclusions

The current Federal Constitution establishes a set of principles, foundations and constitutional guarantees for Brazilian municipalities, although the changes found in the constitutional text state that, as of 1988, municipalities are responsible for exercising their administrative, political and financial autonomy, representing greater respect to its identity within the territory.

This autonomy extends to the educational field in which municipalities, legally, can institutionalize their own education systems. However, problems remain that hinder the improvement of municipal education, for example, among others, we point out the federative pact that needs to be revised, the existence of infrastructure bottlenecks and the insufficiency of financial resources to adequately meet social demands at school level.

Focusing on counter-hegemony, we argue that it is necessary for municipalities to institutionalize their systems in an organic way through the institution of the main constituent elements of an SME. However, the main results of the empirical research indicate that municipalities

in Tocantins still face major challenges in actually being considered autonomous, as well as in effectively institutionalizing their SME, since many constituent elements of an SME are still non-existent, or they exist timidly and inarticulately among themselves.

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