

The early childhood education offer in the private sector: a right or a business*¹

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Abstract

This article analyzes the repercussions of the early childhood education offer in the private sector since the onset of the mandatory preschool in the city of Caxias do Sul, state of Rio Grande do Sul, Brazil, considering the implications of redefining the public and the private sectors. This research uses a qualitative approach on education, where 19 comprehensive interviews were conducted, which are considered at the same time a method and a technique. It also involves a documentary research. The discussion and the data analysis permitted developing a characterization of the early childhood education in the city studied, evidencing the constitution of a business network propelled by the acquisition of vacancies in the private sector and by the judicialization of this educational stage. Thus, the right to education – understood as the access to quality education for all in State institutions that provide care and education to children without considering them as a business – may be in danger, indicating a trend to privatization. It is concluded that the public character of education is decreasing as city policies are aligned to privatizing processes in a market rationale that transforms the citizen into a client. We emphasize that the right to education must be based on laicity, gratuity and quality, accessible for all as constitutionally foreseen. Not only the access must be guaranteed, but the equal access for all.

Keywords

Early childhood education – Educational policies – Right to education.

* English version by Camila Faustino de Brito. The author takes full responsibility for the translation of the text, including titles of books/articles and the quotations originally published in Portuguese.

1- Data availability: All the set of data that supports this study's results is published in the article.

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<https://doi.org/10.1590/S1678-4634202248248770eng>
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Introduction

The expansion of the early childhood education (ECE) since the universalization of preschools makes obligatory the frequency of 4 years old children in Brazilian preschools, bringing the right to education into question. Studies show that cities used emergency strategies to fulfill this demand; however, they became definitive, including outsourcing agreements, a practice common in ECE (BORGHI; BERTAGNA, 2016; CAMPOS, R., 2016; CASAGRANDE; BORGHI, 2015). Besides, more recently, buying private sector vacancies to offer this educational stage has been seen as a viable measure to fulfill the goals prescribed by the *Plano Nacional de Educação* (PNE – National Education Plan) 2014–2024. This plan prescribes the universalization of preschools and also the minimum reach of 50 % offer of vacancies to children in crèches.

It is unquestionable the advancement of the right to education in the national legislation, declared in the Federal Constitution (BRASIL, 1988) and in the *Lei de Diretrizes e Bases da Educação* (LDB – Law of Guidelines and Bases of Education) n. 9394/96 (BRASIL, 1996). The centrality of the child in the education is also guaranteed by the *Estatuto da Criança e do Adolescente* (Statute of the Child and the Teenager) (BRASIL, 1990). However, during the 20th century, even with the mandatory elementary education in Brazil, many social strata were kept outside the school (GENTILI, 2009; LIBÂNEO, 2012). This reality is changing in the 21st century as our society chose the school universalization as a main route to turn individuals into citizens (SAVIANI, 2013).

Nevertheless, the 2000s brought many important changes in the legal order that produced effects in the Brazilian ECE identity: the mandatory inclusion of 6 year old children in the Primary Education (PE) with the Federal Law n. 11.114 (BRASIL, 2005), and the approval of the Law n. 11.274 (BRASIL, 2006) that defined the duration of the PE, which changed from eight to nine years. The exit of 6-year-old children from the preschool redefined the ECE stage as that specific stage for the age range between 0 and 5 years old, promoting a reduction in the permanence period (CAMPOS, M., 2011; CAMPOS, R.; BARBOSA, 2016; PINAZZA; SANTOS, 2016).

The expansion of the mandatory schooling in Brazil prescribed by the Constitutional Amendment (CA) n. 59/09 (BRASIL, 2009a) has also been considered by many authors as capable of providing a structural change in ECE identity (ARELARO; JACOMINI; KLEIN, 2011; CAMPOS, M., 2011; KRAMER; NUNES; CORSINO, 2011; NUNES; CORSINO; KRAMER, 2013). This amendment included 4-year-old children in the mandatory education and determined that Brazilian cities should provide this offer until 2016. The federal law n. 12.796, from April 4, 2013 (BRASIL, 2013), altered the LDB n. 9394/96 and ratified the mandatory schooling for children between 4 and 17 years old, considering as preschool the two initial years of this process.

With this in mind, this article aims to analyze in the context of a specific city policy the repercussions of the ECE offer in the private network since the inception of the mandatory preschool, considering the implications of redefining the limits between the public and the private sectors. The study proposed was conducted in Caxias do Sul, Rio Grande do Sul (RS), Brazil. To achieve this goal, comprehensive interviews (KAUFMANN,

2013) with municipal managers were analyzed. Moreover, quantitative data was produced with the documentary analysis of materials such as the Early Childhood Education Radiographies (RIO GRANDE DO SUL, 2016, 2017). The discussion and the data analysis permitted developing an ECE characterization in the city studied. They evidenced the constitution of a business network propelled by the purchase of vacancies in the public sector and the judicialization of this educational stage, which may weaken the public character of education. The final considerations scrutinize the main aspects discussed in the article and offer a reflection about the right to education.

Method and its procedures

This study uses a qualitative approach on education (STAKE, 2011) concentrated in the city of Caxias do Sul (RS). The comprehensive interviews are, at the same time, a technique and a method (KAUFMANN, 2013) and are the foundation of the analyses presented. Thus, 19 interviews were conducted in person and recorded. Each one had approximately 1h15min. Afterwards, the interviews were transcribed. All participants were informed about the research goals and signed the Free and Informed Consent Form. The main interlocutors of the research were the municipal public managers working in the field between 1998 and 2019. The interview script was built with differences in the questions according to the sector occupied by the participant. Depending on the role performed, the subject can attribute several meanings to the object investigated.

Therefore, the interviews were conducted with eight female managers of the *Secretaria Municipal de Educação* (SMED - Municipal Secretariat of Education), two of the *Conselho Municipal de Educação* (CME - Municipal Council of Education), and two with supervisors of the maintainer entity of the partner schools. Moreover, interviews were conducted in two schools, one from the partner network, and another from the private sector. In these schools, an interview was made with members of each role: principal (only in the private school, in the partner network this role is not present), pedagogical coordination, preschool teacher, crèche teacher.³⁴

In the sense of expanding and deepening the data to substantiate the interviews and bring numerical data to show the dimension of what was studied, the documents were fundamental to interpret the information. Therefore, the documentary analysis was an addition to the interviews, functioning as a kaleidoscope, sometimes to expand, sometimes to deepen certain aspects. In this study, we understand as documents the official records produced by SMED, the planning provided by schools, printed and digital materials, legislation, international and national studies used as sources for this study (SHIROMA; CAMPOS; GARCIA, 2005).

3- Since the *Marco Regulatório* (Regulation Mark) n. 13.019 (BRASIL, 2014), the partnerships started being denominated collaboration terms, being the partnerships between the public administration and civil society organizations to achieve public interest goals the instrument to formalize it. In this study, we opted to maintain the term partnership because the documents studied for data collection still use this term (RIO GRANDE DO SUL, 2016, 2017).

4- All research participants, as well as the schools, are mentioned with fictional names. The role performed by the participated was not identified to preserve their anonymity.

After the transcription of the interviews, charts were produced for the narrative of each research participant, in which the speeches were subdivided in themes when they emerged. Nevertheless, the themes were not the same for all participants. With this in mind, we worked with the patchwork between narratives. We did not seek for a quantitative recurrence or convergence, but the production of meanings to build a report that complement or answer the goal intended. In this sense, Gomes (2009, p. 86) states that: "In the thematic analysis, as the very name indicates, the concept is the theme. This comprises a beam of relationships and can graphically presented through a work or sentence, a summary."⁵ These themes were analyzed by each working segment. At the side of these themes, dialogue boxes were opened, which permitted recording possible theoretical connections and nexus with other sectors' research participants' speeches.

Reflections about early childhood education in Caxias do Sul/RS

Caxias do Sul is a city located in the northeast of the state of Rio Grande do Sul, in a mountainous region commonly known as *Serra Gaúcha*. Its territorial area is 1,652.308 (km²) and its estimated population is 483,377 inhabitants. The economically active population concentrates its activities in the commerce and the metal-mechanical sector, an important economic hub of the region. The city has a municipal human development index (MHDI) of 0.782, which is considered high. In 2015, the formal workers earned in average 3.5 minimum wages and the Gross Domestic Product (GDP) per capita was R\$ 43,460.17 (IBGE, 2018). Historically, its origins are attributed to the first Italian immigrants in the state. Considered as one of the richest regions, this city presents peculiar data regarding ECE offer.

Regarding the number of schools, the city had 277 ECE schools: 203 of the private sector and 63 of the city administration network, which offer only the preschool. It is worth mentioning that the city has not implemented *Escolas Municipais de Educação Infantil* (EMEI - Municipal schools of Early Childhood Education) yet and there is no public career for teachers in this stage. Therefore, crèches are 100% offered by the private sector. Regarding preschools, 75% of the offer is in private schools and 25% in *Escolas Municipais de Ensino Fundamental* (EMEFs -Municipal Schools of Primary Education). In 2017, the coverage rate for children enrolled in crèche was 34.13%, a percentage still distant from that prescribed by the PNE 2014-2014, and 82.68% for preschool, still requiring 5,000 vacancies for the whole ECE system (RIO GRANDE DO SUL, 2016, 2017).

The concept developed by Azevedo (2003, p. 38) is relevant for this study, which states that "Public policy is all that a government does or not, with all the impacts of its actions and omissions." Thus, this omission registered in the lack of EMEIs and ECE vacancies appear to be more convenient than the action. This alleged convenience resides in the justification of a more favorable economic position of the city, resulting in the understanding that the partnerships would reduce costs, a fact pointed by the research participants.

5- All quotations translations were made by the author.

There was no specific funding for ECE. We either increased the offer or invested in the construction of the building. The partnerships were a financially viable alternative. We had, by the end of the 1990's, around 22 partner schools, which later increased to 125. Not building an EMEI was intended to avoid increasing the payroll. The partnerships did not impact the payroll. The schools are open at least 12 hours a day; to cover this workload, we have to increase the number of professionals and then we increase the payroll, thus it is not included in the tax responsibility. Keeping the school is the problem. (ADÉLIA).

I think the city will never make a public tender when this management system persists. Children of 4 and 5 years old in the EMEFs are attended by teachers hired by public tender for the ECE with the same level of instruction. To attend 4 and 5 year old children inside EMEFs, we should have another public tender for ECE. Until this management system persists, partnerships, it is not of the city interest to make ECE a public affair. (RUTH).

I believe that there is a significant economic gain. Because the teacher is not your employee, the problem is not making the school, but keeping it. ECE schools are expensive, keeping a teacher for six babies is expensive, and that's a lot of teachers. Of course, the city pays the teachers of partner institutions, but they are not their own employees. They are not hired through public tender, which you would keep paying for their entire life; if you want to close two schools, you can. I believe the only gain is economic because there are no other advantages; the rest, for me, is disadvantages. (ALICE).

Rosânia Campos (2016) states that the mandatory preschool favored the increase of partnerships. In the case of Caxias do Sul (RS), the choice of using partnerships was not due to the mandatory preschool to increase the number of vacancies that would be insufficient, aiming at its universal access. This was the priority management model proposed to attend ECE, considering only economic aspects.

Nevertheless, in the city studied, since the inception of the mandatory preschool, the partner network was not expanded, occurring a reduction in the number of vacancies. The huge increase in the number of vacancies was in the private sector to seek profit, where many schools survive due to the vacancies bought by the municipal public sector (RIO GRANDE DO SUL, 2016, 2017). The selling of vacancies to the city administration became an alternative to guarantee a business with safe return because there is no default risk.

So, we see that many schools come as a business, only seeking money and profit. So, they are belittling a lot the question of the bought vacancies, but if they don't have these vacancies, they cannot survive because nowadays 90% or more of the schools survive with the vacancies bought by the city administration. (CORA).

When you take these kids that have a lower financial cost and you want to offer more, you know, we can't because the cost/benefit is much lower, so you can't make that turn you need. If you stop to think, it is a business you have. If you have a particular child, you have the risk of they delaying their monthly payment, of the father or the mother losing their jobs and you

won't be paid or simply because they decided to change overnight and you lose that child. The partnership is a guarantee you have, you can make more investment plans for the future, but it comes with other little problems, we have to help buying materials for the children or making donations of tissues, diapers. (MARINA).

Thus, the research participants state that most non-partner private schools have problems of several orders such as pedagogical and infrastructure issues, lack of frequency reporting of children in the mandatory stage, extra-taxes, requirement of enrollment fees from the parents, and even negligence with some specific care for this age range. The main question is the lack of regulation in these schools. The high number of institutions that sell vacancies to the city administration and the lack of SMED professionals to monitor them impede a more efficient control and supervision.

There are children that are in the public network since March and the private school is charging until now. There are schools that charge while they shouldn't. So, many times we went to the school to check this and they told us that the child had only recently been disconnected. The school is obliged to refund the money with the duly adjusted fees and receives an internal suspension. (CLARICE).

Another issue is the schooling for 3-year-old children already teaching letters, one after the other, so there is already this conception of school. You can see those kids that are apathetic, quiet, and oppressed in some manner, but how will you do it? We try to insert the pedagogic, the stimuli and playing, but as they are private, there are a lot of things that we cannot require or demand. (CORA).

Another challenge is that some schools are adapted houses, with lots of stairs, where rooms are used for classes, a small yard, it is not a building made for that purpose. Then we have the question of indiscipline, you bite, you hit because you spend the whole day in a small environment, this generates a stress in them, with no activities to do. Instead of giving modelling clay for them to manipulate, with many colors, different sizes, it is one ball for each one with a single color. One of these days we arrived in a school and they were painting and each one had a thin colored pencil, very small children, why won't they use crayons that are thicker? Let them use the colors. Look at their notion, a colored pencil for each one. (NÉLIDA).

Besides the city pays these vacancies with public money, the regulation capacity of this offer is limited, little interference in these schools' management is made. Schools are not closed when problems occur because there is the necessity of offering these vacancies. The zoning of children's families restricts the offer to some specific neighborhoods. The city depends on these vacancies, making the municipal administration extrapolate the frontier of the tolerable by believing that a school will make a reflection and will positively transform their pedagogic actions in the sense of contributing with the child's education efficiency.

The offer of vacancies must prioritize the distance of up to 2 km from the child's house, which leads to another issue. The research participants report that there are schools that prefer to avoid the public tender to offer vacancies to wait for possible judicialization processes. This is because judicialized vacancies receive a higher value both for partial and full-time education. Therefore, there are neighborhoods in the city that have no partner schools for the vacancies selling. The interviewees suggest that an alignment of interest occurs in these schools in the sense of waiting economically more advantageous legal processes.

We have schools that are not open to partnerships because they are waiting for the judicialized vacancies because they already know that if in that neighborhood there is no partner school, when a vacancy comes, a vacancy request for that zone through legal means, the value is higher. There is a plot, right? It would be interesting to investigate it, why they do it? The important is the money, the value, only? If it is, it hurts the principle of education. (LYGIA).

The partnership is R\$ 403.08 for the partial vacancy, and the full-time partnership vacancy is R\$ 555.36. Then the judicialized partial vacancy is around R\$ 470.15 and the full-time around R\$ 788.53. In the judicialized vacancy, there is the question of the enrollment fee, i.e., one more monthly payment. (ANGELA).

In fact, they should enter in the partnership to continue having a deal with the city administration. But, in truth, it was a trick because they had children that were already in the public defender's office and won a partner vacancy. Then they took from the defender's office that the value is higher and put them in the partnership. Of course, for the city administration, it is still better but looking at the people who are in a private school, they lose R\$ 200.00 per child, which is a high value. (MARINA).

Therefore, the city seeks to expand the vacancies purchase in the private sector to defeat the judicialized vacancies. Besides costing more by enrollment, there is the fact that these schools do not participate of the legal tender that establishes rules for partner institutions. In the research participants' view, the model of vacancies conducted by the city has a higher regulation capacity, looking at the parameters and rules established in the public tender, which does not occur in the judicialization cases.

As the value is higher, none of them enter into the partnership to compel them to enter through the public defender's office. Another thing we observed a couple of years from now is that many schools are opening, already looking for these public defender's office vacancies, so it became a business centered in the profit. (CORA).

By this reason, the idea of the Secretariat is to buy more vacancies, by this mean they are always buying vacancies to avoid once and for all this judicial question. Every time a judge determines it, we have in the neighborhood a partner school. If not public at least a partner, we are making

an effort and we have already diminished these cases considerably. There are regions that do not want to sell vacancies, schools that do not want to sell vacancies, it is like a plot. (CLARICE).

Therefore, the judicialization indirectly cooperates to the establishment of a profit-seeking business network in the private sector. The existence of neighborhoods with no partner schools to buy vacancies but schools that await for enrollments through legal processes because the value paid is higher evidences the eminently economic character of these institutions. The enrolment of children coming from judicialization processes is seen as more profitable. On the other hand, schools that submit themselves to public tenders to buy municipal vacancies appear to do it for not having other alternatives. In one of the schools studied, this was the solution found due to a crisis in keeping this type of business, according to the words of the owner. In both situations, the analysis of the interviews demonstrated that generally the vacancy offer in these schools occurs in precarious conditions. However, Cury and Ferreira ([2020?]) advert that quality vacancy offer is a right of the child. Thus, the child should not be considered as a number that occupies a vacancy in a school, but a citizen whose rights must be guaranteed by the city administration.

The constitution of a business network: relationships between the public and the private

The reconstitution of the State role, argues Ball (2020), passed from that of a service provider to an adjustment that mixes regulation, monitoring, hiring, and facilitation of new service providers, which involves redefining the frontiers between the public and the private. In this context, local educational businesses emerge with low-cost private schools offer to poorer social strata as a solution for all the possible damages diagnosed in the educational system. Thus, the privatization of education, according to Adrião (2018, p. 9), extrapolates traditional limits of the public-private expression because “they are processes through which the Brazilian public education, understood as that financed and managed by the State, as indicated in the *Lei de Diretrizes e Bases* n. 9394/1996, is formally and concretely subordinated to the private sector with profit goals.”

In this way, it is necessary to define what would be the public education, which, for Borghi (2018), must be that comprehended and developed by State institutions, being incoherent this designation for private entities with or without profit goals although subsidized with public resources. This includes the case of the partner network and the private schools that sell vacancies to the city. Therefore, in the “[...] private establishment, the individuals do not concur as citizens that exert their rights but as contracting parties in a relationship characteristic of the market contract” (BORGHI, 2018, p. 28). The author states that there is a cloudy relationship between the public and the private and the last one has grown exponentially in Brazil. Thus, the demarcations between the public and the private, the State and the market, are so mixed that it is unviable to analyze them as autonomous categories (BALL, 2020).

The fact that the city does not have a municipal public ECE network may have affected the right to education by strengthening the partner schools whose numbers, according to the interviews, cannot even be increased. This fact favors the growth of

the private sector, especially the one that subsists by the purchase of vacancies. The interviewees made clear the economic option of the city to offer ECE through partnerships because, for a long time, the executive propagates the idea that establishing a public network would be more onerous. In this case, the search for economic viability in the ECE offer is a give and take scenario. On the one hand, there was the option for partnerships still in the 1990's, when ECE was not yet mandatory. However, in the view of the city administration, it was more viable economically than establishing a public network. On the other hand, already with the inception of the mandatory preschool, the increase of this demand made the city opt to not expand the partner network to use an even more cheaper alternative, i.e., buying vacancies in the private sector, propelling a business network centered on the creation of schools as if they were enterprises. Adrião (2018) attributes the expansion of the private network to the State omission in offering the mandatory education and also to the ideological dissemination of the claim that the private sector provides better quality service; a point not evidenced in our analyses.

Laval (2019, p. 17) states that creating local educational markets impinges the application of economic rationales to the pedagogy, creating a new education form, the neoliberal school: “[...] which considers education as an essentially private good, whose value is above all economic.” This type of school aims at forming human capital inside a badly planned process of massification where there are few resources to achieve this goal. The intention is to do more with fewer resources. Therefore, for the author, the right to education loses its potential as it becomes a paid social demand that will be increasingly linked to the privatization of education. Nonetheless, the school is increasingly looking like a company, diversifying their offer in accordance to the local market.

The principle of the new public management postulates that solutions shall be found in the lower unity, closer to the users. However, Laval (2019) adverts that the given answer is full of novelties made in name of innovation but that, in many cases, leave users unattended. Therefore, the so-called education-commodity (BORGHI, 2018) in which there are different offers removes the consideration about the right to quality access for all as a public good and, thus, it should not be in the horizon of the private educational sector.

Thus, in the city studied, the public sense of education, understood as the quality access for all to State institutions that care and educate their children, without considering them the part of a business, may be weakened, indicating a tendency to privatization. According to Borghi: “It is in this way that we can think the expropriation of the right to education by means of its transformation into a commodity, as an appreciation strategy of the capital in areas until then untouched, because previously public and State funded” (2018, p. 22).

Regarding the purchase of vacancies in the private sector, a value per capita is sent to the institutions according to the number of enrollments. This type of arrangement is called attendance on demand, which is seen with caution by experts, as there is a public subvention of resources to the profit-seeking private initiative (OLIVEIRA; BORGHI, 2013). Thus, families are directed to private schools when there is no vacancy in an EMEF or a partner school. Borghi & Bertagna (2016) consider the new arrangements between the State and the private sector institutions, which seek the attendance on demand, privatizing strategies.

The public subvention to profit-seeking private schools started a very favorable environment to the spread of small education entrepreneurs that survive due to these resources. Thus, they submit the right to education to market relations and most schools are, in fact, micro-enterprises that attend low income families who did not have their needs attended in public institutions (ADRIÃO; BORGHI; DOMICIANO, 2010, p. 294). In this sense, Ball (2020) highlights that there is an ongoing commodification process of education where public services offer profit opportunities to the private sector.

The research shows that the judicialization role increases the private sector and not the partner network, as the city, while trying to free itself from these processes, sought in the purchase of vacancies in profit-seeking institutions a way to compensate the absence of EMEIs. However, the solution found by the city (the purchase of vacancies in the public sector) may bring a sour remedy to the children, removing one of their rights: living their infancy in an environment of education and care, healthy in all aspects of their lives, with adequate educational attendance to each age range.

It is worth highlighting that the judicialized vacancies, when the insertion in the public or partner networks is depleted, are not even directed to private schools that passed through a public tender procedure. These enrollments are directed to profit-seeking schools that do not pertain to those considered apt to the purchase of vacancies. Therefore, the interviewees identify a higher difficulty because there is a distant link between the SMED and the school. Laval (2019) states that the education universalization developed in this new market context imposes to school systems the non-prioritization of the insertion of children in the universe of socially constructed knowledges, passing directly to the economic rationale. Thus, the school may school but not educate. This reflection of the author makes sense in our case study as the main goal of the city administration's actions is finding solutions to increase vacancies but not necessarily to attend children with more adequate approaches.

Hence, the principle of the majority regarding the right to education would not be enough because the quality principles adequate for each age range must be guaranteed. Borghi (2018) states that education must have public ends because it is a right and not a merchandise. The privatization of education is a factor that reduces this right because citizens are seen as an input to keep a business that could be any other type of entrepreneurship. Therefore, opening a private ECE school in the city studied is a viable enterprise that corroborates the statement of Laval (2019): the educational institution is transforming itself in a management system that provides utile and measurable services while reducing its educational function.

The reduction of enrollments in the partner network stirs up the discussion about the possibility of a new municipal tendency. As the partner network becomes more expensive, it is possible that the city will make a less onerous option by attending the demand by the purchase of vacancies in the private sector. The possibility of regulating private network schools, as previously mentioned, is limited. By this reason, the ECE offer might take into consideration what Laval (2019) highlights: the educational institution in its classic meaning molds the citizen identity and should not be subjected to the market logic, as it may compromise its noble goals. Contextualizing what the author mentions for

the formation of ECE, it would be the guidance of the *Diretrizes Curriculares Nacionais* (BRASIL, 2009b) that includes as a structuring axis of curricula the interactions and games. Playing and games, understood as expressions of children cultures, are part of the formative dimension that takes into consideration education and care.

This imbricated process of deepening relationships between the public and the private sectors corroborate the infeasibility of building a public ECE municipal network. This possibility gets more distant from concreteness as the city, while investing in the private sector, decreases its capacity of increasing its own network. Therefore, the city depends on the private initiative to reach the predicted goals such as the mandatory preschool, the indices for crèches, and to avoid judicialization processes. So, it loses its capacity of investing in its own network and increases its dependency on the private sector. Adrião, Borghi & Domiciano (2010, p. 294) make an alert about the dependency of cities to the private network that, in most cases, present a lower attendance pattern.

There is a mutual dependency between the city and these schools. The city administration depends on the private network schools because it needs to buy vacancies of the sector to attend the demand foreseen in the legislation or the legal processes started with the intention of guaranteeing a free ECE vacancy. This dependency is so huge that the city has difficulties closing schools, even when irregularities are verified in the care and education of children or when there are financial inaccuracies. In this sense, Ball (2020) states that neoliberal states are creators of markets and facilitators of businesses to solve educational offer and funding problems, which may generate conflicts and mutual dependency.

Schools depend on the budget per capita paid by the city administration to keep their institutions, as many were created with the intention of absorbing these vacancies. Thus, the dependency is established in a way that the city cannot do without the vacancies offered by the private sector due to the lack of a public network or the stagnated partner network. Then, it maintains the procedure of attending the demand, using these partnerships. Laval (2019) emphasizes the urgency of rethinking the education in the social representations and political projects as a public good, providing educational conditions for all students, not only equal access, but equal fundamental educational goals.

Thus, a paradox is formed: the city pays to become and possibly to keep being dependent on the private educational sector, diminishing its capacity of developing its own ECE network. To break this relationship between the city administration and the private network, there must be politic intentionality to create a structure capable of financing, promoting and developing ECE.

This structure capable of developing ECE in the city must be based on the principles of laity, gratuity and quality, basic pillars of a public education accessible for all as constitutionally prescribed. Not only the access must be guaranteed but also the equal offer to all children of the same age range, making the right to education effective.

Final considerations

Education is a fundamental right of social nature, considered an eternity clause in the Brazilian Federal Constitution (BRASIL, 1988). Regarding education, there is the

public interest in building an educational path for children and teenagers, comprising fundamental and educational aspects of the life in society. This educational path, even when offered by the private network, must attend the public interest made possible by an education committed with quality aspects.

In the city studied, the ECE is based on partnerships, not including a municipal public network destined to this educational stage. The analyzes suggest that the city became dependent on the private sector to offer ECE. This statement is based on the data that show a huge amount of the demand supplied by the private network in the city. There is also the difficult monitoring of the quality of the vacancies offered as the city depends on them.

According to Borghi (2018), what is happening in Brazil regarding ECE is the privatization of a right, which challenges the public character of education characterized as free, public and of quality for all. The author emphasizes that, with the private education expansion, the separation between the public and the private is increasingly difficult and has an intention behind. This interest would be aligning national policies to the concepts of multilateral organisms that proclaim a supremacy of the private education compared with the public (BORGHI, 2018; SUSIN; MONTANO, 2015). To break with this dependency, strong political and pedagogical decisions shall be made, capable of guaranteeing the right to education so that it can, in fact, reach the public interest of education which is opposed to the conception of education as a business.

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Received on: February 15, 2021

Approved on April 27, 2021

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