

SCHOOL IN/EXCLUSION POLICIES IN THE CONTEXT OF THE COVID-19 PANDEMIC

POLÍTICAS DE IN/EXCLUSÃO ESCOLAR NO CONTEXTO DA PANDEMIA DE COVID-19

POLÍTICAS ESCOLARES DE IN/EXCLUSIÓN EN EL CONTEXTO DE LA PANDEMIA COVID-19

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ABSTRACT: On a global scale, the new coronavirus pandemic (Covid-19) brought significant changes in the social, political, economic and educational scenario. Therefore, in the educational field, school units in different countries had to close their doors to ensure social isolation as a measure to curb the spread of the virus. Thus, educational institutions adopted remote classes as a strategy to reduce the impacts caused by the pandemic. Consequently, this change had repercussions on the dynamics of teaching work and on teaching-learning processes and, in this regard, groups of vulnerable students, such as the cases of students with disabilities, were threatened with the guarantee of the right to school education, since these changes accentuated socio-educational inequalities. Given this problematization, this study aims to reflect on the demand for public policies for the provision of special education based on the challenges triggered by the context of the Covid-19 pandemic. For this purpose, we carried out a descriptive documental and bibliographical research based on the confrontation of data on the historical panorama of public educational policies aimed at people with disabilities in Brazil and the regulations for educational provision in the context of the pandemic. It is noted that the demand for the regulation of educational policies that provide the effectiveness of inclusive education, especially in emergency situations such as the Covid-19 pandemic.

KEYWORDS: Inclusion. Pandemic. Educational policies.

RESUMO: *Em escala global a pandemia do novo coronavírus (Covid-19) trouxe mudanças significativas no cenário social, político, econômico e educacional. Por isso, no âmbito educacional, as unidades escolares de diversos países tiveram que fechar as suas portas para garantir o isolamento social como medida para frear a disseminação do vírus. Assim, as instituições de ensino adotaram as aulas remotas como estratégia para reduzir os impactos provocados pela pandemia. Consequentemente, essa mudança repercutiu na dinâmica de*

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trabalho docente e nos processos de ensino-aprendizagem e, nessa vertente, grupos de alunos vulneráveis, como os casos dos estudantes com deficiência tiveram ameaçadas a garantia do direito à educação escolar, uma vez que essas alterações acentuaram as desigualdades socioeducacionais. Diante dessa problematização, esse estudo visa refletir sobre a demanda de políticas públicas para a oferta da educação especial a partir dos desafios desencadeados pelo contexto da pandemia de Covid-19. Para tanto, realizamos uma pesquisa documental e bibliográfica de natureza descritiva a partir do confronto de dados sobre o panorama histórico das políticas públicas educacionais voltadas às pessoas com deficiência no Brasil e as normativas de oferta educacional no contexto da pandemia. Denota-se que a demanda para a regulamentação de políticas educacionais que propiciem a efetividade da educação inclusiva, principalmente, em situações emergenciais como a pandemia de Covid-19.

PALAVRAS-CHAVE: *Inclusão. Pandemia. Políticas educacionais.*

RESUMEN: *A escala mundial, la nueva pandemia de coronavirus (Covid-19) trajo cambios significativos en el escenario social, político, económico y educativo. Por ello, en el ámbito educativo, las unidades escolares de diferentes países tuvieron que cerrar sus puertas para asegurar el aislamiento social como medida para frenar la propagación del virus. Así, las instituciones educativas adoptaron clases a distancia como estrategia para reducir los impactos provocados por la pandemia. En consecuencia, este cambio repercutió en la dinámica de la labor docente y en los procesos de enseñanza-aprendizaje y, en ese sentido, grupos de estudiantes vulnerables, como los casos de estudiantes con discapacidad, fueron amenazados con la garantía del derecho a la educación escolar. ya que estos cambios acentuaron las desigualdades socioeducativas. Ante esta problematización, este estudio tiene como objetivo reflexionar sobre la demanda de políticas públicas para la provisión de educación especial a partir de los desafíos que genera el contexto de la pandemia Covid-19. Para ello, realizamos una investigación descriptiva documental y bibliográfica basada en la confrontación de datos sobre el panorama histórico de las políticas públicas educativas dirigidas a las personas con discapacidad en Brasil y la normativa para la oferta educativa en el contexto de la pandemia. Se nota que la demanda por la regulación de políticas educativas que brinden la efectividad de la educación inclusiva, especialmente en situaciones de emergencia como la pandemia Covid-19.*

PALABRAS CLAVE: *Inclusión. Pandemia. Políticas educativas.*

Introdução

In late 2019, China identified the first cases of contamination of a disease caused by the SARS-CoV-2 virus or the new Coronavirus that presented a high risk of spread. In light of this scenario, the World Health Organization (WHO) declared a public health emergency of international importance and in early March 2020 this situation advanced and started to be registered as a pandemic resulting from the emergence of Covid-19 outbreaks in several countries and regions of the world (PAHO/WHO, 2020). The pandemic condition brought a devastating side effect to public health, resulting in thousands of people being infected and an

expressive fatality rate. Furthermore, it has been characterized as a social magnifying glass, expanding economic, political, social and cultural problems (SCAFF; SOUZA; BORTOT, 2021).

This instability of the pandemic reality, according to the authors, is one of the greatest challenges facing humanity in recent decades. In the social context, these issues go beyond the scope of public health and involve other components of the specific conditions of collective organizations. To contain the spread of the virus, some countries have adopted various measures of social isolation, leading to fundamental changes in social lifestyles.

The Covid-19 pandemic brought about a series of changes in the reality of the world population on a global scale. Thus, to avoid infection, according to research by Aquino et al (2020), many economic, cultural, social and educational activities were suspended and new configurations were unleashed. This situation brought challenges related to telecommuting needs, often calls from home office or remote work.

The pandemic has been causing changes all the time in all spheres of society, directly affecting people's organization and different ways of developing work activities. Thus, "the world had to stop, adopt new dynamics and modes of production and suspend the operation of essential spaces for the development and training of subjects as formal school spaces, centers of culture, leisure and sporting environments" (SANTANA, 2020, p. 43).

Many countries have implemented a range of interventions to reduce virus transmission and halt the rapid evolution of the pandemic. Such measures include isolating cases; encouraging hand hygiene, the adoption of respiratory etiquette and the use of homemade face masks; and progressive measures of social distancing, **with the closing of schools and universities**, the prohibition of mass events and agglomerations, the restriction of travel and public transport, the awareness of the population to stay at home, until the complete prohibition of circulation in the streets, except for the purchase of food and medicine or seeking health care. These measures have been implemented gradually and distinctly in different countries, with greater or lesser intensity, and their results probably depend on socioeconomic and cultural aspects, characteristics of the political and health systems, as well as the operational procedures in their implementation (AQUINO *et al.*, 2020, p. 2424, emphasis added).

The situation of the pandemic caused by Covid-19, having as a necessary consequence of the measure of social isolation, demanded that educational institutions, at first, suspend in-person activities. In this sense, private and public school networks are faced with numerous challenges regarding the feasibility of the remote schooling process (SCAFF; SOUZA; BORTOT, 2021).



The implementation of emergency actions for the educational offer rekindled the debate on remote learning, which includes characteristics of on-site education with the use of Communication and Information Technologies (ICTs), which are fundamental in Distance Education (EaD). With the impossibility of physically using teaching establishments, "the challenge of reflecting on other ways of structuring the teaching processes was seen, in order to effectively promote it, as well as to learn in different spaces, outside the ordinary school and academic environment" (CHARCZUK, 2020, p. 2). Many schools and universities have adopted (as they indicate, as an emergency) this modality in order not to delay the academic calendar in order to guarantee the fulfillment of the contents to their students.

With regard, more specifically, to the ways of sustaining spaces for teaching, learning and teaching in this context, a strategy that was disseminated in the country was the adoption of remote resources, mainly the use of the internet, in order to enable teachers of different levels of education to send and share teaching materials and activities with students (CHARCZUK, 2020, p. 2).

It was from this scenario of social isolation and with the suspension of in-person classes that all Brazilian states turned to emergency remote teaching, becoming an essential action and that led several education professionals and students to use technological tools to continue the teaching-learning process⁴. Despite this, what is clearly perceived is that, from the perspective of an inclusive school, these teaching modalities tend not to include the majority of students Target Audience for Special Education, it can also impact the non-attendance of a portion of students who need it in a way that is very dependent on the mediation and direct intervention of teachers considering their peculiar needs. There are also those who do not have access to the technological tools necessary for remote learning.

It is evident that the actions of social isolation that resulted in the closing of Brazilian universities and schools made students dependent on remote school activities, above all, mediated by TICs. "However, access to the necessary infrastructure makes the experience of remote learning different among the different socioeconomic groups" (SCAFF; SOUZA; BORTOT, 2021, p. 12).

In this sense, this study aims to reflect on the demand for public policies for the provision of special education from the challenges triggered by the context of the Covid-19 pandemic. It is also important to highlight those social transformations, such as those

⁴ According to Nozu, Silva and Santos (2018, p. 921), in 2008 the National Policy for Special Education from the Perspective of Inclusive Education was regulated with "the aim of guaranteeing access, participation and learning for students with disabilities, global disorders development and high abilities/giftedness, defined as the Target Public of Special Education (PAEE), in the common classes of regular education".



experienced in the challenging scenario of the pandemic, take place in the midst of daily struggles for a more just and equitable society, and that inclusive education plays a fundamental role in this struggle.

In this way, we are facing hard and challenging work, which disputes with political directions that often go against the grain of inclusion processes. Education for inclusion is a political act, as stated by Andrade and Damasceno apud Brasil (2017, p. 214) when stressing that “inclusive education is a political, cultural, social and pedagogical action, triggered in defense of the right of all students to being together, learning and participating, without any type of discrimination”.

Considering the many challenges in schools nationwide, at different levels of education and the history of Special Education from an inclusive perspective, we have an even greater challenge in times of pandemic. According to Mendes (2017, p. 65), who highlights inclusion as a theme that generates many debates:

[...] if there is an understanding that the schooling of children and young people with disabilities, pervasive developmental disorders and high abilities/giftedness has specificities or differences that make them stand out from the large group of diverse students, then it makes sense to try to circumscribe and define a concept to encompass debates and studies in this specific area.

In this sense, Cabral (2017) comes to dialogue with Mendes (2017), when he says that inclusion occurs not only through compliance with decrees and laws, but it needs an effort from the academic community and society in general for an inclusion that, even if not ideal, is, at least, satisfactory.

Therefore, for the development of the study proposed here, the quantitative-qualitative approach of a descriptive nature is used, with bibliographic and documental investigation procedures. For Gil (2002, p. 42), descriptive research has “as its primary objective the description of the characteristics of a given population or phenomenon or, then, the establishment of relationships between variables”.

For this purpose, a bibliographical research of sources of works published on the subject in the period of 2020 and fraction of 2021 was carried out, the documental research of norms that deal with special education within the framework of the Federal Constitution of 1988, as well as the regulations educational provision during the Covid-19 pandemic. Thus, in this study, we will present a timeline of legal provisions and international documents that aim to guarantee

inclusive education in Brazil, and we will compare them with the guidelines established for educational actions in the pandemic scenario.

State action via public inclusion policies

When talking about politics, it is important to note that we are referring to ideas that permeate civil society and guide different instances of human life, from supra-state actions to everyday ones, through production and dispute for meaning. Thus, it is considered that politics presents itself both as a discourse and as a text (MAINARDES, 2018). In this sense, the timeline presented in Table 1 focuses on milestones of different natures that institutionalize, directly or indirectly, policies on Special Education from the Perspective of Inclusive Education (PNEE-PEI).

Table 1 – Timeline of Public Policies for Educational Inclusion

1988	Federal Constitution	It provides for the full development of citizens, without prejudice to origin, race, sex, color, age and any other forms of discrimination; guarantees the right to school for all; and places as a principle for Education the "access to the highest levels of teaching, research and artistic creation, according to the capacity of each one";
1989	Law nº 7.853	Refusing, suspending, postponing, canceling or terminating the enrollment of a student because of their disability, in any course or level of education, whether public or private;
1990	Child and Adolescent Statute (ECA)	It guarantees the right to equal conditions for access and permanence in school, with Elementary Education being mandatory and free (also for those who did not have access at their own age); the respect of educators; and specialized educational service, preferably in the regular network;
1994	Salamanca Declaration	The text, which has no effect of law, says that children excluded from school for reasons such as child labor and sexual abuse must also receive specialized care. Those with severe disabilities must be attended to in the same teaching environment as everyone else;
1996	Law of Guidelines and Bases and National Education (LDB)	The text says that specialized care can occur in classes or in special schools, when it is not possible to offer it in the common school;
2000	Laws nº 10.048 e nº 10.098	The first guarantees priority assistance to people with disabilities in public places. The second establishes norms on physical accessibility and defines obstacles on roads and inside buildings, in the means of transport and anything that makes it difficult to express or receive messages through the media, whether mass or not, as a barrier;
2001	National Guidelines for Special Education in Basic Education	They explain the rules regarding the care of students with "special educational needs" in regular schools;
2007	Follow-up and Monitoring Program for Access and Permanence at School for People with Disabilities Beneficiaries of the Continuous Provision of Social Assistance Benefit	BPC Program - Interministerial Normative Ordinance n. 18, of April 24, 2007, instituted the Program for Monitoring and Monitoring the Access and Permanence at School for Persons with Disabilities Beneficiaries of the Continuous Provision of Social Assistance Benefit – BPC at School

		Program, through the annual cross-referencing of EducaCenso data and the administrative register of the Ministry of Social Security;
2007	Education Development Plan (PDE)	Federal government policy. Its objective was to improve Basic Education, and in this sense, it added 30 actions that focused on the most varied aspects of education at its various levels and modalities, which provided for an increase in the number of rooms and equipment for Special Education and training of teachers for the service specialized educational;
2008	National Policy on Special Education from the Perspective of Inclusive Education	Result of the broad discussion process promoted by the Working Group – Ministerial Ordinance No. 555/2007, constituted by research professors in the area of special education, under the coordination of the Special Education Secretariat – SEESP/MEC;
2015	Brazilian Inclusion Law nº 13. 146	Establishes fundamental rights of people with disabilities, such as education, transport and health, access to information and communication and the use of assistive technologies.

Source: Elaborated by the authors

It is expressive the recognition, according to the chronological itinerary of the formulation of public educational policies, that there is a movement of regulatory frameworks in favor of the legal-normative protection of Special Education in the Perspective of Inclusive Education. Over the years, it is possible to show advances in the regulation of guidelines aimed at training professionals, facilities and resources specifically destined to guarantee special education. However, according to Mendes (2017, p. 82):

In contexts of resource constraints, cuts in social policy programs, special care must be taken with discourses that imply expanding coverage, as the already scarce existing financial resources may be further diluted if they are intended for all students, and, with that, the PAEE students, who have more differentiated needs, will have their differences erased and will hardly be guaranteed the right to guaranteed school education.

A significant number of legal provisions in the current legislation that guarantee rights to people with disabilities must be recognized. But there is a considerable distance between the guarantee and the realization of a right, which can be reduced with the materialization of public policies. For this reason, Souza, Silva and Sousa (2019, p. 329) emphasize that “we cannot lose sight of the fact that the State must guarantee the educational right, always aiming at expanding its offer free of charge and providing the concrete means necessary for its execution”.

Corroborating this issue, Anjos, Silva and Silva (2019) highlight that educational policy as an instrument for materializing the right to education reflects a set of factors that arise from political, social, economic and cultural circumstances. These situations, in turn, also determine the understanding and conditions for the implementation of a policy, thus allowing them to be



more or less permeable as to its effectiveness. Thus, considering special education policies, it means understanding that, in the macro field, the normative discourse can claim to be inclusive, but a series of implementation actions need to be planned and executed in order for it to be consolidated.

Considering, in this bias, the educational legislation that deals with special education in Brazil, it is necessary to highlight the regulatory framework of 2008, which was the publication of the National Policy for Special Education in the Perspective of Inclusive Education (PNEE-PEI). This document was not only configured as a significant regulation, but also to guide the guidelines of other public policies for the area. The PNEE-PEI established the following axes for special education in the country: school inclusion of students with disabilities, pervasive developmental disorders and high abilities/giftedness; the provision of specialized educational services; training of teachers for specialized educational services and other education professionals for inclusion; architectural accessibility, transport, furniture, communications and information; and intersectorial articulation in the implementation of public policies (BRASIL, 2008).

However, it is necessary to reinforce that the PNEE-PEI was the result of a working group appointed by Ministerial Ordinance in 2007, whose access was made available for the knowledge of readers and any suggestions without the character of public consultation and that, more than 10 years have passed and, in that period of time, the Secretariat of Special Education at the MEC was dissolved and absorbed by the Secretariat of Continuing Education, Literacy, Diversity, Inclusion (SECADI).

Democratizing Education for the PAEE in times of flexibility in the political and economic arenas implies oscillations in school spaces, in the disposition of social actors, in the object of public intervention, reverberating in rearrangements according to the new correlation of forces that can, from from the wide complexity of this pandemic context, to build an inclusive school, as highlighted by Andrade and Damasceno (2018).

Therefore, multiplicity prevails in which the different also changes and is in constant movement, and this is evidenced by the legal provisions that ensure that "everyone has the right to inclusion", placing regular and special schools in a recent past in the history of education. About this perspective Bezerra (2021, p. 4) announces that:

[...] the emergence of politics meant, at first, a tacit silencing of some legal documents, as well as the reinterpretation of others, so that new texts and pacts, more adequate to the last correlations of forces, could be produced and validated to the flavor of the moment.



School in/exclusion imposes a school in which all students are inserted without any conditions by which they may be limited in their right to actively participate in the school process according to their abilities and without any of them being a reason for a differentiation that will exclude them from their classes. Seeking to understand this mechanism, it is evident that:

[...] the legal perspective of 1988 and 1996 brought the message that the right to school education for people with disabilities was safeguarded; but, precisely because of its specificities and demands, the locus and type were not definitively fixed, knowing that the common school could not always be the best space for the schooling of these subjects and that one could move towards a plurality of forms and means in this field (BEZERRA, 2021, p. 6).

Educational institutions become inclusive (not separating exclusion) when they recognize the differences of students, seeking their participation and progress based on new pedagogical practices. It is noted, then, that the regulations that will affect school pedagogical practices are the result of an evolution in the process of inclusion of people with disabilities. This process is political, social and historical and will reflect the different ways that society has perceived and understood disability (MONTEIRO; RIBEIRO, 2019).

The inclusive education policy from the Federal Constitution of 1988 in Brazil aims to eliminate social and educational exclusion, as well as respecting the diversity of race, social class, ethnicity, religion, gender and skills that students bring of their experiences. It is, therefore, an agenda of regulations aimed mainly at guaranteeing, albeit political-normative, education as a right, indistinctly, of all. For Monteiro and Riberio (2019, p. 732), the right to education is configured as a right to equity, that is, as an instrument of opportunity for everyone in offering each individual what best aligns with their educational needs, “ which includes their interests and abilities”, as well as presupposes the production of knowledge and policies that respect this heterogeneity in the search for guaranteeing quality education, effectively, universal.

Thus, we realize that the education of people with disabilities in Brazil advances towards recognizing and conceiving education as a right for all and recommending the integration of special education [...]. It's already "a good start", but we know that in addition to the legislation, documents, opinions, courses and deadlines given for the school, whether public or not, to make the necessary physical and structural adaptations for a pedagogical practice that contemplates everyone, it involves above all political, social and moral conscience (OLIVEIRA, 2011, p. 156).



Bonetti (2006) brings contributions with the understanding that public policies are actions that emerge from and in the social context. Thus, they must permeate the state sphere as a decision for public intervention in a social reality, whether to make investments or for administrative regulation, as a result of the war of forces between economy and politics, between social classes and other organizations. Perhaps, based on this experience resulting from the pandemic, we can also rethink the relevance of educational political acts that guarantee equality while respecting individualities, that is, equity, since they are already foreseen in goal 4⁵ of the National Education Plan (PNE)/2014-2024.

Thus, it is clear that in this constant struggle for spaces and for the implementation of new educational policies, the reality of facing the challenges arising from the Covid-19 pandemic can present itself as a moment of opportunities for political displacements in the educational, economic fields, political and social.

Brazilian educational policies in the context of the Covid-19 pandemic

In early 2020 there was an outbreak of respiratory disease, declared a Public Health Emergency of International Importance by the WHO. The same entity, in March of that year, characterized the Covid-19 scenario as a pandemic, which spread very quickly across all continents. To minimize the effects of the pandemic condition and reduce the number of deaths, three basic actions were recommended: isolation and treatment of identified cases, massive tests and social distancing, the latter of which caused the closure of spaces that would configure agglomeration of any nature by the largest part of countries, including school institutions (OLIVEIRA *et al.*, 2021).

Due to the lack of vaccines and effective treatments for Covid-19 at that time, social distancing was considered the most recommendable measure to contain the spread of the pandemic. In the educational field, this meant the suspension of activities in schools and universities, albeit unequally in different countries and regions. Since then, international organizations have made available several documents with recommendations for the educational challenges posed by the pandemic. Mascarenhas and Franco (2015) point out that

⁵ The National Education Plan (PNE) sets guidelines, goals and strategies for educational policy for the period 2014 to 2024. In its Goal 4, it seeks to universalize school services for students with disabilities, pervasive developmental disorders and high abilities or giftedness, preferably in the regular school system. Assuming that the other goals of the PNE also reach the population with disabilities, it is urgent that, in addition to universalization, guaranteeing the quality of care, inclusion and learning effectively take place (BRUNO; NOZU, 2019).



the pandemic led to the suspension of in-person classes, promoting a physical distance between students.

In Brazil, Legislative Decree No. 6/2020 (BRASIL, 2020b) recognized the occurrence of a state of public calamity. Since then, states and municipalities and the Federal District have launched their respective regulations to suspend school activities. Provisional Measure No. 934, of April 1, 2020 (BRASIL, 2020a), exceptionally waived the obligation to comply with the minimum number of school days in 2020 in basic and higher education.

In this scenario, the reorganization of school activities became urgent, leading the National Council of Education (CNE) to issue three documents to address this demand: Opinion CNE/CP No. 5, of April 28, 2020 (BRASIL, 2020e), CNE/CP Opinion No. 9, of June 8, 2020 (BRASIL, 2020f), CNE/CP Opinion No. 11, of July 7, 2020 (BRASIL, 2020g). On August 18, Law No. 14.040/2020 (BRASIL, 2020c) was enacted, which converted the Provisional Measure into law and defined that the CNE would issue the national guidelines for implementing the provisions of the law. On October 6, through Opinion CNE/CP No. 15/2020 (BRASIL, 2020h), the Council proposed guidelines that were in accordance with the opinions previously elaborated (BRASIL, 2020d).

The recommendations of international organizations, translated to the Brazilian reality were met by the opinions prepared by the CNE, namely: use of different materials and pedagogical resources (mediated or not by the use of Information and Communication Technologies - TICS), focus on remote learning and curricular flexibility, based on the competences considered most essential – in the Brazilian case, expressed in the Common National Curriculum Base (BNCC) (SCAFF; SOUZA; BORTOT, 2021).

BNCC, by the way, acquired even more centrality in the educational process during this period, being reinforced in the documents published by Brazilian private institutions. The Lemann Foundation (2020b), for example, produced a roadmap to guide education departments on the curricular flexibility demanded by the pandemic. In general, the opinions prepared by the CNE indicated that the non-face-to-face activities to be developed should be carried out with a view to complying with the provisions of the Base. In CNE/CP Opinion No. 5/2020, there is an understanding of the meaning of the school, reducing it to mere compliance with existing curricula and regulations:

The main purpose of the educational process is to meet the learning rights and objectives provided for each educational stage, which are expressed through the competencies provided for in the Common National Curriculum Base (BNCC) and deployed in the curricula and pedagogical proposals of

educational institutions or networks of Basic Education or by the National Curriculum Guidelines and curricula of courses from higher education institutions and professional and technological education (BRASIL, 2020e, p. 4).

The 2019 School Census (INEP, 2020) shows that Brazil has 5 million students between 4 and 5 years old, with 13,700,000 students between 5 and 10 years old and more than 10 million in the range between 10 and 14 years old, with 28 million students who are currently away from classrooms due to the pandemic. In FC it is expressed that the school is a tripod of training for citizenship, the full effect of the person and the world of work, thus, the school in the student's life fulfills other important roles, but which should not be confused with the roles of school.

Franco (2015) presents learning as an interpretative summary carried out in the dialectical relationships of the subject with his environment. It does not occur immediately, it is not predictable, it is an interpretation of the subject, of current and old circumstances, that is, there is no direct correlation between teaching and learning.

According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), the interruption of classes had important effects for the education systems and for the lives of students and their families, with consequences for the educational performance of different countries. By March 2020, 1,186,161,728 students had been affected (67.7% of total enrollment) and 146 countries had closed their schools (UNESCO, 2020). “[...] the performance of non-face-to-face teaching activities while sanitary restrictions persist, guaranteeing the remaining minimum annual/semester school days provided for in the course” (BRASIL, 2020e, p. 6).

CNE Opinion No. 05/2020 defines that "non-face-to-face pedagogical activities" as pedagogical practices mediated or not via technological information and communication resources, to be used for the reorganization of school calendars, during the period of social isolation, for compliance of the annual teaching hours (BRASIL, 2020e). In this sense, Mascarenhas and Franco (2020) clarify that in kindergarten and elementary school, activities are carried out with the mediation of fathers, mothers or guardians, and the school may send guidance guides to families, guiding the monitoring of students.

The official documents show how schools and teachers can work remotely with available digital resources (video classes, content organized in virtual teaching and learning platforms, social networks, teaching material). It is noteworthy that the assistance to students through digital technologies also affects the expansion of educational inequality, as factors

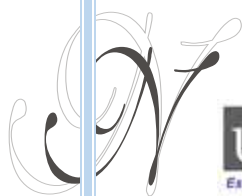
external to schools related to the socioeconomic conditions of families tend to have repercussions in the absence of access to technological resources necessary for monitoring the remote activities.

Oliveira *et al.* (2021) announces that the Education Departments were not prepared for the crisis in the pandemic scenario, considering that the formulation of emergency actions took place in a very short period, increasing the levels of uncertainty. There was no time to build strategies, much less articulate education professionals who work on the front lines with the proper training for this type of event, especially for the inclusion of all students.

In unexpected situations such as a pandemic, it was necessary to implement public policies that have action plans with the objective that the right to education reaches everyone. The emergency remote teaching format was unusual and required the reconfiguration of and in the teaching and learning processes, triggering proposals for actions, modes of relationships, for teachers, students and other technical support professionals. [...] Finally, a new configuration had to be reinvented so that studies would not be lost sight of. With this, technological resources were shown to be allied to the educational system under the guidance of teachers, which caused impacts on the teaching and learning processes (SILVA; GOULART; CARVALHO, 2021, p. 420).

In Oliveira *et al.* (2021) we found that emergency policies have been implemented in state and municipal networks, regulating the way in which students' teaching and learning proceed in a pandemic context. In this bias, it is clear, from the point of view of national regulations, that the guidelines for conducting educational practices in schools elect a standardization of the transposition of on-site activities mediated by technologies. Therefore, Mascarenhas and Franco (2020, p. 5) alert to the character of “instructional and passive teaching, with the standardization of the curriculum, without considering the subjects' own difficulties in this learning itinerary”.

This reality, according to the authors, can trigger the risk of experiencing the stage of educational improvisation. Therefore, even in emergency contexts such as the Covid-19 pandemic, education must be defended as a human right, that is, a fundamental right. In this way, public policies must be assumed by the State in order to avoid exclusion and, in this direction, educational institutions cannot be spaces that reproduce discriminatory practices and accentuate inequalities.



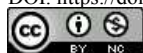
Conclusion

The Covid-19 pandemic triggered an emergency effort to continue education around the world. In Brazil, several regulations were systematized to ensure educational provision after the interruption of in-person classes due to measures of social isolation. To this end, numerous educational institutions sought, through remote learning, to ensure an emergency alternative for the maintenance of educational practices. However, this situation ended up bringing an implementation perspective that, in many cases, was not preceded by an educational planning that allowed for meeting the specific needs of students, especially the educational needs of students with special needs, with respect to their limitations and potential. This situation, added to the increase in socio-economic inequality in the country during the pandemic, gives rise to an urgent demand for inclusive educational public policies.

The current state of emergency resulting from the dissemination of the coronavirus at a global level highlighted the need to (re)think the role of those responsible/collective in educational public policies to strengthen the fundamental social right to education, from different contexts, such as programs for teaching qualification; courseware; School bus; nutritional supplement; and in particular, equal access to information technology [...]. Whether classroom or, in times of pandemic, online classes, parents/guardians, government, schools and teachers must take into account that universal and equitable education must ensure an inclusive educational system at all levels for everyone to develop their skills according to their characteristics and learning needs (SILVA; SOUZA, 2020, p. 974).

From the perspective of inclusive education, the focus on adaptation should not be on disability, but on the spaces, resources that should be accessible, on the potential of students and corresponding to the specificities of each student, that is, pedagogical practices designed to serve everyone students, regardless of their conditions or specificities.

Given the above, we understand that remote emergency actions are not equivalent to the characteristics of on-site teaching, which requires greater challenges to ensure the specificities and singularities of students. Therefore, it is necessary to point out that the promotion of inclusion should not be restricted to the access of students with disabilities to educational provision, but mainly to guarantee effective conditions for learning. In this direction, the pandemic scenario triggers, even more, the demand for educational public policies that consider diversity and difference as an agenda of the social agenda, as well as the production of knowledge within the scope of scientific research in the area.



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