

The political-normative organization of Indigenous School Education from a Special and Inclusive perspective in the state of Pernambuco

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Abstract

In this paper, we discuss Special and Inclusive Education policies in indigenous territories located in the state of Pernambuco. This research analyzes the political and normative organization at federal and state levels for the inclusion of indigenous students with disabilities. By analysing the legislative documents, the question arises as to how the Secretaria de Educação e Esportes do Estado de Pernambuco (SEDUC/PE) has organized Indigenous School Education from a Special and Inclusive Perspective. Our general objective is to explain the organization in an inclusive way for indigenous students with disabilities. In this sense, we specifically have the objectives of analyzing legislative documents and discussing the political-normative organization of the Department of Education and Sports of the State of Pernambuco. With SEDUC/PE as the institutional framework, the justification for the article is to support further research into compliance with legal obligations regarding accessibility, assistive materials, initial and continuing training in accordance with indigenous ways and beliefs. To this end, the theoretical framework of decoloniality supported discussions on State Ethnophagy (Patz, 1999); Uninational State in Brazil (Feitosa, 2017); Functional Interculturality (Tubino, 2005); Brazilian political-normative enunciations (Petelin, 2023); and absences in political-pedagogical references (Novak; Mileski; Andrioli, 2013). This was a qualitative study (Minayo, 1994) based on content analysis (Bardin, 1977) of documentary sources (Cechinel *et al.*, 2016) of federal and state legislation. In the analyses, the advances and limitations of these laws were verified, highlighting the omission, weakening and outdated of a homogeneous, non-indigenous political-normative organization, due to the influence of hegemonic political agents interested in weakening indigenous schools and differentiated practices, such as Specialized Educational Assistance for indigenous students with disabilities.

Keywords: Indigenous school education; Special and inclusive education; Political-normative organization; Indigenous students with disabilities.

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A Organização Político-Normativa da Educação Escolar Indígena na Perspectiva Especial e Inclusiva do Estado de Pernambuco

Resumo

Neste trabalho, discutimos as políticas da Educação Especial e Inclusiva nos territórios indígenas localizados no Estado de Pernambuco. Essa pesquisa analisa a organização político-normativa em níveis federais e estaduais à inclusão dos(as) educandos(as) indígenas com deficiência. Analisando os documentos legislativos, surge o questionamento: “Como a Secretaria de Educação e Esportes do Estado de Pernambuco (SEDUC/PE) organizou a Educação Escolar Indígena na Perspectiva Especial e Inclusiva?”. Nosso objetivo geral é explicar a organização de modo inclusivo para os(as) educandos(as) indígenas com deficiência. Nesse sentido, especificamente tendo os objetivos de analisar documentos legislativos e discutir a organização político-normativa da Secretaria de Educação e Esportes do Estado de Pernambuco. Com a SEDUC/PE como marco institucional, a justificativa do artigo é embasar novas pesquisas para o cumprimento das obrigações legais de acessibilidade, materiais assistivos, formações iniciais e continuadas segundo os modos e crenças indígenas. Para isso, o marco teórico da decolonialidade amparou discussões sobre Etnofagia Estatal (Patzi, 1999); Estado Uninacional no Brasil (Feitosa, 2017); Interculturalidade Funcional (Tubino, 2005); enunciados político-normativos Brasileiros (Petelin, 2023); e ausências nos referenciais político-pedagógicos (Novak; Mileski; Andrioli, 2013). Uma pesquisa qualitativa (Minayo, 1994) fundamentada na Análise de Conteúdo (Bardin, 1977) sobre as fontes documentais (Cechinel *et al.*, 2016) de legislações federais e estadual. Nas análises, verificaram-se os avanços e limitações dessas leis, evidenciando a omissão, fragilização e desatualização de uma organização político-normativa homogênea, não-indígena, pela influência de agentes políticos hegemônicos interessados no enfraquecimento das escolas indígenas e das práticas diferenciadas, como o Atendimento Educacional Especializado para os(as) educandos(a) indígenas com deficiência.

Palavras-chave: Educação escolar indígena; Educação especial e inclusiva; Organização político-normativa; Educando(a) indígena com deficiência.



La Organización Político-Normativa de La Educación Escolar Indígena Desde una Perspectiva Especial e Inclusiva en el Estado de Pernambuco

Resumen

En este trabajo se discuten las políticas de Educación Especial e Inclusiva en territorios indígenas localizados en el estado de Pernambuco. Esta investigación analiza la organización político-normativa a nivel federal y estadual para la inclusión de alumnos indígenas con discapacidad. A partir del análisis de los documentos legislativos, se plantea la cuestión de cómo la Secretaria de Educação e Esportes do Estado de Pernambuco (SEDUC/PE) ha organizado la Educación Escolar Indígena desde una Perspectiva Especial e Inclusiva. Nuestro objetivo general es explicar la organización de forma inclusiva para los alumnos indígenas con discapacidad. En este sentido, tenemos como objetivos específicos analizar los documentos legislativos y discutir la organización político-normativa de la Secretaría de Educación y Deportes del Estado de Pernambuco. Con el SEDUC/PE como marco institucional, la justificación del artículo es apoyar la realización de nuevas investigaciones sobre el cumplimiento de las obligaciones legales en materia de accesibilidad, materiales de apoyo, formación inicial y continua de acuerdo con las formas y creencias indígenas. Para ello, el marco teórico de la decolonialidad apoyó discusiones sobre Etnofagia de Estado (Patzí, 1999); Estado Uninacional en Brasil (Feitosa, 2017); Interculturalidad Funcional (Tubino, 2005); enunciaciones político-normativas brasileñas (Petelin, 2023); y ausencias en las referencias político-pedagógicas (Novak; Mileski; Andrioli, 2013). Se trató de un estudio cualitativo (Minayo, 1994) basado en el análisis de contenido (Bardin, 1977) de fuentes documentales (Cechinel *et al.*, 2016) de la legislación federal y estatal. Los análisis mostraron los avances y limitaciones de estas leyes, destacando la omisión, debilitamiento y desactualización de una organización político-normativa homogénea y no indígena, debido a la influencia de agentes políticos hegemónicos interesados en debilitar la escuela indígena y las prácticas diferenciadas, como la Atención Educativa Especializada para alumnos indígenas con discapacidad.

Palabras clave: Educación escolar indígena; Educación especial e inclusiva; Organización político-normativa; Alumnos indígenas con discapacidad



Introduction

In recent decades, the right to education has been expanded as a constitutional guarantee for all Brazilians. Educational rights have recognized diverse modes of teaching shaped by social movements for equity — that is, education made accessible through Special and Inclusive Education across all sectors of the educational system, from urban schools to those located in Indigenous territories.

Legal documentation has outlined the organization of educational policies designed to meet needs that transcend the historical moment in which they were created. Thus, two fundamental challenges arise regarding the rights of Indigenous students with disabilities: first, the establishment of Special and Inclusive Education laws; and second, the absence of such inclusive legislation within Indigenous School Education.

The first challenge lies in the creation of laws on Special and Inclusive Education that ensure schooling for all students with disabilities. Accordingly, legal documents were established to guarantee the universal right to schooling for all learners with various types of disabilities — physical, motor, or intellectual. Furthermore, the Federal Constitution (Brazil, 2016) seeks to guarantee the rights of Indigenous students with disabilities at all educational levels. In the same direction, the National Policy on Special Education (Brazil, 2020) set out guidelines for inclusive education in Brazil, ensuring access, participation, and learning for everyone, according to their specific needs. Likewise, the Law of Guidelines and Bases of National Education (Brazil, 1996) mandated that inclusive education be present in all educational systems across the country. Finally, the Brazilian Inclusion Law, also known as the Statute of the Person with Disabilities (Brazil, 2015), guarantees the rights and promotion of accessibility for persons with disabilities as part of a universal educational policy.

As a result of inclusive legislation, pedagogical experiences have increasingly involved students with disabilities in the teaching-learning



process, as schools were required to admit and prepare to welcome them, thereby dismantling the invisibility of individual-cognitivist orientations. Gradually — and more recently — schools have begun to recognize various levels of socialization, such as deafness, visual impairment, different degrees of hyperactivity, attention deficit disorder, autism spectrum disorder, dyslexia resulting from confusion between meanings and symbols, psychopathy, and aggressiveness, as discussed by Vanessa Pereira (2021).

The recognition of the need for specific pedagogical materials, known as assistive technologies, in teaching strategies that facilitate learning is imperative. The interaction of students with disabilities in teaching processes — through computer programs for writing or speaking, remote controls, or breath-activated switches — can be observed in the studies of Elaine Conte, Ourique, and Basegio (2017). According to the authors:

Assistive Technology is an interdisciplinary field of knowledge that encompasses products, resources, methodologies, strategies, practices, and services aimed at promoting functionality in relation to the activity and participation of persons with disabilities, impairments, or reduced mobility. Its purpose is to foster autonomy, independence, quality of life, and social inclusion (Brazil *apud* Conte, Ourique & Basegio, 2017, p. 10).

This enables the appropriation of symbolic systems used to interpret the world, such as written, spoken, or embossed languages. These specific languages allow teachers, together with the team responsible for Specialized Educational Assistance (AEE), to expand and adapt curricular content according to each type of disability. Augmentative and Alternative Communication (AAC) enhances and diversifies the teaching approaches for students with speech disabilities or difficulties in formulating ideas and writing. This practice of Special and Inclusive Education, according to Bersch (2017), is:

Intended to serve individuals without functional speech or writing, or those whose communicative needs exceed their ability to speak, write, and/or comprehend. Resources such as communication boards, constructed with graphic symbols (BLISS, PCS, and others), letters, or



written words, are used by AAC users to express their questions, desires, feelings, and understandings. High-technology devices, such as speech-generating boards or computers equipped with specific software and dynamic communication boards on tablet-type computers, ensure great efficiency in fulfilling communicative functions” (Bersch, 2017, p. 6).

The second challenge arises from the absence of such inclusive laws within Indigenous School Education. There is a clear legal marginalization regarding Indigenous education, characterized by numerous documents but none specifically addressing Indigenous School Education from a Special and Inclusive perspective. The Statute of the Person with Disabilities (Brazil, 2015) leaves pedagogical commitments and guarantees for Indigenous students with disabilities largely undefined, stating only in a brief and indeterminate clause: “Sole paragraph: the legal capacity of Indigenous persons shall be regulated by special legislation” (Brazil, 2015, p. 26).

This legal neglect is repeated in the educational documents specific to Indigenous schools. These documents fail to specify the teaching-learning processes for Indigenous students with disabilities, prioritizing instead a broad description of intercultural and bilingual education models, as outlined in the Law of Guidelines and Bases of National Education (Brazil, 1996) and the Referential Curriculum for Indigenous Schools (Brazil, 1998). A similar absence is found in laws concerning federal funding responsibilities and the distribution of these resources to state governments—known as *Stateization*—in which essential needs for personnel, coordination, support teachers, and assistive technology were left unaddressed, as seen in Opinion No. 14 (Brazil, 1999). This omission persists in Decree No. 24.628 (Pernambuco, 2002), which established Stateization without recognizing any specific obligation to support Indigenous students with disabilities in the State of Pernambuco.

It is clear that non-Indigenous legislation has historically overridden inclusive concerns, as if the entire educational system shared a single model of accessibility and inclusion. In contrast, the needs of non-Indigenous (urban and



rural) schools differ substantially from those of schools located in Indigenous territories. This has created, and continues to create, gaps and inconsistencies in complementary documents that lack legal guarantees, resulting in a homogeneous and exclusionary policy that disregards cultural differentiation — such as the values and beliefs essential to affirming Indigenous ethnic identity — as highlighted in my master’s dissertation (Silva, 2022)¹.

Research in educational policy is needed to address the indifference and legal gaps that operate as denials of Indigenous School Education from a Special and Inclusive Education perspective. As emphasized by Michele Sá (2013, p. 1): “Although data released by the Brazilian Institute of Geography and Statistics (IBGE) indicate an increase in the Indigenous population in Brazil, little is discussed about the real living conditions of Indigenous people with disabilities.” Supporting this view, Maria Novak, Keros Mileski, and Luciana Andrioli (2013, p. 126) stated that existing documents silence the teaching and learning relationships between Indigenous teachers and Indigenous students with disabilities due to the persistence of outdated and exclusionary policies: “They do not establish a relationship between Indigenous School Education and Specialized Educational Assistance and, despite the generalization present in the relevant legislation, there is a lack of specific policies and actions to articulate proposals for these populations”.

The theme of our study encompasses the organization of educational policy for Indigenous School Education from a Special and Inclusive perspective, within both federal and state legislation, using the State of Pernambuco as our institutional reference. The analysis of these documents allows us to identify intentional omissions and highlight how the educational system operates within this modality. This process revealed distinct aspects among inclusive laws, as well as the advances and setbacks present in the institutional regulations of the State Secretariat of Education of Pernambuco.

To analyze these legislative documents, we were guided by the following question: how has the State Secretariat of Education of Pernambuco organized



Indigenous School Education from a Special and Inclusive perspective?

The theoretical-methodological foundation of this study followed two paths: first, our research experience during the master's program with Xukuru do Ororubá teachers (from the municipality of Pesqueira, in the Northern Agreste region of Pernambuco State); and second, new approaches within the field of inclusive educational policies.

During the development of our master's dissertation, we engaged in dialogue with Xukuru teachers regarding their teaching practices. On two occasions, the need for specific research emerged, which ultimately led us to this specialization course. In one of these encounters, a Xukuru teacher spoke about the emerging field of Special and Inclusive Education — a necessary development for implementing educational policies within their people's territory.

This teaching modality was established only recently. Less than twenty years ago, Indigenous teachers began to reshape the notion of schooling based on their people's way of life. More recently, teaching from a Special and Inclusive perspective has incorporated physical, motor, and intellectual disabilities into Indigenous schools. Therefore, this new educational modality requires specific legal definitions to ensure respect for its own regulations.

Accordingly, this study is justified by the need to analyze legal documents on Indigenous School Education from a Special and Inclusive perspective, providing a foundation for future research and actions by Indigenous educators. It calls upon the State Secretariat of Education of Pernambuco to fulfill its obligations regarding accessibility and the provision of both initial and continuing teacher training within an Indigenous framework, as well as the production of assistive materials from a differentiated, specific, and intercultural perspective.

In contemporary contexts, Indigenous schools — in addition to defending and practicing ethnic identity — must also perform an inclusive role, supporting all Indigenous students with physical, motor, or intellectual disabilities.



Therefore, the general objective of this research is to explain the organization of Indigenous School Education from a Special and Inclusive perspective in the State of Pernambuco, as it contributes to inclusive educational policies for Indigenous students, still a major normative gap.

Complementing this general aim, our specific objectives are as follows: (a) to analyze documents related to Indigenous School Education from a Special and Inclusive perspective within federal and state legislation in Pernambuco; and (b) to discuss the political-normative organization of Indigenous School Education from a Special and Inclusive perspective in the State of Pernambuco.

Finally, we believe that this research will contribute to studies focused on the inclusion of Indigenous peoples with disabilities in Brazil and may also support future professionals interested in this subject.

Theoretical Framework

Our theoretical framework is grounded in the concept of decoloniality, which helps explain the conflicts and power relations embedded in the educational policies concerning Indigenous peoples. Decoloniality is rooted in the history of Latin America, beginning with European invasions that initiated a process of political subjugation and cultural destruction. This historical process of colonial denials—of ways of being, ethical-political organization, and identity—is known as *coloniality*. Thus, coloniality shaped the educational system through the imposition of Eurocentric and patriarchal meanings, producing a dissociation between school knowledge and traditional practices. It restricted educational models to a single teaching technique aimed at erasing Indigenous culture while disregarding the differentiated modes of learning for those with and without disabilities².

Latin American authors have criticized the laws that weakened *interculturality*—understood as teaching strategies that enable exchanges of meaning among different peoples as well as mediation between languages and cultures—an element of vital importance in the organization of Indigenous



schooling³. Interculturality has been discussed amidst the non-Indigenous contradictions of *State Ethnophagy*, as categorized by Félix Patzi (1999); the Uninational State in Brazil, according to Saulo Feitosa (2017); and Functional Interculturality, as described by Fidel Tubino (2005).

In *State Ethnophagy*, Indigenous students have their cultures weakened and consumed by hegemonic educational policies. To this end, governments across Latin America have established national constitutions with an ostensibly democratic and pluralistic appearance, yet characterized by a homogenizing contradiction that weakens and erases cultural diversity under the dominance of a hegemonic culture. During educational reforms, hegemonic groups introduced constitutional mechanisms for national integration through the standardization of pedagogical content aligned with elite interests—imposing uniformity of language, nationality, and, above all, the construction of an individual subject divorced from their ethnic identity as an Indigenous person. The *Ethnophagic State* thus perpetuated a colonial process of internalized ethnocide within legislation, devouring diverse cultures and imposing a uniform educational model.

In this sense, Félix Patzi (1999) regarded the Bolivian State as an ethnophagic example of educational reform during the 1990s, which sought to integrate and assimilate Indigenous pedagogies under an arbitrarily homogeneous order — an experience of interculturality that was both tense and disruptive:

The universalist principle, centered on the individual subject that is embodied, also the universalist principle of language, politics and economy, must be the basic condition for the reproduction and perpetuation of the dominant class. Therefore, the universalization of certain values and meanings is no more than a simulated homogenization that fights – as they say – against cultural orthodoxy or ethnic purity that seeks to recomunalize society. Because of this dominant conception, a plurimulticultural society cannot be a fragmented society, but it must be a legally and institutionally strong society. It is in this transmutation of interculturality as a social demand that comes to nationalized institutionalization, where plurimulticulturalism becomes a



cultural arbitrariness, whereas it is not the creation of its own actor, but it is stripped of its demands converted into a State proposal and, in this way, imposes itself on so much collective voluntary stripped of its own volunteer. Hence, interculturality constitutes symbolic violence and imposes itself as something legitimate, regulated to be complied with by all culturally diverse groups (Patz, 1999, p. 543).

Resulting from this example of ethnophagic interculturality, the Brazilian Uninational State also monocratically formalized Indigenous rights to accessibility and inclusion, expanding rights that were in reality limited by legal gaps. The Brazilian Uninational State universalized the monocultural and uninational integrationist model of a nation without pluralistic reciprocity with other cultures, accentuating coloniality in the hegemonic value judgments of a single Brazilian people, without cultural differences, from north to south. Thus, Brazilian laws failed to address Indigenous leaders, constituting few, insubstantial legislative arrangements amidst the elites' legal machinery.

In 2006, the Brazilian government hinted at this prospect of changing relations by creating the National Commission for Indigenous Policy. But, strangely, among the 12 ministries and public administration agencies that comprised it were the Institutional Security Office (GSI) of the Presidency of the Republic and the Ministry of Defense, two agencies responsible for state security. This reveals not only the state's distrust of Indigenous people—always seen as a threat to national security—but also demonstrates that the uninational state remains on the lookout for the opportunity to swallow up, to devour, the other, the different, if necessary. There is no doubt that the presence of these two agencies in that space has always been viewed by the Indigenous participants as intimidating. In December 2015, the Commission ceased to exist and was finally replaced by the National Council for Indigenous Policy (CNPI), which had been expected since 2006. In the new composition, the GSI is no longer part of it, however, the Ministry of Defense remains (Feitosa, 2017, p. 10).

The impact of this inequality, rooted in monoculture and uninationality, was classified as Functional Interculturality in the education system. Functional Interculturality emphasized the overlap of hegemonic culture over Indigenous cultures in teaching and learning processes, such as the use of non-Indigenous materials and theoretical content universally distributed in these schools, as



well as time restrictions for learning only in the school environment, excluding experiences with leaders or rituals in sacred territories.

Functional Interculturality inferiorized ethnic identities by imposing a white-Western vision as a consequence of coloniality in the ethical-political sphere, classifying Black or Indigenous peoples as inferior and decadent forms of organization in the face of the modernization process centered on European models. Thus, this form of interculturality functioned according to the dictates of ethnocentrism by silently denying the right to schooling due to racial and ethnic discrimination. Regarding this, Fidel Tubino (2005, p. 5) emphasized that *“la asimetría social y la discriminación cultural hacen inviable el diálogo intercultural auténtico. Por eso, no se debe empezar por el diálogo y sí por la pregunta por las condiciones del diálogo”*⁴.

The intercultural discussions highlighted a state mechanism capable of slowly and silently destroying the organization of Indigenous education, using laws supporting elite-biased teaching practices as a resource. The intercultural premises of protecting Indigenous pedagogical agents were undermined and modified by the imposition of hegemonic interests with models of submission and ethnocentric inferiority. Thus, the Indigenous school's leading role was stolen under state legitimacy to the benefit of the power antagonized by the elites.

This reveals some tensions that hinder interculturality in Indigenous School Education from a Special and Inclusive Perspective. We connect educational policies for Indigenous people with disabilities to a school that values and practices ethnic identity and ancestry for self-recognition as Indigenous. At the same time, we enable access to school facilities and the implementation of inclusive pedagogical activities that facilitate learning, contributing to their growth as autonomous individuals and overcoming the limitations imposed by the limitations of disability.

There are many studies on Special and Inclusive Education in non-Indigenous education, such as final projects for undergraduate, master's, and



doctoral programs⁵. However, we did not find the same number of studies aimed at Indigenous students with disabilities, which makes it difficult to analyze specific theoretical categories.

Among the research already covered on the topic of this article, we can list a few theses, dissertations, and articles that would help in constructing our research. In her thesis, Secin (2011) explored the categories of literacy and orality, using Vygotsky's socio-interactionist approach and Gibson's ecological framework, through the category of ecological perspective between cultures, comparing the reading styles of Indigenous peoples and other sectors of society. The author compared visual health issues for Guarani Mbya and non-Indigenous students through reading activities. To avoid future problems such as low vision among indigenous students, the author demonstrated the need for inclusive interdisciplinary strategies by differentiating visual acuity from an ecological perspective for written culture in literacy, especially in teaching practices in Youth and Adult Education (EJA) and Indigenous Intercultural Education.

The dissertations highlighted the challenges in the educational spaces for Indigenous School Education from a Special and Inclusive Perspective. Therefore, we list the following dissertations: William Coutinho (2018); Bruno Araújo (2018); Kátia Petelin (2023). The first dissertation was written by Kátia Petelin (2023) as a methodological approach to qualitative research, using two types of documentary sources: eight international documents and 12 national documents on the human and fundamental right to education for Indigenous peoples and people with disabilities. With a decolonial discursive foundation, the author conducted her research in the following order: a) analysis of political-normative documentation as a human right to education; b) identification of Brazilian political-normative statements on the right to inclusion; c) Inclusive Education to understand the scenarios and trends involved. In his second dissertation, William Coutinho (2018) conducted qualitative research using semi-structured interviews to capture the verbalizations of Indigenous students



with deafness. The work addressed the different deaf identities, focusing on the organization of the inclusive education system in the construction of social interactions and the identification of priority specificities. It also addressed the difficulties faced by Indigenous students with disabilities enrolled at the Federal Institute of Roraima.

In his third dissertation, Bruno Araújo (2018) conducted qualitative research using semi-structured individual interviews and questionnaires with professionals supporting translation of Brazilian Sign Language (LIBRAS). To this end, he focused on the intercultural learning processes among Indigenous students with deafness, focusing on the work of Sign Language Translators and Interpreters (TILS), considering the importance of the exchange between these two agents in understanding Portuguese signs and Indigenous language symbols.

We selected three articles closest to our topic: Novak, Mileski, and Andrioli (2013); Sá (2013); and Sá, Ribeiro, and Brazão (2023). In this first article, Novak, Mileski, and Andrioli (2013) addressed the intersection between Indigenous School Education and Specialized Educational Services (AEE) in a documentary analysis of the National Curricular Framework for Indigenous Schools (RCNEI). They highlighted the lack of pedagogical strategies in the legislative framework and the ineptitude of public authorities, which is detrimental to Indigenous teaching.

For the second article, Sá (2013) presented research based on the author's experiences, using Dermeval Saviani's historical-critical thinking to analyze Special and Inclusive Education, reflecting on the limits, possibilities, and contradictions of schooling for Indigenous children with disabilities from the Terena and Guarani peoples of territories in the State of São Paulo.

In the third article, Sá, Ribeiro, and Brazão (2023) analyzed data from 2008 to 2020 in quantitative research using digital analysis of questionnaires from Indigenous teachers of the Maxakali, Xakriabá, and Krenak ethnic groups, complemented by qualitative data analysis. The article discussed how



Specialized Educational Services were organized for Indigenous students with disabilities in the state of Minas Gerais. The author explained the types of access and disabilities in Indigenous schools, indicating deficiencies in organization, accessibility, initial and ongoing training, and limited assistive pedagogical resources.

Furthermore, the research by Novak, Mileski, and Andrioli (2013) further contributed to the development of our article, highlighting the absence of inclusive strategies in specific documents for Indigenous schools, such as the RCNEI (Brasil, 1998). This is also the case with Kátia Petelin (2023) in identifying the Brazilian political-normative statements present in the legislation that organized Indigenous School Education from a Special and Inclusive Perspective.

Therefore, this article reinforces the research already conducted on the topic under discussion and provides relevant information for the organization of Indigenous School Education from a Special and Inclusive Perspective in the State of Pernambuco.

Methodological procedures

Between 2000 and the date of completion of this article, the first academic research on this topic began, linked to the ethnography of the school organization of Indigenous students. As confirmed in online searches using the descriptor of the Brazilian Digital Library of Theses and Dissertations (BDTD), we located a total of 2,793 works on the topic of Special and Inclusive Education, including 2,090 master's dissertations and 653 doctoral theses. When refining the search for the term "Special and Inclusive Education in Indigenous Schools," we found only 6 works, with 1 thesis and 5 dissertations, a percentage of only 0.2% of the total number of works deposited in postgraduate programs. We had greater success searching for articles through the Scientific Electronic Library Online (SCIELO) and Google Scholar, returning at least 8 articles on our topic. None of these works corresponded to the state of Pernambuco. Therefore, this



work is anchored in the qualitative approach to social meanings, specifically analyzing legal documents and discussing the political-normative organization of Indigenous School Education from an Inclusive Perspective in Pernambuco. To this end, the social world is understood in terms of what “is real, the raw data; values and beliefs are subjective data that can only be understood through the former” (Minayo, 1994, p. 23).

As an introductory study, we approach documentary research with directly constructed data, without biases from testimonies that require verification in other sources. For Cechinel *et al.* (2016, p. 4), based on Cellard, documentary analysis brings together “elements of the problem or theoretical framework, context, authors, interests, reliability, nature of the text, key concepts again,” highlighting the interests of opposing groups. Because the legal systems consulted are numerous in detailing ethnic rights, our documentary analysis focused on the most representative texts, such as constitutional legislation, legislative opinions, political-pedagogical frameworks, and state laws. From the perspective of Special and Inclusive Education, the main pieces of legislation stand out, such as the national action plan and the general statute.

Content analysis would allow us to identify hidden meanings and intentions in the documents analyzed, revealing implicit strategies and links between different legislative texts, highlighting gaps and presences (Bardin, 1977). Thus, the analysis procedures proceeded in two distinct phases: first, the selection of political-normative documents indicated contradictions in the legal parameters for the inclusion and accessibility of Indigenous students with disabilities. Second, the correlation of meanings allowed us to infer the responsibilities of SEDUC/PE.

Documentary analysis of the political-normative organization

First, the indigenous movement demanded that executive and legislative authorities uphold the Federal Constitution (Brazil, 2016) guarantees for the organization of bilingual education (between the indigenous language and



Portuguese), ensuring pluralistic freedom with an intercultural bias. Second, the Law of Guidelines and Bases of Education (LDB) or Law No. 9394 (Brazil, 1996) reinforces intercultural education by mediating between the learning of non-indigenous society and the appreciation of memory, science, and native languages in strengthening ethnic identity. Third, indigenous leaders demanded that the Ministry of Education (MEC) exclusively coordinate indigenous teaching and transfer the administrative and financial responsibilities of their schools to a state government, removing control from municipal governments influenced by landowners, in accordance with the Stateization process of Opinion No. 14 (Brazil, 1999).

In Pernambuco, Indigenous leaders gathered and channeled their efforts toward the process of statehood. The administrative organization of Indigenous schools was transferred to Regional Education Offices, and pedagogical coordination remained under the management of Indigenous teachers. Teaching routines could follow autonomous timelines, spaces, and educational precepts, such as the unification of a single political-pedagogical project for all schools of a given people. Considering the normative organization of State Decree No. 24,628 (Pernambuco, 2002, p. 2):

[Art. 4.] Sole Paragraph. The formulation of a specific pedagogical project, by school or indigenous people, will be based on:

I - the national curricular guidelines for each stage of basic education;

II - the specific characteristics of indigenous schools, respecting the ethnic-cultural specificity of each people or community;

III - the sociolinguistic realities of each situation;

IV - specifically indigenous curricular content and the specific ways of constituting indigenous knowledge and culture; and;

V - the participation of the respective indigenous community or people.

Art. 5. Teaching activities in indigenous schools will be carried out primarily by indigenous teachers from the respective ethnic groups.



§ 1. The training of teachers in indigenous schools will be specific and guided by the national curricular guidelines to be developed within the scope of teacher training institutions.

The systematization of successful practices in Indigenous schools was transformed into teaching parameters in the development of the National Curricular Reference for Indigenous Schools (RCNEI) (Brazil, 1998). The document is extensive, totaling over three hundred pages with suggestions for cross-cutting themes, narratives of pedagogical practices, and Indigenous art. The RCNEI (Brazil, 1998) methodology consists of classifying, identifying, and reconstructing ancestral culture mediated by other cultures. However, the RCNEI (Brazil, 1998) is outdated without references to contemporary special and inclusive issues, such as the only citation about people with low vision: “What are the preventive measures against visual impairment?” (Brazil, 1998, p. 271).

Therefore, these regulations lack special and inclusive issues regarding disabilities. These attributions underwent a discreet change in CNE/CEB Opinion No. 13 (Brazil, 2012a) recognized Specialized Educational Assistance (SEA) personnel among the pedagogical agents in Indigenous territories. Even though minor legal regulations still prevailed, this document’s major contribution was to recognize cross-cutting and socio-interactive pedagogical support in cases of global developmental disorders, special abilities, giftedness, low vision (with Braille printing with an intercultural bias, in Indigenous and Portuguese languages), accessibility to school buildings, etc.

The document highlights the daily challenges of implementing Specialized Educational Assistance (SEA), due to the absence of Indigenous professionals, inappropriate ongoing training, unstructured accessibility conditions, and precarious materials and assistive techniques (Brazil, 2012a, p. 19):

Special Education in Indigenous school settings has presented a growing challenge, given the lack of training for Indigenous teachers in this area; the inadequate structure of school buildings, their furniture, and equipment; the lack of specific teaching materials; and the lack



of adequate school transportation—among other factors that make it impossible to meet the diverse needs of students with disabilities, global developmental disorders, and those with high abilities and giftedness. Policies aimed at this specialized service need to be developed and implemented according to the sociocultural reality of each Indigenous community. In this sense, the Ministry of Education, in its role as inductor and executor of public education policies, in coordination with education systems, must conduct assessments of the demand for Special Education in Indigenous communities, aiming to create a national policy to serve Indigenous students requiring specialized educational services (SEAs). Education systems must ensure accessibility for Indigenous students with disabilities, global developmental disorders, and high abilities and giftedness, through school buildings, equipment, furniture, school transportation, human resources, and other materials adapted to their needs. The political and pedagogical projects of Indigenous schools with Special Education needs must include, through their curricula, teacher training, production of teaching materials, assessment processes, and methodologies, the necessary provisions for the educational services of students with disabilities, global developmental disorders, and high abilities and giftedness. In the case of students who present differentiated communication needs, access to content must be guaranteed through the use of applicable languages and codes, such as the Braille system and Brazilian Sign Language, without prejudice to the learning of the Portuguese language (and indigenous languages), allowing them and their families to choose the pedagogical approach they deem appropriate, after consulting professionals specialized in each case aimed at guaranteeing quality social education as a right for all (CNE/CEB Opinion No. 2/2001).

Based mainly on this Opinion, Resolution No. 5 (Brazil, 2012b) determines institutional coordination between the Ministry of Education and States in maintaining Specialized Educational Services in indigenous schools:

§ 1. The Ministry of Education, in its role as promoter and executor of public education policies, in conjunction with education systems, must conduct diagnostics of the demand for Special Education in Indigenous communities, aiming to create a national policy to serve Indigenous students who require specialized educational services (SEAs).

§ 2. Education systems must ensure accessibility for Indigenous students with disabilities, global developmental disorders, and those with high abilities and giftedness, through school buildings, equipment, furniture, school transportation, human resources, and other materials adapted to the needs of these students (Brazil, 2012b, pp. 5-6).



Based on these two small legal devices, CNE/CEB Opinion No. 13 (Brazil, 2012a) and Resolution No. 5 (Brazil, 2012b), the National Policy for Special Education or PNEE (Brazil, 2020) is determined with the promise of guaranteeing Specialized Educational Assistance (AEE) in the public service for indigenous learners with disabilities:

Indigenous school education as a right involves the provision of special education services and resources to indigenous students who require this form of school education, in a flexible manner and adjusted to local conditions, ensuring the rights to difference and the promotion of ethnic, cultural and linguistic diversity of indigenous peoples, considering their traditional knowledge, pedagogical methods and proposals, the production of specific teaching materials, their forms of work production and social organization (Brasil, 2020, p. 51).

The term “statute” is a social contract, that is, a legal agreement on how to organize relationships between people and institutions, a compilation of the rights and duties exercised by a given social group in need of legal protection. In the Statute of Persons with Disabilities (Brazil, 2015, p. 26), special and inclusive rights in Indigenous schools are not defined and, therefore, lack legal application: “Sole paragraph. The capacity of Indigenous people will be regulated by special legislation.” Nothing further has been determined, and the previously established political and normative frameworks represent progress, yet are overly superficial.

Indigenous School Education from a Special and Inclusive Perspective has three legal contradictions that make it unfeasible: omission, fragmentation, and outdatedness. Regarding the first contradiction, it can be said that gaps in the legal framework have not aligned special education laws with Indigenous schooling laws, generating new divergences. The contradictions of the political-normative statements are accentuated by the clearly determined omission of a legal fragment that releases any public spheres from accountability (Petelin, 2023) in the Statute of Persons with Disabilities (Brazil, 2015).

In the second contradiction, CNE/CEB Opinion No. 13 (Brazil, 2012a) and



Resolution No. 5 (Brazil, 2012b) converge in the PNEE (Brazil, 2020) toward legal weakening due to fragmentary superficiality, with legal determinants lacking specific clarification for each support practice, urgently requiring a thorough in-depth analysis of Specialized Educational Assistance (AEE). It is necessary to condense the pedagogical experiences, AEE support staff, the school community in general, etc., consolidating the normative orders.

In the third contradiction, the RCNEI (Brazil, 1998) failed to address disabilities in indigenous schools, using a political-pedagogical framework that was limited even for its time and is now quite outdated and in need of reformulation in line with contemporary experiences in indigenous schools (Novak; Mileski; Andrioli, 2013). The new national political-pedagogical framework could contextualize current issues, such as accessibility, welcoming strategies, facilitating means, and assistive technological resources. Omission, weakening, and outdatedness corroborate the denial of the demands for Specialized Educational Services in indigenous schools stemming from advanced, yet insufficient and ambiguous, legislation.

Discussion with empirical data on the political-normative organization at SEDUC/PE

To discuss the state's political and normative organization, we mapped the territorial distribution of schools and the number of Indigenous students with disabilities in the Pernambuco Education Information System (SIEPE, base year 2024) records compiled by the Pernambuco State Department of Education and Sports (SEDUC/PE). Indigenous schools are located in villages in municipalities in the interior (agreste and sertão) of this state

The data indicated 160 indigenous schools in Pernambuco, distributed in the ethnically recognized⁶ territories of the thirteen peoples, namely Atikum, Fulni-ô, Kambiwá, Kapinawá, Pankaiwka, Pankará, Pankararu, Pankararu (Entre Serras), Pipipã, Truká, Tuxá, Xukuru (de Cimbres) and Xukuru do Ororubá. Among all the classes of general subjects (regular education) and diversified classes



(only with indigenous themes), there was a total of 15,887 enrolled students, with 148 indigenous students with disabilities according to the medical report⁷.

SEDUC/PE organized these Indigenous schools into two collaborative bodies: the Superintendence of Indigenous Educational Policies (SUPIN) and the Indigenous School Education Management (GEEIN). SUPIN is responsible for developing school education policies in Pernambuco's Indigenous territories, while GEEIN is responsible for supervising and supporting the pedagogical practices of Pernambuco's Indigenous peoples. This body also works more directly with Indigenous leaders, currently under the leadership of Chief Valdemir Lisboa Pipipã, in agreement with the Commission of Indigenous Teachers of Pernambuco (COPIPE).

It is important to emphasize that the legal representation of Indigenous teachers in Pernambuco does not lie solely with COPIPE, as COPIPE represents them politically through demands made by state and national authorities. Each indigenous group has autonomy with its own pedagogical council to resolve local schooling issues in their villages. When this is not a school council for each school, it is a school council for each indigenous group. For example, the Xukuru people of Ororubá (Pesqueira and Poçoão) are coordinated by the Xukuru Teachers' Council of Ororubá (COPIXO) and represented at the state level by COPIPE. Thus, the organization of Indigenous schools in the state of Pernambuco has been organized by SUPIN and GEEIN, with oversight by the pedagogical leaders of Indigenous peoples, that is, COPIPE.

However, SEDUC/PE and the Superintendence of Special and Inclusive Education lacked a dedicated coordination team to address the specific issues of Indigenous School Education from a Special and Inclusive Perspective, which confirms our documentary analysis above, questioning an omitted, weakened, and outdated legislation. This results in the same legal requirements for non-Indigenous schools being imposed on the education of Indigenous students with disabilities. This is a contradiction when there are different cultures and the often conflict between Indigenous polysemy (universes of meanings,



values, and beliefs according to ancestry and history of contact with colonial invaders) and the comprehensive, homogeneous national culture. Therefore, legal homogenization interferes with political and pedagogical issues.

Political issues stemmed from legal uncertainty due to excessive legal detail and the slow reformulation of Brazilian laws. Excessive legal detail does not accept legislation without a comprehensive definition to meet a social demand, such as the AEE in Indigenous schools, as Brazilian law is only truly valid when it is thoroughly detailed, exhausting all possibilities for counteraction.

A poorly formulated law (often drafted by people who do not belong to the group benefiting from this policy), fragmented, and lacking a place in contemporary society, creates loopholes for the denial of rights, such as the major gaps in the Statute of Persons with Disabilities (2015), the political-pedagogical framework RCNEI (Brazil, 1998), and in the laws governing the Stateization of schools under the responsibility of state governments, such as National Congress Opinion No. 14 (Brazil, 1999), PNEE (Brazil, 2020), and State Decree No. 24,628 (Pernambuco, 2002). We believe that if the national legal document already has such absences, then state guidelines are unlikely to fill them.

These legal absences could be explained by the disproportionate influence of political actors. Political actors exerted disproportionate influence in the development of Brazilian laws under the hegemony of groups with kinship or financial ties to the country's agribusiness elites. These groups of legislators influence the organization of the legislative branch, with the majority of representatives and senators interested in land ownership and the abolition of Indigenous rights. They also employ other strategies, such as the deployment of costly legal apparatus (offices with dozens of experienced and qualified lawyers) for the swift support of judges, appellate judges, etc.

Therefore, a democratic image exists, portraying the defense of citizenship, of the Brazilian legislative branch, composed of the Federal Senate, the Chamber of Deputies, and the State Legislative Assemblies, in the



development of egalitarian laws for the people. In reality, the three legislative houses harbored conflicting interests meticulously constructed to facilitate the accumulation of wealth based on the expropriation of Indigenous people's right to education in their territories. For example, the legislators' strategy was to use a timeframe to undo the ethnic recognition of all Indigenous territories established after the Federal Constitution (2016). The approval of the timeframe, so far, has not materialized due to pressure from the Indigenous movement for the right to land and ethnic learning in these territories.

In a situation of criminalization, we allude to the criminal case won by Chief Marcos Liedson Xukuru for defending the territorial and educational rights of his people against an invasion by landowners, in which they even fabricated a serious offense and hired eighteen lawyers to sentence him to prison⁸.

The strong presence of coloniality denies the rights of Indigenous school organizations, which manipulate the legal framework, often favoring hegemonic groups. Contextualizing the analytical categories of Patzi (1999), Feitosa (2017), and Tubino (2005), Brazil, like other Latin American states, devalues Indigenous rights and imposes patterns of exclusion, racism, ableism, and other types of prejudice through the actions of hegemonic groups, devaluing intercultural education.

This has weakened, and continues to weaken, the guarantees of pedagogical inclusion for Indigenous students with disabilities. This makes it difficult to break down the barriers of poverty for those living in rural areas with the challenges of intellectual, physical, or motor limitations.

An adapted school bus, a ramp in front of the school, and a spacious classroom for wheelchair users alone do not meet the needs of the Special Education Program (SEA). Furthermore, we encounter the problem of having a support professional from outside the Indigenous territory as a challenge to differentiated and inclusive learning.

For effective inclusive school practices, the SEA team must be Indigenous people, understanding the needs that transcend community life, rather than



outsiders, alien to traditions. The Indigenous SEA professional recognizes the limitations of materials and accessibility. This experience of the SEA professional in the village facilitates the welcoming and bonding between the school and families of Indigenous students with disabilities, considering their own learning rhythms and styles.

As an example of the interaction with indigenous students with Oppositional Defiant Disorder (ODD) and Autism Spectrum Disorder (ASD), AEE support must include them in their own time and sociability conditions in collective activities, mediating situations of introspection and aggressiveness of these syndromes.

The Individualized Teaching Plan (PEI) needs to be properly constructed among the priorities of the Political-Pedagogical Projects of each indigenous people⁹. The development of the PEI must begin at the school and be developed jointly by the school community and the entire village, with participants including the deserving teachers, coordinators, family members, and the students themselves. In this context, teaching planning must include assistive techniques aimed at developing inclusive teaching materials, such as strategies for the oral transmission of culture as verbalized by elders. Indigenous translators must be supported in translating for the deaf, using signs conveyed in the symbology of ancestral languages adapted from Brazilian Sign Language (LIBRAS). The same applies to Braille printing for the visually impaired, not only reproducing Portuguese but also providing audio descriptions in the Indigenous language.

From an intercultural perspective, Indigenous teachers require ongoing training, articulating the dialogue between traditional content and the surrounding society. Indigenous teachers need to develop teaching strategies and materials within these training programs to open new paths for inclusion, critical thinking, and the affirmation of ethnic identity.

Our proposal is to reinforce legal provisions in accordance with the practices of Indigenous pedagogical contexts and to include specific requirements for the new Statute of Indigenous Social Organizations. These legal insertions should



concentrate on legal elements that strengthen regulations in a detailed manner and grounded in the Special Education Program (SEA), through pluralistic and intercultural dialogue between Indigenous students with disabilities and the federal and state governments, strengthening Indigenous School Education from a Special and Inclusive Perspective.

Final considerations

The legal accountability of the Secretary of Education and Sports of the State of Pernambuco was lacking due to a legal vacuum amidst conflicting interests. The political interests of hegemonic groups override the autonomous regulations necessary for Specialized Educational Services. Thus, elites—that is, what we consider groups of people alien to Indigenous culture—imposed their standards on the education system, accumulating power and interfering with colonialism in an interculturally dysfunctional and monocratic education system.

To overcome this situation, the organization of strategies and action plans opens paths to confront the challenges of Specialized Educational Services in a differentiated manner, defending accessibility, participation, and self-recognition as Indigenous students with disabilities.

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Endnotes

- ¹ The right to education was a struggle of Brazilian Indigenous peoples for many years, especially after Brazil's redemocratization in the 1980s. At that time, Indigenous leaders mobilized to create schools in their territories to preserve their traditional culture, values, and beliefs—an epistemic struggle, considering the act of teaching as a political action, in Paulo Freire's inseparable vision. Indigenous peoples desired to build their autonomy in a differentiated, specific, and intercultural school to strengthen their ethnic identity. This allowed students to engage in dialogue with their elders in the construction and generational preservation of knowledge, as well as in the struggle for Indigenous citizenship (Silva, 2022).
- ² We understand decoloniality as the starting point for understanding the profound social and political inequalities in Latin America since the colonial invasions. The hegemony imposed by colonial elites was constructed as subordination to patterns of power within educational policies, reproducing control over ethnic identity, episteme, and ideas within the teaching process. The decolonial perspective recognized that coloniality was a strategy to nullify socio-political organization and demean insurgent cultures to colonial control. Catherine Walsh (2013) considers decoloniality as the epistemic deconstruction of coloniality through resistance and the gathering of insurgent leaders demanding their own specific and inclusive pedagogical methods.



- ³ Interculturality is a category born from the practices of Indigenous schools; it signifies the exchange between cultures and the recognition of the other's culture, a dialogue constructed between different epistemic horizons, between the hegemonic culture and Indigenous cultures. In the sense of critical interculturality, Indigenous learners acquire literacy in their own language and in the national language (bilingualism), general political history and the history of their people, the social organization of other social sectors and their own, etc. The importance of learning with their peoples demanded the presence of pedagogical agents such as Indigenous teachers and leaders coordinating the schools themselves; in this way, intercultural education sought to undo prejudices and recognize the strength of the ethnic identity of Indigenous peoples on a path toward autonomy (Candau, 2013).
- ⁴ "Social asymmetry and cultural discrimination make authentic intercultural dialogue unfeasible. Therefore, one should not start with dialogue, but rather with the question for the conditions of dialogue" (our translation).
- ⁵ Two undergraduate courses dedicated to Special and Inclusive Education were located at the Federal University of Santa Maria (UFSM) and the Federal University of São Carlos (UFSCar). For this topic, specialization courses prevailed, such as those at the Federal University of Paraíba (UFPB), the Federal Institute of Roraima (IFRR), etc.
- ⁶ We draw attention to the fact that the Indigenous peoples of the North, Central-West, or South of Brazil should not be confused with the Indigenous peoples of the Northeast. This is because, for the most part, the Indigenous peoples of the Northeast are not distinguished by color or physical appearance from the non-Indigenous sertanejo populations, due to reasons of racial miscegenation, being quite integrated into the national society. They are distinguishable only by history and cultural resistance.
- ⁷ The School Census data were updated with the reference date of May 29, 2024, and uploaded to the electronic platforms of the National Institute of Educational Research (INEP). These data were kindly provided by technical professor Daniely Marinho of SUPIN/GEEIN.
- ⁸ It's worth noting that his father, Chief Xikão Xukuru, was taken from this world by the violent actions of ranchers intent on seizing the fertile lands of the Serra do Ororubá (Pesqueira and Poção, Pernambuco). Chief Xikão Xukuru was captivated and became a major symbol of the struggle for the right to affirm ethnic identity in schools in Pernambuco's Indigenous territories. His son escaped assassination attempts, having to seek refuge in Europe for several years. In 2005, he was accused of ordering the destruction of the property of a rancher invading the interior of the Xukuru territory, even though the chief was a refugee in Europe and had no means to do so at the time. The current chief, Marcos Liedson Xukuru, attempted to be elected mayor, but since the process was still ongoing in the first election, the eighteen lawyers hired by the ranchers filed a lawsuit to revoke his mandate. Thus, once elected, he was unable to take office. In the 2024 municipal election, he was already acquitted of the process and was able to run and took office as the first indigenous mayor in the history of the State of Pernambuco.



- ⁹ Each Indigenous people in Pernambuco has its own Political Pedagogical Project (PPP). In other words, the Xukuru people have a single PPP for their entire people. Meanwhile, the Pankararu have a PPP different from that of the neighboring Pankararu (Entre Serras) people.



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