

HISTORIOFIGURE Y OF INDIGENOUS EDUCATION PUBLIC POLICIES: A CUT FROM THE 1988 FEDERAL CONSTITUTION TO CONTEMPORANEITY

HISTORIOGRAFIA DAS POLÍTICAS PÚBLICAS DE EDUCAÇÃO INDÍGENA: UM RECORTE A PARTIR DA CONSTITUIÇÃO FEDERAL DE 1988 ATÉ A CONTEMPORANEIDADE

HISTORIOGRAFÍA DE LAS POLÍTICAS PÚBLICAS DE EDUCACIÓN INDÍGENA: UN RECORTE A PARTIR DE LA CONSTITUCIÓN FEDERAL DE 1988 HASTA LA CONTEMPORANEIDAD



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ABSTRACT

The present article is an excerpt from a chapter, the result of the author's master's thesis in which she analyzed the historical and legal trajectory of public education policies aimed at indigenous peoples in Brazil. It was based on a qualitative and descriptive approach, grounded in historioFigure ical research and document analysis. The study highlights the transformations that have occurred since the Federal Constitution of 1988, a legal milestone that consolidated the right to differentiated education until the mid-2017 with the promulgation of the BNCC, in order to characterize such policies in their respective potentialities and/or weaknesses. The discussions highlight the indigenous protagonism in the conquest of their rights and the slow construction of public policies that recognize the cultural and linguistic diversity of these peoples. The analysis presented here demonstrates that, although legal advances have occurred, structural challenges still persist in the implementation of intercultural, bilingual, and contextualized indigenous school education.

Keywords: Indigenous School Education. Public Policies. Indigenous Peoples. Educational Legislation. Cultural Diversity.

RESUMO

O presente artigo é um recorte de um capítulo, resultado da dissertação de mestrado da autora na qual analisou o percurso histórico e legal das políticas públicas de educação voltadas aos povos indígenas no Brasil. Fundamentou-se em uma abordagem qualitativa e descritiva, com base em pesquisa historiográfica e análise documental. O estudo destaca as transformações ocorridas desde a Constituição Federal de 1988, marco legal que consolidou o direito à educação diferenciada até meados dos anos 2017 com a promulgação da BNCC

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de forma a caracterizar tais políticas em suas respectivas potencialidades e/ou fragilidades. As discussões evidenciam o protagonismo indígena na conquista de seus direitos e a lenta construção de políticas públicas que reconhecem a diversidade cultural e linguística desses povos. A análise aqui apresentada demonstra que, embora avanços legais tenham ocorrido, ainda persistem desafios estruturais na efetivação de uma educação escolar indígena intercultural, bilíngue e contextualizada.

Palavras-chave: Educação Escolar Indígena. Políticas Públicas. Povos Indígenas. Legislação Educacional. Diversidade Cultural.

RESUMEN

El presente artículo es un extracto de un capítulo, resultado de la elaboración de una maestría de la autora en la que analizó el recorrido histórico y legal de las políticas públicas de educación dirigidas a los pueblos indígenas en Brasil. Se fundamentó en un enfoque cualitativo y descriptivo, basado en investigación historiográfica y análisis documental. El estudio destaca las transformaciones ocurridas desde la Constitución Federal de 1988, hito legal que consolidó el derecho a la educación diferenciada hasta mediados de 2017 con la promulgación de la BNCC, con el fin de caracterizar dichas políticas en sus respectivas potencialidades y/o fragilidades. Las discusiones evidencian el protagonismo indígena en la conquista de sus derechos y la lenta construcción de políticas públicas que reconocen la diversidad cultural y lingüística de estos pueblos. El análisis aquí presentado demuestra que, aunque se han producido avances legales, aún persisten desafíos estructurales en la efectiva implementación de una educación escolar indígena intercultural, bilingüe y contextualizada.

Palabras clave: Educación Escolar Indígena. Políticas Públicas. Pueblos Indígenas. Legislación Educativa. Diversidad Cultural.

1 INTRODUCTION

In the current academic-scientific context, there is a significant increase in studies on the indigenous peoples of Brazil, especially with regard to historical and cultural terms.

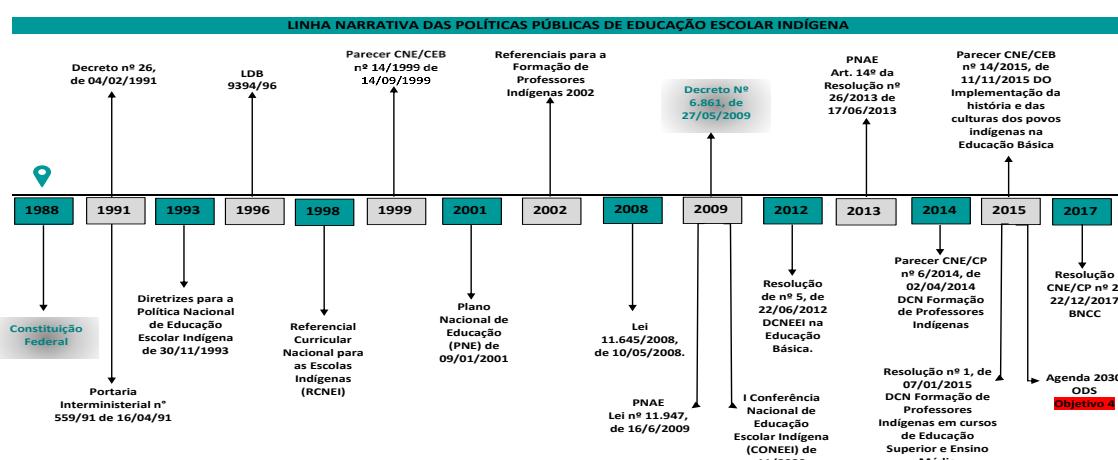
As a result of greater indigenous participation in decision-making in the field of public policies, over many years and gradually, legal apparatuses emerged in different segments such as health, education, territorial issues and the like, being favorable to the indigenous people. However, based on the history of these peoples and their reports, it can be pointed out that these achievements are the result of a slow process and watered by a lot of blood and native sweat (Lima, 2019).

When it comes to the history and transformations of indigenous school education, some authors report that they took place in two distinct moments, the first during the colonial period in which the focus was on catechization for the domination and assimilation of gentiles, and the other, after the 1988 Constitution, which opened the way for new perspectives of education with a view to respecting and democratizing this teaching (Medeiros, 2018).

In this section, we will review, within the socio-historical perspective, the transformations of public policies for indigenous education, as presented in the following narrative line:

Figure 1

Narrative Line of Public Policies for Indigenous School Education



Source: Prepared by the Author

Until the promulgation of the Federal Constitution (FC) of 1988, there was in fact no form of legislation aimed at indigenous school education, but what has been observed throughout history were genocidal and/or ethnocidal attempts at instructions largely aimed at

civilizing processes. Even so, it cannot fail to say that before that, the indigenous people have not experienced educational or learning moments, since their way of learning often takes place by oral means, passed from generation to generation, contrary to what will be presented from now on, which is indigenous school education, properly speaking and guaranteed by law today.

Thus, Azevedo (1996) points out that:

In order to better understand the development of indigenous school education in Brazil, in addition to the policies implemented, it is also necessary to investigate the legislation, since one of the most precious documents for the study of the evolution of the character of a civilization is found in school legislation, in teaching plans and programs and in the set of educational institutions (Azevedo, 1996, p.56).

From the Federal Constitution (FC) of 1988, a new era for indigenous education in Brazil emerges, because as we have described so far, the first attempts at education aimed at native peoples since European colonization took place in a broadly catechetical and assimilationist strand and with the FC, there were ruptures in this integrationist bias, in which education began to be made possible in a differentiated way, specific, intercultural and bilingual.

Throughout 1988, the indigenous movement and the movement in support of the Indians articulated to carry out initiatives related to indigenous rights in the future Constitution of the country. In addition to participating in discussions on related topics, they advised parliamentarians in the preparation of proposals and constitutional amendments in favor of the Indians. This mobilization was fundamental to ensure the consecration of indigenous rights and to stop the actions of opposing groups, interested in the exploitation of the natural resources of indigenous territories (BRASIL, 2001, p. 13).

As described by Faustino (2012), the revolution that took place in Indigenous Education in the 1990s was marked by the Federal Constitution of 1988, which since then, has ensured that Brazilian indigenous people have the unconditional right to a differentiated education, in which they would have access to universal education but in an adapted way, taking into account their mother tongues, cultural traditions and teaching being given by teachers from their communities, that is, indigenous teachers, as cited in Grupioni (1997):

With the 1988 Constitution, the Indians in Brazil were guaranteed the right to remain Indians, that is, to remain themselves, with their languages, cultures and traditions. By

recognizing that the Indians could use their mother tongues and their learning processes in school education, the possibility was established for the indigenous school to contribute to the process of ethnic and cultural affirmation of these peoples, ceasing to be one of the main vehicles of assimilation and integration (Grupioni, 1997, p. 130).

According to the 1988 Federal Constitution, the Indians came to be respected as differentiated ethnic groups, with the right to maintain their social organization, customs, languages, beliefs and traditions (CF Art. 231). In the same sense, in its article 210, the CF guarantees indigenous communities the use of their mother tongues and their own learning processes, and the State must protect the manifestations of indigenous cultures, which would later support the Law of Guidelines and Bases of National Education (LDBEN), guaranteeing indigenous peoples, in articles 78 and 79, the provision of bilingual and inter-cultural school education (BRASIL, 1996).

Among these legal apparatuses, the Indians are guaranteed the right to a school with specific characteristics, in addition to seeking the valorization of the traditional knowledge in force in their environment.

The rights guaranteed to indigenous peoples in the 1988 Constitution are the result of international policy and the actions of the Indians themselves who, together with the movements in support of the indigenous people, have articulated themselves, barring discriminatory actions by forces contrary to indigenous interests, participating in discussions so that their rights would be recognized (Buratto, 2007, p. 07).

In the last three decades that preceded the Constitution, the education of the indigenous people was assigned to the guardian body, the National Indian Foundation – FUNAI. With Decree No. 26, of February 4, 1991, which provides for Indigenous Education in Brazil, this reality was changed, and the Ministry of Education was responsible for integrating indigenous school education into the regular education systems, as well as coordinating actions related to these schools at all levels of education (BRASIL, 1991).

Art. 1 The Ministry of Education is responsible for coordinating actions related to Indigenous Education, at all levels and modalities of education, after consulting FUNAI. Art. 2 The actions provided for in Art. 1 shall be developed by the Secretariats of Education of the States and Municipalities in consonance with the National Secretariats of Education of the Ministry of Education (BRASIL, 1991).

In order to obtain subsidies and technical support regarding indigenous school education, Interministerial Ordinance No. 559/91 was created, which provides for the creation of an Indigenous School Education committee in the states, in addition to defining a range of guidelines in order to guide how the Ministry of Education (MEC) should assume its new functions. (BRAZIL, 1991).

Since then, several work and reflection fronts have been created with specialists, entities and people, which together would corroborate the elaboration of different guidelines for the implementation of a differentiated and pedagogically adequate education for indigenous students, not only in indigenous lands, but also outside them. In order to break with the model of catechization and integration of the Indians into national society, the MEC came up with the possibility of complying with the legislation guaranteeing indigenous peoples the right to a specific and differentiated education (BRASIL, 1991).

Prepared by the Indigenous School Education Committee, from the Ministry of Education, the Indigenous Education Policy emerged at the end of 1993, in which it presented the "Guidelines for the National Policy for Indigenous School Education". These Guidelines arise with the intention of serving as a basic reference for the operational plans of the States and Municipalities (BRASIL, 1993).

Based on the constitutional rights of indigenous peoples, this document was elaborated as an essential instrument in the implementation of a policy that guarantees, at the same time, respect for the specificity of indigenous peoples (in relation to non-Indians) and their internal diversity, be it linguistic, cultural or historical (BRASIL, 1993).

This document, which represents a milestone for indigenous school education in Brazil, establishes the principles for pedagogical practice in a context of cultural diversity. The proposal of a differentiated indigenous school represents a great novelty in the country's educational system and requires the responsible institutions and bodies to define new dynamics, conceptions and mechanisms, both so that these schools are actually incorporated and benefited by their inclusion in the official system and respected in their particularities (BRASIL, 2002, p. 02)

From the CF onwards, indigenous school education became the responsibility of the State, however, these guidelines will only be effective if all the agents involved (states, municipalities, MEC, FUNAI and universities) assume their respective responsibilities in the face of the new challenges of education towards these peoples (Grupioni, 2002).

According to Oliveira and Nascimento (2012), in addition to these Guidelines from 1993 to the present day, the MEC has also instituted a set of other guidelines with the aim of guiding the measures to be taken in the face of indigenous education issues, such as the National Curriculum Reference for Indigenous Schools (1998) and the References for the Training of Indigenous Teachers (2002), which bring in their texts, the principles and pedagogical and curricular proposals for indigenous schools, in addition to guiding the education systems regarding the construction and development of EEI policies (Oliveira; Nascimento; 2012).

On December 20, 1996, the National Congress approved the Law of Guidelines and Bases of National Education (LDBEN). This law establishes standards for the entire Brazilian educational system, establishing guidelines and bases for national education from Early Childhood Education to Higher Education.

With regard to Indigenous School Education, the LDB treats school education for indigenous peoples in a punctual way, making it clear that it should be organized differently from other schools in the education systems, as well as giving freedom to each indigenous school to define its Pedagogical Political Project (PPP) according to its particularities (BRASIL, 1996).

In addition, the practice of bilingualism is also emphasized in article 32, which establishes that its teaching will be taught in Portuguese, but ensuring that indigenous communities use their mother tongues and their own learning processes (BRASIL, 1996).

In Articles 78 and 79 of the same law, education for indigenous peoples is presented as offering a bilingual and intercultural school education, with a view to strengthening socio-cultural practices and the mother tongue of each indigenous community. Thus, the LDB determines the elaboration of integrated teaching and research programs through the articulation of education systems, together with the participation of indigenous communities in their formulation and in the development of specific curricula, including exclusively the cultural contents corresponding to the respective communities, in addition to the training of specialized professionals to work in schools, as well as the preparation and publication of specific and differentiated teaching materials (BRASIL, 1996).

Article 78. The Federal Education System, with the collaboration of the federal agencies for the promotion of culture and assistance to the Indians, will develop integrated teaching and research programs to offer bilingual and intercultural school education to the indigenous peoples, with the following objectives: I - to provide the

Indians, their communities and peoples with the recovery of their historical memories; the reaffirmation of their ethnic identities; the appreciation of their languages and sciences; II – to guarantee to the Indians, their communities and peoples, access to information, technical and scientific knowledge of the national society and other indigenous societies and não-índias. Art. 79. The Union shall provide technical and financial support to the education systems in providing intercultural education to indigenous communities, developing integrated teaching and research programs. § 1 The programs shall be planned with the audience of the indigenous communities. § 2 The programs referred to in this article, included in the National Education Plans, shall have the following objectives: I - to strengthen the socio-cultural practices and the mother tongue of each indigenous community; II - to maintain training programs for specialized personnel, intended for school education in indigenous communities; III - to develop specific curricula and programs, including the cultural contents corresponding to the respective communities; IV - systematically prepare and publish specific and differentiated didactic material (BRASIL, 1996).

In line with Article 79 of the LDB, in 1998 the Ministry of Education published the National Curriculum Reference for Indigenous Schools (RCNEI), in which the document was prepared with the purpose of offering subsidies for the elaboration of indigenous school education programs, as well as guidelines for the construction of the curriculum, teaching materials and for the training of teachers.

According to the RCNEI (1998), both schools and their respective materials must be based on community, intercultural, bilingual or multilingual, specific and differentiated principles.

The RCNE/Indigenous intends to serve as an auxiliary instrument in this discussion and reflection, since it proposes to: a) explain the common frameworks that distinguish indigenous schools from non-indigenous schools, b) reflect the new educational intentions that should guide public educational policies for Brazilian indigenous schools, c) present the minimum principles necessary in each area of study of the curriculum, so that the objectives to be achieved can be translated into classroom procedures (BRASIL, 1998, p. 13).

This document arises under the understanding that the school has assumed different scenarios throughout history in a movement that ranges from the imposition of educational models on indigenous peoples, through domination, denial of identities, integration and cultural homogenization, to educational models claimed by the Indians, within paradigms of cultural pluralism and respect and appreciation of ethnic identities (BRASIL, 1998).

According to the Ministry of Education (MEC), the RCN should be understood as a tool to stimulate reflection, and not as a manual to be followed. It also serves as a subsidy to

expand and scrutinize the principles outlined in the document "Guidelines for the National Policy for Indigenous School Education" of 1993. In short, it is a document with the objective of integrating selected universal knowledge and the ethno-knowledge of each indigenous people, unlike the National Curriculum Parameters (PCNs) and the National Curriculum Guidelines (DCNs) that are considered normative documents, the RCN is a document with additional subsidies, therefore, it provides information beyond that provided in the preparation of curricular proposals. Generally, RCNs are prepared for areas that need additional information, as is the case of School Education in Indigenous Schools (Menezes, 2001).

As a consequence of the RCNEI, Opinion CNE/CEB No. 14/1999 was approved on September 14, 1999, which provides for the National Guidelines for the operation of indigenous schools.

[...] the CNE believes that it contributes to the advance towards the creation and development of the Indigenous School category in the recovery of historical, ethnic, linguistic and scientific memories, typical of these communities and, at the same time, aiming at successful access to interculturality, bilingualism and universal knowledge with social quality (BRASIL, 1999).

Seen as a great advance to the educational system, the proposal of the differentiated indigenous school represents another milestone in the achievements of indigenous peoples, because until then, the entire teaching-learning process of indigenous peoples still occurred within the standards of non-Indians and as much as there have been advances in educational issues so far, These peoples were not yet assured of school rights within the standards of their cultures, because from then on, the responsible institutions and bodies were required to define new dynamics, conceptions and mechanisms, both so that these schools are actually incorporated and benefited by their inclusion in the system, as well as respected for their particularities.

It is worth remembering that indigenous education differs from the term indigenous school, since the former is not necessarily linked to the place of teaching, but to all forms of cultural, linguistic and ancestral learning that each individual goes through throughout his or her life, while indigenous school education, the focus of CNE/CEB Opinion No. 14/1999, aims to legally regulate the conditions for an Indigenous school education, not only with regard to learning itself, but also the teaching methodology, adequate teaching materials, school calendar, evaluation, qualified professionals and other peculiarities, in a way that is appropriate to the sociocultural reality of each indigenous community.

But according to Oliveira and Nascimento (2012, p. 776), in the school context of the time, these guidelines guided the education systems to respond to the demands of indigenous schools that, at that time, offered only the initial years of elementary education, but thirteen years later, would publish new guidelines for the ISS with the need to offer all basic education in indigenous school contexts.

On January 9, 2001, the National Education Plan (PNE) was enacted. In this plan, indigenous school education is presented in a chapter that discusses the situation of the provision of education to these peoples, as well as the guidelines, goals and objectives to be achieved in the short, medium and long term. Among the twenty-one objectives and goals, the universalization of educational programs in all grades of elementary education stand out, in addition to the granting of autonomy to indigenous schools with their pedagogical projects, such as the use of financial resources. (Grupioni, 2002).

In addition to these objectives, the PNE for indigenous schools also provides for the effective participation of communities in decisions related to schools, and the creation of lines of financing for the implementation of education programs in indigenous schools, in order to guarantee them, basic didactic-pedagogical equipment, as well as libraries, video libraries and other support materials. (Grupioni, 2002).

With the PNE, the legal responsibility for indigenous education and their respective schools is transferred to the state education systems, therefore, it is the responsibility of these bodies to professionalize and train indigenous teachers, as well as their public recognition among the categories in the teaching career. (Grupioni, 2002).

In addition to the legal apparatuses for the benefit of Brazilian indigenous communities that have emerged over the years after the Federal Constitution, we must also highlight an important achievement in the history of both native peoples and black communities, which was Law 11.645/2008, published on May 10, 2008, as referenced in figure 2.

Figure 2

Curriculum: Afro-Brazilian and Indigenous History and Culture



Source: Pereira, 2010

This law amends Law No. 9,394, of December 20, 1996, modified by Law No. 10,639, of January 9, 2003, which establishes the guidelines and bases of national education, to include as mandatory the theme "Afro-Brazilian and Indigenous History and Culture", in the official curriculum of the school system:

Article 1. Article 26-A of Law No. 9,394, of December 20, 1996, is now in force with the following wording: "Article 26-A. In public and private elementary and high schools, the study of Afro-Brazilian and indigenous history and culture becomes mandatory.

§ 1 The syllabus referred to in this article will include various aspects of the history and culture that characterize the formation of the Brazilian population, based on these two ethnic groups, such as the study of the history of Africa and Africans, the struggle of blacks and indigenous peoples in Brazil, the black and indigenous Brazilian culture and the black and the Indian in the formation of national society, rescuing his contributions in the social, economic and political areas, pertinent to the history of Brazil.

§ 2 The contents referring to Afro-Brazilian history and culture and of Brazilian indigenous peoples will be taught within the scope of the entire school curriculum, especially in the areas of artistic education and Brazilian literature and history." (BRAZIL, 2008)

The school is seen as one of the main spaces to reflect, teach and learn not only necessary content for reading, writing and calculation skills, but above all about different races, as well as about the origin and influence of black and indigenous peoples who form the variety of cultures from north to south of the country.

In this sense, Goularte and Melo (2013, p. 36) highlight the importance of working on the issue of interculturality in school from an early age, as it can contribute to the fight against discrimination, as well as encourage respect for different cultures, promoting exchange

between them, producing new meanings and expanding knowledge and notions of responsibility and solidarity.

And they also complement by saying that it is issues like these and the need to rescue and/or legitimize the different cultures that are part of the formation of Brazilians that motivated the institution of Law 11.645/08. (Goularte; Melo; 2013, p. 36)

With Decree No. 6,861, of May 27, 2009, which provides for Indigenous School Education, its organization is now defined as Ethnoeducational Territories (TEEs), of which the indigenous school education policy begins to corroborate not only in matters of territorial organization, but also in the form of management and conduction of the same, allowing indigenous communities, greater participation and autonomy in the decision-making of their education systems, as reported in articles 1, 3 and 4 of the same decree:

Art. 1 - Indigenous school education shall be organized with the participation of indigenous peoples, observing their territoriality and respecting their needs and specificities.

Art. 3 - Indigenous schools shall be recognized as schools with their own standards and specific curricular guidelines, aimed at intercultural and bilingual or multilingual teaching, enjoying special prerogatives for the organization of school activities, respecting the flow of economic, social, cultural and religious activities and the specificities of each community, regardless of the calendar year.

Art. 4 The following shall constitute basic elements for the organization, structure and functioning of the indigenous school:

- I - its location on lands inhabited by indigenous communities;
- II - exclusivity of service to indigenous communities;
- III - teaching in the mother tongues of the communities served; and
- IV - own school organization. (BRAZIL, 2009)

According to FUNAI, (2021, p. 08),

The TEE was designed as a space for the articulation of public policies aimed at Indigenous School Education, involving its different actors and agents (MEC, FUNAI, states, municipalities, Universities, Federal Institutes, NGOs) in the discussion and joint planning of actions.

In addition, FUNAI participates in the coordination of the TEE, integrating its Management Committee, as well as playing an important role in the mobilization of communities and the execution of meetings, and also providing technical and financial support for various demands of indigenous peoples included in the Action Plans of each TEE. (FUNAI, 2021).

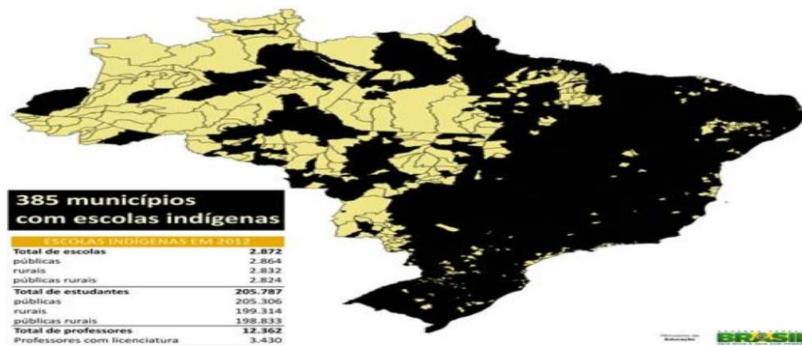
Figure 3*Total Indigenous Schools by region*

Source: BRAZIL, National Program of Indigenous Ethno-educational Territories, 2013

For Bergamachi and Sousa (2015), this policy inaugurates a new moment in the historical process of indigenous school protagonism, as it presents a more autonomous character to the indigenous educational process. And they also emphasize that:

(...) In this process, states and municipalities are called upon to assume their responsibilities in relation to indigenous school education, leaving only the indigenous peoples to decide whether to accept or reject the implementation of an ethnoterritory. (Bergamachi; Souza; 2015; p. 155)

Based on the 2012 Census, the 2013 National Program of Indigenous Ethno-educational Territories, a survey was carried out that up to that moment, 385 municipalities had already assumed their responsibilities regarding the recognition of a school education, since, between urban and rural schools, 2,872 indigenous schools were already part of this recognition, as can be seen as follows:

Figure 4*Indigenous Schools throughout Brazil*

Source: BRAZIL, National Program of Indigenous Ethno-educational Territories, 2013

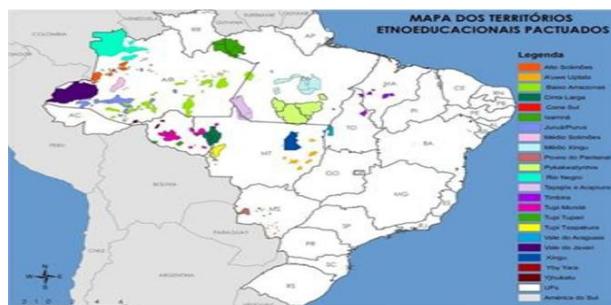
In addition, the authors describe that the Decree also offers possibilities for the implementation and execution of ethnoterritories, with indications of the responsibilities of each entity involved in the process, including in relation to budget allocations, including not only teaching materials but also school meals specific to each ethnic group, actions that will later be better discussed in the Ordinance of the Ministry of Education GM/MEC No. 1,062, of October 30, 2013, which will institute the National Program of Ethnoeducational Territories - PNTEE, which consists of an articulated set of technical and financial support actions by the MEC to the education systems, for the organization and strengthening of Indigenous School Education, as provided for in Decree No. 6,861, of May 27, 2009 (FUNAI, 2021).

Art. 5 The Federal Government shall provide technical and financial support to the following actions aimed at expanding the provision of school education to indigenous communities, among others that meet the objectives set forth in this Decree: I - construction of schools; II - initial and continuing training of indigenous teachers and other education professionals; III - production of didactic material; IV - secondary education integrated with professional training; and V - indigenous school feeding. (BRAZIL, 2009).

Regarding the implementation of this Decree, according to data from MEC/INEP (2012), 22 ethno-educational territories by 2013 had been agreed, and another 21 were being planned to be created by the year 2016. Of those that are already in force, it can be highlighted that most are located in the northern region of the country, as can be seen in Figure 5:

Figure 5

Ethno-educational territories agreed upon



Source: BRAZIL, National Program of Indigenous Ethno-educational Territories, 2013

When analyzing this document, it is noted that one of the strongest points in it refers to the effective participation of indigenous peoples in all stages of the management of school education, starting with the creation of the school itself as being by initiative or claim of the interested community, making explicit the autonomous character of the indigenous educational process. (BRAZIL, 2009).

Among so many legal achievements so far, another great milestone in history was Decree No. 6,861/2009, which is legally supported by the Federal Constitution (CF) of 1988, in article 210, paraFigure 2, in which the rights of indigenous people in the use of their mother tongues and their own learning processes are ensured, as well as the denomination "indigenous school" became legally official as of 1999, with the National Curriculum Guidelines for Indigenous School Education, established by Opinion No. 14/1999. Thus, Decree No. 6,861/2009, among other previous documents, is another result of a greater indigenous protagonism in search of a new way of doing school.

Also in this same Decree No. 6,861/2009, an issue involving specific school feeding for indigenous schools, is addressed in its Article 12, which says: "School feeding for indigenous schools must respect the eating habits of the communities, considered as such the traditional practices that are part of the local culture and food preference." Therefore, it is understood that respect for eating habits in indigenous schools is specifically guaranteed in this legislation and this is due to indigenous leaders, educators, parents who claimed changes in the menu offered in indigenous schools supported by Brazilian legislation. (Bellinger; Andrade: 2016).

In addition to this decree already addressing the specificities of indigenous school feeding, the National School Feeding Program (PNAE) that offers school feeding and food and nutrition education actions to students at all stages of public basic education, in which

the federal government transfers, to states, municipalities and federal schools, supplementary financial amounts made in 10 monthly installments (from February to November) to cover 200 school days, according to the number of students enrolled in each school system. (PNAE, 2021).

Based on Castro et. all. (2014, p. 2402), "the PNAE is characterized as a public policy in the area of food and nutrition security, which began in the country in the 1950s". It can be said that it is considered one of the most comprehensive and long-lasting in the area of school feeding in the world, with the objective of meeting the nutritional needs of students during their stay in schools, including indigenous schools and those located in remaining quilombo areas. (Castro et al., 2014).

According to the PNAE (2021), the amounts transferred to the states and municipalities are according to the number of students and respecting each modality and stage of education, as shown in table 1:

Table 1

ETAPA E MODALIDADE DE ENSINO	VALOR DE REPASSE
Creches	R\$ 1,07
Pré-escola	R\$ 0,53
Escolas indígenas e quilombolas	R\$ 0,64
Ensino fundamental e médio	R\$ 0,36
Educação de jovens e adultos	R\$ 0,32
Ensino integral	R\$ 1,07
Programa de Fomento às Escolas de Ensino Médio em Tempo Integral	R\$ 2,00
Alunos que frequentam o Atendimento Educacional Especializado no contraturno	R\$ 0,53

Source: Prepared by the author based on PNAE, 2021

In addition, through Law No. 11,947, of June 16, 2009, it is established as School Feeding Guidelines that the National School Feeding Program (PNAE) must invest 30% of this amount in the direct purchase of family farming products in order to stimulate the economic and sustainable development of communities (BRASIL, 2013), as shown in table 2.

Table 2*PNAE Guidelines*

Alimentação Saudável e Adequada	Orienta para o uso de alimentos variados, seguros, que respeitem a cultura, as tradições e os hábitos alimentares saudáveis, contribuindo para o crescimento e o desenvolvimento dos alunos e para a melhoria do rendimento escolar, em conformidade com a sua faixa etária e seu estado de saúde, inclusive dos que necessitam de atenção específica.
Educação Alimentar e Nutricional	Fomenta a inclusão da educação alimentar e nutricional no processo de ensino e aprendizagem, que perpassa pelo currículo escolar, abordando o tema alimentação e nutrição e o desenvolvimento de práticas saudáveis de vida.
Universalização	Atende a todos os alunos matriculados na rede pública de educação básica.
Participação social	Favorece o acompanhamento e ao controle da execução por meio da participação da comunidade no controle social, por meio dos Conselhos de Alimentação Escolar (CAE).
Desenvolvimento Sustentável	Incentiva a aquisição de gêneros alimentícios diversificados, produzidos em âmbito local e preferencialmente pela agricultura familiar e pelos empreendedores familiares rurais, priorizando as comunidades tradicionais indígenas e de remanescentes de quilombos.
Direito à alimentação escolar	Garante a segurança alimentar e nutricional dos alunos, com acesso de forma igualitária, respeitando as diferenças biológicas entre idades e condições de saúde dos alunos que necessitem de atenção específica e aqueles que se encontram em vulnerabilidade social.

Source: FNDE, 2015

When it comes to the school menu, in article 14 of Resolution No. 26/2013, minimum percentages are established to meet the specific nutritional needs of students, so it must be prepared by a nutritionist, respecting local and cultural eating habits. (PNAE, 2021).

According to data from the Ministry of Agriculture, Livestock and Supply (MAPA, 2020), with the arrival of the Covid-19 Pandemic, decreed by the WHO in March 2020, there was a need for social isolation measures, especially for indigenous peoples and traditional communities, who isolated themselves in their territories, making it difficult for them to flow and sell their products and mainly, directly affecting the supply of school meals. (MAPA, 2020).

According to the Ministry of Agriculture (2020), this scenario brought to light the need to make public policies that involve the food security of these peoples more flexible, showing even more the importance of acquiring products from the community itself.

At the end of 2009, more precisely in November, the First National Conference on Indigenous School Education (CONEEI) took place, through which representatives of indigenous peoples, government organizations and civil society met with the purpose of discussing the realities and educational needs of Indigenous School Education and proposals for improvement in its offer. especially in relation to the management model, as the primary focus of this Conference was the creation of a Proper System of Indigenous School Education in Brazil.

[...] at the national level, with a specific and differentiated legal system, under the coordination of the Ministry of Education (MEC) and with the guarantee of the protagonism of indigenous peoples in all processes of creation, organization, implementation, implementation, management, social control and inspection of all actions related to indigenous school education, contemplating and respecting the territorial situation of each indigenous people.... The Indigenous School Education System must recognize, respect and enforce the right to specific, differentiated, intercultural, community and quality education, especially with regard to the curricular issue and the differentiated calendar, which define specific norms, which ensure pedagogical autonomy (accepting the proper teaching and learning processes) and the managerial autonomy of indigenous schools as a way of exercising the right to free determination of peoples guaranteeing to the new generations the transmission of traditional indigenous knowledge and values (Final document of the First Conference on Indigenous School Education, 2009b, p. 4).

In view of the school context of the time and the increasingly growing demands of the ISS, which until then offered only the initial years of elementary school, Resolution No. 5 was instituted on June 22, 2012, which defines the National Curriculum Guidelines for Indigenous School Education in Basic Education. In this document, new guidelines for the ISS emerge with a focus on the provision of basic education in indigenous schools, through which they will guide its organization, in all stages and modalities, according to the principles of social equality, difference, specificity, bilingualism and interculturality. (BRAZIL, 2012).

In this sense, Resolution No. 5 (2012) will determine that the states will assume a fundamental role in offering this type of education, or even sharing this competence with the municipalities. In addition, in their Article 25, these regulations will also guide the offer and evaluation of initial and continuing training actions for indigenous teachers; the promotion of the continuing education of the technical teams of the education systems that carry out

indigenous school education programs; the preparation and publication of specific didactic material for indigenous schools; the holding of national conferences on indigenous school education, in addition to technical and financial support to education systems. (BRAZIL, 2012).

In the case of specific training for indigenous teachers, two years after the enactment of Resolution No. 5, the National Curriculum Guidelines for the Training of Indigenous Teachers were published under Opinion CNE/CP No. 6/2014, of April 2, 2014 and in 2015, Resolution CNE/CP 01/2015 that establishes the National Guidelines for the Training of Indigenous teachers at the Secondary Level and Higher Education, whose objective is to regulate programs and courses aimed at the initial and continuing training of indigenous teachers at the national level, this being not only a legal requirement, but also a claim of these peoples for many years, as highlighted by Bettoli and Leite (2017, p.12835).

The demand for the training of indigenous teachers became a struggle of the movement of these peoples and their organizations, pleading for specific training that contemplated the sociocultural characteristics of their communities and could meet the principles of the community, specific, differentiated, intercultural and bilingual indigenous school.

Such guidelines are based on the right of indigenous peoples to a differentiated school education, that is, with their own teaching and learning processes and to the use of their languages, but for this to actually occur, it is understood that there is a significant lack in the number of indigenous teachers with the appropriate training to work in all stages of Indigenous School Education. therefore, these guidelines will present indigenous teachers as the main interlocutors of their peoples, as well as those most responsible for conducting their schools, for this, they need to be able to critically reflect on the pedagogical political practices of Indigenous School Education, as already highlighted in Resolution CNE/CEB No. 5/2012 in Article 19, paraFigure 2:

It is up to indigenous teachers to critically reflect on the pedagogical political practices of Indigenous School Education, seeking to create strategies to promote the interaction of the various types of knowledge that are presented and intertwined in the school process: on the one hand, the so-called universal knowledge, to which every student, indigenous or not, should have access, and, on the other hand, ethnic knowledge, specific to their social group of origin, which today assumes increasing importance in indigenous school contexts (BRASIL, 2012).

Therefore, according to Article 4 of CNE Resolution 01/2015, it advises that:

The initial training of indigenous teachers should be carried out in specific courses of teaching degrees and intercultural pedagogies and, when applicable, in other teaching degree courses, special programs of pedagogical training and use of studies or, even, exceptionally, in other courses aimed at indigenous teaching at the secondary level in the normal or technical modalities (BRASIL, 2015).

Therefore, it is understood with this document that these courses must train to work in Indigenous School Education with a view to the integrated exercise of teaching, management and research assumed as a pedagogical principle, in a perspective of intercultural formation, expanding not only their cultural knowledge, but also broadening their horizons for non-indigenous education as well (BRASIL, 2015).

Understood as being one of the great achievements in the face of the protagonism of indigenous peoples and as a result of Law No. 11,645/2008, in the same year of 2015, CNE/CEB Opinion No. 14/2015, of November 11, 2015, was instituted, which will deal with the Operational Guidelines for the implementation of the history and cultures of indigenous peoples in Basic Education, as a result of Law No. 11,645/2008.

With this document, the school presents itself with an important role in strengthening interethnic relations between different ethnic and racial groups, of which the work on the prism of dialogue and the acceptance of differences, will contribute to the construction of a more just and egalitarian society. Therefore, this opinion will require, through correct and up-to-date information, a more in-depth and reliable knowledge about indigenous peoples, their ways of life, their worldviews, their knowledge and practices, their languages, their histories and their political struggles (BRASIL, 2015).

In summary, this document aims to guide the theme of the history and culture of indigenous peoples not to be restricted only to commemorative dates, but to extend to the entire formative life of each student and in different disciplines and approaches, thus providing a new look at the plurality of sociocultural experiences present in our country (BRASIL, 2015).

With regard to the views on the specificities of indigenous school education, it can be said that the year 2015 was a very "productive" year, because in addition to the policies mentioned above, in that same year, world leaders met at the UN headquarters in New York and outlined a global action plan called the 2030 Agenda for Sustainable Development. This plan is composed of a set of goals to be met with the main objective of eradicating poverty,

protecting the planet, and ensuring that people achieve peace and prosperity (2030 Agenda Platform, 2021).

To support these goals, 17 objectives were established called Sustainable Development Goals or SDGs, which bring together practical actions that should be developed universally by the year 2030 (2030 Agenda Platform, 2021).

According to the 2030 Agenda Platform, the 17 Goals are integrated and indivisible and mix, in a balanced way, the three dimensions of sustainable development, such as the economic dimension, the social dimension and the environmental dimension.

Figure 6
SDG areas of action



Source: Agenda 2030 Platform, 2021

Among these dimensions, it can be highlighted that the 17 Sustainable Development Goals (SDGs) are given in: poverty eradication; zero hunger, good health and well-being; quality education; gender equality; clean water and sanitation; affordable and clean energy; decent employment and economic growth; industry, innovation and infrastructure; reduction of inequalities; sustainable cities and communities; responsible consumption and production; combating climate change; life underwater; life on earth; peace, justice and strong institutions and finally; Partnerships in favor of the goals, as shown respectively in Figure 7:

Figure 7*Sustainable Development Goals (SDGs)*

Source: Agenda 2030 Platform, 2021

These goals aim to improve universal education and goal number 4 will deal specifically with Quality Education, which is intended to ensure inclusive and equitable quality education for all individuals, promoting lifelong learning opportunities (IPEA, 2021).

Aiming to expand the opportunities of the most vulnerable people on the path to development, the promotion of the training and empowerment of individuals is at the heart of goal 4.0 (2030 Agenda Platform, 2021).

When it comes to indigenous peoples, they are mentioned in goal number 4.5, by which Brazil should, by 2030, eliminate gender and race inequalities in education and ensure equal access, permanence and success at all levels, stages and modalities of education for groups in vulnerable situations, especially people with disabilities, rural populations, itinerant populations, indigenous and traditional communities, adolescents and young people in compliance with socio-educational measures, and the homeless population or in deprivation of liberty (IPEA, 2021).

In the SDGs, quality education is seen as a key element in the eradication of poverty, because in addition to learning itself, it is also understood as a very important instrument of emancipation and empowerment. This is what has been observed over the years with regard to indigenous peoples. They have realized that the more access to quality education (respecting their specificities), the more protagonists they become in decision-making in search of their rights.

Therefore, the educational practice of these schools must conceive the teachings thinking about the development of their students in all its dimensions, that is, taking into

account an integral education, which contemplates both the intellectual, as well as their emotional, physical, social and especially cultural skills and competences.

In 2017, the Ministry of Education (MEC) approved the National Common Curriculum Base (BNCC), which emerged with the aim of defining the set of essential learning that all students must develop throughout the stages and modalities of Basic Education, in which its main objective is to delimit the quality of education in the country through the establishment of a level of learning and development to which all students are entitled.

It is up to the BNCC to guide the formulation of the curricula of the school systems and networks throughout the country, indicating the competencies and skills that all students are expected to develop throughout schooling.

In the words of Nazareno and Araújo (2018), it was provided for by Article 210 of the Federal Constitution (1988), with its legitimacy ensured by the legal texts specifically directed to Brazilian education guaranteed both in the Law of Guidelines and Bases of National Education - LDBEN, Art. 26 – 1996, 2013; as well as in the General National Curriculum Guidelines for Basic Education – DCNGB – 2009; in the National Education Conference - CONAE and in the National Education Plan.

However, when it comes to education in indigenous schools, when analyzing the document, it is perceived that it is contradictory to all the achievements of this type of education, because in addition to not contemplating the specificities of a differentiated curriculum, it is necessary to take into account the enormous diversity on which indigenous school education is presented.

Under the critical eye of Nazareno and Araújo (2018, p. 38), "proposing a Curricular Base based on the History of Brazil constituted an audacious proposal to break with the teaching practiced in History of Basic Education classes, essentially Eurocentric."

Therefore, they point out that the revised BNCC leaves aside, in fact, the achievements of Brazilian indigenous peoples in the field of education in recent decades, as highlighted:

The result achieved with all these achievements and with the production of pluriepistemic knowledge, innovated indigenous school education, which seeks in its pedagogical and political project the decoloniality of indigenous and non-indigenous schools led by epistemic subjects, authors of their school curricula. Such postulates also point to changes in the ways in which non-indigenous education can deal with difference and diversity. (Nazarene; Araújo; 2018, p. 56).

For the authors, such achievements are part of the repertoire of Brazilian universities, which have long supported these causes and constantly debate the issue, since it is through this incessant work that advances have been observed regarding the quality of teaching materials as they are in accordance with the reality of many indigenous school communities. (Nazarene; Araújo; 2018).

Experts on the subject, when analyzing the document, proposed an intense revision of the document, based on two important ideas:

The first suggestion requires an equity between quilombola, indigenous or other populations' knowledge and cultures and knowledge of a Eurocentric matrix based on interculturality and transdisciplinarity. The second suggestion radicalizes the critical position towards the BNCC by proposing the creation of an Indigenous Intercultural Curriculum Base (BCII) in dialogue with the previous one, but which fulfills the function of democratizing indigenous school education by continuing the conquests of indigenous rights and allowing the sociolinguistic reality and societal projects of each people to be contemplated in their particularity to the detriment of the overvaluation of the Portuguese language and, consequently, from the prejudices arising from the hierarchy of knowledge. (Nazarene; Araújo; 2018, p. 40).

Therefore, what has been discussed so far is that the BNCC was created without due attention to the specificities of indigenous schools or their students, because in its reference, it is noted that when it is elaborated, it does not contemplate the Curricular Guidelines for Indigenous Education, since this modality of education requires, in addition to the participation of these communities in its elaboration, it needs to take into account the different realities of each ethnic group.

It is true that from colonization to the present moment, with regard to indigenous education, there have been significant advances throughout history; however, it is also possible to say that, since the Federal Constitution, there has been a greater indigenous role in the achievements of these peoples.

By dialoguing with the authors treated in this text, it was realized that even in the face of significant advances with regard to public policies for indigenous school education, there are still important gaps to be filled so that this school education is truly bilingual, specific, differentiated, intercultural and, above all, of quality as the goals established for the future of 2030 aspire to.

All this legal apparatus that has been presented so far supports not only a differentiated education, but further enhances equality of rights and human dignity.

Corroborating this view, it is recognized that public policies must still face the great challenge of putting an end to all forms of discrimination and oppression of indigenous peoples, not only educational issues, but especially with regard to cultural diversity, primordial foundations of a democratic society.

2 FINAL CONSIDERATIONS

This text presented an excerpt of a chapter, the result of the author's master's dissertation research in which she analyzed the historical and legal course of public education policies aimed at indigenous peoples in Brazil, of which, in view of the proposed theme, we sought to circumscribe a detailed theoretical study of how this historical process of production of the current public policies of indigenous education in Brazil was, from the Federal Constitution of 1988 to mid-2017 with the enactment of the BNCC, in order to characterize such policies in their respective potentialities and/or weaknesses.

Through this research, it was possible to characterize the public policy of indigenous education in contemporary Brazil, from which it was perceived that from it, Brazilian education began to look at the education of these peoples with greater care, understanding that it is essential to ensure them public policies that guarantee respect not only for their languages, but also for their languages, but mainly its cultural and organizational realities, as is the case of the creation of Ethnoeducational Territories (TEEs).

Also a result of greater indigenous protagonism, it is clear that over the centuries, public policies have been structured (according to the interests involved) and legislation has been transformed as different actors, institutions and resources have mobilized in this same ideal. Thus, what was initially treated as something irrelevant, such as the issue of respect for the mother tongues of indigenous peoples, with the CF begins to gain importance and with the enactment of the Law of Guidelines and Bases of Education – LDB (9394/96), it becomes an indispensable and inexorable right.

In addition, with the LDB, indigenous peoples, for the first time, conquered the right to have specialized professionals as teachers, a fact that throughout history had always occurred by priests and/or religious. However, it is noted that even in the face of some significant advances in recent decades, it is known that these peoples still face great challenges with regard not only to access to other educational achievements, but also to the permanence and maintenance of those that have already been guaranteed to them by law.

According to FUNAI, among these challenges, the production of bilingual materials for the last years of elementary school and high school also stand out, as well as the implementation of intercultural high school in indigenous schools, a reality that is little experienced in many Indigenous Lands, as well as the construction of a differentiated system of indigenous school evaluation and the institutionalization of policies for indigenous students' access to higher education and that allow them to remain.

It was possible to perceive that the legislation aimed at indigenous school education is developing through a slow process, but that it is gradually following its course and the right to a differentiated education is gradually being conquered through many struggles and subsequent legislations.

In this sense, after researching and understanding the historical transformations for the production of the current public education policy, indigenous education in Brazil is conceived as being in fact an acquired/conquered right over many decades. And what was clear from this study is that what most contributed to these transformations were not the initiatives coming from the public authorities to bring improvements to the native peoples, but rather, thanks to their greater role in the struggle for their rights, it is that there is no longer any discussion about whether or not they have the right to have a school, but rather, what kind of school do they want.

Furthermore, there is an evident recovery in the production of knowledge in the face of different cultures, something that in the early days of colonization, was totally devalued and even forbidden to be passed on, as seen in the catechetical processes.

As has become evident in the media, in contemporary Brazil, we are experiencing very difficult times and even significant setbacks with regard to indigenous populations, but in the face of everything they have suffered throughout history, coming close to total extermination, it is believed that today they are much more protected, not only legally, but mainly in the recognition of the importance of their rights, and it is precisely through education that future generations will still take possession of many other rights.

In the few visits that were made during the master's research, to learn about the reality of indigenous schools in the Midwest region of São Paulo, such as those located in the Indigenous Lands of Icatu (Braúna/SP), Vanuíre (Arco-Íris/SP) and Araribá (Avaí/SP), it was possible to perceive that they have buildings standardized to the indigenous people, as well as their teachers and employees. They are also all from local communities. In fact, the

assignment of classes for the hiring of teachers, which used to occur in the Education Directorates (DEs) of each region, is now transcribed internally in each UE.

Public policies for indigenous education have been gradually structured and a large part of indigenous lands and villages have school buildings, most of which follow architectural features linked to the standards of indigenous culture and have specific disciplines of indigenous culture, in addition to preferably indigenous servers and teachers. However, it is noted that there are still many aspects to be studied in order to culminate in improvements in service, with emphasis on the curricular matrix, teaching methods, didactic material, the organization of the school calendar and finally the training of teachers.

As guaranteed by law, such schools are also supported by the Department of Education of the State of São Paulo, from which, through the Education Boards (DEs), they receive supervision and pedagogical support. Other functions, such as the provision of school uniforms and public transportation to students who need to study outside indigenous schools, are the responsibility of the municipalities.

With regard to compliance with school days and class schedules, these schools also follow the guidelines in force for other non-indigenous schools. As for the materials, it was not possible to have access to them, so it is not known in advance if they follow the standards of non-indigenous schools or if they are adapted to the reality of each ethnic group. However, it was possible to identify the presence of specific teachers for the teaching of the mother tongue in each TI according to their local languages.

Understanding the legislation and public policies on indigenous education, tensioned by contemporary social and political structures, it was found that the main challenges of Brazilian indigenous school education are mainly due to the lack of recognition of the cultural diversity of these peoples by the State, as this requirement is a decisive factor in guaranteeing their rights. directly influencing both the production of specific didactic materials and the training of teachers and the pedagogical organization.

Because of this lack of recognition and disrespect for its particularities, indigenous education still goes through moments of "plastering" in the elaboration of its Pedagogical Political Projects (PPP), because they have to follow "norms" applied to non-indigenous schools.

In fact, many of the Brazilian indigenous schools, in addition to the lack of materials and specialized teachers, do not even have adequate physical structures for their students, much less the guarantee of food security, mandatory by law.

In short, in view of the challenges of this intercultural education, it is necessary and urgent to listen more carefully to the complaints of these peoples, in order to plan a truly inclusive educational policy, but for this, it is of paramount importance that there are more spaces among the representative bodies (such as the secretariats and ministries), of indigenous leaders, because only in this way, These policies will become de facto enforceable.

Finally, it was possible to observe that there are still important gaps in studies and policies in this area, and even though they are legally supported, these gaps have not been overcome as they should. Therefore, the relevance of greater participation of the public university in the development of more research on this theme is reinforced, in order to help society, at the level of managers and legislators and also at the level of the original communities in the search for improvements in education processes indigenous school in Brazil.

Thus, it is understood that legislation must meet the demands and thus ensure that Brazilians in general, and indigenous people in particular, have a differentiated educational policy, so that their values, knowledge and cultural tradition are valued in the educational process.

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