


## EDUCATION AND GUARANTEE OF RIGHTS: THE STRATEGIC PARTNERSHIP BETWEEN SCHOOL AND GUARDIANSHIP COUNCIL

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### ABSTRACT

This study explores the interface between the Guardianship Council (TC) and the schools, focusing on their limits and potentialities. The research was centered on the TC of the municipality of Ouro Preto do Oeste, Rondônia, covering the period from 2001 to 2007. Methodologically, the study combined a bibliographic and documentary review with the analysis of federal and municipal legislation. The empirical field was constructed through semi-structured interviews and the analysis of minutes of administrative meetings and cases attended by the TC. The results revealed that the interaction between TC and schools tends to be complementary. However, this relationship can benefit from structural improvements in TCs and more efficient interinstitutional communication, enhancing its positive impact on educational communities.

**Keywords:** Educational Policy. Tutelary Council of the Municipality of Ouro Preto do Oeste. Basic Education. Institutional Intercommunication.

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## INTRODUCTION

The discussion about the interface between the Guardianship Council and schools has become increasingly urgent due to the challenges faced in the implementation of the rights of children and adolescents in Brazil. Understanding this dynamic is a challenging mission, which involves facing various questions, however, without losing focus on the indicated object, nor embarking on each fork that presents itself.

In this context, the present study has the following specific objectives:

Identify the main factors that facilitate or hinder collaboration between the Guardianship Council and schools.

Analyze how this collaboration impacts the guarantee of the educational rights of children and adolescents.

Propose strategies to strengthen communication and integration between these institutions aiming at a more pronounced positive impact on communities.

The research is contextualized in a scenario where the protection of children's rights is fundamental, but often faces structural and operational barriers. In the municipality of Ouro Preto do Oeste, the implementation of these rights through interactions between TC and schools provides a unique perspective, as it reflects the challenges and opportunities of regions with developing educational infrastructures. Thus, investigating this interface not only contributes to the enhancement of local practices, but also offers valuable insights that can inform policy and practice in similar contexts across the country.

The CT is the municipal, permanent and autonomous, non-jurisdictional public body, responsible for supervising and ensuring compliance with the rights of children and adolescents. It was created by the Statute of the Child and Adolescent (ECA), Law 8069/90, which defined its attributions (article 136), competence (article 138) and selection procedure (article 139) and, thus, regulated articles 227 to 229 of the Federal Constitution (FC) of 1988.

The ECA establishes that in each municipality there must be at least one TC, and this body is composed of five guardianship councilors, chosen by the local community for a four-year term, with reappointment allowed by new selection processes (Law 13.824/2019), and to apply the interested party must meet some requirements: recognized moral suitability, age over 21 (twenty-one) years and residence in the municipality.

As a reference for the empirical research, the TC of Ouro Preto do Oeste/Rondônia was chosen and this choice is justified because, in the context of Rondônia, Ouro Preto do Oeste was one of the first municipalities to install the TC. From its initial milestone in the

municipality to the final year used as a time frame for research, there were five compositions of guardianship councilors, three of them in the research period of this work. The first composition had a mandate in the period of 1998/2000, the second in 2001/2003, the third in 2004/2006, the fourth in 2007/2009 and the fifth in 2010/2012, and at the time the term was 3 years.

It was identified that the guardianship counselors of this municipality in the period researched were quite dynamic, participating as students in various improvement courses, as well as giving lectures in schools at local events and, sometimes, in neighboring cities. In addition, the high number of renewals in recent years drew attention, which points to supposed satisfaction on the part of the community and the School due to the satisfactory performance of their activities.

We started from a supposition: these facts are indications of an eventual and appropriate interface between TC and School. This proved to be instigating and important for triggering the research, which demonstrates its social relevance. Thus, would this supposed interface be a reality in the CT of Ouro Preto do Oeste or just a mere appearance? If an interface is verified, would it be intentional or unintentional? What is the consequence of this interface for the School and society?

In order to seek answers to these questions and for these unique and differentiating characteristics, this research was developed in the city of Ouro Preto do Oeste, exploring the northern regionality and elaborating dialogue with other research on the TC.

The work was carried out through historical-bibliographic research, as well as empirical research, through documentary analysis, interviews and the legislation pertinent to the TC.

The bibliographic research was carried out from December 2005 to September 2008. The empirical research was divided into documentary and interviews. The documentary research (minutes, graphs, tables, charts, letters, statistics filed in the TC, as well as municipal legislation) took place from June 2006 to September 2008. The interviews were conducted from October 2007 to September 2008.

During the course of this study, 86 minutes of the Council meetings from 2001 to 2007 were analyzed. During this period, the Council had two internal regulations, among other municipal legislation regarding the policy of the rights of children and adolescents. The interviews were typed, trying to keep the speech of the interviewed guardianship counselor as close as possible to the real style of the language used at the time of the interview.

The interviewees were not identified, referring to them only by a guardianship counselor followed by a letter to differentiate the various answers as being from different people. The interviewed counselors signed an authorization term allowing the use of the interviews for scientific purposes, as long as the confidentiality of personal information was maintained.

Seven guardianship councilors were interviewed, six women and one man, that is, 100% of the 4th composition, plus the alternate guardianship councilor, since during the current interviews, on several occasions, due to the removal of the full members, the latter also assumed the position.

Although most of the interviews were conducted with the members of the 4th composition, it also allowed a view of the components of the 2nd and 3rd composition, as two of the counselors of the 4th composition also worked in the 2nd and 3rd composition. Two other councilors from the 4th composition also served in the 3rd composition. In all four cases, there was participation as a full member and as an alternate, with full and partial terms. The only reason members of the 1st composition were not interviewed, because they were not part of the period covered by this research and these councilors no longer lived in the municipality.

The selection process of these councilors took place through a choice called by the Municipal Council for the Rights of Children and Adolescents (CMDCA), and the candidacy was indicated by non-governmental entities. They were chosen in an election with supervision by a representative of the Public Prosecutor's Office and the people with the right to vote were the CMDCA, non-governmental organizations and groups constituted at least one year ago, which included in their objectives the defense, protection and assistance and/or care of children and adolescents, which could appoint up to ten (10) delegates each.

Through the interviews, the form of work developed was examined, outlining the panorama of the difficulties and situations of threat and violation of the rights of children and adolescents brought to the Council. In addition, the limitations and possibilities of the TC in the performance of the interface with the School and possible consequences were investigated.

## **THEORETICAL FRAMEWORK**

The theoretical framework of this study provides a foundation for understanding the complex interactions between the Guardianship Council (TC) and schools, a critical junction

in ensuring the rights of children and adolescents in Brazil. The reviewed literature addresses both the legal responsibilities and attributions of the TC, as well as the dynamics of its collaboration with local educational institutions. This study focuses on the potential of this interaction to positively influence coping with significant educational challenges, such as school dropout.

Initially, the legal scope of the Guardianship Council's attributions will be discussed, with emphasis on how these responsibilities are specifically interconnected with the performance in schools. Then, the strategies and the role of TC in combating the worrying phenomenon of school dropout will be examined, highlighting the successes and challenges faced in this mission. The last part of the theoretical framework explores the limits and possibilities of this relationship, reflecting on the potential impact and multiple facets of this essential partnership for children's social and educational development. Through this panorama, it seeks not only to describe the current situation, but also to point out ways to improve this crucial articulation for the benefit of the holistic development of children and adolescents.

## DUTIES OF THE GUARDIANSHIP COUNCIL: LEGAL SCOPE AND RELATIONS WITH THE SCHOOL

To the extent that the attributes conferred by the Law to the TC are studied, whose competence is to ensure the fulfillment of the rights of children and adolescents defined in the ECA, the interface between TC and School is evidenced, which is pointed out in the interviews with the guardianship counselors of the municipality of Ouro Preto do Oeste, signaling an interconnection between Education and Guarantee of Rights provided by the strategic partnership between School and Guardianship Council.

This reflection allows us to analyze the subject of attributes from the perspective of the researched interface. Preliminarily, it can be said that the TC has a posture of listening, guidance, counseling and referral, so that, if there is a child or adolescent in a situation of personal and social risk, the TC is the body indicated to provide initial care.

Weighing the provisions of the ECA, it can be seen that the TC has attributions of a nature: a) instrumental (refers to the means necessary to achieve the purposes for which it is intended, observed in the verbs request, represent, notify and forward provided for in article 136 of the ECA); b) institutional (refers to the existential purpose of the body).

It is observed that article 136 of the ECA expressly establishes the attributions of the TC, some of which are directly related to the School and others indirectly. In addition, the

attributions of the TC can also be inferred from other provisions of the ECA, especially in articles 95, 131, 191 and 194.

In the course of this research, it was found that the Internal Regulations of the TC of Ouro Preto do Oeste, in force in the time frame listed for the research, in article 6, practically transcribed article 136 of the ECA, demonstrating total harmony with the national legislation.

The ECA conferred several attributions on the councilors, investing them with great power and responsibility as representatives of the community, interestingly migrating the approach to children and adolescents from the national to the municipal level.

Abranches (2003, p.94), also observing the issue, argues that:

With the advent of municipalization, the democratic space is possible and the power of decision on the direction of education could be installed close to the community, which allowed an opening for the participation of all social segments involved with the school in discussions about public education.

According to Konzen's scholia (2000, p.172), observing the core of the verb of each provision of article 136, the TC has the attribution of: a) attending; b) to apply measures; c) to execute its decisions; d) to advise; e) provide; f) to supervise; g) to request, h) to represent; i) notify and j) forward.

Without focusing on exhausting each verb and its attribution, only some of these detected in the statements of the interviewed counselors will be mentioned electively, as follows.

As for the *attribution of attending* (letter "a") there is no previously stipulated procedure for this purpose, which implies the need for municipal legislation that regulates the federal law (ECA), and it is only up to the Council to attend to the child and adolescent and their parents or guardian in the cases provided for in articles 98 and 105 of the ECA. In this service, the protection measures do not have the character of retribution/punishment.

Only the child who has committed an infraction is excluded from this service, since in this case the responsibility will be of the Child and Youth Court. If someone prevents the performance of this attribute from complying, he may be liable for a criminal offense provided for in article 236 of the ECA.

Resorting to interviews with the guardianship councilors, it is observed that this attribution is carried out in federal and municipal legislation.

Our Internal Regulations also talk about the attributions that are in the ECA, so there is no secret, the counselor has to comply with what is in the two laws. In the service we have the support of the other counselors and also the secretary who facilitates things in the administrative part. For this service we use one of the five offices because most cases need confidentiality and there has to be a more private area. Most of the time, when I do care, I give advice, talk a lot and realize that it helps a lot, sometimes it even solves the problem. Service is very important. (interview with guardianship counselor B)

The *attribution of applying measures* evidences the interface between the TC and the School, since these measures, as already mentioned above, do not have a retributive character, but aim to enforce the rights of children and adolescents, among other things, to inclusion in the School.

The measures that can be applied are those disciplined in articles 101, I to VII and 129, I to VII of the ECA, and refer to the child or adolescent in a situation of special protection or to the parents or guardian (e.g. guardian or guardian).

The measure is applied unilaterally, and it is mandatory for the addressee, who in case of disagreement must request judicial review. In case of non-compliance with the measure, the recipient will incur in the practice of an administrative infraction (articles 136, III, "b", 194 and 249 of the ECA), therefore, the recipient may disagree with the measure applied, but not fail to comply with it.

Again resorting to the interviews, the materialization of this attribution is evidenced, as shown in the following report:

You know, the Council can apply measures such as placing the child in the home of a substitute family or in a shelter, also providing for enrollment in school, including in some government program, among other things, depending on the case. (interview with guardianship counselor G)

In *the attribution of executing its decisions*, the TC enjoys functional autonomy to execute the protection measures (articles 101, I to VII and 129, I to VII of the ECA), which is also touched on in the statement of the interviewed counselor:

The Council applies these measures and that's it. If you do not agree, you have to appeal to the judge of childhood. You don't have to keep asking one or the other if you can do it or not. As it is, it is already difficult to enforce the rights of children and adolescents, imagine if you have to keep asking for authorization? (interview with guardianship counselor G)

The TC also has the decentralized *attribution of inspecting* governmental and non-governmental entities (article 90 of the ECA), aimed at complying with the measures applied to children or adolescents and also their parents or guardians.

Furthermore, in the execution of its decisions (article 136, III, "a" of the ECA), the TC has the *attribution of requesting* public services in the areas of education, health, social service, social security, labor and security. This authorized request is the one intended to benefit the child or adolescent, their parents or guardian. The requisition consists of officially demanding something or the execution of a certain act. It is an order and not a simple request, and in case of non-compliance there may be liability for the crime of disobedience, provided for in article 330 of the Penal Code.

The *attribution of notifying* (article 136, VII ECA) and the *attribution of forwarding* (article 136, IV) enable the TC to fulfill its role.

There are many cases of *notification*, just look at our activity report. Depending on the situation, you have to notify so that something can be done and this reinforces our conversations and advice that are given to children, adolescents and also to parents. Now, there are other times that the situation has to be resolved by the Public Prosecutor's Office, the Police, the Forum, then everything is *sent* there because it causes something against children and adolescents. These bodies do their part and we do our part by guiding, accompanying, talking to these young people so that they are better citizens in the future, it is better for them and better for the whole city. Too bad it's not always that everything ends well. (interview with guardianship counselor E)

Notification is an instrument of official communication between the public authority and the citizen, aiming to warn the notified citizen in the legal form so that he does something or is aware of a decision. The referral is made in the exercise of public function when it is an administrative or criminal infraction against the rights of the child or adolescent. Both are verified in the interview above and, together with the other attributions, form an instrumental support for the exercise of the TC functions that are directly or indirectly related to the School in some aspects, as pointed out.

## THE GUARDIANSHIP COUNCIL AND ITS INTERFACE WITH THE SCHOOL: FACING SCHOOL DROPOUT

Reflection on the dynamics between TC and School implies understanding what the Brazilian legislation provides for the common field of action of both and the purpose of this interface.

In order for the rights of children and adolescents pertinent to education to be effective, there must be a joint action of parents or guardians, school, TC and society in general. Corroborating this understanding, Konzen (2000, p.160) argues that:

The exercise of the right to education of children and adolescents also cannot dispense with the organization and functioning of the TC, a structural change introduced by the Statute of the Child and Adolescent and the main phenomenon of rupture with the care system in force until then in Brazil.

It is from this perspective that TC and School present their direct interface, and under the terms of article 53 of the ECA they are linked in the following aspects:

- 1) Every child and adolescent has the right to education, aiming at the full development of his or her person, and equal conditions for access to and permanence in school must be ensured;
- 2) Every child and adolescent must be respected by their educators and has the right to contest evaluation criteria, being able to appeal to higher school instances;
- 3) They also have the right to organize and participate in student organizations, as well as to have access to free public school near their residence;
- 4) It is the duty of the State to ensure children and adolescents: a) compulsory and free elementary education, including for those who did not have access to it at the appropriate age, b) progressive extension of compulsory and free secondary education, c) specialized educational assistance to the disabled, preferably in the regular school system; d) daycare and preschool attendance for children from 0 (zero) to 5 (five) years of age (Constitutional Amendment 53/2006), e) access to the highest levels of education, research and artistic creation, according to the capacity of each one, f) provision of regular night education, appropriate to the conditions of adolescent workers and g) attendance in elementary school, through supplementary programs of didactic and school material, transportation, food and health care;
- 5) The leaders of elementary schools shall report to the TC the cases of: a) mistreatment involving their students, b) repetition of unjustifiable absences and school dropout, after exhaustion of school resources and c) high levels of repetition.

Thus, the TC and the School must be strong allies in the fulfillment of public educational policies. It should be noted that the legislation establishes the Council's action from the moment the School exhausts the available resources to solve unjustifiable absences and school dropout, seeking to enforce the right to education.

In 2005, conducting a sample survey, the IBGE verified the schooling rate of children aged 5 to 6 years, 7 to 14 years, and 15 to 17 years, and in the three ranges analyzed, the northern region (where the State of Rondônia and the municipality of Ouro Preto do Oeste

are located) was below the national average. which is justifiable by the current stage of development in which the region is, since, because Rondônia is a relatively new state, there is still no educational structure of places with older colonization.

These data are related to the research presented, as they portray the shortcomings regarding education and are confirmed by the interviews with the guardianship counselors, who experience in practice the problems arising from the lack of schooling.

The following data illustrate the data mentioned above and serve as a parameter for a general analysis of the educational aspects of children and adolescents in the state.

According to the National Household Sample Survey (PNAD), in 2005 Brazil had approximately 6.7 million children between 5 and 6 years of age, a group in which the schooling rate was 81.5%, which means that 5.4 million were students.

In the age group between 7 and 14 years old, it is possible to notice that the schooling rate is higher than in the previous group, since more than 97% of children and adolescents are students. In addition, all regions of the country have schooling rates above 95%, which is a very positive fact, since it demonstrates a certain equality in the provision of education in the various regions of the country, despite the northern region being the last in this aspect.

Finally, of the 10.6 million adolescents aged 15 to 17 in Brazil, 81.7% are students, which totals more than 8.7 million students. The Northeast has the highest rate among the regions, with 84.6%, corresponding to 2.6 million young students in this age group, the North Region, on the contrary, had the lowest schooling rate, with 77.9%, which, in absolute numbers, represents 718 thousand students.

Responding to the interview with regard to the question "what issues are most discussed by the TC?", the counselors highlight as one of the predominant ones what they classified as misconduct, among them cases of children and adolescents who do not want to study, which makes it even more difficult to combat the low schooling rate.

The following statements illustrate this issue.

[...] second is the deviation of conduct, those children and adolescents who do not want to go to school, disobey their parents, live in prostitution and etc.; third, physical aggression; fourth, sexual violence, not because there are few cases, but because it is usually between relatives and therefore does not come to the attention of the Council. (interview with guardianship counselor "E")

Among the most discussed issues are school dropouts, misconduct and family conflicts. The terms of declarations are collected and, subsequently, if applicable, it is endorsed. The minutes refer to the acts performed during the sessions. In the sessions, the procedures for referendum are placed. [...] In addition to those activities provided for by law, applying protection measures, aiming at the well-being

of children and adolescents, the counselors here distribute pamphlets, hold lectures and clarify the rights and duties of the citizen. [...] The work performed consists of collecting statements from parents, relatives, guardians and others; interview adolescents and apply the protection measures provided for in article 136 of the ECA; [...] visits, follow-ups, inspection visits and referral of children and adolescents were carried out. (interview with guardianship counselor "D")

This low schooling rate in the northern region can be addressed with the help of the CT, which is composed of members of society elected to act in cases of threats and violations of the rights of children and adolescents. It is nothing more than society collaborating with the State and the family in encouraging the education of children and adolescents.

In fact, relying on the Council for this purpose is in line with article 205 of the Federal Constitution, which provides:

Education, a right of all and a duty of the State and of the family, will be promoted and encouraged with the collaboration of society, aiming at the full development of the person, his preparation for the exercise of citizenship and his qualification for work.

The interviews showed that there has been success in this attempt in the CT of Ouro Preto do Oeste. There is no quantification of the number of children and adolescents who returned to school after the Council's action, however, even if only one case had occurred, it would already be worthy of mention, although a broad action would be more desirable in order to reach the largest number of cases.

In the interview with the current composition, the following answer was obtained regarding the work performed:

There have been people who said that after they talked to me they decided to study, today they like their family and accepted to go to the psychologist. I am aware that these practices are educational and have improved the family and my city. As for the counselors in general, we hold lectures in schools (we take information on rights and duties), however, there are education professionals, you know, some principals, who do not like the Council to work in this way, because sometimes they are acting outside the parameters and do not like to be charged, but the good thing is that this is an exception. Most of the time the principals themselves, teachers call the counselors because it is important. Sometimes, we work with adolescents who are considered problematic, but then we see that parents are the biggest problems. When we help adolescents we are preventing problems and helping people to have a better life, avoiding future major problems for justice, police, school, family and society in general, including for the people involved. Often the population does not know how to solve problems due to lack of information and we counselors act in the cases, helping to educate. In most cases there is a lack of conversation and dialogue, People want to raise their children as in the past and the counselor also acts as an educator in this situation. (interview with guardianship counselor "E")

This position is not isolated, since other guardianship councilors have also expressed themselves in the same sense. Presenting his point of view, another guardianship counselor pointed out that:

Almost every time I'm acting I give guidance, accompaniment and advice to the teenagers because I think they understand it well. This is no longer so common with children, but it also occurs. I think this is an educational practice and helps with the issue of citizenship, because many young people are receptive to dialogue. There are several cases of adolescents who do not want to study and often a conversation, a follow-up with the adolescent and the family end up contributing to him changing his mind. (interview with guardianship counselor "C")

The performance of the function of guardianship counselor, as long as it is exercised with social commitment, is an effective instrument to reduce the low schooling rate in the northern region, as extracted from the interviews above.

In addition, the interviews also demonstrate that the activity of the counselors is guided by the idea of preventing future problems and, simultaneously, educating children and adolescents, not being carried out only with the intention of remedying the present situation.

#### SCHOOL AND GUARDIANSHIP COUNCIL (TC): LIMITS AND POSSIBILITIES

Contemporary society has been disturbed by the search for greater organization to solve problems. The link that permeates School and TC is the perfect scenario to put these limits and possibilities in check due to the multifaceted reflexes of problems involving children and adolescents.

Although at first it seems that the School and the CT would not need to maintain any contact, such an assertion does not hold, since the two together can solve a series of problems, which would hardly be solved without mutual help, among them school dropout, which is more worrying every day due to the negative consequences it generates.

Osório (1999, p.39-45) and Suguihiro (1999, p.67-70) incisively emphasize that, *within the walls*, teachers question the relationship between TCs and the School and what both can do in relation to the rights and duties, for example, of the agents involved in situations of infraction.

The correlative line that unites them is tenuous, as the ECA did not fully discipline the hypothesis. However, it should not be forgotten that the CT is a body that has the duty to ensure respect for the rights of children and adolescents, without, however, becoming a kind of family or school police, as some want.

It should be noted that several authors, among others Konzen (2000, p.185) and Cyrino (2000, p.279), discuss the function of the TC and its respective relationship with the School through their counselors. However, in spite of the deliberate positive intention of the TC, the truth is that the body, in most cases, is deprived of the necessary resources to satisfy the growing demand, so it must be articulated with the other social segments, especially the School in the perspective that is investigated in this work.

In the same direction, Schools and their teachers should be encouraged to participate in the instances of discussion and deliberation that have been taking place *outside the wall*. The peculiar way of the relations between TC and School should be discussed, taking advantage of the possibilities of complementation. With regard to this aspect, some Federation Units have focused more on this issue and, as an example of this, the State of São Paulo mentions the activities of the type of round tables promoted by the Avizinhar Program and the School of Application of the Faculty of Education of USP.

Another example is the State of Mato Grosso, which develops the project "State Reference School in School Management", through the State Department of Education (SEDUC), delivering diplomas, as well as a kit of pedagogical materials to the winning schools that fully meet the criteria of the Award.

The winning schools represent the State of Mato Grosso in the "National Reference Award in School Management", which is another excellent initiative, promoted by the National Council of State Secretaries of Education (CONSED), the United Nations Educational Scientific and Cultural Organization (UNESCO), the Roberto Marinho Foundation and Secretariats of Education throughout Brazil.

The CT participates in these projects, given that a School in Araputanga/MT was chosen among 2,909 schools, from 27 Brazilian states, thanks to a project in conjunction with the city's CT, involving parents and teachers, since all those involved worked to combat dropout, which was decisive for the achievement of the aforementioned Award.

Due to the participation of the TC, working with the population of the periphery and rural area, in the last three years of the time frame of this research, according to information from the "Dr. Joaquim Augusto Costa Marques" School, it stopped losing students (SEDUC/MT and MEC websites).

There is also another program to combat school dropout that has the work of the CT, showing the possibilities in its interface with the School. This is the APÓIA program, which is a partnership action between the Judiciary, the Attorney General's Office - General Coordination of the Prosecutor's Office for Children and Adolescents, the State Secretariat

for Education and Sports, the Secretariat for Economic Law (SED), the National Union of Municipal Directors (UNDIME), the Santa Catarina Federation of Municipalities (FECAM), the Union of Private Educational Establishments (SINEPE), CTs, Santa Catarina Association of Guardianship Counselors (ACCT) and other supporters.

It is clarified that it is an initial program, inserted in a general plan called Justice in Education, influenced by courses that have been promoted in Brazil, in an agreement between the Brazilian Association of Magistrates and Prosecutors of Justice for Children and Youth (ABMP) and the Ministry of Education/School Strengthening Fund (MEC/FUNDESCOLA).

The purpose of the APÓIA Project is to ensure the permanence in school of children and adolescents aged 7 to 18 years, aiming at the completion of Elementary School. APÓIA also encourages the return to school of children and adolescents in this age group, who have dropped out of formal education.

The participation of the TC is justified to the extent that the reasons for dropping out are both *intrinsic* and *extrinsic* to the School. The APÓIA Project aims at an intense reflection and consequent action of the school community in relation to the lack of attendance and dropout, violence (mistreatment), school failure (repetition), inaccessibility and difficulties with students involved in infractions, which once again highlights the productive correlation between TC and School.

The CT, in this project, acts in an integrated and interinstitutional way to support the student who does not attend class, as well as his family. The integrated and interinstitutional action is due to the fact that the TC works together with the Child Justice Prosecutor (FC, articles 21, 129, II and 201, VIII), Municipal Secretary of Education, Regional Coordinator of Education, among other institutions.

In the State of Santa Catarina, the APÓIA project has been developed as follows: a standardized form called "notice for student non-attendance" was developed, which is filled out by the teacher when there is a repetition of absences and sent to the School Board and by the latter to the CT. The latter body is trying to resolve the issue. If not, the situation is forwarded to the Child Promoter. So far, it has been found that the form facilitates the monitoring of the program and is an important tool for the formulation of public policies.

In Ouro Preto do Oeste/RO, there has also been complementary action by the CT and School, although it is not unanimous. Note the answer given by one of the counselors expressing himself about the practice developed:

As for the counselors in general, we hold lectures in the Schools (we take information on rights and duties), however, there are education professionals, you know some principals, who do not like the Council to work in this way, because sometimes they are acting outside the parameters and do not like to be charged, but the good thing is that this is an exception. Most of the time the principals and teachers themselves call the counselors because they think it is important. Sometimes, we work with adolescents considered problematic. (interview with guardianship counselor "E")

In interviews with the guardianship councilors who are members of the 2nd, 3rd and 4th compositions (2001/2003, 2004/2006 and 2007/2009, respectively), it was found that in view of the credibility that the Council began to have before the local community, it began to attend to a wider range of cases, as the population, including principals, teachers and parents, began to understand that the TC could be an ally in combating the issue of school dropout.

This analysis proves exactly how important the connection between the School and the Council is, because it is through the School that the Council has greater chances of becoming aware of dropouts and so many other problems, and only then can it try to solve them. In this way, the relationship with the TC has proved to be a powerful space to provide new ideas and address situations defined as problematic within the Schools.

The issues proposed here should be discussed, as there will be benefits of all kinds for the child, adolescent, their parents or guardians, for the Child and Youth Justice and, finally, for the whole society. For this reason, legal operators and educators should foster the need for institutional strengthening of the TC. To the extent that the Council performs its duties provided for in article 136 of the ECA, as well as applies the protection measures, there will be a complementary preventive educational action with the scope that in the future there will be no application of socio-educational measures by the Child and Youth Justice.

## **METHODOLOGY**

The methodology of this study was conducted based on a qualitative approach, combining bibliographic, documentary and empirical research, structured to explore the interface between the Guardianship Council (TC) and schools in the municipality of Ouro Preto do Oeste, Rondônia, between 2001 and 2007. The methodological approach was multiple, covering the following distinct and complementary stages:

**Bibliographic Research:** This stage involved the review of existing literature on the role of Guardianship Councils in Brazil, their legal framework and institutional interactions

with schools. Books, academic articles, and relevant federal and municipal legislation were consulted to theoretically support the research.

**Documentary Research:** Official documents of the Tutelary Council of Ouro Preto do Oeste were analyzed, including minutes of administrative meetings, statistics of cases attended and related local legislation. This documentary survey provided crucial contextual information about the operations and interaction of the TC with the schools.

**Semi-structured Interviews:** Interviews were conducted with seven guardianship councilors of the municipality, consisting of six women and one man, representing the entire 4th composition of the council, in addition to an alternate councilor. The interviews addressed the nature of the interactions between the TC and the schools, the difficulties faced and the possibilities for improvement. Ethical aspects were guaranteed, with an emphasis on the protection of the identity of the participants.

**Data Analysis:** The qualitative data from the interviews and documentation were analyzed using content analysis techniques. This analysis sought to identify patterns of communication and collaboration between TC and schools, as well as the structural and operational barriers that may affect this interface.

This set of methodologies was selected to provide a broad and integrated view of the interaction between the Guardianship Councils and the local educational system, allowing the identification not only of the difficulties, but also of the potentialities of this relationship.

## **DISCUSSIONS AND RESULTS**

The discussion of the results obtained through this research revealed several important insights about the interaction between the Guardianship Council and the schools, evidencing significant limitations and possibilities:

Limitations identified:

**Deficient Structure:** The absence of adequate infrastructure for Guardianship Councils has been identified as a significant obstacle to the effectiveness of the interface with schools. Lack of human and material resources makes it difficult for counselors to act proactively.

**Lack of Communication:** Poor communication between TC and schools, often exacerbated by the absence of formalized protocols, emerged as a common theme among respondents. This contributes to misunderstandings and uncoordinated actions in favor of children and adolescents.

Although the insufficient infrastructure of the CT is notorious, 60% of respondents consider that improvements in direct communication have already brought tangible results.

#### Possibilities and Potentialities:

**Intensified Collaboration:** The study illustrated that increments in active communication and collaboration between TC and schools can provide tangible improvements in terms of combating school dropout and protecting children's rights. Formal partnerships could facilitate the exchange of information and joint strategies.

**Community Recognition:** There is a positive outlook regarding local community recognition and support for TC, which represents an opportunity to increase community engagement in child protection and education initiatives.

#### Observed Impact:

**Reduction of School Dropout:** The practices of TC, through its collaboration with schools, have already demonstrated positive influences on levels of schooling, even if not quantitatively documented. This collaboration was perceived as key to bringing students back to school and mitigating causes of dropout and recurring absences.

**Promotion of Citizenship:** The Guardianship Council was seen as an educational and preventive agent in promoting citizenship among young people, indicating that the proactive approach to disciplinary and educational issues strengthens children's rights, as well as reducing more severe interventions in the future.

In summary, the research suggests that, despite structural limitations, the potential for more effective interaction between the Guardianship Council and schools can be explored further, resulting in significant benefits for the educational community and the well-being of children and adolescents in the region.

## FINAL CONSIDERATIONS

From the set of elements investigated, it was possible to conclude that the interface between School and TC with its limits and possibilities is present in the activities developed by the TC of Ouro Preto do Oeste, as well as in other locations mentioned.

This study suggests investing in the training of councils and greater integration between TC and schools, facilitating communication, optimizing the interconnection between Education and Guarantee of Rights, through the strategic partnership between schools and TC.

It is a continuous procedure involving the subjects child, adolescent, school and TC, the latter acting, as a rule, when it is triggered, especially in cases of school dropout,

repetition of unjustifiable absences and repetition at a high level, problems that trigger numerous other social difficulties.

The TC can act as a complement to the School in these matters, as demonstrated in the various experiences unveiled, but it will not be the panacea for this problem, because it depends on the interface with other governmental and non-governmental agencies and, mainly, on the support of the family and the child and adolescent himself.

This study aims to try to contribute to the advancement of knowledge in this area to the extent that the aspect of complementation between TC and School can be much more explored, in addition to signaling to other aspects such as a supplementary practice of TC in relation to School, which well explored will evidence its multifaceted social relevance.

The work focused only on some points of the interface between both, regarding what the Law provides about TC and School in a complementary posture, which can be deepened in theoretical study and conscious practical exercise of those involved.

It was found that the guardianship counselors are aware of what they should do to get closer to the development of this interface, however, in view of the difficulties faced, this awareness does not turn into radical practical changes, because the ideal counselor is far from the real one. The former would perform his duties in an appropriate place, with fair remuneration and good working conditions. The latter performs his activities without sufficient structure and most of the time perceiving as remuneration an amount totally disproportionate to the work performed. As Bobbio (1992, p.67) discusses, "theory and practice travel two different roads and at very unequal speeds", so it is necessary to consider the peculiarities that exist between one TC and another, whether they are from different municipalities or from the same municipality, as well as from the councilors of the same Council.

The law, at the municipal and federal levels, lists the attributions related to the TC, but this work carried out by the TC goes far beyond simple care and referrals or representations, as it does not only aim to solve a specific problem, on the contrary, it aims to prevent possible future cases.

In summary, it is like a positive seed that has already been sown and must receive all the necessary care so that it can germinate and bear good fruit, and it is up to society as a whole to encourage and collaborate with its growth.

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